

**Information Regarding Subpoena Compliance Addresses**  
**For Social Networking Sites**

Social networking sites are not consistent regarding the amount of information at their sites regarding their subpoena compliance policies, so some sites have more information than others.

**Facebook**

Facebook accepts service at the following address:

**Custodian of Records, Facebook, Inc.**  
**c/o Corporation Services Company**  
**2730 Gateway Oaks Drive, Suite 100**  
**Sacramento, California 95833**

**Disclosing Information**

Parties to civil litigation may satisfy discovery requirements relating to their Facebook accounts by producing and authenticating contents of their accounts and by using Facebook's "Download Your Information" tool, which is accessible through the "Account Settings" drop down menu.

If a user cannot access content because he or she disables or deleted his or her account, Facebook will, to the extent possible, restore access to allow the user to collect and produce the account's content. Facebook preserves user content only in response to a valid law enforcement request.

Facebook may provide basic subscriber information (not content) to a party in a civil matter only where: 1) the requested information is indispensable to the case and not within the party's possession; and 2) you personally serve a valid California or federal subpoena on Facebook. Out-of-state civil subpoenas must be domesticated in California and personally served on Facebook's registered agent

Parties seeking basic subscriber information as set forth above must specifically identify the account by providing the email address, Facebook user ID (UID) and vanity URL (if any). Names, birthdays, locations, and other information are insufficient to identify a Facebook account. UIDs and/or vanity URLs may be found in the uniform resource locator available in a browser displaying the account in question. For example, in the URL <http://www.facebook.com/profile.php?id=12345678910>, 12345678910 is the UID.

Facebook charges a mandatory, non-refundable processing fee of \$500.00 per user account. Please enclose payment with your properly served subpoenas. A custodian declaration will be included with the return of materials, if any. Notarized declarations carry an additional \$100.00 fee.

May 10, 2011

Custodian of Records, Facebook, Inc.  
c/o Corporation Services Company  
2730 Gateway Oaks Drive, Suite 100  
Sacramento, California 95833

Re: *Elin Wife vs. Eldrick Husband*  
Superior Court of Fulton County  
Civil Action File No.: 2011-CV-123456

Dear Sir or Madam:

Please be advised that our law firm represents the Defendant, Eldrick Husband, in a lawsuit filed in the Superior Court of Fulton County. In order to represent our client effectively, it is necessary to examine certain records in your possession.

Enclosed please find a Subpoena Duces Tecum/Subpoena for Deposition in the above-referenced matter requiring a representative of Facebook.com to appear for a deposition and bring the requested documents with them at the time and place indicated. Also enclosed is a Notice of Taking Deposition on Non-Party Facebook, Inc., and a check in the amount of \$35.00.

It may be possible for the representative of Facebook.com to provide copies of the requested documents in lieu of appearance at the deposition. However, please do not send the documents without my prior consent. Once you receive the subpoena and locate the requested documents, please call us, and we will ask opposing counsel if she has any objection to your producing the documents prior to the scheduled deposition date in lieu of the scheduled deposition. Please direct all inquiries to my attention. If opposing counsel has no objection, you may provide a copy of all responsive documents to opposing counsel and me prior to the date of deposition. Should you elect to produce documents in lieu of your deposition, you must execute and return the Response Affidavit verifying that the documents are complete and accurate.

*Prepared for Inns of Court by Steve Kirson*

Facebook, Inc.  
May 10, 2011  
Page 2

Please call me if the production charges will exceed \$35.00.

Sincerely,

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Paralegal to Divorce Attorney

Enclosure(s) As stated above

IN THE SUPERIOR COURT OF FULTON COUNTY  
STATE OF GEORGIA  
FAMILY DIVISION

Elin Wife, )  
 )  
 Plaintiff, )  
 ) CIVIL ACTION  
 Vs. )  
 ) FILE NO. 2011-CV-123456  
 Eldrick Husband, )  
 )  
 )  
 )  
 Defendant. )

NOTICE OF TAKING DEPOSITION OF NON-PARTY FACEBOOK.COM

TO: ELIN WIFE, Plaintiff  
By and through her counsel of record:  
A. Scratch Golfer, Esq.  
Sandtrap & Fairway, LLC  
One Overpriced Tower, Suite 100  
555 Mulligan Road, NE  
Atlanta, Georgia 30305

Please take notice that commencing at 10:00 a.m. on July 4, 2011, Defendant, through his counsel, will take the deposition upon oral examination of a representative of **FACEBOOK, INC.**, pursuant to O.C.G.A. § 9-11-30. The deposition will be held before a person duly authorized by law to administer oaths and take deposition at the offices of Sacramento Deposition Reporters, 350 University Avenue, Suite 270, Sacramento, California 95825. The deposition will be taken for trial and discovery purposes and any and all uses allowed by the Georgia Civil Practice Act. Said deposition shall then be transcribed by stenographic means. Defendant shall retain the stenographer.

*Prepared for Inns of Court by Steve Kirson*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this date served opposing counsel in the foregoing matter with a true and correct copy of NOTICE OF TAKING DEPOSITION OF NON-PARTY FACEBOOK, INC., by depositing a copy of same into the United States mail to Plaintiff's counsel of record as follows:

A. Scratch Golfer, Esq.  
Sandtrap & Fairway, LLC  
One Overpriced Tower, Suite 100  
555 Mulligan Road, NE  
Atlanta, Georgia 30305

This \_\_\_\_ day of May, 2011.

FAKENAME, PSEUDONYM & NONDEPLUME, P.C.

By: \_\_\_\_\_  
Attorney for Defendant

Big Office Building  
4321 Peachtree Road, N.E.  
Atlanta, Georgia 30326  
(404) 555-1212 Office  
(770) 555-1213 Facsimile

## EXHIBIT "A"

All documents and records related to an online account possibly appearing or identified in your records as user name "RichestNanny@facebook.com", or any other email address established by Elin Wife for the period of time from January 1, 2008 to the present, created by Elin Wife on www.facebook.com or any other internet site, chat room, blog, email account, or other online account, including the following:

1. Copies of all profiles, biographies, summaries, descriptions, established by Elin Wife, Social Security Number \_\_\_\_\_, Date of Birth: \_\_\_\_\_ at any time;
2. Copies of all messages and other communication made to or received by Elin Wife, Social Security Number \_\_\_\_\_, Date of Birth: \_\_\_\_\_ using the www.facebook.com or any other internet website operated by FACEBOOK, INC.;
3. Copies of documents regarding all forms of payment made by Elin Wife, Social Security Number \_\_\_\_\_, Date of Birth: \_\_\_\_\_ for use of the www.facebook.com or any other internet web site operated by FACEBOOK, INC.;
4. Copies of documents or tangible items showing the dates of Elin Wife's, Social Security Number \_\_\_\_\_, Date of Birth: \_\_\_\_\_ access to and use of the www.facebook.com or any other internet web site operated by FACEBOOK, INC.;
5. Copies of documents showing all www.facebook.com members or other persons accessing the www.facebook.com or any other internet web site operated by FACEBOOK, INC., who have initiated communication with Elin Wife, Social Security Number \_\_\_\_\_, Date of Birth: \_\_\_\_\_ or with whom Elin Wife has initiated communication;
6. Copies of documents showing the content of all communication, including emails, instant messages and text messages made by or to Elin Wife, Social Security Number \_\_\_\_\_, Date of Birth: \_\_\_\_\_ using the www.facebook.com or any other internet web site operated by FACEBOOK, INC.; and
7. Copies of all questionnaires, profiles or other on line documents completed by Elin Wife, Social Security Number \_\_\_\_\_, Date of Birth: \_\_\_\_\_ in order to access or use the www.facebook.com or any other internet web site operated by FACEBOOK, INC.

IN THE SUPERIOR COURT OF FULTON COUNTY  
STATE OF GEORGIA  
FAMILY DIVISION

Elin Wife, )  
 )  
 Plaintiff, )  
 ) CIVIL ACTION  
 Vs. )  
 ) FILE NO. 2011-CV-123456  
 Eldrick Husband, )  
 )  
 )  
 )  
 Defendant. )

RESPONSE AFFIDAVIT OF NON-PARTY

FROM: FACEBOOK, INC.

COMES NOW, \_\_\_\_\_, and responds to Defendant's Notice of Taking Deposition of Non-Party and Subpoena served pursuant to Section 45 of the Civil Practice Act as follows:

Please indicate the appropriate response below:

- Copies of the requested materials have been attached.  
 The materials requested will be produced at the designated address.  
 The materials requested do not exist.

**AFFIDAVIT**

Personally came before me, the undersigned officer, duly authorized to administer oaths, \_\_\_\_\_ who, upon being duly sworn, states that (s)he is the custodian of these records and that the copies attached hereto are true and correct and that there are \_\_\_\_\_ pages that have been attached and constitute the entire file materials requested.

This \_\_\_\_\_ day of \_\_\_\_\_, 2011.

Sworn to and subscribed before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

*Prepared for Inns of Court by Steve Kirson*

## MySpace

Subpoenas may be served at the following address:

**Custodian of Records for MySpace.com**  
2121 Avenue of the Stars, Suite 700  
Los Angeles, CA 90067

MySpace will only accept subpoenas from out of state civil litigants if they have properly domesticated through a California court.

\*\* The representative answering the MySpace information number, 888-309-1311 in April 2011 reported that civil subpoenas could be faxed to: (310) 356-3485, or emailed to: [civilcare@support.myspace.com](mailto:civilcare@support.myspace.com). This information is un-tested and un-corroborated.

Please note that MySpace requires specific information in order to comply with your legal request. Providing only the user's first and last names or dates of birth is not sufficient to identify the user's profile. MySpace requires that you provide the user's unique friend ID number or url. The friend ID number is located in the url line. For example, within the url <http://www.myspace.com/index.cfm?fuseaction=user.viewProfile&friendID=6221&Mytoken=20050518161358>, the friend ID is 6221.

## LinkedIn

LinkedIn accepts service at the following address:

**LinkedIn Corporation**  
ATTN: Legal Department  
2029 Stierlin Court  
Mountain View, CA 94043

LinkedIn Privacy Policy re: Compliance With Legal Process:

It is possible that we may need to disclose personal information, profile information and/or information about your activities as a LinkedIn User when required by subpoena or other legal process, or if LinkedIn has a good faith belief that disclosure is necessary to (a) investigate, prevent or take action regarding suspected or actual illegal activities or to assist government enforcement agencies; (b) to enforce the User Agreement, to investigate and defend ourselves against any third party claims or allegations, or to protect the security or integrity of our site; and/or (c) to exercise or protect the rights, property or personal safety of LinkedIn, our Users, employees, or others.

LinkedIn Privacy Policy, paragraph 2.K.



## Twitter

Twitter directs subpoenas from non-law enforcement agencies to:

**Twitter, Inc.  
c/o Trust and Safety  
795 Folsom Street, Suite 600  
San Francisco, CA 94107**

Twitter, Inc.'s help center states that Twitter, Inc. is located in San Francisco, California and will only respond in compliance with U.S. law to valid legal process. By emphasizing their location, attorneys should go through the process of domesticating their subpoenas in California. Twitter's site also provides that Twitter accepts legal process from law enforcement agencies delivered by mail or fax, but that acceptance of legal process by these means is for convenience only and does not waive any objections, including the lack of jurisdiction or proper service. Your request should include the URL of the Twitter profile in question (eg., <http://twitter.com/safety> or @safety), and details about what specific information is requested.

Twitter conducts most correspondence via email, so PLEASE INCLUDE A VALID EMAIL ADDRESS so Twitter may contact you. To contact Twitter, email: [lawenforcement@twitter.com](mailto:lawenforcement@twitter.com). You can fax Twitter, attention Trust & Safety, at 1-415-222-9958

Twitter's website emphasizes law enforcement rather than civil subpoenas, and provides:

**Only email from law enforcement domains will be accepted. All others will be disregarded.**

## YouTube

You can contact YouTube at the address below:

**YouTube, LLC  
Custodian of Records  
901 Cherry Ave.  
San Bruno, CA 94066**

Phone: (650) 253-0000  
Fax: (650) 253-0001

Note that YouTube is a subsidiary of Google, Inc.

## Google

You can direct a subpoena domesticated in California to:

Google, Inc.  
Custodian of Records  
1600 Amphitheater Parkway  
Mountain View, CA 94043

Phone: (650) 253-0000  
Fax: (650) 253-0001

Note same contact numbers as YouTube because Google is the parent company of YouTube.

## AOL

Though AOL is not, strictly speaking, a social networking site, many internet users during AOL's glory years may still maintain AOL email accounts. The following information about service of a subpoena upon AOL was found at AOL's website:

AOL, its records, and its Custodian of Records are located in Loudoun County, Virginia. AOL's headquarters are in the State of New York. AOL accepts subpoenas that are properly issued pursuant to Federal Rule of Civil Procedure 45 and applicable state laws.

For all properly issued subpoenas for account holder information or information sufficient to identify an account holder, service should be made upon AOL's registered agent:

**Corporation Service Company**  
**11 South 12th Street**  
**Post Office Box 1463**  
**Richmond, Virginia 23218**

Upon receipt of a valid subpoena, it is AOL's policy to promptly send notification to the account holder whose information is sought. In order to provide an account holder time to respond to the subpoena, AOL will not produce the subpoenaed account holder information until ten business days after the account holder has been notified by AOL.

AOL will issue invoices for the costs associated with subpoena compliance. AOL charges \$125.00 per hour for research and administrative costs, \$14.00 for overnight mail, and 25 cents per copy. AOL will invoice the subpoenaing party prior to production, and payment must be made prior to the production of the subpoenaed information.

The subpoenas on the following pages, excerpted from United States District Court documents, filed electronically, were issued in a non-domestic relations civil case in the Sony Computer Entertainment's anti-piracy Play Station 3 lawsuit against hacker GeoHot (George Hotz). The litigation was reported to have settled in April, 2011.

The subpoenas are provided for their examples of document request language and terminology (Note that these subpoenas were seeking to identify all visitors to the Defendant's blog and website.)

Source: [http://www.wired.com/images\\_blogs/threatlevel/2011/03/speroruling.pdf](http://www.wired.com/images_blogs/threatlevel/2011/03/speroruling.pdf)

AO 88B (Rev. 01/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises

UNITED STATES DISTRICT COURT

for the

Northern District of California

Sony Computer Entertainment America LLC

Plaintiff

v.

George Hotz; Hector Martin Cantero; Sven Peter; and Does 1 through 100

Defendant

Civil Action No. C-11-00167 SI

(If the action is pending in another district, state where:

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES

To: Twitter, Inc., 795 Folsom Street, Suite 600, San Francisco, CA 94017

Production: YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material: See Attachment A

Table with 2 columns: Place (Kilpatrick Townsend & Stockton LLP, Two Embarcadero Center, 8th Floor, San Francisco, CA 94111) and Date and Time (03/16/2011 10:00)

Inspection of Premises: YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Table with 2 columns: Place and Date and Time (empty)

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: \_\_\_\_\_

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party) \_\_\_\_\_

Sony Computer Entertainment America LLC, who issues or requests this subpoena, are:

Holly Gaudreau, Esq., Kilpatrick Townsend & Stockton LLP, Two Embarcadero Center, 8th Floor, San Francisco, California 94111; E-mail: hgaudreau@kilpatricktownsend.com; Telephone: 415-576-0200

AO 88B (Rev. 01/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises (Page 2)

Civil Action No. C-11-00167 SI

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

This subpoena for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the subpoena on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the subpoena at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the subpoena to *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the subpoena unexecuted because \_\_\_\_\_ ; or

other *(specify)*:

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:

## Federal Rule of Civil Procedure 45 (c), (d), and (e) (Effective 12/1/07)

**(c) Protecting a Person Subject to a Subpoena.**

**(1) Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The issuing court must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

**(2) Command to Produce Materials or Permit Inspection.**

**(A) Appearance Not Required.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

**(B) Objections.** A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

**(i)** At any time, on notice to the commanded person, the serving party may move the issuing court for an order compelling production or inspection.

**(ii)** These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

**(3) Quashing or Modifying a Subpoena.**

**(A) When Required.** On timely motion, the issuing court must quash or modify a subpoena that:

**(i)** fails to allow a reasonable time to comply;

**(ii)** requires a person who is neither a party nor a party's officer to travel more than 100 miles from where that person resides, is employed, or regularly transacts business in person — except that, subject to Rule 45(c)(3)(B)(iii), the person may be commanded to attend a trial by traveling from any such place within the state where the trial is held;

**(iii)** requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

**(iv)** subjects a person to undue burden.

**(B) When Permitted.** To protect a person subject to or affected by a subpoena, the issuing court may, on motion, quash or modify the subpoena if it requires:

**(i)** disclosing a trade secret or other confidential research, development, or commercial information;

**(ii)** disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party; or

**(iii)** a person who is neither a party nor a party's officer to incur substantial expense to travel more than 100 miles to attend trial.

**(C) Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(c)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

**(i)** shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

**(ii)** ensures that the subpoenaed person will be reasonably compensated.

**(d) Duties in Responding to a Subpoena.**

**(1) Producing Documents or Electronically Stored Information.** These procedures apply to producing documents or electronically stored information:

**(A) Documents.** A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

**(B) Form for Producing Electronically Stored Information Not Specified.** If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

**(C) Electronically Stored Information Produced in Only One Form.** The person responding need not produce the same electronically stored information in more than one form.

**(D) Inaccessible Electronically Stored Information.** The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

**(2) Claiming Privilege or Protection.**

**(A) Information Withheld.** A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

**(i)** expressly make the claim; and

**(ii)** describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

**(B) Information Produced.** If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information to the court under seal for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

**(e) Contempt.** The issuing court may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena. A nonparty's failure to obey must be excused if the subpoena purports to require the nonparty to attend or produce at a place outside the limits of Rule 45(c)(3)(A)(ii).

**ATTACHMENT A**

**INSTRUCTIONS**

1. Twitter, Inc. is directed to furnish all documents, including electronically stored information, in its possession, custody or control.
2. As to any portion of any request that refers to documents that Twitter, Inc. is aware of which were at one time within its possession, custody or control, but which are not now within or subject to its possession, custody or control, Twitter, Inc. is directed to identify such documents in a manner sufficient to describe such documents for the purpose of preparing and serving a proper subpoena duces tecum and to give the name, telephone number, and address of the person last known by Twitter, Inc. to have been in possession, custody or control of such documents.
3. If any document requested by this subpoena has been destroyed, set forth the contents of the document, the date of its destruction, and the name of the person who authorized its destruction.

**DOCUMENT REQUESTS**

1. All information and documents related to the use of your service(s) to register, create, maintain and/or use the Twitter account associated with Twitter Username "geohot", formerly located at <<http://twitter.com/geohot>>.
2. Documents reproducing all content – including but not limited to all "Tweets" – posted and/or published by the Twitter account identified in Request No. 1 above from January 1, 2009 until the present, including but not limited to all content posted and/or published at <<http://twitter.com/geohot>> from January 1, 2009 until the present.
3. Documents sufficient to identify all names, addresses, and telephone numbers associated with the Twitter account identified in Request No. 1 above.
4. Documents reproducing all server logs, IP address logs, account information, account access records, and application or registration forms related to the Twitter account identified in Request No. 1 above.
5. Documents reproducing all e-mails, correspondence, or other material between you and the owner or user of the Twitter account identified in Request No. 1 above.
6. All documents related to any service that you have provided to the owner or user of the Twitter account identified in Request No. 1 above at any time, whether physically or electronically stored.



AO 88B (Rev. 01/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises

UNITED STATES DISTRICT COURT

for the

Northern District of California

Sony Computer Entertainment America LLC

Plaintiff

v.

George Hotz; Hector Martin Cantero; Sven Peter; and Does 1 through 100

Defendant

Civil Action No. C-11-00167 SI

(If the action is pending in another district, state where:

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES

To: Google, Inc., Attn: Google Legal Support, 1600 Amphitheatre Parkway, Mountain View, CA 94043

Production: YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material: See Attachment A

Table with 2 columns: Place (Kilpatrick Townsend & Stockton LLP, Two Embarcadero Center, 8th Floor, San Francisco, CA 94111) and Date and Time (03/16/2011 10:00)

Inspection of Premises: YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Table with 2 columns: Place and Date and Time (empty)

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date:

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party)

Sony Computer Entertainment America LLC

Holly Gaudreau, Esq., Kilpatrick Townsend & Stockton LLP, Two Embarcadero Center, 8th Floor, San Francisco, California 94111; E-mail: hgaudreau@kilpatricktownsend.com; Telephone: 415-576-0200

AO 88B (Rev. 01/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises (Page 2)

Civil Action No. C-11-00167 SI

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

This subpoena for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the subpoena on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I left the subpoena at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the subpoena to *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I returned the subpoena unexecuted because \_\_\_\_\_; or

other *(specify)*:

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_  
\_\_\_\_\_ *Server's signature*

\_\_\_\_\_ *Printed name and title*

\_\_\_\_\_ *Server's address*

Additional information regarding attempted service, etc:

## Federal Rule of Civil Procedure 45 (c), (d), and (e) (Effective 12/1/07)

**(c) Protecting a Person Subject to a Subpoena.**

**(1) Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The issuing court must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

**(2) Command to Produce Materials or Permit Inspection.**

**(A) Appearance Not Required.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

**(B) Objections.** A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the issuing court for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

**(3) Quashing or Modifying a Subpoena.**

**(A) When Required.** On timely motion, the issuing court must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person who is neither a party nor a party's officer to travel more than 100 miles from where that person resides, is employed, or regularly transacts business in person — except that, subject to Rule 45(c)(3)(B)(iii), the person may be commanded to attend a trial by traveling from any such place within the state where the trial is held;

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

**(B) When Permitted.** To protect a person subject to or affected by a subpoena, the issuing court may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information;

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party; or

(iii) a person who is neither a party nor a party's officer to incur substantial expense to travel more than 100 miles to attend trial.

**(C) Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(c)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

**(d) Duties in Responding to a Subpoena.**

**(1) Producing Documents or Electronically Stored Information.** These procedures apply to producing documents or electronically stored information:

**(A) Documents.** A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

**(B) Form for Producing Electronically Stored Information Not Specified.** If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

**(C) Electronically Stored Information Produced in Only One Form.** The person responding need not produce the same electronically stored information in more than one form.

**(D) Inaccessible Electronically Stored Information.** The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

**(2) Claiming Privilege or Protection.**

**(A) Information Withheld.** A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

**(B) Information Produced.** If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information to the court under seal for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

**(e) Contempt.** The issuing court may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena. A nonparty's failure to obey must be excused if the subpoena purports to require the nonparty to attend or produce at a place outside the limits of Rule 45(c)(3)(A)(ii).

ATTACHMENT A

INSTRUCTIONS

1. Google, Inc. is directed to furnish all documents, including electronically stored information, in its possession, custody or control.
2. As to any portion of any request that refers to documents that Google, Inc. is aware of which were at one time within its possession, custody or control, but which are not now within or subject to its possession, custody or control, Google, Inc. is directed to identify such documents in a manner sufficient to describe such documents for the purpose of preparing and serving a proper subpoena duces tecum and to give the name, telephone number, and address of the person last known by Google, Inc. to have been in possession, custody or control of such documents.
3. If any document requested by this subpoena has been destroyed, set forth the contents of the document, the date of its destruction, and the name of the person who authorized its destruction.

**DOCUMENT REQUESTS**

1. All information and documents related to the use of your service(s) to host the content associated with and/or comprising the <www.geohotps3.blogspot.com> website and any related subdomains.

2. Documents and electronic data reproducing all content, including but not limited to text, images, comment text, and/or files, posted to or associated with the <www.geohotps3.blogspot.com> website and any related subdomains, from January 1, 2009 to the present.

3. Documents sufficient to identify all names; addresses, and telephone numbers associated with the account associated with the <www.geohotps3.blogspot.com>.

4. Documents reproducing all server logs, IP address logs, account information, account access records, and application or registration forms related to the account identified in Request No. 3 above.

5. All documents related to any service that you have provided to the owner(s) or user(s) of the account identified in Request No. 3 above at any time, whether physically or electronically stored.

6. Documents reproducing all e-mails, correspondence, or other material between you and any person related to the <www.geohotps3.blogspot.com> website and any related subdomains at any time.

AO 88B (Rev. 01/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises

UNITED STATES DISTRICT COURT

for the

Northern District of California

Sony Computer Entertainment America LLC	)	
<i>Plaintiff</i>	)	
v.	)	Civil Action No. C-11-00167 SI
George Hotz; Hector Martin Cantero; Sven Peter; and Docs 1 through 100	)	
<i>Defendant</i>	)	(If the action is pending in another district, state where:

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS  
OR TO PERMIT INSPECTION OF PREMISES

To: YouTube LLC, 901 Cherry Avenue, San Bruno, CA 94066

**Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material: See Attachment A

Place: Kilpatrick Townsend & Stockton LLP Two Embarcadero Center, 8th Floor San Francisco, CA 94111	Date and Time:  03/16/2011 10:00
---	--

**Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:
--------	----------------

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: \_\_\_\_\_

CLERK OF COURT

OR

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

\_\_\_\_\_  
*Attorney's signature*

The name, address, e-mail, and telephone number of the attorney representing *(name of party)* \_\_\_\_\_

Sony Computer Entertainment America LLC, who issues or requests this subpoena, are:

Holly Gaudreau, Esq., Kilpatrick Townsend & Stockton LLP, Two Embarcadero Center, 8th Floor, San Francisco, California 94111; E-mail: hgaudreau@kilpatricktownsend.com; Telephone: 415-576-0200

AO 88B (Rev. 01/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises (Page 2)

Civil Action No. C-11-00167 SI

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

This subpoena for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the subpoena on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I left the subpoena at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the subpoena to *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I returned the subpoena unexecuted because \_\_\_\_\_; or

other *(specify)*:

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

## Federal Rule of Civil Procedure 45 (c), (d), and (e) (Effective 12/1/07)

**(c) Protecting a Person Subject to a Subpoena.**

**(1) Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The issuing court must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

**(2) Command to Produce Materials or Permit Inspection.**

**(A) Appearance Not Required.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

**(B) Objections.** A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

**(i)** At any time, on notice to the commanded person, the serving party may move the issuing court for an order compelling production or inspection.

**(ii)** These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

**(3) Quashing or Modifying a Subpoena.**

**(A) When Required.** On timely motion, the issuing court must quash or modify a subpoena that:

**(i)** fails to allow a reasonable time to comply;

**(ii)** requires a person who is neither a party nor a party's officer to travel more than 100 miles from where that person resides, is employed, or regularly transacts business in person — except that, subject to Rule 45(c)(3)(B)(iii), the person may be commanded to attend a trial by traveling from any such place within the state where the trial is held;

**(iii)** requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

**(iv)** subjects a person to undue burden.

**(B) When Permitted.** To protect a person subject to or affected by a subpoena, the issuing court may, on motion, quash or modify the subpoena if it requires:

**(i)** disclosing a trade secret or other confidential research, development, or commercial information;

**(ii)** disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party; or

**(iii)** a person who is neither a party nor a party's officer to incur substantial expense to travel more than 100 miles to attend trial.

**(C) Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(c)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

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**(2) Claiming Privilege or Protection.**

**(A) Information Withheld.** A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

**(i)** expressly make the claim; and

**(ii)** describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

**(B) Information Produced.** If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information to the court under seal for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

**(e) Contempt.** The issuing court may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena. A nonparty's failure to obey must be excused if the subpoena purports to require the nonparty to attend or produce at a place outside the limits of Rule 45(c)(3)(A)(ii).



**ATTACHMENT A**

**INSTRUCTIONS**

1. YouTube, LLC is directed to furnish all documents, including electronically stored information, in its possession, custody or control.
2. As to any portion of any request that refers to documents that YouTube, LLC is aware of which were at one time within its possession, custody or control, but which are not now within or subject to its possession, custody or control, YouTube, LLC is directed to identify such documents in a manner sufficient to describe such documents for the purpose of preparing and serving a proper subpoena duces tecum and to give the name, telephone number, and address of the person last known by YouTube, LLC to have been in possession, custody or control of such documents.
3. If any document requested by this subpoena has been destroyed, set forth the contents of the document, the date of its destruction, and the name of the person who authorized its destruction.

**DOCUMENT REQUESTS**

1. All information and documents related to the use of your service(s) to host the content associated with and/or comprising the video titled "Jailbroken PS3 3.55 with Homebrew", posted by user "geohot" and located at <http://www.youtube.com/watch?v=UkLSXsCKDkg>.
2. Documents sufficient to identify all names, addresses, and telephone numbers associated with the "geohot" account(s).
3. Information and documents sufficient to identify how many users currently have access to the "private" video identified in Request No. 1 above, or have had access to the "private" video identified in Request No. 1 above from January 27, 2011 until the present.
4. Information and documents sufficient to identify the usernames and/or accounts that currently have access to the "private" video identified in Request No. 1 above, or have had access to the "private" video identified in Request No. 1 above from January 27, 2011 until the present.
5. Documents reproducing all records of usernames and IP addresses that have posted or published "comments" in response to the video identified in Request No. 1 above from January 27, 2011 until the present.
6. Documents reproducing the text of all "comments" posted or published in response to the video identified in Request No. 1 above from January 27, 2011 until the present.
7. Documents reproducing all server logs, IP address logs, account information, account access records, and application or registration forms related to the "geohot" account identified in Request No. 1 above.
8. Documents reproducing all e-mails, correspondence, or other material between you and the user "geohot".

9. All documents related to any service that you have provided to the owner of the "geohot" account identified in Request No. 1 above at any time.

63137289 v2

# TAB 2



When a question is directed to Defendant, the question is also directed to each of the aforementioned persons. Any reference hereinbelow to Defendant, William Smiley, "you", or "your" refers to the Defendant.

Plaintiff requests that Defendant admit the following:

1.

Admit you maintain, and/or have maintained in the last twelve months, an account with the website Facebook.com.

2.

Admit you have, through your Facebook account, joined a Facebook group called "I Hate My Wife."

3.

Admit that on or about January 15, 2011, you posted a "status update" on your Facebook page stating: "I don't care how much it costs me, I don't care what I have to do, my wife is gonna get what's coming to her!"

4.

Admit you are aware your daughter, Natalee Smiley, has a Facebook account.

5.

Admit that you are "friends" with Natalee Smiley on Facebook.

6.

Admit that an album entitled "Mardi Gras!! NOLA March 4-6, 2011!!!" contains photographs of you taken on or about the dates of March 4, 5, and/or 6, 2011.

7.

Admit that the photographs referenced in Request No. 9 above are accurate depictions of you in New Orleans, Louisiana on or about March 4, 5, and/or 6, 2011.

8.

Admit that you are Facebook "friends" or have been Facebook "friends" at any point in the past twelve months with an individual known as Heather Birdley.

9.

Admit that, on or about March 7, 2011, you received the following message on your Facebook wall from Heather Birdley: "NOLA was so much fun!! ;) I can't wait to see you again this weekend! XOXOXO."

10.

Admit you gave Heather Birdley a "lovebird gift" on Facebook on or about March 15, 2011.

11.

Admit that, as of the date of the within Requests, Heather Birdley's Facebook profile indicates she has not yet reached eighteen (18) years of age.

12.

Admit that you maintain, and/or have maintained in the last twelve months, an account with the website Match.com.

13.

Admit that, as of the date of the within Requests, your Match.com profile states your relationship status is "Single."

14.

Admit that, as of the date of the within Requests, your Match.com profile states you have no children.

15.

Admit that, as of the date of the within Requests, your Match.com profile states you earn "\$150,000+" per year.

16.

Admit that, as of the date of the within Requests, your Match.com profile states: "I enjoy yachting, fine dining, international travel, and Gucci shoes."

Respectfully submitted,

FAMILY LAWYER & ASSOCIATES, P.C.

By:

\_\_\_\_\_  
Family Lawyer, Esq.  
Georgia Bar No. 123456  
Attorney for Plaintiff

Suite 480  
6100 Lake Forrest Drive  
Atlanta, Georgia 30328  
(404) 806-7330

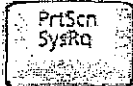
*Prepared for Inns of Court  
By Oni Seliski & Sandy Bair*



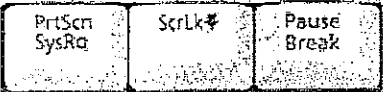
**TAB 3**

- Windows
- Mac
- iPhone, iPod
- KDE
- GNOME
- Websites

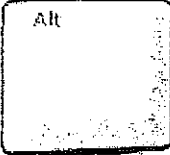
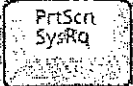
### How do I take a screenshot?

press  = Windows captures the entire screen and copies it to the clipboard.

### Where can I find that key?


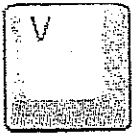
 Look for this group of keys at the upper right of your keyboard. Note: Print Screen (PrtScn) might have been abbreviated differently on your keyboard.

### How do I take a screenshot of a single window?

hold  and press  = Windows captures only the currently active window and copies it to the clipboard.

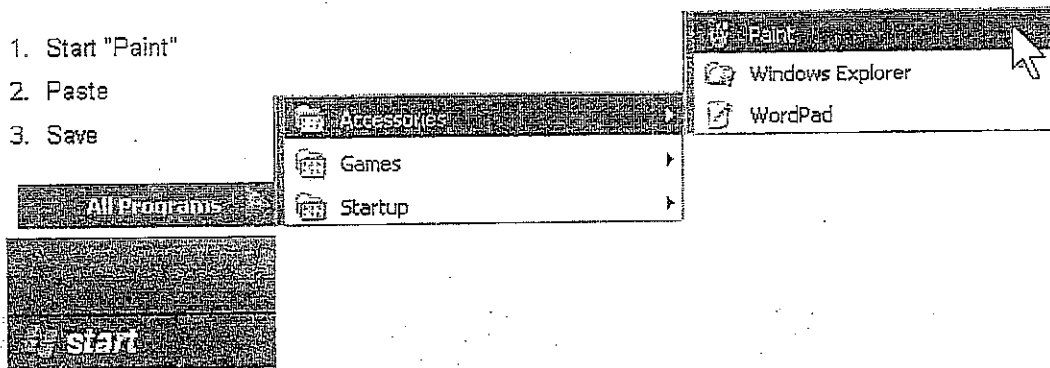
I guess it's in the clipboard now. How can I paste it into a document or something?

I guess it's in the clipboard now. How can I paste it into a document or something?

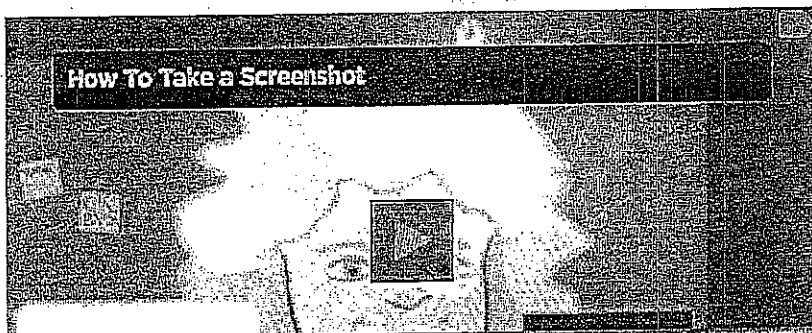
hold  and press  = Windows pastes the screenshot (that is in the clipboard) into a document or image you are currently editing.

Where should I paste it? I just need a (graphics) file.

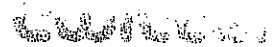
1. Start "Paint"
2. Paste
3. Save



Can you show me in a video?



**TAB 4**



# SOCIAL MEDIA

## AND ITS IMPACT ON TRIAL

## Choose Your Privacy Settings

### Connecting on Facebook

Control basic information your friends will use to find you on Facebook. [View Settings](#)

### Sharing on Facebook

These settings control who can see what you share.

		Everyone	Friends of Friends	Friends Only	
<b>Everyone</b>	Your status, photos, and posts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Friends of Friends</b>	Bio and favorite quotations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>Friends Only</b>	Family and relationships	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>Recommended</b> 	Photos and videos you're tagged in	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	Religious and political views	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	Birthday	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	Permission to comment on your posts	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	Places you check in to (?)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	Contact information	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/> Let friends of people tagged in my photos and posts see them.				
	 Customize settings				
					 This is your current setting.

### Apps and Websites

Edit your settings for using apps, games and websites.

### Block Lists


Edit your lists of blocked people and apps.

### Controlling How You Share

Learn more about your privacy on Facebook.

facebook

Search



### Demo InnofCourt

Born on March 24, 1992 Add your current work information Add your education information Edit Profile

Share: Status Photo Link Video Question

Good Evening, Inn of Court Members

RECENT ACTIVITY

- Demo changed her profile picture.
- Demo likes John W. Ballou Inn of Court and 7 other pages.

There are no more posts to show.

Share: Status Photo Link Video Question

Good Evening, Inn of Court Members

Share

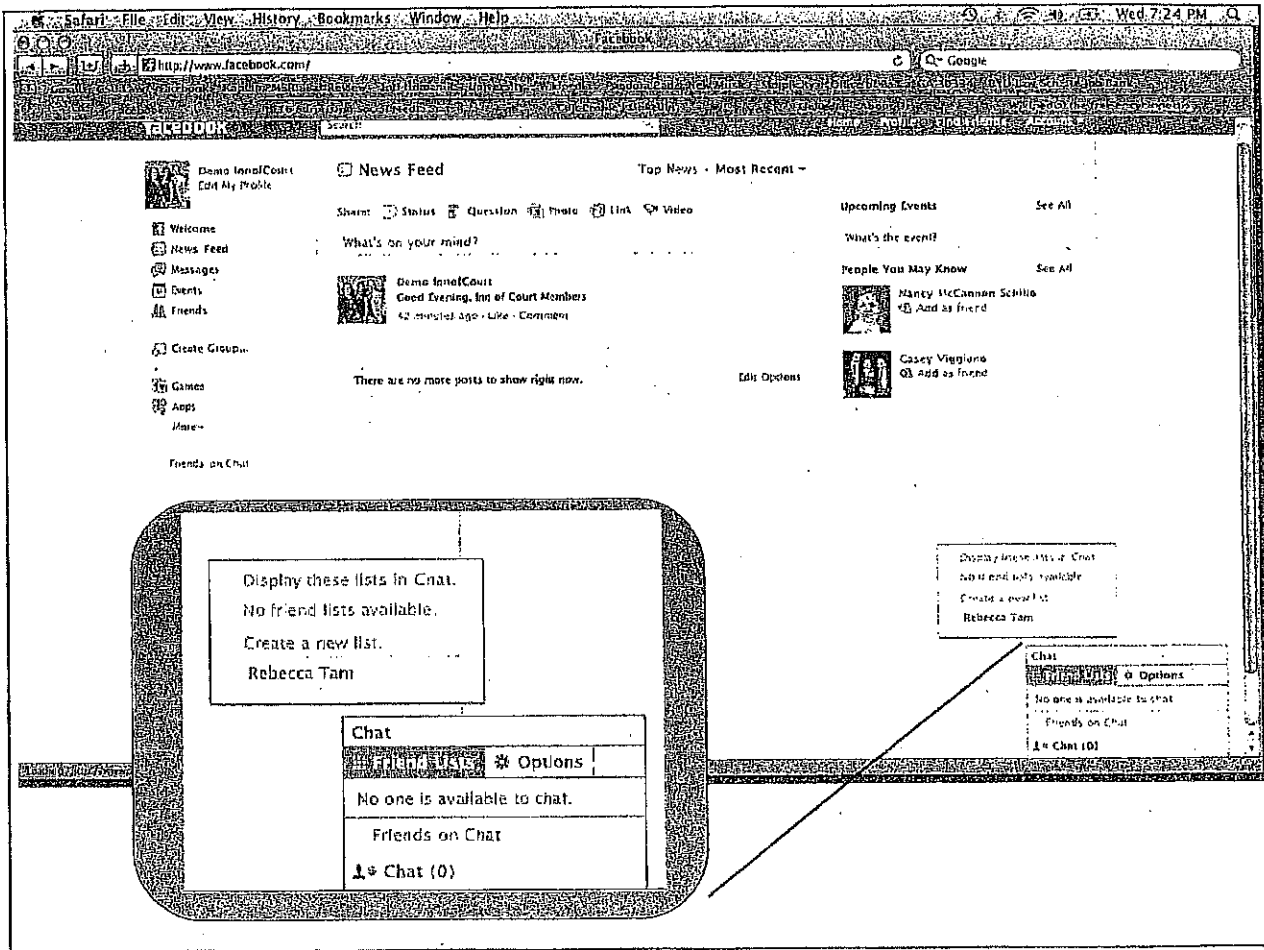
RECENT ACTIVITY

Walk  
Info  
Photos  
Notes  
Friends

Find Friends

- Best Friends
- Coworkers
- Classmates

Add a Badge to Your Site

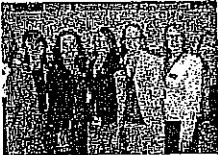





**facebook** Search

### Demo InnofCourt > Photos


Your Photos [See All Photos · Videos](#)



**Profile Pictures**  
1 photo






**My Dog**  
1 photo



[Upload More Photos](#)

- Wall
- Info
- Photos
- Notes
- Friends

Find Friends

-  Best Friends
-  Coworkers
-  Classmates

[Add a Badge to Your Site](#)

### Edit Album - My Dog

#### Unpublished Photos

You have uploaded photos which have not yet been published to your profile wall or News Feed. You can either let your friends know now, or wait until later when you've finished editing your album, adding comments, and tagging your friends.

Don't ask again for these photos

Sort ▾

← Back to Album

[Share](#) [Edit info](#) [Delete](#)

Description:

In this photo: No one.  
Click on people in the photo to add them.

Type any name or tag:  
  
 or choose a person:  
 Demo InnoCourt (Me)

[Cancel](#)

[Save changes](#)

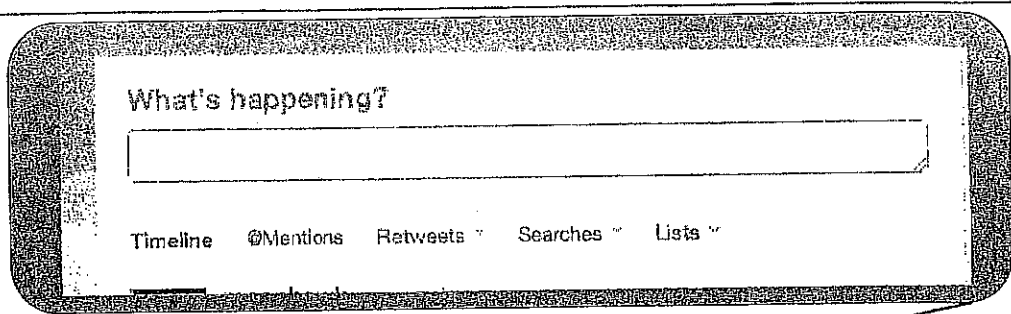
Share this album with anyone by  
<http://www.facebook.com/album.php?id=30>

is the album cover.  
e this photo.

5918

## Social Networking: Twitter


- Twitter now has 200 million user accounts
- 55 million tweets are sent per day
- Roughly 640 tweets are sent per second





Twitter  Home Profile Messages [Who To Follow](#)

What's happening?


Timeline @Mentions Retweets Searches Lists

 **moonhawk** moonhawk  
10.6.7 update makes my external monitor flicker!!! Ugh. #macosx #apple  
23 Mar

 **mcuban** Mark Cuban [Retweeted](#) by JoonKimEsq  
He asked smart questions. He knew it wasn't about the money. It was about brains...  
20 Mar [Favorite](#) [Retweet](#) [Reply](#)

 **JoonKimEsq** Joon Kim

Your Tweets 1  
8 Mar: best candy ever- Haribo gu

Following 6 [F](#)  
  
Find accounts to follow: Browse interests - Find it

What's Next? [hide next steps](#)

1. Get Twitter on your phone
  - Set up mobile notifications
  - Download a Twitter application to your phone
2. Set up your profile

 About @KimKardashian

7,000  
Tweets

124  
Following

6,805,002  
Followers

50,380  
Listed

Connections

Followed by @JoonKimEag and @pauljaelee.



Following 124



Similar to @KimKardashian • view all

## Social Networking: LinkedIn

- LinkedIn operates the world's largest professional network on the Internet
- It has more than 100 million members in over 200 countries and territories.

Are You an Attorney? - We need more attorneys in your area. Apply now for membership. - From LegalMatch

Edit Profile View Profile



Rebecca Tam Edit  
Student at Georgia State University College of Law  
Greater Atlanta Area Law Practice

Edit

Post an update

Current

- Student at Georgia State University College of Law Edit
- Add a current position

Past

- Clerk at Bell-Forsyth Superior Court
- Legal Intern at US Human Rights Network
- Paralegal at James Hugh Potts II, LLC

Education

- Georgia State University College of Law
- The University of Georgia

Recommendations

- Ask for a recommendation

Connections

65 connections

Websites

- Add a website

Twitter

- Add a Twitter account

Public Profile

http://www.linkedin.com/pub/rebecca-tam/25/88/708 Edit

Share

PDF

Print

Share profile

Ask for recommendations

Create your profile in another language

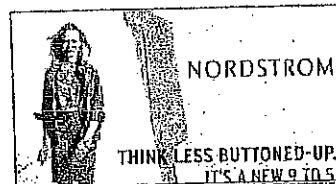
75% profile completeness

Complete your profile quickly

Import your resumé to build a complete profile in minutes.

Profile Completion Tips (View details)

- Add your summary (+5%)
- Add your specialties (+5%)
- Ask for a recommendation (+5%)



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Maurice Desrochers - Owner at Burlington Furnished Rentals
Accept Ignore Report Spam

Brett Williams - Student and Graduate Research Assistant at Georgia State University College of Law
Accept Ignore Report Spam

Paul Nam - at Fairfield Funding, LLC
Accept Ignore Report Spam

Meghan Rose Donohue - Research Assistant at Georgia State University
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Jin Kim - Publishing Assistant at Discovery Communications
Accept Ignore Report Spam

Show more Invitations

People you may know...

Katie Wolf - Law Student at Georgia State University
Connect Ignore





LinkedIn Account Type: Basic

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Search Advanced

Employers:

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	Paralegal Gudorf Law Group, LLC - Dayton, Ohio Area	x
	Litigation Paralegal Morgan, Lewis & Bockius LLP - Financial District	x

Job Seeker

75%

88

1

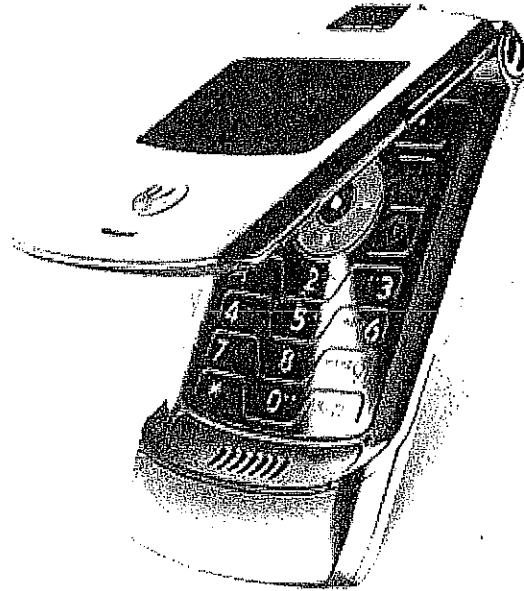


**TAB 5**

## What Is Cell Phone Data Recovery?

Cell phones are used in everyday life for a constantly increasing variety of functions, and the need for data recovery on cell phones is growing.

In plain terms, cell phone data recovery is a professional service in which an engineer accesses lost data on a cell phone via a variety of means. It can be something as simple as quickly accessing a cell phone with a broken screen to remove SIM card information, or something as complex as the recovery of corrupted or deleted text messages, phone records, and even data



files on newer phones.

No two cell phone data recovery cases are exactly alike, and a flexible, educated approach is necessary for high recovery rates.

Because cell phones use a variety of operating systems and unique file systems, standard consumer level software is usually not a viable option. Many damaged cell phones can't even be accessed by standard USB connections, and dedicated computers must be used to read flash data for recovery. It's important to choose a data recovery provider with sufficient technology and experience.

## What Can Be Recovered From A Cell Phone?

Some of the more common types of data that can be recovered include::

**Deleted Text Messages** - SMS messages that have been intentionally or accidentally deleted are still stored on a cell phone's SIM card, or occasionally on the phone's flash memory (depending on the phone model and user settings). Deleted data is not actually destroyed, it's simply marked as available space. If a cell phone is treated early enough by a knowledgeable engineer who can work with the data at a bit level, it's often possible to fully recover SMS messages from a cell phone.

**Pictures** - Many cell phones have built in cameras, and when they crash or break, those pictures are completely inaccessible. Pictures can be quite large and complex, and data corruption can be a serious problem. Our engineers use new proprietary data recovery techniques to completely reconstruct each picture, providing our clients with a full, perfect copy of each digital image.

**Phone Call Information** - Some clients need cell phone logs and information, and this is usually 100% recoverable, as phone logs are kept together in a small area on most cell phone operating systems.

**Other Types of Stored Data** - Modern smart phones are capable of holding gigabytes of information, everything from documents to video and music. All of this information is recoverable, even after formatting and even when the cell phone itself will not power on or recognize when plugged into a computer.

[REDACTED]

From: Simon [REDACTED]

[REDACTED]

[REDACTED]

Subject: IM Discussions about school - IMPORTANT INFORMATION IN HERE

Session Start ([REDACTED]:Jamey): Tue Jan 16 13:00:56 2007

[13:00] Jamey: i put spencer's new car seat in jenn's van

[13:00] Jamey: he looked sooo ocute

[13:01] Jamey: i'm a little worried that it's not attached to the seat at all though

[13:01] Simon [REDACTED]: I'll bet he loves it. He's all grown up already....

[13:01] Jamey: he seemed to be comfortable

[13:01] Simon [REDACTED]: They aren't supposed to be are they?

[13:01] Jamey: no they're not but why

[13:01] Jamey: he is all grown up

[13:01] Jamey: you know we have to start researching private schools this year

[13:01] Jamey: some apps are due by next jan

[13:02] Jamey: then testing and interviews

[13:02] Simon [REDACTED]: I think the car seat belt provides the best impact protection so once they are big enough they use that

[13:02] Jamey: i guess, i still would like something that attaches the seat to the car

[13:03] Simon [REDACTED]: Send me the ones you think are good choices and I'll start some research

[13:03] Jamey: i've got it down to 4

[13:03] Jamey: wesleyan school (Link: [www.wesleyanschool.org](http://www.wesleyanschool.org))[www.wesleyanschool.org](http://www.wesleyanschool.org)

[13:03] Jamey: woodward academy (Link: [www.woodward.edu](http://www.woodward.edu))[www.woodward.edu](http://www.woodward.edu)

[13:03] Jamey: westminster schools (Link: [www.westminster.net](http://www.westminster.net))[www.westminster.net](http://www.westminster.net)

[13:04] Jamey: greater atanta christian (Link: [www.greateratlantachristian.org](http://www.greateratlantachristian.org))[www.greateratlantachristian.org](http://www.greateratlantachristian.org)

[13:04] Jamey: the first 3 are very prestigious

[13:05] Jamey: the last one is not so much

[13:05] Jamey: but i'm concerned about the education, not prestige

[13:05] Jamey: ok, maybe a little concerned about prestige

[13:05] Jamey: :)

[13:06] Jamey: i want a school that has a great academic program but all a good sports program

[13:07] Simon [REDACTED]: And we can afford and is located a resonable distance

[13:07] Jamey: forgeign language and computers are just as important to me as the other things that are required

[13:08] Jamey: westminster is the only one that isn't in close proximity to us

[13:08] Jamey: they are all about the same cost per yesr

[13:08] Jamey: year

[13:09] Simon [REDACTED]: And woodward

[13:09] Jamey: \$10-14K

[13:10] Jamey: they have a campus in duluth

[13:10] Jamey: spencer would only have to go to college park for high school

[13:10] Jamey: and by that point who knows

[13:10] Simon [REDACTED]: ah I see it

[13:10] Jamey: maybe they will build a new facility closer

[13:11] Simon [REDACTED]: looks like tuition is due in full before they start the year

[13:13] Jamey: i've done quite a bit of research and i really believe these are the best for him



[13:16] Jamey: i even inspected the menus at these schools :)

[13:19] Jamey: and i don't want the graduating class to be to small

[13:19] Jamey: i would like to him to have some interaction with kids

[13:19] Jamey: but of course not to big either

[13:19] Jamey: 500 kids is INSANE

[13:20] Jamey: i'm thinking at least 100

[13:20] Simon [REDACTED] I'm having a hard time finding the hours he would go to school for each one.

[13:20] Jamey: i haven't looked at that

Session Close (Jamey): Tue Jan 16 13:30:53 2007

Session Start [REDACTED] Jamey Michelle): Sun Mar 09 17:21:37 2008

[17:21] Jamey Michelle: hey

[17:21] Simon [REDACTED] hey

[17:21] Jamey Michelle: he's exhausted

[17:22] Jamey Michelle: two neighbors came over and wore him out

[17:22] Jamey Michelle: i'll be lucky to get him in the bath befor he crashes

[17:22] Jamey Michelle: have you found out which school serves your neighborhood?

[17:23] Simon [REDACTED] Morris Brandon. Banks' Father who I talked to at the field trip, said that would be the only public school he would send his kids to, he says it's incredible and the IB program is equally as incredible.

[17:23] Simon [REDACTED] I was going to stop by and pickup the papers and literature for it on Thursday or Friday, to show to you.

[17:24] Simon [REDACTED] But I'm convinced we be crazy to pay for private school with that available to us.

[17:24] Jamey Michelle: we need to compare it to riverside

[17:24] Simon [REDACTED] so you aren't moving to another discript?

[17:24] Jamey Michelle: i would like to compare the school where you are to the school where I am

[17:24] Jamey Michelle: i'm not sure if i'm moving or not

[17:24] Jamey Michelle: i have alot of decisions to make

[17:25] Jamey Michelle: i want to do whatever is best for spencer

[17:25] Jamey Michelle: if the school by you is the best then he'll go there

[17:25] Simon [REDACTED] Ok well I'm convinced Morris Brandon is incredible based on my research and people I've talked to.

[17:25] Jamey Michelle: have you looked at riveside?

[17:26] Jamey Michelle: i'm not trying to put up roadblocks or anything, i'm just asking

[17:26] Jamey Michelle: like i said, i will do whatever is the best for him

[17:26] Jamey Michelle: if i stay in this house then i'll just have to drive alot

[17:27] Jamey Michelle: or have him thurs-sun

[17:27] Simon [REDACTED] Riverside isn't a member of the IB program, and has a higer student to teacher ratio.

[17:27] Jamey Michelle: i'm open to whatever

[17:27] Jamey Michelle: what's the ib program?

[17:28] Simon [REDACTED] (Link: <http://www.ibo.org/school/002422/>)

<http://www.ibo.org/school/002422/>

[17:28] Simon [REDACTED] Banks' Father said it's incredible

[17:30] Simon [REDACTED] I do need to get his registration in before 4/1 to get our choice of Kindergarden teacher. So when you get a chance do your research and let me know where you stand.

[17:31] Simon [REDACTED] Also I need to get his summer camp registaion in before 3/15 to receive



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### Device Seizure v4.3

Acquire and analyze data from over 4,000 mobile phones, PDAs, and GPS devices including iPhones (2G, 3G, & 3GS)



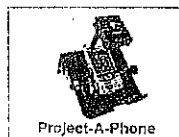
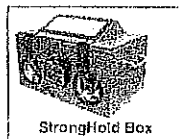
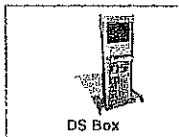
Device Seizure is an advanced forensic acquisition and analysis tool for examining cell phones, PDAs, and GPS devices. Device Seizure now includes software and hardware so you have everything you need to get started in mobile forensics. Don't settle for half the data. Most commercial cell phone forensic software only gets logical data files. That's like doing an investigation on half a crime scene. If a tool doesn't have advanced analysis features, it's probably because they don't get enough data to analyze. Deleted data and user data such as text messages and images can often be found in a physical data dump of a phone. Device Seizure was designed from the ground up as a forensic grade tool that has been upheld in countless court cases. There's a reason Paraben is a trusted leader in handheld forensics.

Paraben's Point 2 Point has been integrated into Device Seizure. The Point 2 Point feature converts GPS data points to be read directly into Google Earth so investigators can quickly and easily visualize where these GPS locations are

Device Seizure has low minimum system requirements. This means you can run Device Seizure on equipment you thought was obsolete for forensic exams.

Get more information from more devices. Depending on the model, Device Seizure can acquire the following data:

- SMS History (Text Messages)
- Deleted SMS (Text Messages)
- Phonebook (both stored in the memory of the phone and on the SIM card)
- Call History
  - Received Calls
  - Dialed Numbers
  - Missed calls
  - Call Dates & Durations
- Datebook
- Scheduler
- Calendar
- To-Do List
- Filesystem (physical memory dumps)
  - System Files
  - Multimedia Files (Images, Videos, etc.)
  - Java Files
  - Deleted Data
  - Quicknotes
  - More...
- GPS Waypoints, Tracks, Routes, etc.
- RAM/ROM
- PDA Databases
- E-mail
- Registry (Windows Mobile Devices)



DOWNLOAD DEMO

Demo Limitations: 30 days 23 executions, single area of acquisition for Cell Phones, and does not work in VMware.

Licensing Options: Dongle (free)

Hardware

Device Seizure now includes a toolbox of cables and hardware. You'll not only receive cables that work on most phone on the market today, you'll receive a StrongHold Bag, power adaptors, a remote charger, and more. For a complete list of hardware items, [CLICK HERE](#).

Subscriptions

When you purchase this product, you will receive a free one year subscription which will entitle you to free updates during your subscription period. You can add an additional year subscription to you cart here or include it in your phone order or purchase order. Best of all, if there are any new cables added to Device Seizure, we'll automatically send them to active subscription holders.

Driver Pack

Device Seizure utilizes original manufacturer drivers to maintain forensic integrity of acquisitions. We have compiled a drivers pack along with other useful driver downloads. [CLICK HERE](#) to download the latest drivers pack.

Training

Paraben offers certification for handheld forensics. Paraben Certified Mobile Examiners (PCME) attend three levels of training covering multiple tools, theory, and practical application. To learn more, go to [www.paraben-training.com/pcme.html](http://www.paraben-training.com/pcme.html). Most forensic examiners have attended training classes for their main forensic tool. Why wouldn't you do the same for something as complex as cell phone forensics?

System Requirements

- Processor: 1.4Ghz+
- RAM: 1 GB

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Hard Drive Space: 200 MB  
Windows 2000, XP, 2003, Vista, Windows 7



PRICE: \$1,795.00




PRICE WITH TRAINING: \$2,195.00



\* Model support is limited in 64 bit due to availability of manufacturer's 64 bit drivers


**PCME**

Paraben Certified Mobile Examiners receive three levels of training on multiple tools.



**P2 Shuttle Pro**

A complete network forensic solution for only \$3,850.00. That's less than some forensic tools.





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### Mobile Device Consulting Services

Paraben has been a leader in handheld digital forensics since early 2002 and that's a lifetime of experience in this rapidly changing field. Whether it's a Mobile Phone, GPS device, or tablet, Paraben can get the evidence you need. Our expert examiners have had real life experience processing evidence on handheld devices for everything from criminal cases, to private litigation cases, to eDiscovery for corporate clients.

Most people don't think of mobile phones and PDAs as areas of evidence or eDiscovery. With the advanced features of today's phones, there is more information about where someone has been, who they know and are talking to, what they are saying, and pictures they have as well as larger amounts of file storage than ever before. This information can be invaluable.

Let our staff of trained professionals examine your evidence and provide a comprehensive report of all the information on the phone. Advanced analysis including data carving, deleted data recovery, & cell phone tower location analysis, as well as expert witness testimony is also available.

Every mobile device is different and different results will occur based on that device. We do our best with each unit we receive to retrieve the maximum amount of information. No matter what data is retrieved from the device you will be charged a minimum \$100.00 fee.

#### Advanced Handheld Forensic Analysis

Paraben's expert team of forensic examiners can perform a complete forensic examination of cell phones and PDAs. The data available on a handheld device can be crucial. Searching and thoroughly analyzing that data for information pertinent to your case is only the beginning. Timelines, link analysis, cell tower analysis, billing analysis, and more can help give you more than you thought possible.

Besides expert analysis of data from actual devices, our consultants can help you obtain actual call records, account information, and other data from the providers through court-orders, subpoenas, etc.

#### Basic Forensic Analysis - \$750

With our basic forensic analysis, we will create a forensic image of the phone and create a detailed HTML report of all the data available on the phone. You can then perform your own analysis of this data. Quick, simple, forensically sound.

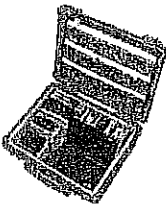
#### Non-Forensic Analysis - \$400

Sometimes all you need is information and you need it now. With our non-forensic service, you can skip the time consuming forensic procedures and ship us your device today. We'll take a complete image of all the data on the phone, including any deleted text messages or photos (if possible), and we'll ship back the phone with a comprehensive HTML report of everything on the device.

**Expert Testimony** Our team of experts is here to help you through your case and are veterans when it comes to dealing with civil matters. Most of our experts are published authors in the field of digital forensics and have over 10 years of experience processing cases and working in digital forensics.

Contact us if you might need a digital forensic expert on your case.

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#### PCME

Paraben Certified Mobile Examiners receive three levels of training on multiple tools.



#### PCFE

Get the most out of P2 Commander by becoming a Paraben Certified Forensic Examiner.



**TAB 6**

April 27, 2011

VIA CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Fidelity Brokerage Services LLC  
c/o its registered agent  
C T Corporation System  
1202 Peachtree Street, NE  
Atlanta, Georgia 30361

Re:

**DEMAND FOR PRESERVATION**

Dear Madam:

Our firm represents \_\_\_\_\_ with regard to the above-styled matter. This letter is to give notice to Fidelity Brokerage Services, LLC and its entity hresource that it is not to destroy, conceal or alter in any manner whatsoever any or all evidence, documents, information, paper or electronic data and/or other tangible items pertaining or relevant to or properly discoverable in the above-referenced matter including but not limited to all recordings from September 1, 2009 forward relating to \_\_\_\_\_.

This notice includes, but is not limited to, all data generated and/or stored on any and all computers; all data stored on any and all other electronic storage media of any type such as hard disks, floppy disks, CD-ROMs, DVDs, flash drives, backup tapes, online backup services or any other storage media or service; all emails; all instant messages; all SMS text messages; all audio data such as voice mail, tape recordings, or digital recordings; and all photographs, videos, writing or other documentary material of any nature.

Fidelity Brokerage Services, LLC and hresource are to take whatever steps are necessary to avoid destruction of evidence. It is anticipated that these items will be used in evidence in forthcoming litigation.

In order to assure that your obligation to preserve documents

and things will be met, please forward a copy of this letter to any and all persons and entities with custodial responsibilities for the items referred herein.

Very truly yours,

Gwenn Dorb Holland