

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 05/27/2005

On May 25, 2005, federal search warrant [REDACTED]

[REDACTED] was executed at [REDACTED]
[REDACTED] by agents of the FEDERAL BUREAU OF
INVESTIGATION (FBI) and agents of IMMIGRATION AND CUSTOMS
ENFORCEMENT (ICE). Present at the search were the following Special
Agents (SA) and Intelligence Analysts (IA):

SA [REDACTED] (FBI)
SA [REDACTED] (ICE)
SA [REDACTED] (FBI)
SA [REDACTED] (ICE)
SA [REDACTED] (FBI)
SA [REDACTED] (ICE)
SA [REDACTED] (ICE)
SA [REDACTED] (ICE)
SA [REDACTED] (ICE)
IA [REDACTED] (FBI)

No one was present at the residence at the time of the search. Entry was made through the front door by SA [REDACTED] SA [REDACTED] SA [REDACTED] and SA [REDACTED] at approximately 6:05 AM, and the residence was secured. Immediately thereafter, the remainder of the team, with the exception of SA [REDACTED] entered the residence. SA [REDACTED] remained on perimeter. A preliminary survey of the search site was conducted, and photographs were taken of each room prior to being searched.

At approximately 6:45 AM, SA [REDACTED] SA [REDACTED] and SA [REDACTED] departed the scene to locate and interview [REDACTED] a resident of the search site and named subject of the investigation. SA [REDACTED] and SA [REDACTED] were left in charge of the search site.

The search resulted in the seizure of 196 items of evidentiary value. All seized evidence was seized by agents of ICE at the scene.

A copy of the appropriate ICE receipt and a copy of the search warrant were left on a coffee table in the living room. Exit photos were taken prior to departure.

Investigation on 5/25/2005 at Chicago, ILFile # 295B-SD-67338-54 Date dictated 5/27/2005

by SA [REDACTED]

295B-SD-67338; 54

295B-SD-67338

Continuation of FD-302 of _____, On 5/25/2005, Page 2

Agents exited and secured the scene at approximately 7:15 AM

The following documents are maintained in the 1A section of this case file:

1. Compact disc containing digital photographs of the search site.
2. Printed copies of digital photographs of search site.
3. Photographic log and sketch of residence.

FEDERAL BUREAU OF INVESTIGATION

b6
b7c

Date of transcription 05/27/2005

On 5/25/2005, Special Agents(SA) of the FEDERAL BUREAU OF INVESTIGATION(FBI) and IMMIGRATION AND CUSTOMS ENFORCEMENT(ICE) executed a traffic stop in Chicago, IL.

The following agents were involved:

SA [redacted] (FBI)
SA [redacted] (ICE) *SW*
SA [redacted] (ICE) *SW*
SA [redacted] (ICE) *SW*
SA [redacted] (ICE) *SW*

On the morning of 5/25/2005, agents of the FBI and ICE proceeded to [redacted] to execute federal search warrant [redacted] SA [redacted] and SA [redacted] parked on the east curb [redacted] while the other agents parked in an alley south of the building.

As agents pulled up, they observed a subject, later identified as [redacted] [redacted] urinating on the building in question. When [redacted] observed the agents, he ran towards his vehicle, parked on the west curb [redacted] entered and departed.

Agents believed that [redacted] resembled [redacted] a named subject of the investigation. SA [redacted] SA [redacted] and SA [redacted] departed the scene in SA [redacted] official vehicle to stop [redacted] SA [redacted] and SA [redacted] departed the scene in SA [redacted] official vehicle to assist. SA [redacted] pursued the vehicle with emergency lights and sirens activated.

[redacted] departed southbound [redacted] and made a left to travel east [redacted] again made a left to travel northbound [redacted] travelled approximately one-half block north [redacted] before stopping his vehicle on the east curb. At the same time, a UNIVERSITY OF ILLINOIS-CHICAGO(UIC) marked police car also pulled over and stopped. The officer spoke with SA [redacted] but did not participate in the traffic stop or interviews.

Investigation on 5/25/2005 at Chicago, IL

File # 295B-SD-67338 -55 Date dictated 5/27/2005

by SA [redacted] pmg *PMG*

295B-SD-67338

Continuation of FD-302 of _____, On 5/25/2005, Page 2

SA [redacted] and SA [redacted] approached the driver's side of the vehicle. [redacted] was ordered to show his hands, and then asked to produce identification. [redacted] produced an Illinois Driver's License bearing his photograph.

[redacted] provided that he was departing [redacted] after spending the night in apartment [redacted] with a friend, [redacted] [redacted] is a recent acquaintance of [redacted] and he was not aware of her last name. [redacted] provided that he left early, and did not wish to wake [redacted] so he determined the best course of action was for him to urinate outside.

SA [redacted] advised [redacted] that he was free to go, and was not under suspicion. SA [redacted] also advised [redacted] not to contact [redacted] for a few hours, as not to tip off residents of [redacted] [redacted] as to the impending search warrant.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 04/07/2005

On April 7, 2005, surveillance was conducted in the vicinity of [REDACTED] the suspected address of [REDACTED]

The address in question is composed of two buildings. The front building is four stories tall and consists of one unit per floor. These units have a common front door [REDACTED]. The buzzers on this door identify the occupants of all four apartments, none of whom are [REDACTED]. There is also a rear exit for each apartment, exiting onto a common staircase. The staircase exits at ground level through a locked gate into an alley.

The rear building is four stories tall and has two units per floor, marked 'M' and 'R'. This building has a common exit onto an alley. This common exit has buzzers for all eight units in this building. These buzzers are delineated only by apartment number and have no occupant information. The forward units have exits onto the common staircase mentioned above. The rear units have an exit onto another common staircase that exits at the rear of the building, into a fenced-in area off the abovementioned alley.

The area within a two-block radius of the address contained several possible cars that may belong to [REDACTED] family. Four Honda Accords of the proper vintage were identified, and plates submitted to NCIC for followup. No other vehicles that matched those owned by [REDACTED] were identified.

Investigation on 4/7/2005 at Chicago, IL

File # 295B-SD-67338-54 Date dictated 4/7/2005

by SA [REDACTED]

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 04/07/2005

[redacted]
[redacted] was interviewed at his place of
employment, [redacted] Chicago, IL
60607 telephone [redacted] was advised of the identity
of the interviewing agent and thereafter provided the following
information:

[redacted]
[redacted] address on file with the school is [redacted]
[redacted] This is the address
where [redacted] bills would be sent.

[redacted] provided a printout of this information to the
interviewing agent.

Investigation on 4/7/2005 at Chicago, IL

File # 295B-SD-67338 / 51 Date dictated 4/7/2005

by SA [redacted]

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 05/11/2005

[redacted] FDC Servers, 141 W. Jackson Blvd Chicago, IL, was interviewed at his place of employment. [redacted] was advised of the identity of the interviewing agent and subsequently provided the following information:

[redacted] was previously aware of the server in question, identified by Internet Protocol(IP) address [redacted] [redacted] provided permission for the Federal Bureau of Investigation(FBI) to image said server.

[redacted] knowingly and voluntarily signed an FD-941, Consent to Search Computers. This document is maintained in the 1A portion of this file.

Investigation on 5/11/2005 at Chicago, IL

File # 295B-SD-67338-58 Date dictated 5/11/2004

by SA [redacted]

295B-SD-67338;58

Automated Serial Permanent Charge-Out
FD-5a (1-5-94)

Date: 08/30/05 Time: 19:31

Case ID: 295B-SD-67338 Serial: 59

Description of Document:

Type : FD302
Date : 05/20/05
To : SAN DIEGO
From : CHICAGO
Topic: ON MAY 13, 2005 AT APPROXIMATELY 2:15 PM

Reason for Permanent Charge-Out:

SOMEONE SERIALIZED THIS GRAND JURY MATERIAL INTO THE MAIN FILE - SO I
AM TRANSFERING IT INTO THE GJ SUBFILE BY REQUEST OF THE CASE AGENT

Transferred to:

Case ID: 295B-SD-67338-GJ Serial: 59

Employee:

b6
b7c

295B-SD-67338;59

FEDERAL BUREAU OF INVESTIGATION

b6
b7c

Date of transcription 05/26/2005

[redacted]
[redacted] was contacted on his cellular telephone, [redacted] was again advised of the identity of the interviewing agent, and subsequently provided the following information:

[redacted] was advised of his previous offer to turn his computer over for analysis. [redacted] advised that he was still willing to do so. [redacted] wished to meet in the suburbs, sometime on the afternoon of 5/26/2005. [redacted] and the agent mutually agreed to meet at 2:00 PM, [redacted] [redacted] advised that he would provide the desktop and consent to search at that time, and that the agent could remain in possession of the machine for as long as needed.

[redacted] requested that the agent contact him telephonically on the morning of 5/26/2005 to confirm the appointment.

Investigation on 5/25/2005 at [redacted] (telephonically)
File # 295B-SD-67338 *60* Date dictated 5/26/2005
by SA [redacted]

295B-SD-67338; 60

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 05/31/2005

[redacted]
[redacted] contacted the agent on his office telephone. [redacted] was previously aware of the identity of the interviewing agent, and subsequently provided the following information:

[redacted] and the agent had been scheduled to meet at 2:00 PM on 5/26/2005. [redacted]

[redacted] advised that he wished to cancel this meeting, and would not be providing his machine or any permission to search to the agents.

[redacted] advised that he was meeting with a lawyer to determine his best course of action.

Investigation on 5/26/2005 at [redacted]
File # 295B-SD-67338 / 61 Date dictated 5/31/2005
by SA [redacted]

295B-SD-67338; 61

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 05/26/2005

[Redacted]

[Redacted] was interviewed at his parents' home, [Redacted] was advised of the identities of the interviewing agents and subsequently provided the following information.

[Redacted]

[Redacted] currently lives at [Redacted] along with his roommate, [Redacted] and [Redacted] split all expenses for the apartment evenly. [Redacted] currently drives a [Redacted] registered to his parents.

[Redacted] admitted that he received COMCAST CABLE broadband service at the residence [Redacted] While the service was in [Redacted] name, he and [Redacted] split all costs evenly. [Redacted] and [Redacted] each put some of the bills in their respective names.

[Redacted]

[Redacted] only stays at the apartment [Redacted] occasionally [Redacted]

[Redacted]

[Redacted] advised that he does various things on the Internet. He utilizes AMERICA ONLINE INSTANT MESSENGER (AIM), utilizing the username [Redacted] He uses that same user name for MICROSOFT NETWORK MESSENGER (MSN) and an account at HOTMAIL.COM. [Redacted] has never heard of ELITE TORRENTS (ET), and has never used BITTORRENT (BT) technology. He has heard of BT, but has never used it himself.

[Redacted] stated that he had never used file-sharing programs. Upon later questioning, [Redacted] admitted that he had the

Investigation on 5/25/2005 at [Redacted]

File # 295B-SD-67338-62 Date dictated 5/26/2005

by SA [Redacted] (FBI) : pmg
SA [Redacted] (ICE) / SA [Redacted] (ICE)

295B-SD-67338; 62

295B-SD-67338

b6
b7c

Continuation of FD-302 of _____, On 5/25/2005, Page 2

file-sharing program BEARSHARE on his machine, but that he had not placed it there and that it must have been installed without his knowledge. Later, under further questioning, _____ admitted that he had downloaded music through BEARSHARE _____

_____ has downloaded 8-20 tracks per month for approximately six months.

_____ had no knowledge of _____ involvement with ET. _____ once showed _____ a burned compact disc (CD) with an episode of the television show "Seinfeld" on it. This was the only encounter _____ had with _____ with relation to any sort of television or movie trading. _____ has never used the name _____ online, and does not believe that _____ uses that name, either.

_____ owns a desktop computer and a laptop computer. The desktop computer has a total of approximately 200 gigabytes (GB) of storage. The laptop has approximately 30-40 GB of storage. _____ said he had no knowledge of any illegal material on his computer, other than perhaps the aforementioned music tracks. _____ stated that any illegal material on his computer must have been placed there by someone else.

_____ stated that _____ could have used his _____ computer, but that he _____ had no direct knowledge of such. _____ moved his computer out three to four weeks ago, and may have used it after that point. The only persons who have keys to _____ apartment are _____ and a friend, _____ lived in the apartment for a short time and maintains a set of keys. _____ is not aware of _____ utilizing any computers in the apartment.

_____ believes that other residents of his apartment building may be using _____ wireless signal to acquire Internet service through _____ connection. _____ has no evidence of this, only a suspicion.

_____ believes that _____ is staying with his parents, somewhere in _____ provided a cellular telephone number for _____ may use the email address _____ or something similar. _____ provided a cellular telephone number for _____

295B-SD-67338

Continuation of FD-302 of , On 5/25/2005, Page 3

has access to the Internet at his apartment on at the UIC computer labs, and at his parent's home. parent's have COMCAST CABLE broadband service in the name of
The family shares one computer at the residence, which is connected to the COMCAST connection.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 05/26/2005

[redacted]

[redacted] was interviewed at [redacted] was accompanied by a friend, [redacted] was advised of the identities of the interviewing agents and subsequently provided the following information:

[redacted] currently resides at his parent's home, [redacted] Occasionally, he stays at his parent's other residence, [redacted]

[redacted]

[redacted] previously resided at [redacted] [redacted] began moving out of that apartment in March, 2005. [redacted] kept a computer at the apartment, and moved that out approximately one month before the interview. [redacted] has not slept at the apartment since April. [redacted] still has access to the apartment, and has some items there. [redacted] had gone to the apartment on 5/25/2005, as he wished to pick up more of his items. [redacted] then noticed the search warrant copy and the property receipt left on the table, and contacted the United State's Attorney's Office for more information.

[redacted]

[redacted] has done some online downloading of television shows and music. [redacted] has downloaded nine episode of the British television show "Doctor Who". This is the most recent version, of which there are only nine episodes. [redacted] also downloaded 50-60 Indian music tracks from LIMEWIRE. [redacted] has another forty or so Indian music tracks that he acquired from his roommate, [redacted]

[redacted]

[redacted] is a regular user of INTERNET RELAY CHAT(IRC). [redacted] chats in channel #utopia-planitia, which he believes is part

Investigation on 5/25/2005 at [redacted]
File # 295B-SD-67338 / 63 Date dictated 5/26/2005
by SA [redacted]:pmg
SA [redacted] (ICE) / SA [redacted] (ICE)

295B-SD-67338; (63)

295B-SD-67338

Continuation of FD-302 of _____, On 5/25/2005, Page 2

of either EFnet or Freenode. _____ is unaware of the server he uses to connect, as he uses a service which picks a server randomly. _____ uses the nickname _____ on IRC. _____ described #utopia-planitia as a channel used primarily for discussion of science fiction television show. The channel owner, _____ also operates an FTP server, located at either utopia.planitia.info or utopia-planitia.info. This FTP server is used by the IRC channel members to trade television episodes. This is where ZAVERI acquired some of his Dr. Who episodes. _____ acquired the rest of the episodes through the website BTEFNET.COM, which uses FTP to transfer files.

_____ has never used the ELITE TORRENT (ET) network or BITTORRENT (BT) technology. _____ has heard others in the #utopia-planitia IRC channel discuss using ET. Specifically, he recalls that users _____ and _____ discussed using the ET network. _____ is the channel owner and administrator of the FTP server. _____ is a channel operator, and _____ believes he resides in Europe.

_____ previously had a computer at the apartment on _____ described the machine as an eMachines brand, with a Pentium III 1gigahertz processor, 256 megabytes of RAM, and approximately 20 gigabytes of storage. _____ stated that we would find no illegal materiel on his machine, other than the previously mentioned music files and Dr. Who episodes. _____ also stated that he has a Compaq Presario laptop, that has not worked for several months and is being used for parts.

_____ eMachines desktop was previously connected to a network in the _____ apartment. The equipment belonged to _____ and _____ was responsible for setting the network up. _____ and _____ shared a drive between their machines, which _____ used to acquire the previously mentioned music tracks from _____. _____ is not aware of use by _____ of ET or BT technology. _____ has never used the nickname _____ online, for any reason. _____ does not know why a web page with his picture and personal information contains the nickname _____ with the term 'red alert'. _____ does use the nickname _____ and variants as his online nicknames.

_____ has access to the Internet at the UIC computer labs and at his parent's house _____. _____ address has either SBC DSL or COMCAST CABLE broadband service.

295B-SD-67338

Continuation of FD-302 of , On 5/25/2005, Page 3

is not sure which service it is. His eMachines desktop is connected to this service at the address.

granted permission for agents to search his computer, and subsequently withdrew that permission. stated that his entire family used the computer for Internet access, and he did not want to deprive them of that without warning. advised that he would be willing to turn the computer over and give permission at a later date.

FEDERAL BUREAU OF INVESTIGATION

b6
b7C

Date of transcription 05/26/2005

[redacted] was contacted at his request on his cellular telephone, [redacted] was once again advised of the identity of the interviewing agent and subsequently provided the following information:

[redacted]

[redacted] did not want to provide the following information in front of his parents. [redacted] also did not want to further speak with the agents in front of his parents, and requested that further contact be made on the provided cellphone number.

[redacted] now believes that his roommate, [redacted] utilizes the nickname [redacted] online.

[redacted] computer has three or four hard drives in it. One of the hard drives was shared across the network between his machine and [redacted] does not believe that there is any illegal material on this drive, but if there is, [redacted] or someone else must have placed it there.

[redacted]

[redacted] requested the return of seized compact discs (CDs) from his apartment. [redacted]

[redacted] also inquired as to the whereabouts of other seized evidence and an approximate timetable for the return of that evidence.

Investigation on 5/25/2005 at [redacted] (telephonically)
File # 295B-SD-67338-64 Date dictated 5/26/2005
by SA [redacted] *Mez*

295B-SD-67338; 64

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 05/27/2005

On 5/24/2005, pursuant to an FD-941, Consent to Search Computers signed by [redacted] Special Agents (SA) of the FEDERAL BUREAU OF INVESTIGATION and IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE), along with an examiner from the Chicago REGIONAL COMPUTER FORENSICS LABORATORY (RCFL), imaged a computer server at FDC Servers, 141 West Jackson Blvd., #1135, Chicago, IL. Present at the image were:

- SA [redacted] (FBI)
- SA [redacted] (ICE)
- SA [redacted] (ICE)
- Examiner [redacted] (RCFL)

[redacted] was present at the site when agents arrived at approximately 10:00 AM, and reiterated verbally his permission to image the machine identified by Internet Protocol (IP) address [redacted] identified the physical machine and provided [redacted] a working space.

[redacted] advised the agents that the server had approximately 200 gigabytes of storage, and a different set of media would be required. After acquiring the media from the RCFL, [redacted] commenced imaging the system.

[redacted] completed the image at approximately 2:15 PM. The image, stored on a 3.5" hard drive, was taken into evidence by SA [redacted]

The original machine was returned into service by FDC personnel.

Investigation on 5/24/2005 at Chicago, IL

File # 295B-SD-67338 -65 Date dictated 5/26/2005

by SA [redacted] SA [redacted] (ICE) / SA [redacted] (ICE)

295B-SD-67338; 65

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 05/31/2005

To: San Diego

Attn: Squad 19 - Cyber
SA [redacted]

From: Chicago
CY-2

Contact: SA [redacted]

Approved By: [redacted]

Drafted By: [redacted] LG

Case ID #: 295B-SD-67338 / 66 (Pending)

Title: OPERATION: D-ELITE

Synopsis: To detail lead coverage

Reference: 295B-SD-67338 Serial 3
295B-SD-67338 Serial 11

Enclosure(s): Enclosed for San Diego are the following 302s, one indexed and one original copy each:

- Surveillance conducted 4/7/2005
- Interview of [redacted] UIC
- Interview of [redacted] FDC Servers
- Report of FDC Servers image
- Report of search of [redacted]
- Interview of [redacted]
- Report of car stop
- Report of subpoena service to UIC
- Interview of [redacted]

In addition, the following FD-340 and FD-340c envelopes are enclosed:

- FD-941 signed by [redacted]
- Printout of UIC records on [redacted] address
- Copy of LUP webpage of [redacted]
- Photo log and sketch of [redacted]
- Interview notes of [redacted]
- Interview notes of FBI IA [redacted]
- Interview notes of [redacted]
- CD-ROM containing photographs of search warrant
- Copy of lease for [redacted]
- Copy of search warrant [redacted]

295B-SD-67338; 666

To: San Diego From: Chicago
Re: 295B-SD-67338, 05/31/2005

b6
b7c

- ICE operations plan for search warrant
- FBI operations plan for search warrant
- Lease and application for [REDACTED]
- Affidavit and application for search warrant
- Hard copy of search warrant photos(3 envelopes)

Finally, inserts from the following are enclosed:

- SA [REDACTED]
- SA [REDACTED]
- IA [REDACTED]

Details: Per serial 11 above, agents of the FBI and ICE coordinated with the Chicago RCFL to image a server at FDC Servers in Chicago. The operation resulted in the acquisition of one 200 gigabyte (approximate) image, stored on a 250 gigabyte hard drive. The drive was taken into evidence by ICE. An FD-941 was signed by [REDACTED] of FDC Servers, granting permission to take the image. This document is enclosed in an FD-340 1A envelope. Chicago considers lead 11.1 covered.

Per serial 3 above, Chicago coordinated with ICE agents to prepare and execute a search warrant on the residence of [REDACTED]

[REDACTED] Agents of the FBI and ICE executed said warrant on 5/25/2005. Two computers and approximately 196 compact discs were seized by ICE. Agents also located and interviewed [REDACTED] and his roommate, [REDACTED]. Enclosed are several documents detailing the search and interviews, along with corresponding FD-340 1A envelopes containing documentation. Chicago considers lead 3.3 covered.

To: San Diego From: Chicago
Re: 295B-SD-67338, 05/31/2005

LEAD(s) :

Set Lead 1: (Info)

SAN DIEGO

AT SAN DIEGO, CA

Read and clear

◆◆

TMK

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 05/26/2005

On May 25, 2005, at approximately 6:02 a.m., a search warrant issued [redacted] was executed at the residence located at [redacted]

At the time the search warrant was executed, the residence was occupied by [redacted] and [redacted]. The search warrant was executed by the Federal Bureau of Investigation (FBI) Cyber-Crime Task Force without incident. During the course of the search, [redacted] returned home from work and joined his family for the remainder of the search.

After knocking and announcing and waiting approximately 20 seconds, non-forcible entry was gained to the residence when [redacted] acknowledged the entry team's command and opened the door. Photographs were taken at the search scene by Detective [redacted] Milwaukee Police Department (MPD), and all items seized were documented on FD-597 property receipt forms. A copy of the FD-597 forms, Evidence Recovery Logs, [redacted]

[redacted] placed in a 1A envelope and made part of the case file.

The property items seized pursuant to the search warrant were as follows:

- 1)
- 2)
- 3)
- 4)
- 5)
- 6)

SEARCHED INDEXED
SERIALIZED FILED

Investigation on 05/25/2005 at [redacted]

File # 295B-SD-67338-107

Date dictated 05/26/2005

by SA [redacted] SA [redacted] SA [redacted] TFO [redacted] TFO [redacted] FBI - MILWAUKEE

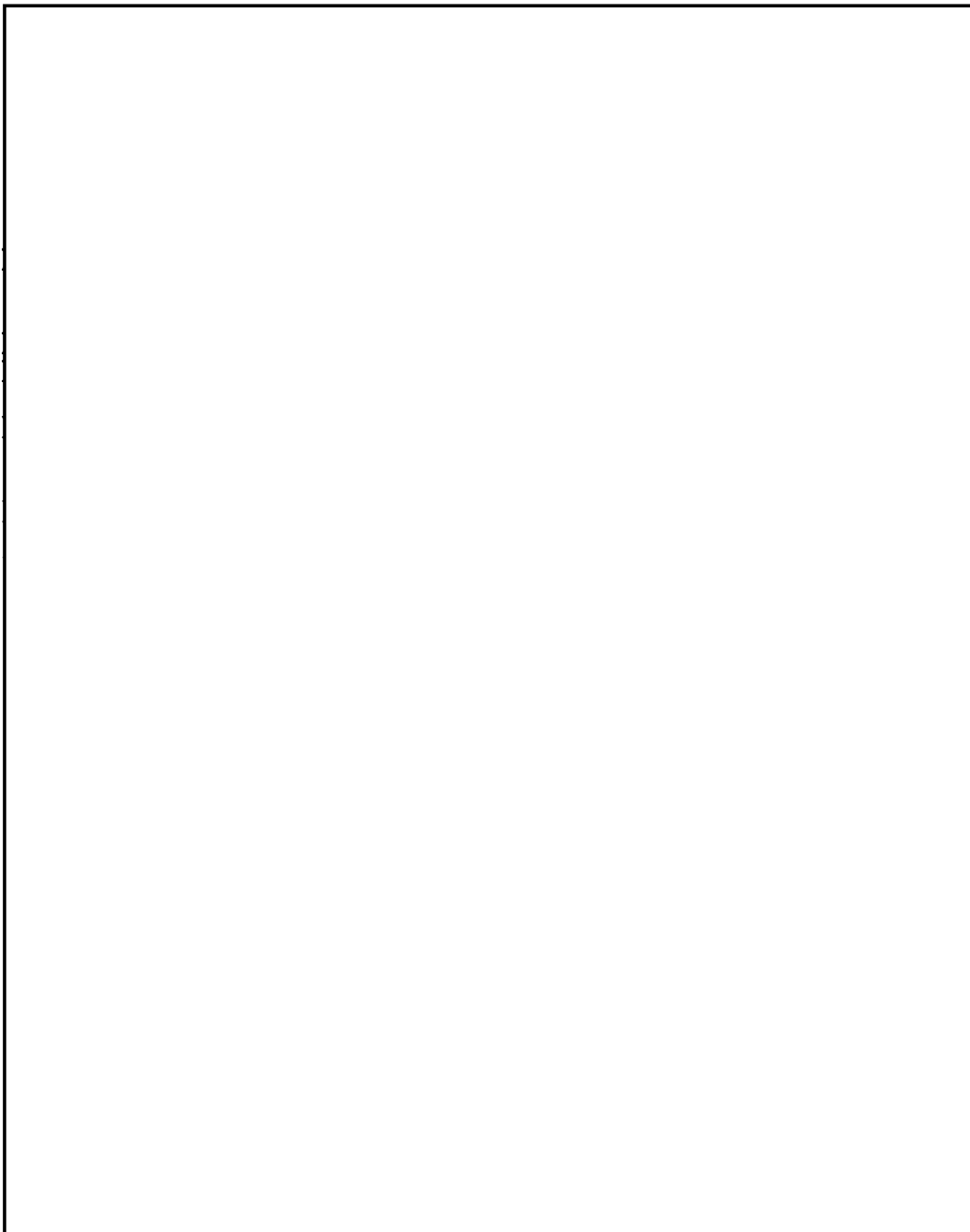
JUL 29 2005

295B-SD-67338

b6
b7C
OTHER Sealed Pursuant to Court Order

Continuation of FD-302 of Search _____, On 05/25/2005, Page 2

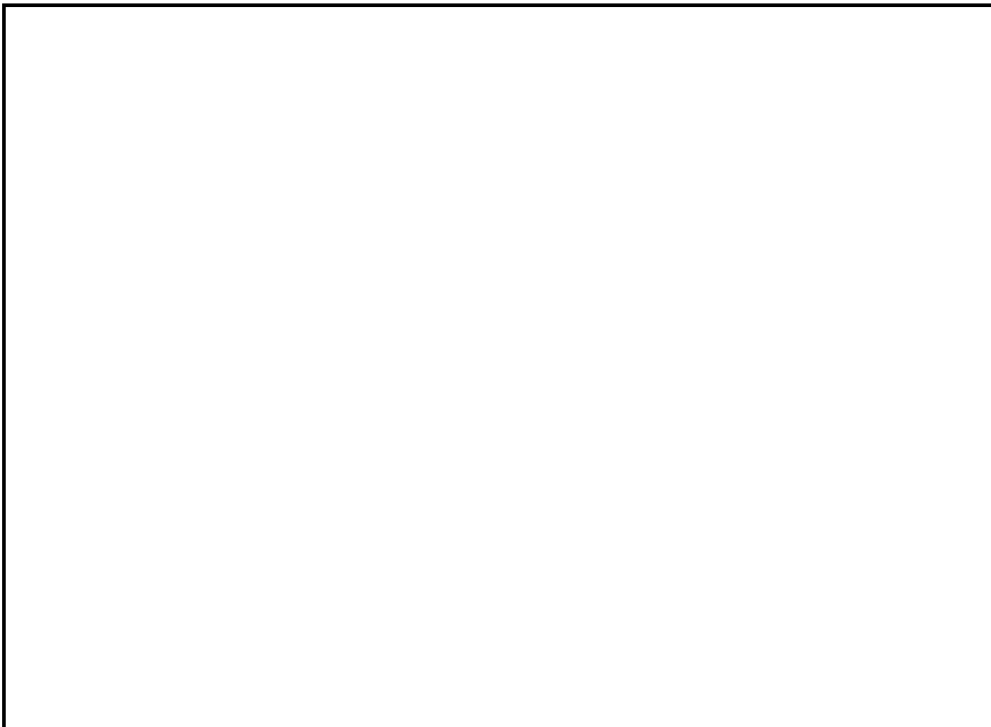
- 7)
- 8)
- 9)
- 10)
- 11)
- 12)
- 13)
- 14)
- 15)
- 16)
- 17)
- 18)
- 19)
- 20)
- 21)
- 22)
- 23)
- 24)



295B-SD-67338

Continuation of FD-302 of Search, On 05/25/2005, Page 3

- 25)
- 26)
- 27)
- 28)
- 29)
- 30)
- 31)
- 32)
- 33)
- 34)



The following personnel participated in the execution of the search warrant:

SA		FBI CART/FE
SA		FBI CART/FE
SA		FBI
SA		FBI
SA		ICE
SA		ICE
		MPD Detective
		MPD Detective

The following is an approximate time line of the search:

Time	Action
6:02 a.m.	Entry made
6:07 a.m.	Residence secured
6:10 a.m.	Search initiated
9:20 a.m.	Search completed/Exit residence

FEDERAL BUREAU OF INVESTIGATION

b6
b7c

Date of transcription 05/31/2005

[Redacted]

interviewed at his place of residence [Redacted]. Also present during the interview was Special Agent [Redacted] United States Immigration & Customs Enforcement, Milwaukee, Wisconsin. After being advised of the identities of the interviewing agents and the nature of the interview, [Redacted] provided the following information:

[Redacted]

[Redacted] became involved in the Elite Torrents (ET) Organization after seeing an advertisement for Elite Torrents in a bit torrents chatroom called "efnet". The advertisement informed the reader that the Elite Torrents site had movies, games, and music; and it provided a URL (Uniform Resource Locator). [Redacted] believes that the efnet site was recently "busted" meaning that it was taken down by law enforcement officers.

[Redacted] joined the ET Organization approximately [Redacted]. He advised that the ET Organization tracks the number of weeks that the members have participated in the group.

[Redacted] visited the ET website and then followed the sign up instructions to become a member. The procedure for uploading/downloading a file on the Elite Torrents is as follows:

1. A member rips a movie and compresses it to "scene standards". [Redacted] advised that there are professional ripping guidelines, and that large files are divided into 15 MegaByte (MB) or 50 MB chunks.
2. Next, the member affiliates himself/herself with a top-site computer. These top-sites use the linux operating system and FTP (file transfer protocol). The member distributes new releases called "content" to the top-site server.

Investigation on 05/25/2005 at [Redacted]

File # 295B-SD-67338-60

Date dictated 05/31/2005 29 2005

by SA [Redacted]

SEARCHED	INDEXED
SERIALIZED	FILED
FBI - MILWAUKEE	

2091 on 05.303

295B-SD-67338

Continuation of FD-302 of [REDACTED], On 05/25/2005, Page 2

3. From a top-site server, members denoted as FXPers distribute the content to members classified as Uploaders. The Uploaders use home PCs or servers. The content is transferred via FTP through FXP to the Uploaders.
4. The Uploader will torrent the content with the "make torrent" command. Checks such as hash matches will be done to insure integrity of the files.
5. Groups of members called a "swarm" will connect to the Uploaders to upload and download files. A swarm can consist of three (3) to three-thousand (3000) members.

There are no duplicate movies in the ET Organization unless a member has a movie of a different quality level.

[REDACTED] advised that there are approximately twenty (20) top-site servers around the world--three (3) top-sites are located in the United States. One U.S. top-site is located at Planet Data Center in Texas; one is located at Savvis in Texas; and the third is located in Atlanta, Georgia. The owner of the ET Organization is named [REDACTED] Last-Name-Unknown (LNU).

There are ET members with certain roles: for example, Administrator, Moderator, FXPer (Flash XPer), and Uploader. Administrators manage, create, and delete user accounts. Moderators manage chat rooms and the ET website. [REDACTED] described the roles of FXPers and Uploaders above. Uploaders have unlimited access to content.

[REDACTED] knows of five (5) FXPers: [REDACTED] and [REDACTED] has not met any members of the ET Organization in person. [REDACTED] was asked to be a Moderator, but he declined because it took too much time [REDACTED] was also offered the chance to add a top-site to the ET Organization, however, he would have had to pay for space on a server out of his own pocket.

Incidentally, [REDACTED] ET member name is [REDACTED]

[REDACTED]

295B-SD-67338

Continuation of FD-302 of [REDACTED], On 05/25/2005, Page 3

[REDACTED] advised that his laptop has a bookmark to a top-site called "stonyv" or "etvision". The laptop has the Windows XP Professional operating system loaded on it. There is no login password required and there is no encryption on his laptop. His administrator's password for the laptop is [REDACTED]

In the directories \FlashFXP or \Tracerscript, [REDACTED] has saved some chat logs. He used an IRC (Internet Relay Chat) client. [REDACTED] used "cdcovers.cc" to create movie labels.

Another organization called "pornbits.net" split off from the ET Organization to distribute pornography content exclusively.

In addition to the ET Organization, [REDACTED] knows of a group called "delusional fxp.com" which uses unwitting top-sites to store files. The group scans for servers; finds open servers; and hacks them. Then the group copies contents from top-sites and FTPs them to the unwitting servers. [REDACTED] login for delusional fxp.com is [REDACTED] and his password is [REDACTED] is familiar with the exploits that delusional FXP uses.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 05/31/2005

On May 25, 2005, at approximately 6:00 am, the Federal Bureau of Investigation [redacted] Present at the location were [redacted] SA [redacted] SA [redacted] [redacted] Immigrations and Customs Enforcement (ICE), and [redacted] convened in the front living room.

SA [redacted] advised [redacted] that the FBI was [redacted] SA [redacted] advised that no one was under arrest and that the [redacted] were free to leave. At that point, SA [redacted] asked [redacted] if he had knowledge of the Elite Torrents Organization and the user [redacted] replied "Sir, I have no idea what you're talking about." SA [redacted] asked [redacted] the same question, to which he replied "Yes I do." SA [redacted] asked [redacted] if he would be willing to answer questions regarding this matter.

INDEX
CIALS

SA [redacted] SA [redacted] and [redacted] assembled at the kitchen table. SA [redacted] repeated that no one was under arrest and that they may leave the residence when ever they wished. [redacted] answered several questions regarding his involvement with Elite Torrents. SA [redacted] advised [redacted] that the FBI was going to be seizing his computer(s), and asked what the FBI expected to find on his computer. [redacted] told the interviewing agents that he did not want to be interviewed further without legal representation. The interview was subsequently terminated. SA [redacted] handed [redacted] a copy of a letter from a Department of Justice Attorney.

Later, [redacted] arrived at the residence. SA [redacted] and SA [redacted] informed [redacted] about the search warrant.

At approximately 8:00 am, [redacted] sat at the kitchen table with [redacted] and [redacted] asked to speak to SA [redacted] advised, "The consensus is that I cooperate." SA [redacted] asked "do you want to speak to me without an attorney present?" [redacted] replied "yes."

SA [redacted] told [redacted] that since [redacted] asked for an attorney to be present during the interview, and then withdrew this

Investigation on 05/25/2005 at [redacted]
File # 295B-SD-67338-69
by SA [redacted]

SEARCHED INDEXED
SERIALIZED FILED
JUL 29 2005
Date dictated 05/31/2005
FBI [redacted]

295B-SD-67338

Continuation of FD-302 of , On 05/25/2005, Page 2

request; SA was going to advise of his Constitutional Rights. SA and SA read an FD-395, Advice of Rights, form. advised that he understood his rights and signed the form. The interview then resumed.

b6
b7C

OTHER Sealed Pursuant to Court Order

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 07/07/2005

Pursuant to a Search Warrant
 SA

1B-No. CART No. Description

1B-56 qmw1_1

1B-56 qmw1_2

1B-56 qmw1_3

1B-59 qmw2_1

INDEX



INITIALS

1B-59 qmw2_2

1B-61 qmw3_1

1B-60 qmw4_1

Investigation on 06/22/2005 at Milwaukee, WI

File # 295B-SD-67338-10

Date dictated 07/07/2005 2 9 2005

by SA CART FE

FBI - MILWAUKEE

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

289 baa 42 . 342

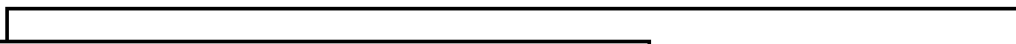
SEARCHED _____ INDEXED _____
SERIALIZED _____ FILED _____
JUL 29 2005
FBI - MILWAUKEE

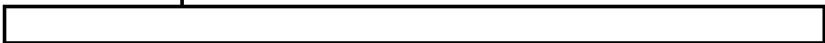
295B-SD-67338

OTHER Sealed Pursuant to Court Order

Continuation of FD-302 of CART Examination, On 06/22/2005, Page 2

1B-62



 forwarded to the
Evidence Control Room, Milwaukee.

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 07/20/2005

To: ✓ San Diego

Attn: SA [redacted]

From: Milwaukee
Squad 8

Contact: SA [redacted]

Approved By: [redacted]

Drafted By: [redacted]

b6
b7C
OTHER Sealed Pursuant to Court Order

Case ID #: 295B-SD-67338-71 (Pending)

Title: OPERATION D-ELITE
OO:SAN DIEGO

Synopsis: Lead covered.

Reference: 295B-SD-67338 Serial 3

Package Copy: Being forwarded under separate cover are [redacted]
[redacted]

Enclosure(s): 1) FD-302 of [redacted] interview, FD-302 documenting circumstances of interview, interview notes, FD-395 advice of rights, signed target letter; 2) FD-302 of search warrant execution, evidence log, photo log, photos; 3) copy of returned search warrant, FD-597 receipt for property, search warrant affidavit; 4) FD-302 of CART archive, CART archive notes.

Details: On 05/25/2005, per referenced lead, FBI Milwaukee executed a search at [redacted] [redacted] Numerous evidence items were collected and stored at FBI Milwaukee. The subject, [redacted] provided a statement regarding his involvement in the Elite Torrents organization.

[redacted]

Milwaukee considers this lead covered.

◆◆

Milwaukee

295B-SD-67338; 71

06/29/05
12:02:37

FD-192

ICMIPR01
Page 1

Title and Character of Case:

OPERATION D ELITE

b6
b7C
OTHER Sealed Pursuant to Court Order

Date Property Acquired: Source from which Property Acquired:

06/23/2005

Anticipated Disposition: Acquired By:

Case Agent:

Description of Property:

Date Entered

1B 97

Barcode: E03635762 Location: CART

06/29/2005

FILE COPY

Case Number: 295B-SD-67338
Owning Office: MILWAUKEE

295B-SD-67338;72

1B97

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 05/26/2005

At approximately 6:00 am, on May 25, 2005, Special Agents (SA) of the Federal Bureau of Investigation (FBI) and Immigration and Customs Enforcement (ICE) conducted a search warrant on the premises of [redacted]

At approximately 6:04 am, during the entry, SA [redacted] served [redacted] the search warrant, case number [redacted] read the search warrant, turned to [redacted] and made a statement that the search warrant was about movies.

At approximately 6:15 am, SAs [redacted] and [redacted] began interviewing [redacted]. During the interview SA [redacted] informed [redacted] that no individuals were going to be arrested from the residence on that date. [redacted] interrupted SA [redacted] and stated that he knew that no one was going to be arrested because SAs would have already done so. SA [redacted] continued explaining that all statements made by [redacted] were to be considered voluntary. [redacted] provided the following information during the interview:

(X)
Kam

Within the residence, [redacted] owns one Cox Communications cable modem line and one Qwest DSL line for Internet access. [redacted] did not have a dedicated Internet Protocol (IP) address. [redacted] was not sure how many computers were in the home but guessed twelve computers with additional parts located in the computer room closet. [redacted] explained that he built most of them himself for recreational use. [redacted] defines recreational use as his hobby to build computers with the latest technology and hardware, test the new technology, and look for vulnerabilities.

[redacted]

[redacted]

Investigation on 05/25/2005 at [redacted]

File # 295B-SD-67338-73

Date dictated 05/26/2005

by SA [redacted]
SA [redacted]

295B-SD-67338-73

295B-SD-67338

Continuation of FD-302 of [redacted], On 05/25/2005, Page 2

[redacted]

[redacted]

[redacted]

[redacted]

[redacted] claims that other than [redacted] desktop and laptop and [redacted] laptop he is the sole user of all of his computers. Furthermore they do not allow [redacted] to enter or use the computers in the computer room.

[redacted] asked SAs if they were taking all of the computers. SAs responded that they would be seizing all computer equipment from the premises. [redacted] responded, "I'll just go out and buy more."

[redacted] has been involved with computers since he was a child. [redacted] was a self-taught computer hacker who utilized a Pentium 286 and a modem to hack into computer systems overseas with the goal of learning how to expose security vulnerabilities. Most of the systems that [redacted] hacked were

295B-SD-67338

Continuation of FD-302 of [REDACTED]

, On 05/25/2005 , Page 3

located in China, Japan, and Korea. When [REDACTED] his hacker friend, [REDACTED] was arrested for hacking and credit card fraud. [REDACTED] claims that he was never a part of [REDACTED] credit card fraud scheme, he didn't know about it, and he did not want to know or become involved in it. [REDACTED] enjoyed hacking because it gave him something to do and he was curious. [REDACTED] has not hacked in over five years because he got "older and smarter" and prison was not worth the risk of getting caught.

After he graduated from high school, approximately [REDACTED] years ago, a friend talked [REDACTED] into becoming involved with spamming or sending e-mail to advertise other companies. They did not have a name for the spamming company. [REDACTED] actually removed individuals from his spam lists if requested. [REDACTED] was not making much money, so he decided to go into the spamming business himself by sending spam advertising mortgage leads. [REDACTED] did not have a company name. In approximately October 2003, before the CanSpam act was approved, [REDACTED] stopped spamming because he did not want to get into legal trouble in the future. In January 2004, [REDACTED] began working on other small computer projects to earn income.

Over the past year [REDACTED] has designed and programmed three different software packages: [REDACTED]

Currently [REDACTED] receives all of his income from these software packages. [REDACTED] stores the source code for the software on his personal computers and stores the actual product on his website. When a customer purchases the software, they download a copy of the program and obtain a registration code.

Approximately one to two months ago, [REDACTED] started a [REDACTED] business [REDACTED] [REDACTED] opened an office space [REDACTED] strictly for [REDACTED] business and has not used the site for his involvement with torrents.

Approximately one and a half years ago, [REDACTED] was reading an article on slashdot.org [Note: a well known news website based on technology] about torrents, aka BitTorrent [Note: BitTorrent is a file distribution system used for transferring files across a network of computers. As one user downloads a file,

295B-SD-67338

b6
b7c

Continuation of FD-302 of _____, On 05/25/2005, Page 4

BitTorrent makes the file immediately available for upload while in the transfer process.] _____ wanted to download movies from torrents because he and _____ did not want to take their young children to the movie theaters. _____ searched for torrents by typing 'torrents' through the Google search engine. Utilizing the screenname _____ a name that a friend gave him, _____ joined Internet Relay Chat (IRC) channels such as EliteTorrents on EFNET and MIRC Client. Through the channels, _____ met random people online and did not recall names or screennames. Most of the torrent channels was built on a ratio system so _____ began uploading movies, mp3 albums, games, and tv shows to that he going gain credit to download media for himself. An individual named _____ (real name unknown) provided _____ with uploader status in another channel. Approximately nine months ago, _____ frequented the TorrentBits channel strictly for downloading media. He used the channel for a few months but the channel closed approximately six months ago. _____ frequented another torrents FTP site for a few weeks and gained an account from _____. Approximately two months ago, _____ stopped using the site because he found it unreliable.

_____ utilized two different BitTorrent channels: EliteTorrents and EliteTorrentsUploads. The EliteTorrents channel is open to the public for users to download files contained in a hash table. EliteTorrents is ratio-free system [Note: ratio is a term used in an upload/download transfer system where the number of downloadable files is dependent upon how many files were uploaded by the user]. The EliteTorrentsUploads channel was used only for uploading accounts. After a period of time, an individual known as _____ (real name unknown) gave him uploading account access to the EliteTorrentsUploads channel. The EliteTorrents channels do not actually contain media, they keep track of computers that are connected through a network designed to upload and download media.

_____ has been known to provide BitTorrent servers to at least ten other individuals for the purposes of uploading and downloading torrents. Approximately three to four months ago _____ began leasing a server from _____ in the FDC building for the purposes of setting up a server to upload and download media. The server cost \$200.00 a month and is capable of using 50 Mbits per second when transferring media files. _____ used FileZilla

295B-SD-67338

b6
b7c

Continuation of FD-302 of _____

, On 05/25/2005 , Page 5

[Note: a free FTP client and server program] to transfer media to/from his server.

SAs asked _____ questions based on a "Additional Remote Server/Data Location Information Sheet" provided by FBI San Diego. The sheet can be found in a FD-340 envelope with the original notes of this interview. _____ provided the following information:

IP Address:
Server type:

Red Hat Linux / 40 GB / Pentium
4 / 100 Mbit shared.

Programs utilized on
server:
Logins and associated
passwords:

BitTorrent Client / ProFTP .

How to access server:

Could not recall / took down the server a month ago due to e-mail warning from _____
Secure Shell (SSH) using a computer located in the residence computer room. Accessed the server every other day for a period of a couple of hours.

Other individuals who
have access:

Users that FTP'd stuff to the server. _____ were given one general account for uploading files to the FTP server for _____ to upload to the torrents site.

Summary of what is on
the server:

100 GB hard drive that stored movies and tv shows. If _____ ran out of space he would delete older media.

Approximately one month ago, _____ received an e-mail from _____ explaining that his company received a court order that requested records and would result in some of the servers to be shut down. _____ believed that _____ warned all those involved with the torrent servers. After receiving the e-mail, _____ decided to stop uploading to the EliteTorrents website and destroyed most of the media on his computer so he would not get in trouble with law enforcement.

295B-SD-67338

Continuation of FD-302 of _____

, On 05/25/2005 , Page 6

To date, _____ estimated that he has downloaded a couple of terabytes of DVD's and games and uploaded a few terabytes of movies to the EliteTorrents website. _____ would commonly delete movies that he once downloaded and viewed to save space on his home computers. _____ estimated that at the time of the search warrant he stored about 500 to 600 gigabytes of illegally copied movies and games. _____ acknowledged that some of the movies that he downloaded were pre-release versions.

_____ discussed his intentions when getting involved with BitTorrents. _____ first wanted to download movies for his own personal viewing. Since a majority of the torrent servers were set up with a ratio system, _____ needed to upload media in order to download the media that he wanted. After getting involved he found that he began uploading more movies than he would actually download and since has achieved a high credit amount. _____ admitted that at one point he uploaded movies because he liked the online status and praise that he was getting from other users involved with torrents. _____ or something similar (real name unknown), ran the site and would compliment _____ on the speed and timing of his movie uploads. _____ is known to have children and to work at _____ may reside in _____ and transferred many of the files to different sites in Australia. When _____ set up the FTP server at FDC he made it a torrent server and uploaded movies transferred through FTP to be available through torrents. _____ always used _____ as his login but could not recall his password because he saved it in the Mozilla password manager which automatically inputs his password during login. _____ claimed that no other person used his username and password.

_____ communicated with other users in other torrent channels, one Las Vegas channel and one Phoenix channel but could not recall the names of the channels. _____ was only involved with BitTorrent downloads and did not participate in the warez scene. _____ never sold the copyrighted works for a profit.

_____ acknowledged that _____ was fully aware of him downloading movies against copyright laws for personal viewing. In addition, _____ requested _____ to download certain movie titles for herself, which _____ would burn to a DVD to watch on tv.

_____ told SAs that he is willing to cooperate with the FBI in the future. At the end of the interview, SA _____

295B-SD-67338

Continuation of FD-302 of _____, On 05/25/2005, Page 7

provided _____ a letter written by Computer Crime and
Intellectual Property Section (CCIPS) Trial Attorney _____
_____, SA _____ signed the letter on behalf of _____ and left
the signed copy with _____

b6
b7c

FEDERAL BUREAU OF INVESTIGATION

b6
b7c

Date of transcription 05/26/2005

[Redacted]

[Redacted] was interviewed at her place of residence. After being advised of the nature of the interview and the identities of the interviewing agents, [Redacted] provided the following information:

[Redacted]

Approximately one year ago, [Redacted] changed jobs again and began writing software code. He was involved in the development of [Redacted]

Around this same time, [Redacted] started a business [Redacted] Adobe Photoshop. [Redacted] advised that she owned a registered version of Adobe Photoshop, but the version she uses was a copy that [Redacted] downloaded from the internet. [Redacted] advised that [Redacted]

[Redacted] share an office space located at [Redacted] In the office space, [Redacted] had one computer set up [Redacted] one computer set up for [Redacted] and one computer to connect from their residence. When asked, [Redacted] rated her computer knowledge as "fair."

[Redacted] advised that almost a year ago [Redacted] began downloading movies, music, games, and tv shows online illegally. [Redacted] advised that she knew it was illegal, but every movie that he would download, when it would come out on DVD she would purchase it and that is why she has so many DVD's. [Redacted] advised that it is impossible to bring little kids to the movie theatres, so it was

JRO
MB

Investigation on 05/25/2005 at [Redacted]

File # 295B-SD-67338-74 Date dictated 05/26/2005

by SA [Redacted]
SA [Redacted]
I: [Redacted]

295B-SD-67338-74

295B-SD-67338

Continuation of FD-302 of _____, On 05/25/2005, Page 2

just easier for them to watch the movies at home. _____ recalled _____ would download a movie and burn it to a compact disk so they could watch it on their television. _____ also watched movies on a Sony laptop. _____ stated that she likes certain video games and she told _____ she wanted to purchase them so the people who make the games will make money and continue to make the games.

_____ remembered that two of _____ passwords were _____. There was a third password that started with _____ but _____ was not able to remember the entire thing. _____ also advised that _____ used the usernames _____ and _____ could not remember any other people that _____ was in contact with who are also involved with the movie and game downloading.

_____ advised that a couple of months ago _____ received an email from a guy that maintained _____ server that he should stop downloading movies because of some "court order" requesting records for the server. _____ could not remember when the guy sent the email, but that was when _____ stopped downloading copyrighted materials. _____ also advised that _____ stopped because he did not want to jeopardize his company because he knew that downloading media was illegal. They also wanted to stop downloading illegal copies because _____ wanted to support the game making companies so that they could continue to make games in the future.

_____ was not sure where _____ would get the movies and other software from, but she believed it was some type of forum, but "not like Napster." _____ believed that _____ was able to download things "in a faster way", but she did not know how he did it. _____ remembered _____ had an FTP program on the server.

_____ also advised _____
_____ advised that the office space they currently use was recently acquired and was never used by _____ to download movies or any other media.

In addition, _____ advised that she did not use _____ computers because he did not want her to touch them. _____ had a Sony laptop and a Toshiba laptop both containing Windows XP, that she used to play games and edit photographs. _____ also used a Sony computer with Windows XP that was located in the computer

295B-SD-67338

Continuation of FD-302 of , On 05/25/2005, Page 3

room. [Note: later identified as room M during the search warrant].

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 07/14/2005

On May 25, 2005, Special Agents (SA) of the FBI conducted a search warrant [redacted] During the search warrant several items of evidence were seized. Amongst items seized was item 1B(22) described below:

[redacted]

CART FE [redacted] discovered that item 1B(22) was located amongst other items labeled as item 1B(23). FE [redacted] and SA [redacted] found that the FD-597, FBI Receipt for Property Seized, for 1B(22) was attached to [redacted] After discovering the discrepancy, Evidence technicians entered [redacted] as item 1B(88) described below:

Ⓚ
Kam

[redacted]

On July, 14, 2005, SA [redacted] issued a letter with a copy of a new FD-597 documenting [redacted] AUSA [redacted] is preparing documentation to issue a motion to resubmit the Search Warrant return which will include the original FD-597's that were provided with the return on May 26, 2005 and the new FD-597 documenting seizure of [redacted]

Investigation on 05/25/2005 at Phoenix, Arizona

File # 295B-SD-67338-75

Date dictated 07/14/2005

by SA [redacted]

295B-SD-67338;
1:Kam/4581.302 75



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No. 295B-SD-67338-16

201 East Indianola Avenue
Phoenix, Arizona 85012
July 14, 2005

[Redacted]

b6
b7C
OTHER Sealed Pursuant to Court Order

Dear [Redacted]

Enclosed with this letter is an undated document
pertaining to the search warrant [Redacted]
[Redacted]

Specifically included is page one of Federal Bureau of
Investigation Receipt for Property form (FD-597). This document
describes [Redacted]
[Redacted]

ⓧ
Kam

If you have any questions please feel free to contact
SA [Redacted] FBI Phoenix, at [Redacted]

Sincerely,

Jana D. Monroe
Special Agent in Charge

[Redacted Signature]

Supervisory Special Agent

295B-SD-67338-16
Kam 19582.wpd

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # 295B-SD-67338

On (date)

- item(s) listed below were:
- Received From
 - Returned To
 - Released To
 - Seized

(Name)

(Street Address) OTHER Sealed Pursuant to Court Order

(City)

Description of Item(s):

(This section contains a large diagonal line crossing out the remaining horizontal lines.)

Received By:
(Signature)

Received From: _____
(Signature)

b6
b7c

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 08/16/2005

To: San Diego

Attn: SA [redacted]

From: Phoenix

Squad 12

Contact: SA [redacted]

b6
b7C

Approved By: [redacted]

Drafted By: [redacted]

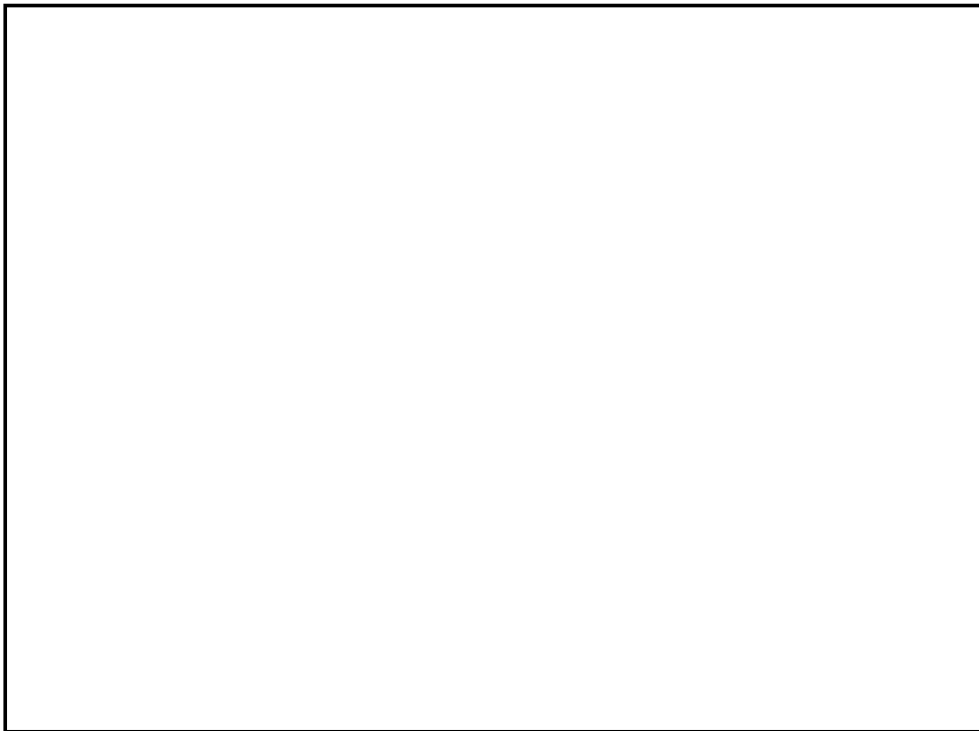
Case ID #: ~~295B-SD-67338~~ (Pending)
288A-PX-C61767-LL (Pending)

Title: OPERATION D-ELITE

Synopsis: Phoenix covers lead [redacted]
[redacted]

Reference: 295B-SD-67338 Serial 5 OTHER Sealed Pursuant to Court Order

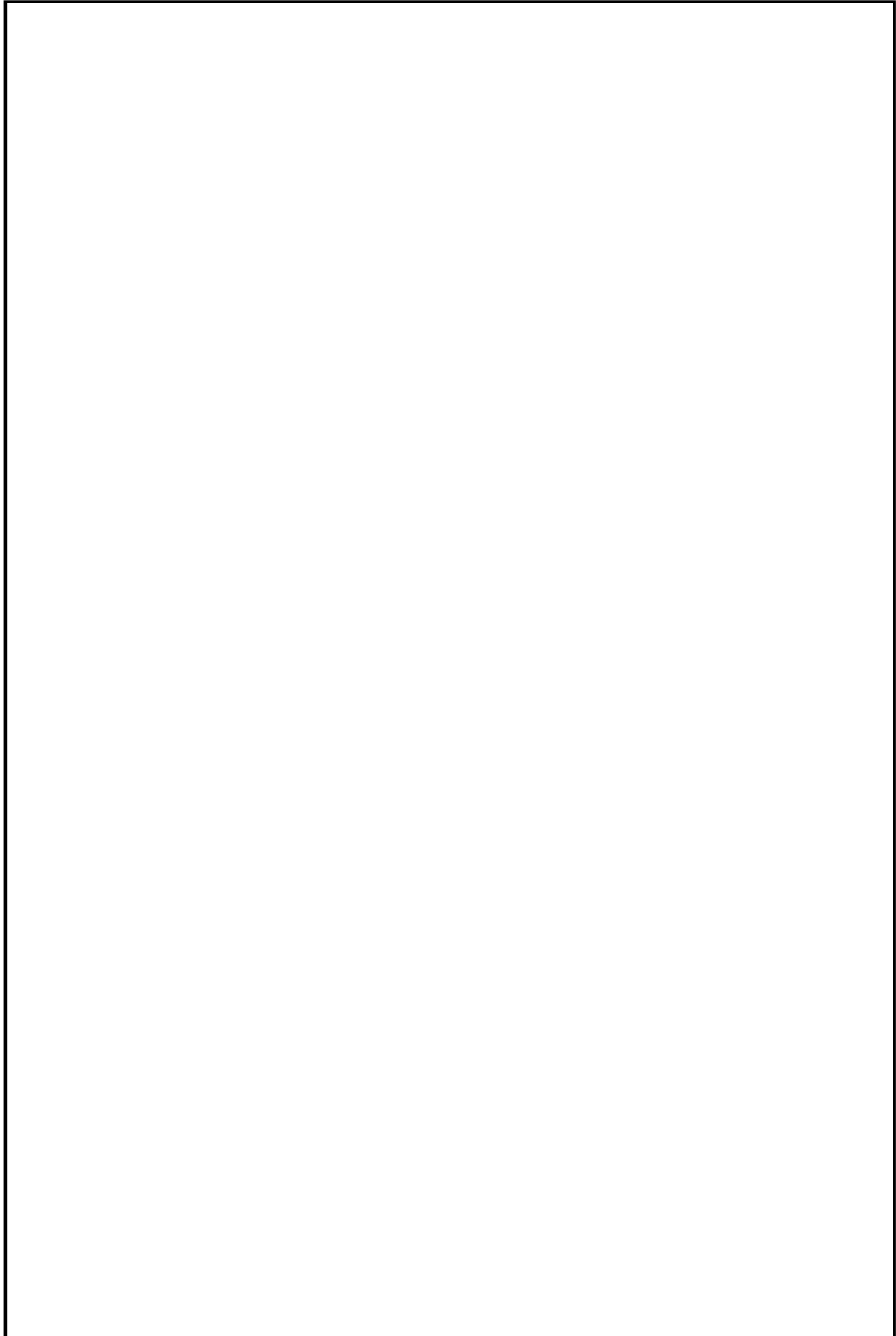
Package Copy: Being forwarded under separate cover to San Diego are the following items of evidence:



295B-SD-67338,77

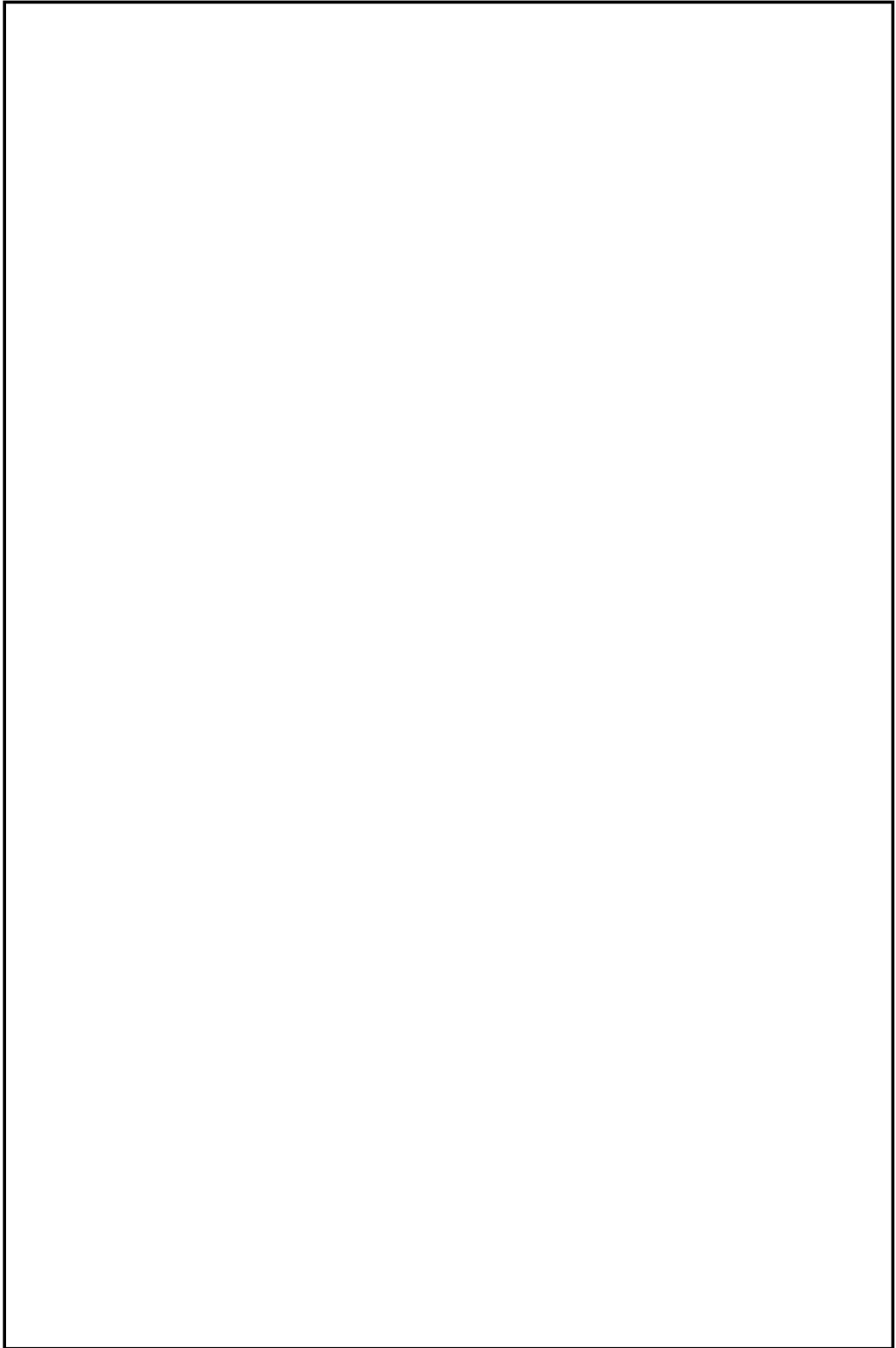
To: San Diego From: Phoenix
Re: 295B-SD-67338, 08/16/2005

OTHER Sealed Pursuant to Court O.



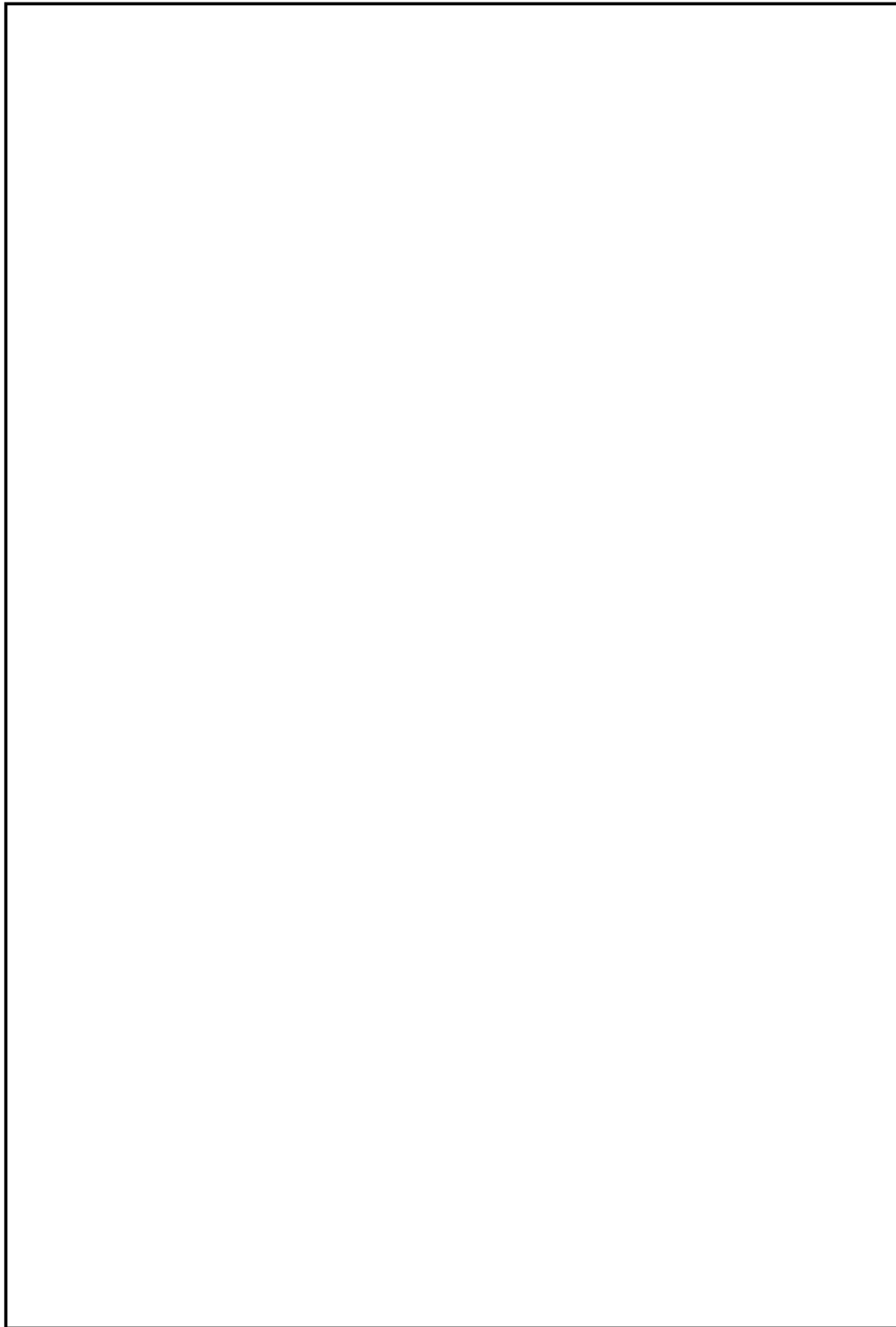
To: San Diego From: Phoenix
Re: 295B-SD-67338, 08/16/2005

OTHER Sealed Pursuant to Court C



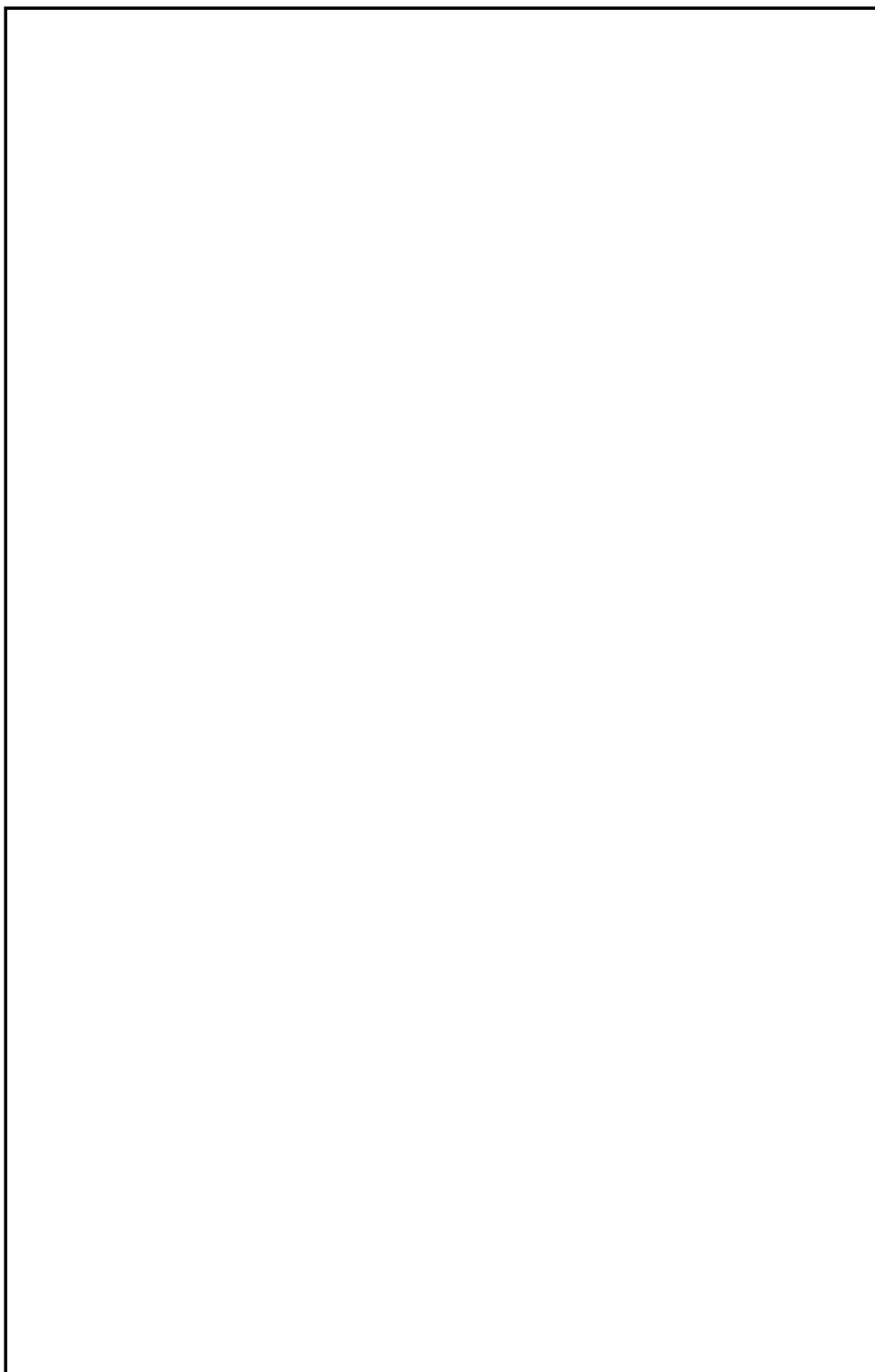
To: San Diego From: Phoenix
Re: 295B-SD-67338, 08/16/2005

OTHER Sealed Pursuant to Court



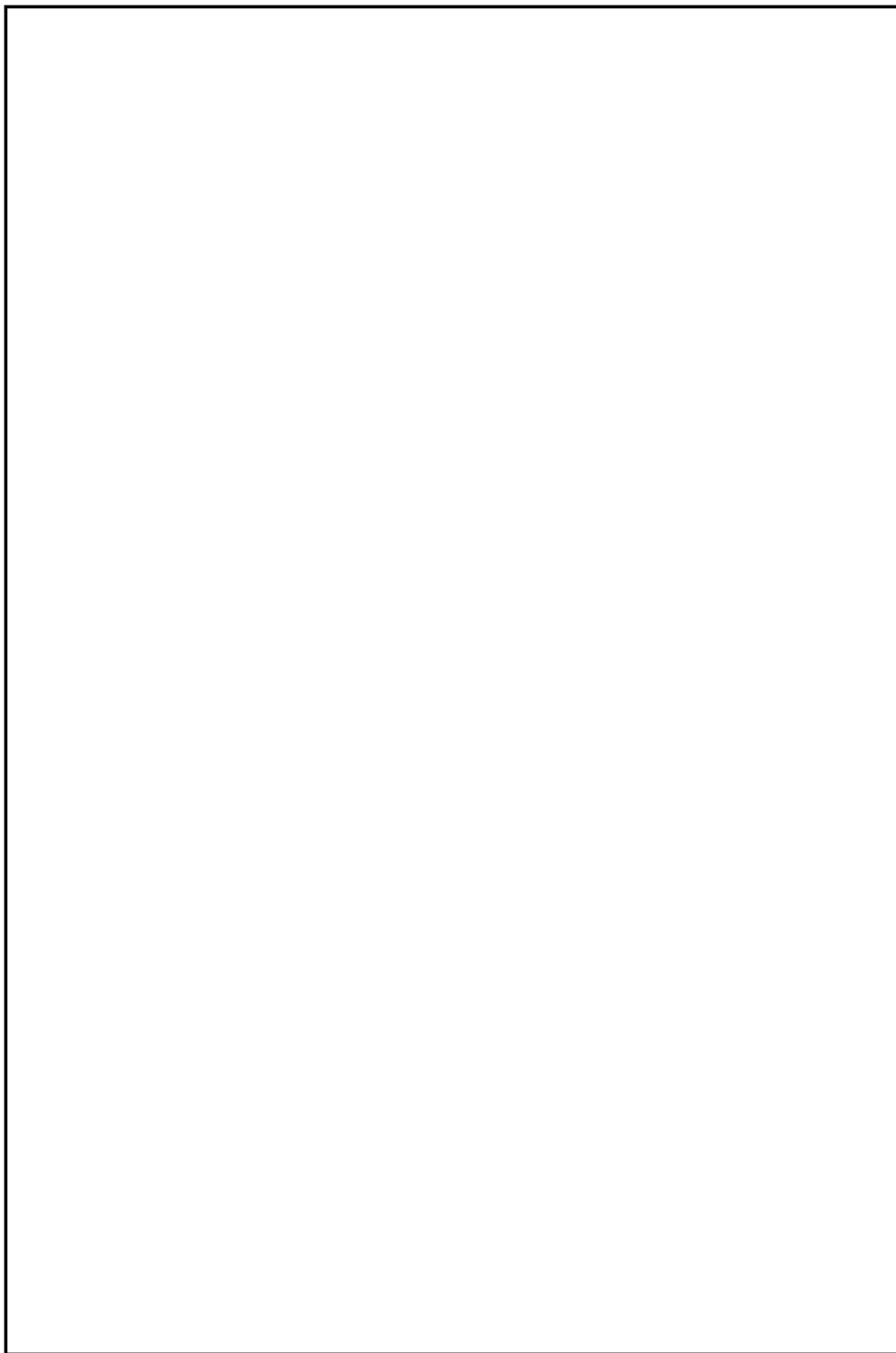
To: San Diego From: Phoenix
Re: 295B-SD-67338, 08/16/2005

OTHER Sealed Pursuant to Court C



To: San Diego From: Phoenix
Re: 295B-SD-67338, 08/16/2005

OTHER Sealed Pursuant to Court



To: San Diego From: Phoenix
Re: 295B-SD-67338, 08/16/2005

OTHER Sealed Pursuant to Court Order



Enclosure(s): The following items are enclosed for San Diego:

- ✓(1) One FD-302 documenting the interview of [redacted]
- ✓(2) One FD-302 documenting the interview of [redacted]
- ✓(3) One FD-302 documenting a discrepancy in the documentation of items seized.
- ✓(4) One letter sent from Phoenix to [redacted]
- (5) One copy of Phoenix operational plan.
- (6) One copy of search warrant and affidavit, case [redacted]
- (7) One copy of Motion to Seal and Order to Seal.
- (8) One copy of original search warrant return (before resubmission).
- (9) One copy of Order to Modify Search Warrant Return.
- (10) One copy of original search warrant return (revised version - resubmission).
- (11) One FD-340 envelope containing background records information on [redacted]
- (12) One FD-340 envelope [redacted]
- (13) One FD-340 envelope containing CART service requests for technical assistance.
- (14) One FD-340 envelope containing original notes from [redacted] interview.
- (15) One FD-340 envelope containing original notes from [redacted] interview.
- (16) One FD-340 envelope [redacted]
- (17) One FD-340 envelope [redacted]

b6
b7C

OTHER Sealed Pursuant to Court Order

b6
b7C

OTHER Sealed Pursuant to Court Order

To: San Diego From: Phoenix
Re: 295B-SD-67338, 08/16/2005

- (18) One FD-340 envelope containing original FD-597's from the search warrant.
- (19) One FD-340 envelope containing two newspaper articles from Phoenix newspapers.
- (20) One FD-340 envelope containing original notes taken during the proffer interview of [redacted]
- (21) One FD-340 envelope containing original notes taken during the proffer interviews of [redacted]
- (22) One FD-340 envelope and manilla envelope [redacted]

b6
b7C

OTHER Sealed Pursuant to Court Order

Details: On March 29, 2005, San Diego sent Phoenix a lead to [redacted]

[redacted]

[redacted]

[redacted]

During the search warrant items of evidence were seized and entered into the Phoenix Evidence Control Room. On May 26, 2005, SA [redacted] swore in the search warrant return with United States Magistrate Judge Virginia A. Mathis. At a later date, Forensic Examiner [redacted] discovered that an item of evidence was not properly identified with a FD-597. On July 18, 2005, AUSA [redacted] filed a sealed "Order to Modify a Search Warrant Return." On July 20, 2005, Judge Mathis signed the Order.

On August 18, 2005, San Diego SA's and CCIPS attorney [redacted] requested that SA [redacted] physically attend two separate proffer meetings with [redacted] and [redacted] at the U.S. Attorney's office in Phoenix, Arizona. Notes for both meetings are located in FD-340 envelopes attached to this communication.

b6
b7C

On August 18, 2005, SA [redacted] resubmitted and swore in the return and items of evidence seized inventory to Judge David K. Duncan. See attachments for more details.

To: San Diego From: Phoenix
Re: 295B-SD-67338, 08/16/2005

OTHER Sealed Pursuant to Court Order

In this package Phoenix is forwarding all items of evidence to San Diego. The following item, [redacted] will not be forwarded to San Diego because the items were shipped to FBI headquarters [redacted]. Once analysis is complete Phoenix will forward item [redacted] to San Diego.

[redacted]

The following item, [redacted]

[redacted]

[redacted] Phoenix CART has arranged with San Diego to forward the evidence to the San Diego CART labs for forensic analysis.

[redacted]

Phoenix considers this lead covered but will continue to assist San Diego in this matter.

To: San Diego From: Phoenix
Re: 295B-SD-67338, 08/16/2005

LEAD(s) :

Set Lead 1: (Info)

SAN DIEGO

AT SAN DIEGO, CALIFORNIA

OTHER Sealed Pursuant to Court C

Phoenix forwards evidence and documentation after
covering lead [REDACTED]
[REDACTED] Phoenix will continue to support
San Diego with this matter.

◆◆

Automated Serial Permanent Charge-Out
FD-5a (1-5-94)

Date: 08/25/05 Time: 11:38

Case ID: 295B-SD-67338 Serial: 78

Description of Document:

Type : OTHER
Date : 06/23/05
To : SAN DIEGO
From : MILWAUKEE
Topic: PROPERTY ACQUIRED FROM MILWAUKEE: BACKUP IMAGES FOR QMW1 - 5

Reason for Permanent Charge-Out:

already serialized into case as 72

b6
b7c

Employee:

295B-SD-67338;78

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # 295B-SD-67338

b6
b7C
OTHER Sealed Pursuant to Court Order

On (date) 05/25/2005

item(s) listed below were:

- Received From
- Returned To
- Released To
- Seized

(Name)

(Street Address)

(City)

Description of Item(s)

1

2

3

~~_____

_____~~

Received By

Received From:
(Signature)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # 295B-SD-67338

b6
b7C

OTHER Sealed Pursuant to Court Order

On (date) 05/25/2005

item(s) listed below were:

- Received From
- Returned To
- Released To
- Seized

(Name)

(Street Address)

(City)

Description of Item(s):

1)

[The following area is crossed out with a diagonal line from the bottom-left to the top-right.]

Received By:

Received From:

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # 295B-50-107338

b6
b7C
OTHER Sealed Pursuant to Court Order

On (date) 05/25/2005

item(s) listed below were:

- Received From
- Returned To
- Released To
- Seized

(Name)

(Street Address)

(City)

Description of Item(s)

1)

2)

Received By:

Received From:

**UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION**
Receipt for Property Received/Returned/Released/Seized

File # 295B-SD-07338

b6
b7C
OTHER Sealed Pursuant to Court Order

On (date) 05/25/2005

item(s) listed below were:

- Received From
- Returned To
- Released To
- Seized

(Name)

(Street Address)

(City)

Description of Item(s)

Received By:

Received From:

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # 295B-SD-67338

b6
b7C

OTHER Sealed Pursuant to Court Order

On (date) 05/25/2003

item(s) listed below were:

- Received From
- Returned To
- Released To
- Seized

(Name) [Redacted]

(Street Address) [Redacted]

(City) [Redacted]

Description of Item(s) [Redacted]

[Redacted]

Received By [Redacted] Received From: [Redacted]

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # 295B-SD-67338

b6
b7C
OTHER Sealed Pursuant to Court Order

On (date) 05/25/2005

item(s) listed below were:

- Received From
- Returned To
- Released To
- Seized

(Name)

(Street Address)

(City)

Description of Item(s)

1)

Received By:

Received From:

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # 295B-SD-67338

b6
b7C
OTHER Sealed Pursuant to Court Order

On (date) 05/25/2005

item(s) listed below were:

- Received From
- Returned To
- Released To
- Seized

(Name)

(Street Address)

(City)

Description of Item(s):

1)

2)

Received By:

Received From:

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # 295B-SD-107338

b6
b7C
OTHER Sealed Pursuant to Court Order

On (date) 05/25/2005

- item(s) listed below were:
- Received From
 - Returned To
 - Released To
 - Seized

(Name) [Redacted]

(Street Address) [Redacted]

(City) [Redacted]

Description of Item(s): [Redacted]

[Redacted]

[Redacted]

[Large redacted area with diagonal line]

Received By [Redacted]

Received From: [Redacted]

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # 295B-SD-67338

b6
b7C
OTHER Sealed Pursuant to Court Or

On (date) 05/25/2005

item(s) listed below were:

- Received From
- Returned To
- Released To
- Seized

(Name)

(Street Address)

(City)

Description of Item

Item 1

Item 2

Item 3

Item 4-

Item 5-

~~_____~~

~~_____~~

~~_____~~

~~_____~~

~~_____~~

~~_____~~

~~_____~~

~~_____~~

~~_____~~

~~_____~~

Received By (Signature)

Received From

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # 295B-SD-67338

b6
b7C

OTHER Sealed Pursuant to Court Order

On (date) 05/25/2005

item(s) listed below were:

- Received From
- Returned To
- Released To
- Seized

(Name)

(Street Address)

(City)

Description of Item(s):

- 1)
- 2)
- 3)
- 4)

Received By

Received From

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # 296B-SD-67338

b6
b7C
OTHER Sealed Pursuant to Court Order

On (date) 03/25/2005

item(s) listed below were:

- Received From
- Returned To
- Released To
- Seized

(Name)

(Street Address)

(City)

Description of Item(s)

5

(a)

7

Received By

Received From:

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # 295B-SD-67338

b6
b7C
OTHER Sealed Pursuant to Court Order

On (date) 05/25/2005

item(s) listed below were:

- Received From
- Returned To
- Released To
- Seized

(Name)

(Street Address)

(City)

Description of Item(s)

8		
9		
10		
11		

Received By

Received From:

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # 295D-SD-107338

b6
b7C
OTHER Sealed Pursuant to Court O.

On (date) 05/25/2005

item(s) listed below were:

- Received From
- Returned To
- Released To
- Seized

(Name)

(Street Address)

(City)

Description of Item(s)

12

13

14

15

16

Received By:

(Signature)

UNITED STATES DEPARTMENT OF JUSTICE
 FEDERAL BUREAU OF INVESTIGATION
 Receipt for Property Received/Returned/Released/Seized

File # 29513-SD-67338

b6
 b7C
 OTHER Sealed Pursuant to Court Or

On (date) 05/25/2005

- item(s) listed below were:
- Received From
 - Returned To
 - Released To
 - Seized

(Name)

(Street Address)

(City)

Description of Item	
---------------------	--

Received By:

Received From: _____ (Signature)

FEDERAL BUREAU OF INVESTIGATION
FOIPA
DELETED PAGE INFORMATION SHEET

No Duplication Fees are charged for Deleted Page Information Sheet(s).

Total Deleted Page(s) ~ 107

Page 52 ~ b6, b7C

Page 113 ~

Sealed Pursuant to Court Order

Page 114 ~

Sealed Pursuant to Court Order

Page 115 ~

Sealed Pursuant to Court Order

Page 116 ~

Sealed Pursuant to Court Order

Page 117 ~

Sealed Pursuant to Court Order

Page 118 ~

Sealed Pursuant to Court Order

Page 119 ~

Sealed Pursuant to Court Order

Page 120 ~

Sealed Pursuant to Court Order

Page 121 ~

Sealed Pursuant to Court Order

Page 122 ~

Sealed Pursuant to Court Order

Page 123 ~

Sealed Pursuant to Court Order

Page 124 ~

Sealed Pursuant to Court Order

Page 125 ~

Sealed Pursuant to Court Order

Page 126 ~

Sealed Pursuant to Court Order

Page 127 ~

Sealed Pursuant to Court Order

Page 128 ~

Sealed Pursuant to Court Order

Page 129 ~

Sealed Pursuant to Court Order

Page 130 ~

Sealed Pursuant to Court Order

Page 131 ~

Sealed Pursuant to Court Order

Page 132 ~

Sealed Pursuant to Court Order

Page 133 ~

Sealed Pursuant to Court Order

Page 134 ~

Sealed Pursuant to Court Order
Page 135 ~
Sealed Pursuant to Court Order
Page 136 ~
Sealed Pursuant to Court Order
Page 137 ~
Sealed Pursuant to Court Order
Page 138 ~
Sealed Pursuant to Court Order
Page 139 ~
Sealed Pursuant to Court Order
Page 140 ~
Sealed Pursuant to Court Order
Page 141 ~
Sealed Pursuant to Court Order
Page 142 ~
Sealed Pursuant to Court Order
Page 143 ~
Sealed Pursuant to Court Order
Page 144 ~
Sealed Pursuant to Court Order
Page 145 ~
Sealed Pursuant to Court Order
Page 146 ~
Sealed Pursuant to Court Order
Page 147 ~
Sealed Pursuant to Court Order
Page 148 ~
Sealed Pursuant to Court Order
Page 149 ~
Sealed Pursuant to Court Order
Page 150 ~
Sealed Pursuant to Court Order
Page 151 ~
Sealed Pursuant to Court Order
Page 152 ~
Sealed Pursuant to Court Order
Page 153 ~
Sealed Pursuant to Court Order
Page 154 ~
Sealed Pursuant to Court Order
Page 155 ~
Sealed pursuant to Court Order
Page 156 ~
Sealed Pursuant to Court Order
Page 157 ~
Sealed Pursuant to Court Order
Page 158 ~
Sealed Pursuant to Court Order
Page 159 ~
Sealed Pursuant to Court Order

Page 160 ~
Sealed Pursuant to Court Order
Page 161 ~
Sealed Pursuant to Court Order
Page 162 ~
Sealed Pursuant to Court Order
Page 163 ~
Sealed Pursuant to Court Order
Page 164 ~
Sealed Pursuant to Court Order
Page 165 ~
Sealed Pursuant to Court Order
Page 166 ~
Sealed Pursuant to Court Order
Page 167 ~
Sealed Pursuant to Court Order
Page 168 ~
Sealed Pursuant to Court Order
Page 169 ~
Sealed Pursuant to Court Order
Page 170 ~
Sealed Pursuant to Court Order
Page 171 ~
Sealed Pursuant to Court Order
Page 172 ~
Sealed Pursuant to Court Order
Page 173 ~ Referral/Direct
Page 174 ~ Referral/Direct
Page 175 ~ Referral/Direct
Page 176 ~
Sealed Pursuant to Court Order
Page 177 ~
Sealed Pursuant to Court Order
Page 178 ~
Sealed Pursuant to Court Order
Page 179 ~
Sealed Pursuant to Court Order
Page 180 ~
Sealed Pursuant to Court Order
Page 181 ~
Sealed Pursuant to Court Order
Page 182 ~
Sealed Pursuant to Court Order
Page 183 ~
Sealed Pursuant to Court Order
Page 184 ~
Sealed Pursuant to Court Order
Page 185 ~ b6, b7C, b7E
Page 186 ~ b6, b7C, b7E
Page 187 ~ b6, b7C, b7E
Page 188 ~ b6, b7C, b7E

Page 189 ~ b6, b7C, b7E

Page 190 ~ b6, b7C, b7E

Page 191 ~ b6, b7C, b7E

Page 192 ~ b7E

Page 193 ~ b6, b7C, b7E

Page 194 ~ b7E

Page 195 ~ b7E

Page 196 ~ b7E

Page 197 ~ b7E

Page 198 ~ b6, b7C, b7E

Page 199 ~ b6, b7C, b7E

Page 200 ~ b6, b7C

Sealed Pursuant to Court Order

Page 218 ~ b6, b7C

Sealed Pursuant to Court Order

Page 220 ~ Duplicate

Page 221 ~ Duplicate

Page 222 ~ Duplicate

Page 223 ~ Duplicate

Page 224 ~ Duplicate

Page 225 ~ Duplicate

Page 226 ~ Duplicate

Page 227 ~ Duplicate

Page 228 ~ Duplicate

Page 229 ~ Duplicate

Page 230 ~ Duplicate

Page 231 ~ Duplicate

Page 232 ~ Duplicate

Page 233 ~ Duplicate

Page 234 ~ Duplicate

Page 235 ~ Duplicate

Page 236 ~ Duplicate