

LOHIER, Circuit Judge, joined by POOLER, Circuit Judge, concurring:

I concur fully in Part I of the majority opinion, which accurately recites the facts, and Part III, which affirms based on the narrow ground that the Government relied in good faith on the 2006 search warrant obtained in this case. It bears emphasizing that Part III contains the only holding in the majority opinion. I also concur insofar as the majority opinion clarifies that under appropriate circumstances it may be helpful for litigants to use the mechanism provided by Rule 41(g) of the Federal Rules of Criminal Procedure when faced with the Government's retention of electronic data.