

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

16JUL06

CONTROL: 08MAY06-MEJ-0357-7HMA

[REDACTED] (ET AL)

RESULTS OF COMPUTER SEIZURE AND IMAGING

1. Predication: On 02JUL06, Reporting Agent (RA) was contacted by [REDACTED] requesting specific phase computer forensic investigative support to image seized computer media on-site in support of above-captioned investigation. Subsequent to imaging of seized electronic media, forensic computer support will be provided by Pacific Cyber Division, San Diego.

2. Summary: Pursuant to lead tasking received 02JUL06, RA aided in the seizure and creation of forensic computer images (copy) of computer media listed on NCISRA Camp Fallujah Evidence Custody MEIZ 003-06. Amplifying details are provided below.

3. Acquisition and media imaging: On 08JUL06, between approximately 1000 and 1200, RA, Special Agent (SA) [REDACTED], NCISRA Camp Fallujah, Investigator [REDACTED], USMC CID, and Special Agent [REDACTED], U.S. Army CID, seized 11 hard drives from [REDACTED] 3-321st FA BN/FOB Abu Ghraib S6, pertaining to the above captioned investigation. The hard drives originated from computers located at the cyber caf=E9, within the Moral, Welfare, and Recreation (MWR) center aboard Abu Ghraib. Enclosure (A) pertains.

The computers were all Gateway model M305CRV laptop computers with 20 gigabyte (GB) Hitachi Travelstar hard drives. At the time of seizure, all laptops were powered on. The machines were powered down via a graceful shut down. Enclosure (B) pertains. RA documented the date and time of the machines relative to local time, and noted no discrepancies. However two of the machines, computers 7 and 11, had locked BIOS' which prevented RA from verifying the system date and time settings, resulting in the date and time being undetermined on those machines.

The laptops were seized pursuant to the presence of a Department of Defense Banner. Additionally, RA also obtained the acceptable use policy, which was posted at the majority of the computer stations, as well as at the sign in sheet where members sign in to use the cyber cafe. Enclosures (C), (D), and (E) pertain.

The hard drives were secured in Army CID office facilities subsequent to seizure. Between 2200, 08JUL06, and 0200, 09JUL06, the hard drives were transported back to NCISRA Camp Fallujah and entered into Evidence Custody under log number MEIZ 003-06.

| Item | Description |
|------|---|
| A | One 20 GB laptop Hard Drive S/N K1C4PGEH from Gateway |

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EXHIBIT (195)

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SUBJ: [REDACTED] (ET AL)
U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

M305CRV Laptop S/N BE3W3370858 (Computer

19)

B One 20 GB laptop Hard Drive S/N K1C4J8KH from Gateway
M305CRV Laptop S/N BE3W3370856 (Computer 20)

C One 20 GB laptop Hard Drive S/N K1G2X70H from Gateway
M305CRV Laptop S/N BE3W3372392 (Computer 1)

D One 20 GB laptop Hard Drive S/N K1GB1GAH from Gateway
M305CRV Laptop S/N BE3W3384759 (Computer 2)

E One 20 GB laptop Hard Drive S/N K1C48DMH from Gateway
M305CRV Laptop S/N BE3W370730 (Computer 7)

F One 20 GB laptop Hard Drive S/N K1CD112H from Gateway
M305CRV Laptop S/N BE3W3370694 (Computer 8)

G One 20 GB laptop Hard Drive S/N K1C9H4HH from Gateway
M305CRV Laptop S/N BE3W3371154 (Computer 11)

H One 20 GB laptop Hard Drive S/N K1CDGDGH from Gateway
M305CRV Laptop S/N BE3W3382595 (Computer 15)

I One 20 GB laptop Hard Drive S/N K1G2Y98H from Gateway
M305CRV Laptop S/N BE3W3372391 (Computer 16)

J One 20 GB laptop Hard Drive S/N K1CDD63H from Gateway
M305CRV Laptop S/N BE3W3384752 (Computer 25)

K One 20 GB laptop Hard Drive S/N K1C4WA1H from Gateway
M305CRV Laptop S/N BE3W3370844 (Computer 26)

On 09JUL06, RA commenced imaging of seized hard drives utilizing Encase 5.04a. On 10JUL06, RA completed imaging of all seized hard drives. No errors occurred during the imaging process. The hash values for the drives were obtained and are included in Enclosure (E).

4. Disposition of Evidence: The original drives were returned to NCISRA Camp Fallujah MEIZ evidence custody for return to command. Between 11JUL06 and 12JUL06, RA transported the images of the evidence drives back to NCISFO Middle East Bahrain, where they were subsequently transferred to a hard drive and entered into evidence custody under log number 225-06 on 16JUL06. The images were subsequently mailed to the Pacific Cyber Division via registered mail tag RR745949046.

5. Glossary:

| Term | Definition |
|------------|---|
| Hash Value | A type of mathematical algorithm used in media verification integrity. The hash is generated by a formula in such a way that it is extremely unlikely that some other text will produce the same hash value. A hash is often referred to as an "electronic fingerprint"). |
| Imaging | The process used to obtain all of the data present on a storage media (e.g. hard drive), whether it is active data in free space, in such a way as to allow it to be |

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

examined as if it were the original data.

ENCLOSURES

- (A) Sketch of Abu Ghraib Cybercafe/ 08JUL06
- (B) Photographic Log and Photographs of Seized Computers/ 08JUL06
- (C) Department of Defense Banner/Undated
- (D) FOB Abu Ghraib MWR INTERNET AND TELEPHONE CAFE POLICY/28MAR06
- (E) MNC-I MWR INTERNET AND TELEPHONE CAFE POLICY/23MAY05
- (F) Hash Values for Evidence Drives/Undated

REPORTED BY: [REDACTED]
OFFICE: Pacific Cyber Division, Bahrain

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Page(s) 889 a, Encl (A) - (F), not
in case file

withheld entirely at this location. One or more of the following explain this decision:

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

23JUL06

CONTROL: 08MAY06-MEBJ-0357-7HMA

[REDACTED] (ET AL)

RECEIPT OF [REDACTED] EMAIL PROFILE

1. Predication: On 08JUL06, Reporting Agent (RA) was contacted by Special Agent (SA) [REDACTED], requesting computer forensic investigative support to obtain copies of the government e-mail account of [REDACTED].
2. Summary: Pursuant to lead tasking received 20JUL06, RA obtained copies of [REDACTED]'s Inbox, Deleted Items, Calendars, and Contacts from his government e-mail account. Amplifying details are provided below.
3. Acquisition and media imaging: Between the timeframe of 08JUL06 to 23JUL06, Reporting Agent (RA) was tasked to obtain copies of the government e-mail account of [REDACTED].

On 10JUL06, RA and Resident Agent in Charge (RAC) [REDACTED], contacted [REDACTED]. [REDACTED] provided RA with three (3) compact discs containing copies of [REDACTED]'s Deleted Items, Contacts, Calendar and Inbox. These items were subsequently entered into NCISFO Middle East Bahrain Evidence Custody, under log number 226-06, Items A and B.

| Item | Description |
|------|--|
| A | Two (2) Compact Discs containing copies of [REDACTED]'s Inbox from government e-mail account. |
| B | One (1) Compact Disc containing copies of [REDACTED] Deleted Items, Contacts, and Calendar from government e-mail account. |

[REDACTED] stated he was unable to obtain a copy of [REDACTED] Sent Items due to bandwidth issues. [REDACTED] stated the e-mail account in question was not stored on a server locally at Camp Fallujah and had to be remotely accessed. [REDACTED] reported [REDACTED]'s Sent Items folder contained several large files, which he was unable to copy because the bandwidth between Camp Fallujah and the off-site server was not adequate to transfer the files. [REDACTED] stated he would have someone located at the off-site server copy the Sent Items to compact disk for a NCIS Camp Fallujah Agent to obtain at a later date.

4. Disposition of Evidence: The profiles, contained on three (3) compact disks, NCISFO MEBJ 226-06, Item A and B, were forwarded to 24D5 for analysis via registered mail tag RR 745949050UD.

REPORTED BY: [REDACTED]

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08MAY06-MEBJ-0357-7HMA

SUBJ: [REDACTED] (ET AL)
U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

OFFICE: Pacific Cyber Division, Bahrain

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

23JUL06

CONTROL: 08MAY06-MEJB-0357-7HMA

[REDACTED] (ET AL)
[REDACTED]

RESULTS OF IMAGING OF [REDACTED] COMPUTER

1. Predication: On 08JUL06, Reporting Agent (RA) was contacted by Special Agent (SA) [REDACTED] requesting specific phase computer forensic investigative support to image the personal computer of [REDACTED]. Subsequent to imaging of seized electronic media, forensic computer support will be provided by Pacific Cyber Division, San Diego.

2. Summary: Pursuant to lead tasking received, on 20JUL06, RA created a forensic computer images (copy) of computer media listed on NCISRA Camp Fallujah Evidence Custody MEIZ 004-06. Amplifying details are provided below.

3. Acquisition and media imaging: Between the timeframe of 08JUL06 to 23JUL06, RA was tasked to image the personal computer of [REDACTED]. Between 11JUL06 and 12JUL06, RA transported [REDACTED] computer, MEIZ evidence custody log number 004-06, to NICSFO Middle East Bahrain.

| Item | Description |
|------|---|
| A | One sealed bag containing one Averatec laptop belonging to [REDACTED] |

On 16JUL06, RA commenced imaging of [REDACTED]'s computer utilizing Encase 4.22. A network acquisition was used as the hard drive was difficult to remove without voiding the computer warranty. On 18JUL06, RA completed imaging of [REDACTED] computer. No errors occurred during the imaging process.

4. Disposition of Evidence: Subsequent to imaging, the original computer, MEIZ 004-06, and images were forwarded to the Pacific Cyber Division for return to owner and analysis, via registered mail tag RR 745949050UD.

5. Glossary:

| Term | Definition |
|------------|---|
| Hash Value | A type of mathematical algorithm used in media verification integrity. The hash is generated by a formula in such a way that it is extremely unlikely that some other text will produce the same hash value. A hash is often referred to as an "electronic fingerprint"). |

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Imaging The process used to obtain all of the data present on a

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SUBJ: [REDACTED] (ET AL)
U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

storage media (e.g. hard drive) whether it is active data in free space, in such a way as to allow it to be examined as if it were the original data.

REPORTED BY: [REDACTED]
OFFICE: Pacific Cyber Division, Bahrain

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Page 2 LAST [REDACTED] V2 LNY

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

09AUG06

CONTROL: 08MAY06-MEBJ-0357-7HMA/T

████████████████████
SECOND RCFL REVIEW OF ██████████ ELECTRONIC MEDIA/18JUL06

1. On 21Jul06, an examination report was received from the Regional Computer Forensics Laboratory (RCFL), San Diego, CA. The report documented a second forensic processing of the following Marine Corps West Field Office (MWFO) evidentiary items:

361-06 (A)-(C): ██████████s Sager notebook computer, one Olympus digital camera with memory card, and one USB thumbdrive

340-06 (B): ██████████ (12) floppy diskettes

2. As background, evidence items 361-06 (A)-(C) were seized on 18May06, in Fallujah, IZ, subsequent to a signed Permissive Authorization for Search and Seizure (PASS). The items were placed into the Middle East Bahrain Field Office's (MEBJ) Evidence Custody System under log number 170-06 (A)-(C). On 09Jun06, the items were received and entered into Marine Corps West Field Office's (MWFO) Evidence Custody System under log number 361-06 (A)-(C). The items were subsequently transferred to RCFL for imaging and analysis.

3. As background, evidence item 340-06 (B) was seized on 20May06, in Fallujah, IZ, subsequent to a Command Authorization for Search and Seizure. The items were placed into the Middle East Bahrain Field Office's (MEBJ) Evidence Custody System under log number 150-06 (B). On 09Jun06, the items were received and entered into Marine Corps West Field Office's (MWFO) Evidence Custody System under log number 340-06 (B). The items were subsequently transferred to RCFL for imaging and analysis.

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4. Results of examination of evidence item 361-06 (A), Sager laptop computer, revealed one word processing document entitled "Recommendation for Awards for ██████████ and ██████████.doc". The narrative describes a different version of events that took place on 26Apr06, vice investigative findings reported in captioned investigation.

5. Link files pointing to a document named "IED shooting 26th.doc" were located on the Sager laptop computer. The document was previously identified in RCFL Examination Report #06-0217-A-01. The links point to a removable media device labeled ██████████

6. A document entitled "06032000PROYALFLUSH.doc" was located. The document was a census form dated 03Mar06, and contained specific biographical information on the ██████████ family.

7. Nothing of relevance was found on evidence items 361-06 (C),

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SUBJ: [REDACTED]

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[REDACTED] USB thumbdrive, and 340-06 (B), [REDACTED] (12)
floppy diskettes.

ENCLOSURE

(A) RCFL Examination Report #06-0217-A-04/18Jul06

REPORTED BY: [REDACTED] Special Agent

OFFICE: Marine Corps West Field Office, Camp Pendleton, CA

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LAST [REDACTED] V2 LNN

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RCFL San Diego

Regional Computer Forensics Laboratory

EXAMINATION REPORT

DATE OF REPORT: July 18, 2006

EXAMINER: [REDACTED]

SUBMITTING AGENCY: Naval Criminal Investigative Service (NCIS)
Marine Corps Base Camp Pendleton, CA

AGENCY CASE #: 08MAY06-MEBJ-0357-7HMA

REFERENCES: (A) RCFL Case #06-0217-A-01
(B) RCFL Case #06-0217-A-02
(C) RCFL Case #06-0217-A-03

REQUEST

On July 12, 2006, Special Agent (SA) [REDACTED] NCIS, MCB Camp Pendleton, requested forensic processing of previously submitted items for any data which may be related to the death of Hasim Ibrahim Awad on April 26, 2006 in the area of North Hamindiyah, Iraq (hereafter referred to as *the incident*.)

This request involves the following previously submitted items (hereafter referred to as *the Pennington items*):

- NCIS ECD #: 361-06 (170-06)
- Acquired From: [REDACTED]
- Description: Sager notebook computer, USB thumbdrive, Olympus digital camera and memory card
- NCIS ECD #: 340-06 (150-06)
- Seized from: [REDACTED]
- Description: Twelve (12) Floppy diskettes

Reference (B) is the narrative documenting the forensic imaging of the [REDACTED] items and an examination limited to data consisting of digital images.

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ENCLOSURE (A)

| | | | |
|-----------------|------------|------------|-------------|
| Examiner | ID# | App | Date |
| [REDACTED] | [REDACTED] | [REDACTED] | 7-20-06 |

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RCFL San Diego

Regional Computer Forensics Laboratory

EXAMINATION REPORT

SUMMARY

My examination pursuant to the case agent's current request shows the following:

1. One word processing document (Recommendation for Awards for [REDACTED] and [REDACTED].doc) consisting of a commendation justification narrative was found and appears to reference the incident.
2. Link files pointing to a document previously identified in Reference (A) (IED shooting 26th.doc) were found. The links point to a removable media device labeled [REDACTED]

EXAMINATION

The examined items were cataloged and forensically imaged earlier as described in Reference (B). This examination focused primarily on documents and metadata on the [REDACTED] items.

Text String Searches

I constructed a list of case-specific terms or *text strings*¹ to aid in searching the data on the media. The text strings listed in the following table were used to search for data relevant to the case agent's investigation:

| | | | | | | | | | |
|--------|---------------|------------|-----------------|------|------------------|--------|------------|------------|--------|
| shovel | investigation | saleh | DSCN082# | awad | gowad | hashim | 060426 | 8707-07FC | SECRET |
| X-IED | IED Shooting | populous | grid [REDACTED] | NCIS | ak-47 [REDACTED] | ambush | [REDACTED] | [REDACTED] | NOFORN |
| misery | storyboard | [REDACTED] | [REDACTED] | | | | | | |

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¹ A text string or term is a data string containing standard text and/or non-textual data. The term may be a word, a phrase or an expression. This applies to data in the form of "plain text" characters only. Data that is encrypted, compressed or stored in a proprietary format in which the creating application is needed to access the data may not be located during this process.

| | | | |
|----------------------|----------------|----------------------|------------|
| Examiner: [REDACTED] | ID# [REDACTED] | Approved On: 7-20-06 | [REDACTED] |
|----------------------|----------------|----------------------|------------|

RCFL San Diego

Regional Computer Forensics Laboratory

EXAMINATION REPORT

Based on the text strings search, I located several Windows Registry entries and Link (.LNK) files² to the document IED shooting 26th.doc, previously identified in Reference (A) as a narrative apparently related to the incident. I found only references and links to this file on the media identified as the [REDACTED] items, not the actual word processor document. The links to the file identify it as physically residing on a removable media device labeled [REDACTED] with a volume serial number of 8707-07FC. A printed table of the link data is included with this narrative as Attachment 1.

I located a *Microsoft Word* document titled Recommendation for Awards for [REDACTED] and [REDACTED] doc. This document appears to be a justification narrative for a commendable actions on two dates, including 060128 and 060426. A printed copy of the document is attached to this narrative as Attachment 2 with electronic versions on the accompanying compact disc (CD).

I also found a document titled 0603280200PROYALFLUSH.doc containing various names which include [REDACTED], apparently as a type of after-action summary. This document is a typical example of several dozen similar documents found on the [REDACTED] items and on media previously described in the narrative Reference (A). (See Attachment 3.)

Negative Findings

I did not locate any files bearing classified labeling on this media. Further, I did not locate any links or other data corresponding to the series of digital image (picture) files named DSCN0828.jpg through DSCN0833.jpg as previously identified in Reference (A).

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²Link (.LNK) files, also called "shortcuts" are small files containing information about other files, such as their location, the application used to open them, the name and volume serial number of the device where the data resides, programming arguments and so forth. They are also used by programmers to identify other files in a manner which creates convenience for the user. For example, an icon on a [REDACTED] desktop is a type of link file.

| | | | |
|----------------------|-----------------|-------------------------|---------|
| Examiner: [REDACTED] | ILS: [REDACTED] | Approved by: [REDACTED] | 7-25-08 |
|----------------------|-----------------|-------------------------|---------|

Shortcut File

| File information | |
|------------------------|---|
| Local Path | E:\2nd plt combat reports\1st squad\IED shooting 26th.doc |
| Volume Type | Removable Disk |
| Volume Label | [REDACTED] |
| Volume Serial Number | 8707-07FC |
| File size | 24064 |
| Creation time (UTC) | 4/28/2006 12:15:19 PM |
| Last write time (UTC) | 4/28/2006 12:15:22 PM |
| Last access time (UTC) | 4/27/2006 8:00:00 PM |
| File properties | |
| Archive | [REDACTED] |
| Cache | [REDACTED] |
| Working directory | E:\2nd plt combat reports\1st squad |

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NAVAL CRIMINAL INVESTIGATIVE SERVICE

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09 Aug 06 T.A (Exh (198))

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

05SEP06

CONTROL: 08MAY06-MEJ-0357-7HMA/T

[REDACTED] (ET AL)

EXTENSION REQUESTS ON PRESERVATION LETTERS

1. Extension requests were made for each of the nineteen (19) 2703(f) preservation letters previously submitted by Reporting Agent in MAY06 and JUN06 for the Internet Accounts identified below. This preserves the information for another ninety (90) day period, for possible further legal process to obtain content, Enclosures (A) through (LL) pertain.

2. The email accounts requested for preservation are:

[REDACTED] hotmail.com and [REDACTED]
[REDACTED] hotmail.com and [REDACTED]
[REDACTED] hotmail.com and [REDACTED]
[REDACTED] hotmail.com and [REDACTED]
[REDACTED] hotmail.com and [REDACTED]
[REDACTED] yahoo.com and [REDACTED]
[REDACTED] aol.com and [REDACTED]
[REDACTED] aol.com and [REDACTED]
[REDACTED] aol.com and [REDACTED]
[REDACTED] hotmail.com and [REDACTED]
[REDACTED] yahoo.com and [REDACTED]
[REDACTED] yahoo.com and [REDACTED]
USMC

3. The Myspace.com profiles and names requested for preservation are:

profile.myspace.com/index.cfm?fuseaction=user.viewprofile&friendID=[REDACTED]
MySpace Friend ID: [REDACTED] and [REDACTED]

http://www.myspace.com/[REDACTED]
MySpace Friend ID: [REDACTED] and [REDACTED]

http://www.myspace.com/[REDACTED]
MySpace Friend ID: [REDACTED] and [REDACTED]

http://www.myspace.com/index.cfm?fuseaction=user.viewprofile&friendid=[REDACTED]
MySpace Friend ID: [REDACTED] and [REDACTED]

http://www.myspace.com/[REDACTED]
MySpace Friend ID: [REDACTED] and [REDACTED]

http://www.myspace.com/index.cfm?fuseaction=user.viewprofile&friendid=[REDACTED]
MySpace Friend ID: [REDACTED] and [REDACTED]

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EXHIBIT 199

SUBJ: [REDACTED] (ET AL)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

http://www.myspace.com/[REDACTED]
MySpace Friend ID: [REDACTED] and [REDACTED]

ENCLOSURE(S)

- (A) Yahoo! 2703(f) - [REDACTED]@yahoo.com/25AUG06
- (B) Yahoo! 2703(f) - [REDACTED]@yahoo.com/25AUG06
- (C) Yahoo! 2703(f) - [REDACTED]@yahoo.com/25AUG06
- (D) Yahoo! 2703(f) - [REDACTED]@yahoo.com/25AUG06
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- (K) MSN 2703(f) - [REDACTED]show@hotmail.com/25AUG06
- (L) MSN 2703(f) - [REDACTED]0311@hotmail.com/29AUG06
- (M) MSN 2703(f) - [REDACTED]@hotmail.com/29AUG06
- (N) MSN 2703(f) - [REDACTED]@hotmail.com/29AUG06
- (O) MSN 2703(f) - [REDACTED]@hotmail.com/29AUG06
- (P) MSN 2703(f) - [REDACTED]4show@hotmail.com/29AUG06
- (Q) MSN 2703(f) - [REDACTED]@hotmail.com/05SEP06
- (R) AOL 2703(f) - [REDACTED]@aol.com/25AUG06
- (S) AOL 2703(f) - [REDACTED]@aol.com/25AUG06
- (T) AOL 2703(f) - [REDACTED]@aol.com/29AUG06
- (U) AOL 2703(f) - [REDACTED]@aol.com/29AUG06
- (V) GOOGLE 2703(f) - [REDACTED]@gmail.com/25AUG06
- (W) GOOGLE 2703(f) - [REDACTED]@gmail.com/29AUG06
- (X) MySpace.com 2703(f) - Myspace Friend ID: [REDACTED]/25AUG06
- (Y) MySpace.com 2703(f) - Myspace Friend ID: [REDACTED]/25AUG06
- (Z) MySpace.com 2703(f) - Myspace Friend ID: [REDACTED]/25AUG06
- (AA) MySpace.com 2703(f) - Myspace Friend ID: [REDACTED]/25AUG06
- (BB) MySpace.com 2703(f) - Myspace Friend ID: [REDACTED]/25AUG06
- (CC) MySpace.com 2703(f) - Myspace Friend ID: [REDACTED]/25AUG06
- (DD) MySpace.com 2703(f) - Myspace Friend ID: [REDACTED]5/25AUG06
- (EE) MySpace.com 2703(f) - Myspace Friend ID: [REDACTED]29AUG06
- (FF) MySpace.com 2703(f) - Myspace Friend ID: [REDACTED]/29AUG06
- (GG) MySpace.com 2703(f) - Myspace Friend ID: [REDACTED]/29AUG06
- (HH) MySpace.com 2703(f) - Myspace Friend ID: [REDACTED]/29AUG06
- (II) MySpace.com 2703(f) - Myspace Friend ID: [REDACTED]/29AUG06
- (JJ) MySpace.com 2703(f) - Myspace Friend ID: [REDACTED]29AUG06
- (KK) MySpace.com 2703(f) - Myspace Friend ID: [REDACTED]3/29AUG06
- (LL) MySpace.com 2703(f) - Myspace Friend ID: [REDACTED]/05SEP06

b7c

REPORTED BY: [REDACTED] Special Agent
OFFICE: Code 24D1, NCISHQ Washington, DC

FOR OFFICIAL USE ONLY

WARNING

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THIS DOCUMENT IS THE PROPERTY OF THE NAVAL CRIMINAL INVESTIGATIVE SERVICE
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HERE TO. CONTENTS MAY NOT BE DISCLOSED TO THE PARTY(S) CONCERNED WITHOUT SPECIFIC
AUTHORIZATION FROM THE NAVAL CRIMINAL INVESTIGATIVE SERVICE.

18 U.S.C. § 2703(f) NOTICE TO PRESERVE EVIDENCE

MEMORANDUM FOR
Yahoo! Custodian of Records
701 First Ave
Sunnydale, CA 94089
Fax: (408) 349-7941
Voice: (408) 349-3300

b7c

25AUG06

FROM: Naval Criminal Investigative Service
Special Agent [REDACTED]

SUBJECT: Notice to Preserve Evidence under 18 U.S.C. 2703(f)

Dear Sir or Madame:

This letter is a follow-up 2703(f) preservation letter which was faxed to your office on 19May06. I am a Special Agent of the Naval Criminal Investigative Service (NCIS), a duly authorized federal law enforcement officer. In that capacity, I am requesting all records pertaining to e-mail address [REDACTED]@yahoo.com or any other accounts identified to belong to [REDACTED] be preserved.

I will be requesting the issuance of a subpoena and/or court order under 18 U.S.C. § 2703(c) and (d), respectively, for your connection logs so that I can trace how this unknown individual accessed your system. Since the court process may take some time, I am requesting, pursuant to 18 U.S.C. § 2703(f), that your company take appropriate measures to preserve transactional logs, contents of any relevant communications, back-up files, and such other evidence that pertains to the above-described connection(s).

For ease of reference, 18 U.S.C. § 2703(f) provides:

(f) Requirement to preserve evidence. –

(1) In general. – A provider of wire or electronic communication services or a remote computing service, upon request of a governmental entity, shall take all necessary steps to preserve records and other evidence in its possession pending the issuance of a court order or other process.

(2) **Period of retention.**— Records referred to in paragraph (1) shall be retained for a period of 90 days, which shall be extended for an additional 90-day period upon a renewed request by the governmental entity.

Although you have been most cooperative, in past cases with other companies, we have experienced some leaks concerning the existence of our on-going investigation. While such leaks may represent misplaced good intention, they can have a serious impact upon our investigations. Accordingly, we now routinely request that all company personnel be placed on notice that they are subject to criminal liability should they disclose any information regarding our investigation.

Again, I greatly appreciate your cooperation with our agency in this matter. If you have any question or comments, please feel free to contact me at ~~(888) 433-1000~~. My office fax number is (202) 433-9307. Thank you.



Special Agent
NCIS

b7c

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18 U.S.C. § 2703(f) NOTICE TO PRESERVE EVIDENCE

MEMORANDUM FOR
Yahoo! Custodian of Records
701 First Ave
Sunnyvale, CA 94089
Fax: (408) 349-7941
Voice: (408) 349-3300

b7c

25AUG06

FROM: Naval Criminal Investigative Service
Special Agent [REDACTED]

SUBJECT: Notice to Preserve Evidence under 18 U.S.C. 2703(f)

Dear Sir or Madame:

This letter is a follow-up 2703(f) preservation letter which was faxed to your office on 01JUN06. I am a Special Agent of the Naval Criminal Investigative Service (NCIS), a duly authorized federal law enforcement officer. In that capacity, I am requesting all records pertaining to e-mail addresses [REDACTED]@yahoo.com, [REDACTED]@yahoo.com, [REDACTED]@YAHOO.COM, [REDACTED]@YAHOO.COM or any other accounts identified to belong to [REDACTED] or [REDACTED] be preserved.

I will be requesting the issuance of a subpoena and/or court order under 18 U.S.C. § 2703(c) and (d), respectively, for your connection logs so that I can trace how this unknown individual accessed your system. Since the court process may take some time, I am requesting, pursuant to 18 U.S.C. § 2703(f), that your company take appropriate measures to preserve transactional logs, contents of any relevant communications, back-up files, and such other evidence that pertains to the above-described connection(s).

For ease of reference, 18 U.S.C. § 2703(f) provides:

(f) Requirement to preserve evidence. –

(1) In general. – A provider of wire or electronic communication services or a remote computing service, upon request of a governmental entity, shall take all necessary steps to preserve records and other evidence in its possession pending the issuance of a court order or other process.

(2)Period of retention.— Records referred to in paragraph (1) shall be retained for a period of 90 days, which shall be extended for an additional 90-day period upon a renewed request by the governmental entity.

Although you have been most cooperative, in past cases with other companies, we have experienced some leaks concerning the existence of our on-going investigation. While such leaks may represent misplaced good intention, they can have a serious impact upon our investigations. Accordingly, we now routinely request that all company personnel be placed on notice that they are subject to criminal liability should they disclose any information regarding our investigation.

Again, I greatly appreciate your cooperation with our agency in this matter. If you have any question or comments, please feel free to contact me at [REDACTED]
[REDACTED] My office fax number is (202) 433-9307. Thank you.

[REDACTED]
Special Agent
NCIS

b7c

18 U.S.C. § 2703(f) NOTICE TO PRESERVE EVIDENCE

MEMORANDUM FOR
Yahoo! Custodian of Records
701 First Ave
Sunnyvale, CA 94089
Fax: (408) 349-7941
Voice: (408) 349-3300

b7c

25Aug06

FROM: Naval Criminal Investigative Service
Special Agent [REDACTED]

SUBJECT: Notice to Preserve Evidence under 18 U.S.C. 2703(f)

Dear Sir or Madame:

This letter is a follow-up 2703(f) preservation letter which was faxed to your office on 19May06. I am a Special Agent of the Naval Criminal Investigative Service (NCIS), a duly authorized federal law enforcement officer. In that capacity, I am requesting all records pertaining to e-mail address [REDACTED]@yahoo.com and [REDACTED]@yahoo.com or any other accounts identified to belong to [REDACTED] be preserved.

I will be requesting the issuance of a subpoena and/or court order under 18 U.S.C. § 2703(c) and (d), respectively, for your connection logs so that I can trace how this unknown individual accessed your system. Since the court process may take some time, I am requesting, pursuant to 18 U.S.C. § 2703(f), that your company take appropriate measures to preserve transactional logs, contents of any relevant communications, back-up files, and such other evidence that pertains to the above-described connection(s).

For ease of reference, 18 U.S.C. § 2703(f) provides:

(f) Requirement to preserve evidence. --

(1) In general. -- A provider of wire or electronic communication services or a remote computing service, upon request of a governmental entity, shall take all necessary steps to preserve records and other evidence in its possession pending the issuance of a court order or other process.

(2)Period of retention.— Records referred to in paragraph (1) shall be retained for a period of 90 days, which shall be extended for an additional 90-day period upon a renewed request by the governmental entity.

Although you have been most cooperative, in past cases with other companies, we have experienced some leaks concerning the existence of our on-going investigation. While such leaks may represent misplaced good intention, they can have a serious impact upon our investigations. Accordingly, we now routinely request that all company personnel be placed on notice that they are subject to criminal liability should they disclose any information regarding our investigation.

Again, I greatly appreciate your cooperation with our agency in this matter. If you have any question or comments, please feel free to contact me at [REDACTED]. My office fax number is (202) 433-9307. Thank you.

[REDACTED]
Special Agent
NCIS

b7c



NAVAL CRIMINAL INVESTIGATIVE SERVICE

716 SICARD STREET, SE, SUITE 2000
WASHINGTON NAVY YARD DC 20388-5380
TEL: [REDACTED] FAX: (202) 433-907

18 U.S.C. § 2703(f) NOTICE TO PRESERVE EVIDENCE

MEMORANDUM FOR
Yahoo! Custodian of Records
701 First Ave
Sunnydale, CA 94089
Fax: (408) 349-7941
Voice: (408) 349-3300

b7c

29AUG06

FROM: Naval Criminal Investigative Service
Special Agent [REDACTED]

SUBJECT: Notice to Preserve Evidence under 18 U.S.C. 2703(f)

Dear Sir or Madame:

This is both a new 2703 (f) preservation letter and an extension for the account(s) identified below. Please continue to preserve account information previously requested on May 19, 2006 up to 29Aug06, the date of this new request. I am a Special Agent of the Naval Criminal Investigative Service (NCIS), a duly authorized federal law enforcement officer. In that capacity, I am requesting all records pertaining to email address [REDACTED]@yahoo.com or any other accounts identified to belong to [REDACTED] be preserved.

I will be requesting the issuance of a subpoena and/or court order under 18 U.S.C. § 2703(c) and (d), respectively, for your connection logs so that I can trace how this unknown individual accessed your system. Since the court process may take some time, I am requesting, pursuant to 18 U.S.C. § 2703(f), that your company take appropriate measures to preserve transactional logs, contents of any relevant communications, back-up files, and such other evidence that pertains to the above-described connection(s).

For ease of reference, 18 U.S.C. § 2703(f) provides:

(f) Requirement to preserve evidence. -

(1) In general. - A provider of wire or electronic communication services or a remote computing service, upon request of a governmental entity, shall take all necessary steps to preserve records and other evidence in its possession pending the issuance of a court order or other process.

(2) Period of retention. - Records referred to in paragraph (1) shall be retained for a period of 90 days, which shall be extended for an additional 90-day period upon a renewed request by the governmental entity.

18449

Enclosure (D) 921



United States NAVAL CRIMINAL INVESTIGATIVE SERVICE

716 SICARD STREET, SE, SUITE 2000
WASHINGTON NAVY YARD DC 20388-5380
TEL: [REDACTED] FAX: (202) 433-907

Although you have been most cooperative, in past cases with other companies, we have experienced some leaks concerning the existence of our on-going investigation. While such leaks may represent misplaced good intention, they can have a serious impact upon our investigations. Accordingly, we now routinely request that all company personnel be placed on notice that they are subject to criminal liability should they disclose any information regarding our investigation.

Again, I greatly appreciate your cooperation with our agency in this matter. If you have any question or comments, please feel free to contact me at [REDACTED]. My office fax number is (202) 433-9307. Thank you.

[REDACTED]

Special Agent
NCIS

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UNITED STATES NAVAL CRIMINAL INVESTIGATIVE SERVICE

716 SICARD STREET, SE, SUITE 2000
WASHINGTON NAVY YARD DC 20380-5380
TEL: [REDACTED] FAX: (202) 433-907

18 U.S.C. § 2703(f) NOTICE TO PRESERVE EVIDENCE

b7c

MEMORANDUM FOR
Yahoo! Custodian of Records
701 First Ave
Sunnydale, CA 94089
Fax: (408) 349-7941
Voice: (408) 349-3300

29AUG06

FROM: Naval Criminal Investigative Service
Special Agent [REDACTED]

SUBJECT: Notice to Preserve Evidence under 18 U.S.C. 2703(f)

Dear Sir or Madame:

This is both a new 2703 (f) preservation letter and an extension for the account(s) identified below. Please continue to preserve account information previously requested on June 1, 2006 up to 29Aug06, the date of this new request. I am a Special Agent of the Naval Criminal Investigative Service (NCIS), a duly authorized federal law enforcement officer. In that capacity, I am requesting all records pertaining to email address [REDACTED]@yahoo.com, [REDACTED]@yahoo.com, [REDACTED]@YAHOO.COM, [REDACTED]@YAHOO.COM or any other accounts identified to belong to [REDACTED] or [REDACTED], be preserved.

I will be requesting the issuance of a subpoena and/or court order under 18 U.S.C. § 2703(c) and (d), respectively, for your connection logs so that I can trace how this unknown individual accessed your system. Since the court process may take some time, I am requesting, pursuant to 18 U.S.C. § 2703(f), that your company take appropriate measures to preserve transactional logs, contents of any relevant communications, back-up files, and such other evidence that pertains to the above-described connection(s).

For ease of reference, 18 U.S.C. § 2703(f) provides:

(f) Requirement to preserve evidence. -

(1) In general. - A provider of wire or electronic communication services or a remote computing service, upon request of a governmental entity, shall take all necessary steps to preserve records and other evidence in its possession pending the issuance of a court order or other process.

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Enclosure (E)



NAVAL CRIMINAL INVESTIGATIVE SERVICE

716 SICARD STREET, SE, SUITE 2000
WASHINGTON NAVY YARD DC 20386-5380
TEL: [REDACTED] FAX: (202) 433-9307

(2) Period of retention.— Records referred to in paragraph (1) shall be retained for a period of 90 days, which shall be extended for an additional 90-day period upon a renewed request by the governmental entity.

Although you have been most cooperative, in past cases with other companies, we have experienced some leaks concerning the existence of our on-going investigation. While such leaks may represent misplaced good intention, they can have a serious impact upon our investigations. Accordingly, we now routinely request that all company personnel be placed on notice that they are subject to criminal liability should they disclose any information regarding our investigation.

Again, I greatly appreciate your cooperation with our agency in this matter. If you have any question or comments, please feel free to contact me at [REDACTED]. My office fax number is (202) 433-9307. Thank you.

[REDACTED]
Special Agent
NCIS

b7c

924



NAVAL CRIMINAL INVESTIGATIVE SERVICE

716 SICARD STREET, SE, SUITE 2000
WASHINGTON NAVY YARD DC 20380-5300
TEL: [REDACTED] FAX: (202) 433-907

18 U.S.C. § 2703(f) NOTICE TO PRESERVE EVIDENCE

MEMORANDUM FOR
Yahoo! Custodian of Records
701 First Ave
Sunnydale, CA 94089
Fax: (408) 349-7941
Voice: (408) 349-3300

b7c

29AUG06

FROM: Naval Criminal Investigative Service
Special Agent [REDACTED]

SUBJECT: Notice to Preserve Evidence under 18 U.S.C. 2703(f)

Dear Sir or Madame:

This is both a new 2703 (f) preservation letter and an extension for the account(s) identified below. Please continue to preserve account information previously requested on May 19, 2006 up to 29Aug06, the date of this new request. I am a Special Agent of the Naval Criminal Investigative Service (NCIS), a duly authorized federal law enforcement officer. In that capacity, I am requesting all records pertaining to email address [REDACTED]@yahoo.com, and [REDACTED]@yahoo.com or any other accounts identified to belong to [REDACTED], be preserved.

I will be requesting the issuance of a subpoena and/or court order under 18 U.S.C. § 2703(c) and (d), respectively, for your connection logs so that I can trace how this unknown individual accessed your system. Since the court process may take some time, I am requesting, pursuant to 18 U.S.C. § 2703(f), that your company take appropriate measures to preserve transactional logs, contents of any relevant communications, back-up files, and such other evidence that pertains to the above-described connection(s).

For ease of reference, 18 U.S.C. § 2703(f) provides:

(f) Requirement to preserve evidence. --

(1) In general. -- A provider of wire or electronic communication services or a remote computing service, upon request of a governmental entity, shall take all necessary steps to preserve records and other evidence in its possession pending the issuance of a court order or other process.

925

Enclosure (F)



UNITED STATES NAVAL CRIMINAL INVESTIGATIVE SERVICE

718 SICARD STREET, SE, SUITE 2000
WASHINGTON NAVY YARD DC 20368-5380
TEL: [REDACTED] FAX: (202) 433-9307

(2) Period of retention.— Records referred to in paragraph (1) shall be retained for a period of 90 days, which shall be extended for an additional 90-day period upon a renewed request by the governmental entity.

Although you have been most cooperative, in past cases with other companies, we have experienced some leaks concerning the existence of our on-going investigation. While such leaks may represent misplaced good intention, they can have a serious impact upon our investigations. Accordingly, we now routinely request that all company personnel be placed on notice that they are subject to criminal liability should they disclose any information regarding our investigation.

Again, I greatly appreciate your cooperation with our agency in this matter. If you have any question or comments, please feel free to contact me at [REDACTED]. My office fax number is (202) 433-9307. Thank you.

[REDACTED]
Special Agent
NCIS

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