(b)(5)

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In *Carpenter v. United States*, the Supreme Court held that the Fourth Amendment protects cell-site location information (CSLI) that is automatically generated and recorded by the carrier whenever a cellular device is in use. In reaching this decision, the Court declined to extend the third-party doctrine to CSLI, holding that "[g]iven the unique nature of cell phone location records, the fact that the information is held by a third party does not by itself overcome the user's claim to Fourth Amendment protection." *Carpenter v. United States*, 138 S. Ct. 2206, 2217 (2018). The Court found CSLI to be different because of the exhaustive nature of the information collected by carriers, the special consideration given to location information in Supreme Court precedent, the pervasiveness of cellphones in daily life, and the fact that "a cell phone logs a cell-site record by dint of its operation, without any affirmative act on the part of the user beyond powering up." *Id.* at 2019-2220.

However, the Supreme Court made clear their decision "is a narrow one" and that it does not address matters such as tower dumps or "business records that might incidentally reveal location information." *Id.* at 2220. The Court also made clear this does not disturb the third party doctrine under *Smith* and *Miller*. *Id.* Under longstanding Supreme Court precedent, an individual has no reasonable expectation of privacy under the Fourth Amendment in information voluntarily disclosed to third parties.

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(b)(5) The AdID itself is created by the operating system on the device and serves as an anonymized identifier provided to these applications for marketing purposes. Although it is difficult to verify for any particular piece of data, (b)(5)

(b)(5)

(b)(5) From what we've been told, the AdID information offered by Venntel does not contain any information generated by the carrier or the device manufacturer, and the device owner can prevent the transmission of AdID locational information by removing the application from the device or by manipulating the device's settings to disable location services. Venntel's data suppliers also guarantee that the information is lawfully acquired.

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