INVESTIGATIVE ACTION

16JUL06

CONTROL: 08MAY06-MEBJ-0357-7HMA



RESULTS OF COMPUTER SEIZURE AND IMAGING

- 1. Predication: On 02JUL06, Reporting Agent (RA) was contacted by 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.
- Acquisition and media imaging: On 08JUL06, between approximately 1000 and 1200, RA, Special Agent (SA) Agent, NCISRA Camp Fallujah, Investigator Walley, USMC CID, and Special Agent U.S. Army CID, seized 11 hard drives from 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

Page 1

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Description

One 20 GB laptop Hard Drive S/N K1C4PGEH from Gateway

EXHIBIT (195)

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SUBJ:

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

M305CRV Laptop S/N BE3W3370858 (Computer

19)	
В	One 20 GB laptop Hard Drive S/N K1C4J8KH from Gateway M305CRV Laptop S/N BE3W3370856 (Computer 20)
С	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)
Н	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)
К	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).

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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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:

OFFICE:

Pacific Cyber Division, Bahrain



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INVESTIGATIVE ACTION

23JUL06

CONTROL: 08MAY06-MEBJ-0357-7HMA

RECEIPT OF EMAIL PROFILE

- 1. Predication: On 08JUL06, Reporting Agent (RA) was contacted by Special Agent (SA) , requesting computer forensic investigative support to obtain copies of the government e-mail account of
- 2. Summary: Pursuant to lead tasking received 20JUL06, RA obtained copies of the summary of the
- 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

On 10JUL06, RA and Resident Agent in Charge (RAC) provided RA with three (3) compact discs containing copies of provided RA leteral states. 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

Α

В

Two (2) Compact Discs containing copies of s Inbox from government e-mail account.

One (1) Compact Disc containing copies of Deleted Items, Contacts, and Calendar from government

e-mail account.

Sent Items due to bandwidth issues. Stated the e-mail account in question was not stored on a server locally at Camp Fallujah and had to be remotely accessed. The reported so 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. 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.

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08MAY06-MEBJ-0357-7HMA

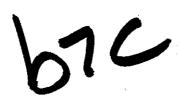
SUBJ:

(ET AL)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

OFFICE:

Pacific Cyber Division, Bahrain



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Page 2: LAS V2 LNY

WARNING

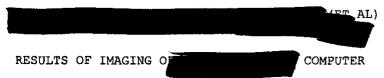
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INVESTIGATIVE ACTION

23JUL06

CONTROL: 08MAY06-MEBJ-0357-7HMA



- 1. Predication: On 08JUL06, Reporting Agent (RA) was contacted by requesting specific phase computer Special Agent (SA) forensic investigative support to image the personal computer of 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 🔳 Between 11JUL06 and 12JUL06, RA transported 🖪 computer, MEIZ evidence custody log number 004-06, to NICSFO Middle East Bahrain.

Ttem

Description

One sealed bag containing one Averatec laptop belonging

On 16JUL06, RA commenced imaging of scomputer 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 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").

Imaging

Page 1

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

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08MAY06-MEBJ-0357-7HM

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:

OFFICE:

Pacific Cyber Division, Bahrain



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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): (

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 Bast 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.
- 4. Results of examination of evidence item 361-06 (A), Sager laptop computer, revealed one word processing document entitled "Recommendation for Awards for and and and document and document.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 "060000 2000PROTALFLUSH.doc was located. The document was a census form dated 03Mar06, and contained specific biographical information on the contained specific biographical specific biographical
- 7. Nothing of relevance was found on evidence items 361-06 (C),

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b7C

08MAY06-MEBJ-0357-7HM

SUBJ:

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

floppy diskettes. (12)

ENCLOSURE

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

REPORTED BY: Special Agent

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



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RO L San Diego

Regional Computer Forensics Laboratory

EXAMINATION REPORT

DATE OF REPORT:

SUBMITTING AGENCY:

July 18, 2006

EXAMINER:

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) the Parker 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:

Description:

Sager notebook computer, USB thumbdrive, Olympus

digital camera and memory card

NCIS ECD #:

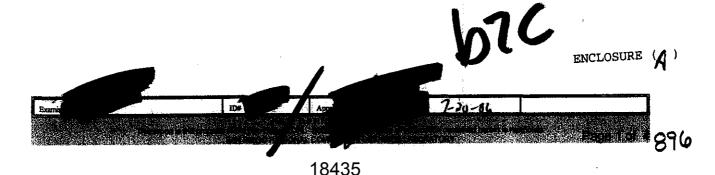
340-06 (150-06)

Seized from:

Description:

Twelve (12) Floppy diskettes

Reference (B) is the narrative documenting the forensic imaging of the state of the





Regional Computer Forensics Laboratory

EXAMINATION REPORT

SUMMARY

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

- 1. One word processing document (Recommendation for Awards for and and antique and document (Recommendation for Awards for 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

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 litems.

Text String Searches

I constructed a list of case-specific terms or text strings¹ 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	NCIS	ak-47		ambush		NOFORN
misery	storyboard								



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 local termination.

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 links items, not the actual word processor document. The links to the file identify it as physically residing on a removable media device labeled 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 and and 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).
l also found a document titled 06032802000PROYALFLUSH. doc containing various names which include apparently as a type of after-action summary. This document is a typical example of several dozen similar documents found on the litems 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).



			taining information about o	
their location, the applica	tion used to open th	em, the name and volume	serial number of the device	e where the data
resides, programming arg	uments and so forth	. They are also used by p	rogrammers to identify oth	er files in a manner
which creates commence	e for the user. For	xample, an icon on a	ctop is a type of	link file.
Evening		Approved b	1-20-01	



Regional Computer Forensics Laboratory

EXAMINATION REPORT

Attachments

Attachment 1	Printed table of link file data	1
Attachment 2	Printed copies (2) of the document file Recommendation for Awards for	2
Attachment 3	Printed copies (2) of the document file 0603280200000000000000000000000000000000	10

Case Agent Compact Discs

Included with this narrative is a compact disc labeled *Case Agent's CD* (BCN 00070542). The disc contains digital file copies of Attachments 2 and 3 in the \(\mathbb{Export}\) folder and various Windows XP Registry reports of software settings on the setting of the setting o

CONCLUSION

I examined the submitted media according to the scope and subject of the case agent's investigation and requests. Any further RCFL examinations on this or other media submitted regarding this matter will be documented separately.

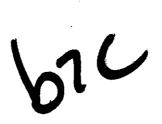




Files have been copied individually in the root of Export and in their original files structure on some notebook computer, i.e. C:\Documents and Setto and Fury . . .

Shortcut File

Local Path E:\2nd pit combat reports\1st squad\IED shooting 26th.doc Removeable Disk Volume Type Volume Label Vojume Serial Number 8707AYTEC 24064 File size Craiting our CRQ 4/28/2006 (Z.) (5 JB PM 4/28/2006 12:15:22 PM Last write time (UTC) Last access time 4/27/2006 8:00:00 PM Working directory R. Znd pil comou reports (st squad





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withheld entirely at this location. One or more of the following explain this decision:	
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Documents originated with other government agency(ies). Referred for review and direct response to you.	
Pages contain information furnished by other government agency(ies). We will advise you of releasability of information following consultation with agency(ies).	
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Washington, D.C. 20380	

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INVESTIGATIVE ACTION

05SEP06

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

(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 p	preservation	are:		_
	hotmail.com and				
	Chotmail.com and				
	hotmail.com and			S ý	
	hotmail.com and			, y	
	hotmail.com and				
	yahoo.com and			9	
	aol.com and				
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	ahoo.com and				
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The Myspace.com profiles and names requested for preservation are:

profile.myspace.com/index.cfm?fuseaction=user.viewprofile&fri	endID=
http://www.myspace.com/	
http://www.myspace.com/MySpace Friend ID:	
http://www.myspace.com/index.cfm?fuseaction=user.viewprofile&	friendid
http://www.myspace.com/	

http://www.myspace.com/index.cfm?fuseaction=user.viewprofile&friendid

MySpace Friend ID:

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http://www.myspace.com/
MySpace Friend ID: and and ENCLOSURE(S)
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yahoo.com/25AUG06
(A) Yahoo! 2703(f)
                                 vahoo.com/25AUG06
(B) Yahoo! 2703(f)
(C) Yahoo! 2703(f)
                                    yahoo.com/25AUG06
(D) Yahoo! 2703(f)
                                     yahoo.com/25AUG06
(E) Yahoo! 2703(f)
                                @yahoo.com/29AUG06
(F) Yahoo! 2703(f)
                                   @yahoo.com/29AUG06
                               hotmail.com/25AUG06
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                           0311@hotmail.com/29AUG06
                           hotmail.com/29AUG06
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                         @hotmail.com/29AUG06
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                         Photmail.com/29AUG06
(O) MSN 2703(f)
                          14show@hotmail.com/29AUG06
(P) MSN 2703(f)-
                          Chotmail.com/05SEP06
(Q) MSN 2703(f)
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(DD) MySpace.com 2703(f) - Myspace Friend ID:
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(EE) MySpace.com 2703(f) - Myspace Friend ID:
(FF) MySpace.com 2703(f) - Myspace Friend ID:
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(GG) MySpace.com 2703(f) - Myspace Friend ID:
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(JJ) MySpace.com 2703(f) - Myspace Friend ID:
(KK) MySpace.com 2703(f) - Myspace Friend ID:
                                                       7/29AUG06
                                                        /05SEP06
(LL) MySpace.com 2703(f) - Myspace Friend ID:
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REPORTED BY: Special Agent OFFICE: Code 24D1, NCISHQ Washington, DC



WARNING

IZATION 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 670

25AUG06

FROM: Naval Criminal Investigative Service

Special Agent

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 and address are greatered.

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).

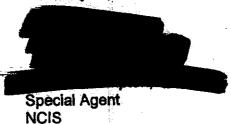
For ease of reference, 18 U.S.C. § 2703(f) provides:

- (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 (202) 433-9307. Thank you.



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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

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FROM: Naval Criminal Investigative Service

Special Agent

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.

@yahoo.com.
@yaho

E@YAHOO.COM or any other accounts identified to belong to or any other accounts identified to belong to

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:

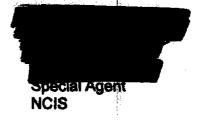
- (f) Regulrement to preserve evidence. -
 - (1) In general. A provider of wire or electronic communication services or a remote computing service, upon request of a governmental entity, shall take all necessary steps to preserve records and other evidence in its possession pending the issuance of a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

Enclosure (B)

(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 My office fax number is (202) 433-9307. Thank you.



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

Fax: (408) 349-7941 Voice: (408) 349-3300 676

25Aug06

FROM: Naval Criminal Investigative Service

Special Agent

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 and address and approximately all opening to 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. -

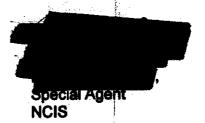
(1) In general. — A provider of wire or electronic communication services or a remote computing service, upon request of a governmental entity, shall take all necessary steps to preserve records and other evidence in its possession pending the issuance of a court order or other process.

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Encloque (C)

(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 My office fax number is (202) 433-9307. Thank you





March 5 (27) NAVAL CRIMINAL INVESTIGATIVE SERVICE

716 SICARD STREET, SE, SUITE 2000 WASHINGTON NAVY YARD DC 20388-5360 FAX: (202) 433-907

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

MEMORANDUM FOR Yahool 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

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 Myahoo.com or any be preserved. other accounts identified to belong to

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.

Enclosure (D)

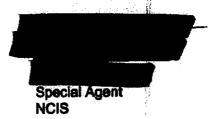


Thire is the full **NAVAL CRIMINAL INVESTIGATIVE SERVICE**

716 SICARD STREET, SE, SUITE 2000 WASHINGTON NAVY YARD DC 20388-5380 TEL: 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 (matter). My office fax number is (202) 433-9307. Thank you.





MATTER STATE NAVAL CRIMINAL INVESTIGATIVE SERVICE

716 SICARD STREET, SE, SUITE 2000 WASHINGTON NAVY YARD DC 20368-5360 TEL: 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 670

29AUG06

FROM: Naval Criminal Investigative Service

Special Agents

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.

any other accounts identified to belong to 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).

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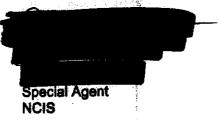
25 (Bart 1944) P.C. NAVAL CRIMINAL INVESTIGATIVE SERVICE

716 SICARD STREET, SE, SUITE 2000 WASHINGTON NAVY YARD DC 20368-5860 TEL: FAX: (202) 433-907

(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 the con



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SMINOR TO NAVAL CRIMINAL INVESTIGATIVE SERVICE

716 SICARD STREET, SE, SUITE 2008 WASHINGTON NAVY YARD DC 20388-5360 TELEMENT 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

bic

29AUG06

FROM: Naval Criminal Investigative Service

Special Agent

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 and the latter 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 and the latter 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 and the latter 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 and the latter 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 and the latter 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 and the latter of the Naval Criminal Investigation (NCIS), and the latter of the Naval Criminal Investigation (NCIS) are serviced to the latter of the Naval Criminal Investigation (NCIS) and the Naval Criminal Investigation (NCIS) are serviced to the Naval Criminal Investigation (NCIS) and the Naval Criminal Investigation (NCIS) are serviced to the Naval Criminal Investigation (NCIS) and the Naval Criminal Investigation (NCIS) are serviced to the Naval Criminal Investigation (NCIS) and the Naval Criminal Investigation (NCIS) are serviced to the Naval Criminal Investigation (NCIS) and the Naval Criminal Investigation (NCIS) are serviced to the Naval

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925 Enclosure (F)



UNITED BY ANG. NAVAL CRIMINAL INVESTIGATIVE SERVICE

716 SICARD STREET, SE, SUITE 2008 WASHINGTON NAVY YARD DC 20368-5360 TEL: FAX: (202) 433-907

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