

(b)(6),(b)(7)(C)

(CID)

From: (b)(6),(b)(7)(C) (CID)
Sent: Tuesday, February 08, 2011 5:08 PM
To: (b)(6),(b)(7)(C)@cert.org (b)(6),(b)(7)(C)@cert.org
Subject: Boston SW Info

Gentlemen:

Here is some more information from (b)(6),(7)(C)

Items of note

IP (b)(6),(b)(7)(C) = Amazon-EC2-5 = Amazon Elastic Cloud Compute a place he may have been storing stolen documents or hosting VMs IP (b)(6),(b)(7)(C) = Amazon-EC2-6 IP 50 (b)(6),(b)(7)(C) = Amazon-EC2-8 IP (b)(6),(b)(7)(C) = linux dial in server on MIT campus run by SIPB IP (b)(6),(b)(7)(C) = a Comcast IP that may be local to the Cambridge MA area.

(b)(6),(b)(7)(C)

Special Agent

U.S. Secret Service

(b)(6),(b)(7)(C) (Desk)
(b)(6),(b)(7)(C) (Mobile)

412-268-5226 (Fax)

(b)(5)

(b)(6),(b)(7)(C)

Sent from Blackberry

From: (b)(6),(b)(7)(C) [mailto:(b)(6),(b)(7)(C)@cambridgepolice.org]
Sent: Monday, November 07, 2011 03:12 PM
To: (b)(6),(b)(7)(C) (BOS)
Subject: Swartz Evidence

Swartz Defense Counsel will be going over evidence at the office

All e-mail to/from this account is subject to official review and is for official use only. Action may be taken in response to any inappropriate use of the Secret Service's e-mail system. This e-mail may contain information that is privileged, law enforcement sensitive, or subject to other disclosure limitations. Such information is loaned to you and should not be further disseminated without the permission of the Secret Service. If you have received this e-mail in error, do not keep, use, disclose, or copy it; notify the sender immediately and delete it.

(b)(6),(b)(7)(C) (CID)

From: (b)(6),(b)(7)(C) (BOS)
Sent: Thursday, November 17, 2011 10:37 AM
To: (b)(6),(b)(7)(C) busdol.gov (b)(6),(b)(7)(C) (BOS) (b)(6),(b)(7)(C) @cert.org (b)(6),(b)(7)(C)
Subject: (b)(6),(b)(7)(C) (CID) (b)(6),(b)(7)(C) cambridgepolice.org
Images of Swanz Drive

The images of the remaining hard drives are almost complete. Some of the images are 1.2 TB at max compression. In order to ship these images we will need more large capacity drives.

(b)(6),(b)(7)(C)

Sent from Blackberry

(b)(6),(b)(7)(C) (CID)

From: (b)(6),(b)(7)(C)@cert.org
Sent: Friday, February 25, 2011 11:17 AM
To: (b)(6),(b)(7)(C) (CID)
Subject: Job Description (b)(6),(b)(7)

As Requested...

(b)(6),(b)(7)(C) Member of the Technical Staff, CERT

(b)(6),(b)(7)(C) is Forensic Specialist working for CERT's Digital Intelligence and Investigation Directorate (DIID). With over five years experience in the field of Digital Forensics (b)(6),(b)(7)(C) has conducted forensic investigations in civil and criminal litigation in both the public and private sectors. As a member of the CERT Digital Intelligence and Investigation Directorate (DIID) (b)(6),(b)(7)(C) assists CERT's law enforcement partners in a widerange of digital forensic investigations.

(b)(6),(b)(7)(C) holds a number of industry certifications including the Certified Computer Examiner (CCE), EnCase Certified Examiner (EnCE), GIAC Certified Forensic Analyst (GCFA) (b)(6),(b)(7)(C) is also a member of the International Society of Forensic Computer Examiners and the Association of Certified Fraud Examiners (b)(6),(b)(7)(C) obtained a Bachelor of Science degree from Utica College of Syracuse University in Economic Crime Investigation with a concentration in Computer Security.

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Question from CERT

(b)(6),(b)(7)(C)

Sent from Blackberry

----- Original Message -----

From: (b)(6),(b)(7)(C) (CID)

To: (b)(6),(b)(7)(C) (BOS)

Sent: Wed Mar 16 13:10:51 2011

Subject: CID/CERT: Feedback from MIT case

(b)(6),

The guys here have some a report for you. However, their supervisor needs to review it before it goes out.

Should we add him to the 6e?

His name is (b)(6),(b) He is title is (b)(6),(b)(7)(C) Digital Intelligence and Investigations Directorate. He has the same address as (b)(6),(b)(7)(C)

All he is doing is reviewing the report.

Thanks

(b)(6),(b)(7)(C)

Special Agent

U.S. Secret Service

(b)(6),(b)(7) Desk)

(C) Mobile)

412-268-5226 (Fax)

All e-mail to/from this account is subject to official review and is for official use only. Action may be taken in response to any inappropriate use of the Secret Service's e-mail system. This e-mail may contain information that is privileged, law enforcement sensitive, or subject to other disclosure limitations. Such information is loaned to you and should not be further disseminated without the permission of the Secret Service. If you have received this e-mail in error, do not keep, use, disclose, or copy it; notify the sender immediately and delete it.

(b)(6),(b)(7)(C) (CID)

From: (b)(6),(b)(7)(C)@cert.org
Sent: Tuesday, May 03, 2011 3:05 PM
To: (b)(6),(b)(7)(C) BOS; (b)(6),(b)(7)(C) CID; (b)(6),(b)(7)(C)
Subject: Re: CID/CERT: Feedback from MIT case

(b)(6),(b)(7)(C)

We performed analysis of the Python scripts and bash history you requested and provided our analysis notes in late-March.

(b)(5)

(b)(5)

(b)(6),(b)(7)(C)

(b)(5)

Please let us know how you would like us to proceed.

(b)(6)

From: (b)(6),(b)(7)(C) BOS; (b)(6),(b)(7)(C)@uss.s.dhs.gov>
Date: Tue, 3 May 2011 14:07:45 -0400
To: (b)(6),(b)(7)(C)@uss.s.dhs.gov>; (b)(6),(b)(7)(C)@cert.org>; (b)(6),(b)(7)(C)
(b)(6),(b)(7)(C)@cert.org>
Subject: RE: CID/CERT: Feedback from MIT case

Was a report ever finalized for the Swartz exam?

(b)(6),(b)(7)(C)

U.S. Secret Service
Boston Field Office
(b)(6),(b)(7)(C)

From: (b)(6),(b)(7)(C) CID)
Sent: Wednesday, March 16, 2011 1:30 PM
To: (b)(6),(b)(7)(C) BOS)
Subject: Re: CID/CERT: Feedback from MIT case

Sounds good.

(b)(6),(b)(7)(C)
Special Agent
U.S. Secret Service
(b)(6),(b)(7)(C) (Desk)
(b)(6),(b)(7)(C) (Mobile)
412-268-6228 (Fax)

From: (b)(6),(b)(7)(C) BOS)
To: (b)(6),(b)(7)(C) CID)
Sent: Wed Mar 16 13:28:51 2011
Subject: Fw: CID/CERT: Feedback from MIT case

No 6E letter is necessary

(b)(6),(b)(7)(C)

Sent from Blackberry

(b)(6),(b)(7)(C) (CID)

From: (b)(6),(b)(7)(C) (BOS)
Sent: Monday, May 16, 2011 9:52 AM
To: (b)(6),(b)(7)(C) (CID)
Subject: Re: CID/CERT: Returning Hard Drive

Thank you

(b)(6),(b)(7)(C)

Sent from Blackberry

----- Original Message -----

From: (b)(6),(b)(7)(C) (CID)
To: (b)(6),(b)(7)(C) (BOS)
Sent: Mon May 16 09:51:07 2011
Subject: CID/CERT: Returning Hard Drive

(b)(6),(b)(7)(C)

I'm returning the drive you sent me. You should get an email from FEDEX when it's delivered.

(b)(6),(b)(7)(C)

Special Agent
U.S. Secret Service
(b)(6),(b)(7)(C) (Desk)
(b)(6),(b)(7)(C) (Mobile)
412-268-5226 (Fax)

(b)(8),(b)(7)(C) (CID)

From: (b)(8),(b)(7)(C) (BOS)
Sent: Tuesday, February 08, 2011 4:38 PM
To: (b)(8),(b)(7)(C) (CID)
Subject: RE: CID/CERT: SW Progress

Warrant is before the Judge. I have an appointment tomorrow morning to swear to it. Federal case is rolling forward.

(b)(8),(b)(7)(C)

U.S. Secret Service
Boston Field Office

(b)(8),(b)(7)(C)

-----Original Message-----

From: (b)(8),(b)(7)(C) (CID)
Sent: Tuesday, February 08, 2011 4:31 PM
To: (b)(8),(b)(7)(C) (BOS)
Subject: Re: CID/CERT: SW Progress

Cool. So it's signed and everything? If so, I'll tell the guys to keep the request a high priority but not to pull an all-nighter.

(b)(8),(b)(7)(C)

Special Agent

U.S. Secret Service

(b)(8),(b)(7)(C)

(Desk)

(Mobile)

412-268-5226 (Fax)

----- Original Message -----

From: (b)(8),(b)(7)(C) (BOS)
To: (b)(8),(b)(7)(C) (CID)
Sent: Tue Feb 08 16:27:36 2011
Subject: RE: CID/CERT: SW Progress

(b)(5)

(b)(8),(b)(7)(C)

U.S. Secret Service
Boston Field Office

(b)(8),(b)(7)(C)

-----Original Message-----

From: (b)(8),(b)(7)(C) (CID)
Sent: Tuesday, February 08, 2011 4:26 PM
To: (b)(8),(b)(7)(C) (BOS)
Subject: CID/CERT: SW Progress

(b)(8),(b)

We received the drive this morning and started on the PCAP analysis.

What does the timeline look like for the SW?

(b)(6),(b)(7)(C)

Special Agent

U.S. Secret Service

(b)(6),(b)(7)(C) (Desk)
(Mobile)

412-268-5226 (Fax)

(b)(6),(b)(7)(C)

CID

From: (b)(6),(b)(7)(C) (BOS)
Sent: Tuesday, February 08, 2011 4:28 PM
To: (b)(6),(b)(7)(C) CID
Subject: RE: CID/CERT: SW Progress

Thank you very much. (b)(5)

(b)(5)

(b)(6),(b)(7)(C)

U.S. Secret Service
Boston Field Office

(b)(6),(b)(7)(C)

-----Original Message-----

From: (b)(6),(b)(7)(C) (CID)
Sent: Tuesday, February 08, 2011 4:26 PM
To: (b)(6),(b)(7)(C) (BOS)
Subject: CID/CERT: SW Progress

(b)(6),(b)(7)(C)

We received the drive this morning and started on the PCAP analysis.

What does the timeline look like for the SW?

(b)(6),(b)(7)(C)

Special Agent
U.S. Secret Service

(b)(6),(b)(7)(C) (Desk)
(b)(6),(b)(7)(C) (Mobile)

412-268-5226 (Fax)

(b)(6),(b)(7)(C)

(CID)

From: (b)(6),(b)(7)(C) (BOS)
Sent: Tuesday, February 08, 2011 4:53 PM
To: (b)(6),(b)(7)(C) (CID)
Subject: RE: CID/CERT: SW Progress

Items of note

IP (b)(6),(b)(7)(C) = Amazon-EC2-5 = Amazon Elastic Cloud Compute a place he may have been storing stolen documents or hosting VMs I (b)(6),(b)(7)(C) = Amazon-EC2-6 IP (b)(6),(b)(7)(C) = Amazon-EC2-8 IP (b)(6),(b)(7)(C) = linux dial in server on MIT campus run by SIPB IP (b)(6),(b)(7)(C) = a Comcast IP that may be local to the Cambridge MA area.

(b)(6),(b)(7)(C)

U.S. Secret Service
Boston Field Office

(b)(6),(b)(7)(C)

-----Original Message-----

From: (b)(6),(b)(7)(C) (CID)
Sent: Tuesday, February 08, 2011 4:38 PM
To: (b)(6),(b)(7)(C) (BOS)
Subject: Re: CID/CERT: SW Progress

Sounds good.

(b)(6),(b)(7)(C)

Special Agent
U.S. Secret Service
(b)(6),(b)(7)(C) (Desk)
(b)(6),(b)(7)(C) (Mobile)
412-268-5226 (Fax)

----- Original Message -----

From: (b)(6),(b)(7)(C) (BOS)
To: (b)(6),(b)(7)(C) (CID)
Sent: Tue Feb 08 16:37:45 2011
Subject: RE: CID/CERT: SW Progress

Warrant is before the Judge. I have an appointment tomorrow morning to swear to it. Federal case is rolling forward.

(b)(6),(b)(7)(C)

U.S. Secret Service
Boston Field Office

(b)(6),(b)(7)(C)

-----Original Message-----

From: (b)(6),(b)(7)(C) (CID)
Sent: Tuesday, February 08, 2011 4:31 PM
To: (b)(6),(b)(7)(C) (BOS)
Subject: Re: CID/CERT: SW Progress

Cool. So it's signed and everything? If so, I'll tell the guys to keep the request a high priority but not to pull an all-nighter.

(b)(6),(b)(7)(C)

Special Agent

U.S. Secret Service

(b)(6),(b)(7)(C) (Desk)
(Mobile)

412-268-5226 (Fax)

----- Original Message -----

From: (b)(6),(b)(7)(C) (BOS)

To: (b)(6),(b)(7)(C) (CID)

Sent: Tue Feb 08 16:27:36 2011

Subject: RE: CID/CERT: SW Progress

(b)(5)

(b)(6),(b)(7)(C)

U.S. Secret Service

Boston Field Office

(b)(6),(b)(7)(C)

-----Original Message-----

From: (b)(6),(b)(7)(C) (CID)

Sent: Tuesday, February 08, 2011 4:26 PM

To: (b)(6),(b)(7)(C) (BOS)

Subject: CID/CERT: SW Progress

(b)(6),(b)

We received the drive this morning and started on the PCAP analysis.

What does the timeline look like for the SW?

(b)(6),(b)(7)(C)

Special Agent

U.S. Secret Service

(b)(6),(b)(7)(C) (Desk)
(Mobile)

412-268-5226 (Fax)

Best
(b)(6),(b)(7)

(b)(6),(b)(7)(C) (CID)

From: (b)(6),(b)(7)(C) (BOS)
Sent: Monday, November 14, 2011 12:31 PM
To: (b)(6),(b)(7)(C)
Cc: (b)(6),(b)(7)(C) CID; (b)(6),(b)(7)(C)@cambridgepolice.org
Subject: RE: Metadata plus data for case request

What do you need from me to make this happen

(b)(6),(b)(7)(C)

U.S. Secret Service
Boston Field Office

(b)(6),(b)(7)(C)

-----Original Message-----

From: (b)(6),(b)(7)(C) [mailto:(b)(6),(b)(7)(C)@cert.org]
Sent: Tuesday, November 08, 2011 2:52 PM
To: Heymann, Stephen (USAMA)
Cc: (b)(6),(b)(7)(C) (BOS)
Subject: Metadata plus data for case request

Hi (b)(6),(b)(7)(C)

(b)(5),(b)(6),(b)(7)(C)

The resulting disk images will be in EnCase's Logical Evidence file format, which is a format that can be read by a variety of standard forensic tools. It will preserve metadata structures and (b)(5)

(b)(5)

Best,

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C) (CID)

From: (b)(6),(b)(7)(C) (BOS)
Sent: Friday, July 08, 2011 11:29 AM
To: (b)(6),(b)(7)(C) (CID)
Subject: RE: Please confirm with Cert

sure

(b)(6),(b)(7)(C)
U.S. Secret Service
Boston Field Office
(b)(6),(b)(7)(C)

From: (b)(6),(b)(7)(C) (CID)
Sent: Friday, July 08, 2011 11:28 AM
To: (b)(6),(b)(7)(C) (BOS)
Subject: RE: Please confirm with Cert

I asked (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) for a response. By the way, they took a look at the second file you sent. Is there any way we could get an image of the thumb drive?

(b)(6),(b)(7)(C)
Special Agent
U.S. Secret Service
(b)(6),(b)(7)(C) (desk)
(b)(6),(b)(7)(C) (mobile)
412-268-5228 (fax)

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From: (b)(6),(b)(7)(C) (BOS)
Sent: Fri 7/8/2011 11:11 AM
To: (b)(6),(b)(7)(C) (CID)
Subject: FW: Please confirm with Cert

Please see below: We are preparing to take the Swartz case to indictment and Heymann wants to double check that everything is exactly accurate. Do you agree with the paragraphs below?

(b)(6),(b)(7)(C)
U.S. Secret Service
Boston Field Office
(b)(6),(b)(7)(C)

From: Heymann, Stephen (USAMA) [mailto:(b)(6),(b)(7)(C)@usdoj.gov]
Sent: Friday, July 08, 2011 10:50 AM
To: (b)(6),(b)(7)(C) (BOS)
Subject: Please confirm with Cert

(b)(6),(b)(7)(C) CID

From: (b)(6),(b)(7)(C) CID
Sent: Friday, February 25, 2011 11:27 AM
To: (b)(6),(b)(7)(C) usdoj.gov
Cc: (b)(6),(b)(7)(C) cert.org
Subject: Secret Service - Background Information for (b)(6),(b)(7)(C)

Stephen:

Please find the requested background information for (b)(6),(b)(7)(C) has handled Grand Jury information in other cases in other districts.

(b)(6),(b)(7)(C) Member of the Technical Staff, CERT

(b)(6),(b)(7)(C) is (b)(6),(b)(7)(C) working for CERT's Digital Intelligence and Investigation Directorate (DIID). With over five years experience in the field of Digital Forensics, (b)(6),(b)(7)(C) has conducted forensic investigations in civil and criminal litigation in both the public and private sectors. As a member of the CERT Digital Intelligence and Investigation Directorate (DIID), (b)(6),(b)(7)(C) assists CERT's law enforcement partners in a wide range of digital forensic investigations.

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(b)(6),(b)(7)(C)
Special Agent
U.S. Secret Service
(b)(6),(b)(7)(C) (Desk)
(b)(6),(b)(7)(C) (Mobile)
412-268-5226 (Fax)

(b)(6),(b)(7)(C)

(ISD)

From: (b)(6),(b)(7)(C) (ISD)
Sent: Thursday, May 12, 2011 7:50 AM
To: (b)(6),(b)(7)(C) (LEG)
Cc: (b)(6),(b)(7)(C) (BOS)
Subject: Admin Seizure - JSTOR Database
Attachments: Seizure Warrant Aff Draft 5-11-10 updated.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

(b)(6),
(b)(7)
(C) - Reference conversation earlier this week with (b)(6),(b)(7)(C)

Attached is the Affidavit for the seizure warrant. I'm hoping this will help shed some light on the matter. JSTOR is a non-profit that provides content to scholars, researchers and students. For further info, their website is www.jstor.org.

If you could please let (b)(6) and I know if we can proceed at your earliest convenience since the AUSA is anxious to get this asset.

(b)(6),
(b)(7)(C)

(b)(6),(b)(7)(C)

(ISD)

From: (b)(6),(b)(7)(C) SD)
Sent: Thursday, May 12, 2011 7:59 AM
To: (b)(6),(b)(7)(C) LEG)
Cc: (b)(6),(b)(7)(C) BOS)
Subject: Admin Seizure - JSTOR Database
Attachments: Seizure Warrant Aff Draft 5-11-10 updated.pdf

(b)(6),(b)(7)(C) - Reference conversation earlier this week with (b)(6),(b)(7)(C)

Attached is the Affidavit for the seizure warrant. I'm hoping this will help shed some light on the matter. JSTOR is a non-profit that provides content to scholars, researchers and students. For further info, their website is www.jstor.org.

If you could please let (b)(6),(b)(7)(C) and I know if we can proceed at your earliest convenience since the AUSA is anxious to get this asset.

(b)(6),(b)(7)

(b)(6),(b)(7)(C) - Desk
(b)(6),(b)(7)(C)
(b)(6),(b)(7)(C)

MH (b)(6),(b)(7)(C)

Sff (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)



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generally and at Swartz specifically; and (f) elude detection and identification.

II. THE FACTS

Late during the night of September 24, 2010, an individual registered his computer on MIT's campus and obtained a guest account on MIT's computer network. The individual did not provide his true identity at this or any subsequent time, and neither MIT personnel nor law enforcement officers knew the individual's name until his arrest months later. The individual registered his computer by specifying his name as "Gary Host," a pseudonym, and his e-mail address as ghost@mailinator.com, a disposable e-mail address by virtue of its requiring no initial e-mail registration and keeping no records of e-mail access.³ Before assigning the computer an IP address, MIT's network automatically collected the computer's owner-created name — "ghost laptop" — and the unique identifying number associated with the computer's Internet networking hardware, known as the computer's Media Access Control or "MAC" address. These are standard login and communication procedures.

MIT's DHCP⁴ computer server then used a standard Internet protocol to assign the individual an IP address (18.55.6.215) for use while on the network. The network kept records of the computer's registration information, its IP address, and its MAC address. These records are standard computer-networking records, and did not include any computer commands that the individual typed in or ran, or any data that the computer downloaded. (Exs. 6, 7).

³ Mailinator advertised itself as a free e-mail service that would accept mail for any e-mail address directed to mailinator.com without need for a prior registration or account; would automatically delete all e-mail after several hours, whether read or not; and would keep no logs (records) of e-mail access.

⁴ DHCP is the acronym for Dynamic Host Configuration Protocol.

On September 25, 2010, the day after registering the "ghost laptop," the individual used the "ghost laptop" to systematically access and rapidly download an extraordinary volume of articles from JSTOR by using a software program that sidestepped JSTOR's computerized limits on the volume of each user's downloads. The downloads and requests for downloads were so numerous, rapid, and massive that they impaired the performance of JSTOR's computers.

As JSTOR, and then MIT, became aware of these downloads and problems, both attempted to block the individual's computer from further communications. On the evening of September 25, 2010, after suffering hundreds of thousands of downloads from the ghost laptop, JSTOR temporarily ended the downloads by blocking network access from the computer at IP address 18.55.6.215.

The next day, however, the ghost laptop's user obtained a new IP address from MIT's network, changing the last digit in its IP address by one from 18.55.6.215 to (b)(6),(b)(7)(C). This defeated JSTOR's IP address block, enabling the ghost laptop to resume furiously downloading articles from JSTOR. This downloading continued until the middle of September 26, when JSTOR spotted it and blocked communication from IP address (b)(6),(b)(7)(C) as well.

The September 25 and 26 downloads had impaired JSTOR's computers and misappropriated significant portions of its archive. Because the download requests had originated from two MIT IP addresses that had begun with (b)(6),(b)(7)(C) — that is, 18.55.6.215 and (b)(6),(b)(7)(C) — JSTOR began blocking a broader range of MIT IP addresses on September 26.

The new block prevented MIT researchers assigned MIT IP addresses (b)(6),(b)(7)(C) through (b)(6),(b)(7)(C) (as many as 253 computers) from performing research through JSTOR's archive for three to four days.

Moreover, when JSTOR notified MIT of the problems, MIT, too, banned the "ghost laptop" from using its network. To do this, MIT terminated the ghost laptop's guest registration on September 27, 2010, and prohibited the computer, as identified by its hardware MAC address, from being assigned a new IP address again through the guest registration process.

On October 2, 2010, less than a week after JSTOR and MIT had barred the individual's ghost laptop from communicating with their networks, the individual obtained yet another guest connection for the ghost laptop on MIT's network. Having recognized that MIT or JSTOR had blocked his ghost laptop by recognizing its MAC address, the individual now manipulated the ghost laptop's MAC address to mislead MIT into believing that he was a new and different guest registrant.⁵

Six days later, the individual connected a second computer to MIT's network and created another guest account using pseudonyms similar to those he had used with the "ghost laptop": he registered the new computer under the name "Grace Host", a temporary email address of ghost42@mailinator.com, and a computer client name of "ghost macbook."

On October 9, 2010, the individual activated the ghost laptop and the ghost macbook to download JSTOR's articles once again. The downloads came so fast and numerous that the individual again significantly impaired the operation of some of JSTOR's computers.

Once again, MIT could not identify who was controlling these computers or where they were physically located, and JSTOR could not isolate the interloper to a consistent IP address

⁵ A computer's MAC address is initially assigned by an equipment manufacturer, but can be misrepresented electronically by a knowledgeable user. The user altered the ghost laptop's MAC address to appear as 00:23:5a:73:5f:fg rather than the prior MAC address of 00:23:5a:73:5f:fh.

that could be blocked. Consequently, JSTOR blocked access by every computer using an MIT IP address campus-wide for approximately three days, again depriving legitimate MIT users from accessing JSTOR's services. And MIT blocked computers using the ghost laptop's and the ghost macbook's MAC addresses as well.

Nevertheless, between the end of October and January 6, 2011, the hacker obtained at least three new IP addresses and assigned his computer two new MAC addresses. He also moderated the speed of the downloads, which made them less noticeable to JSTOR. The exfiltration of JSTOR's collection was nonetheless extreme: over this period, the individual downloaded well over a million of JSTOR's articles.

Because the hacker had modified the speed of his downloads, JSTOR did not notice his latest downloads until around Christmas, 2010. Once noticed, however, JSTOR provided MIT with the hacker's latest IP address. Now that MIT's network security personnel had a more robust set of network tools, they could consult network traffic routing records and trace the IP address back to a concrete physical location on campus.

So on January 4, 2011, an MIT network security analyst traced the hacker's IP address to a network switch located in a basement wiring closet in MIT's Building 16. Building 16's street-level doors have no-trespassing signs posted on them. (Ex. 8). The wiring closet is protected by a pair of locked steel doors. (Ex. 9). The closet is generally locked, but at that time its lock could be forced by a quick jerk of its double doors. When MIT personnel entered the closet, they found a cardboard box with a wire leading from it to a computer network switch. (Ex. 10).⁶

⁶ MIT personnel removed the box from the laptop at first, and then MIT personnel or law enforcement officers replaced the box on one or more occasions. The second photograph was taken after the box was replaced, not when it was initially found.

Hidden under the box was the ghost laptop, an Acer-brand laptop, connected to a separate hard drive for excess storage. (Ex. 11). The network cable connected the laptop to the network switch, thus giving the laptop Internet access. (Ex. 12). The laptop's direct connection to the network switch was unusual because MIT does not connect computers directly to those switches.

MIT called campus police to the scene, who, in turn, brought in the Cambridge Police and the Secret Service. Over the course of the morning and early afternoon of January 4th, MIT and law enforcement officers collaboratively⁷ took several steps to identify the perpetrator and learn what he was up to:

- (1) Cambridge Police crime scene specialists fingerprinted the laptop's interior and exterior and the external hard drive and its enclosure;
- (2) MIT placed and operated a video camera inside the closet, which, as discussed below, later recorded the hacker (subsequently identified as Aaron Swartz) entering the wiring closet and performing tasks within it;
- (3) The Secret Service opened the laptop and sought to make a copy of its volatile memory (RAM), which would automatically be destroyed when the laptop's power was turned off, but the effort resulted in their seeing only the laptop's user sign-in screen;
- (4) MIT connected a second laptop to the network switch in order to record the laptop's communications, a type of recording often referred to as a "packet capture;" the Secret Service subsequently concurred with the packet capture, none of which was turned over to officers until MIT was issued a subpoena after Swartz's arrest;⁸
- (5) Beginning on January 4, 2011, MIT agreed to provide, and later provided, the Secret Service copies of network logs pertaining to

⁷ From the time of law enforcement's arrival on January 4, 2011, through the suspect's arrest and identification on January 6, 2011, the effort by MIT and law enforcement to identify the individual was both consensual and collaborative.

⁸ This second laptop is seen on a chair in Ex. 10.

the ghost laptop and ghost macbook between September 24, 2010 and January 6, 2011, some of which records were provided consensually, the remainder of which were provided pursuant to a subpoena to MIT.⁹

By mid-day on January 4th, MIT and law enforcement personnel had completed their initial crime scene investigation. Experience told them that merely removing the hacker's computer equipment would just result in his renewing his efforts elsewhere. So, rather than take the hacker's equipment away, MIT and law enforcement instead restored the closet to its initial appearance upon discovery, and monitored who entered it and handled the laptop. In this way, the hacker would not necessarily know that his criminal tools had been discovered, his identity might be uncovered, and he could be stopped.

The ruse worked. Within an hour of their departure, the hacker returned. After entering the wiring closet and shutting the doors behind him, (Ex. 13), the hacker replaced the hard drive connected to the laptop with a new one he took from his backpack, and then concealed his equipment once again underneath the cardboard box.

Two days later, on January 6, 2011, the hacker returned to the wiring closet yet again. This time, worried about being identified, the hacker covered his face with his bicycle helmet as he entered the closet. (Ex. 14). Once inside and with the door closed, the hacker disconnected the laptop and placed it, the external hard drive, and the network cable in his backpack. (Ex. 15). As he left, he again hid his face with his bicycle helmet. (Ex. 16).

By January 6, 2011, the hacker had downloaded a major portion of the 6 to 7 million articles then contained in JSTOR's digitized database.

⁹ As discussed below, both the law and MIT's policies and procedures allowed MIT to turn these records over consensually, but it also could, and at points did, insist upon a subpoena.

A little after 2:00 that afternoon, MIT Police (b)(6),(b)(7)(C) who had been involved in the investigation, was heading down Massachusetts Avenue within a mile of MIT when he spotted a bicyclist who looked like the hacker caught on the wiring closet video. (b)(6),(b)(7)(C) identified himself as a police officer. After a brief exchange, the individual dropped his bike to the ground and ran away. The individual was chased, apprehended, arrested, and identified as Aaron Swartz. During a search incident to arrest, Cambridge police found a USB storage drive in Swartz's backpack, which they seized and stored as evidence.

Approximately an hour later, MIT technical staff used computer routing and addressing records to locate Swartz's ghost laptop and hard drive in the Student Information Processing Board's office in MIT's student center. Law enforcement found the equipment on the floor under a desk. (Ex. 17). The equipment was subsequently seized and stored as evidence by Cambridge Police.

Aaron Swartz was charged by the Commonwealth in a criminal complaint alleging breaking and entering into MIT's property with intent to commit a felony, and was subsequently indicted by a Massachusetts grand jury for the same charge along with stealing JSTOR's electronically processed or stored data, and accessing a computer system without authorization.

While the Commonwealth pursued state charges, the U.S. Attorney's Office began a separate investigation on January 5, 2011. On February 9, 2011, the Secret Service obtained a warrant to search Swartz's apartment, followed by a warrant to search his office on February 11, 2011. Both were executed on February 11th. Also on February 9, 2011, the Secret Service obtained warrants to seize from the Cambridge Police and then search the laptop, the hard drive, and the USB storage device. These warrants were returned unexecuted and new warrants were

obtained on February 24, 2011. On May 16, 2011, Swartz was served with a forfeiture warrant for property of JSTOR in his possession and refused to comply with the Court's warrant.¹⁰ Swartz was indicted federally for wire fraud, computer fraud, and data theft, which was followed by the present Superseding Indictment on the same theories.

III. MOTION TO SUPPRESS INTERCEPTIONS AND DISCLOSURES OF ELECTRONIC COMMUNICATIONS BY MIT PERSONNEL (No. 1)¹¹

Swartz first moves to suppress: (1) the historical guest registration, DHCP and IP address assignment and network routing records that MIT collected independently before January 4th as it sought to identify and locate the hacker; (2) the recording (or "packet capture") of the laptop's communications after it was found connected to MIT's network; and (3) the network's historical routing, addressing and switching records used to find the laptop after Swartz relocated it from Building 16 to the student center (Building W20) just before his arrest.

Apparently without a trace of irony, Swartz argues that MIT and law enforcement violated his rights to privacy as he hid his computers and hard drives in MIT's locked wiring closet, used pseudonyms to avoid identification, hard-wired his computers to MIT's network switch to avoid detection, siphoned off JSTOR's copyrighted documents, kept reconfiguring his computer to circumvent MIT's and JSTOR's efforts to keep him off their networks, and relocated the evidence to MIT's student center. In particular, Swartz asserts that the evidence listed above should be suppressed because the Wiretap Act, 18 U.S.C. § 2510 *et seq.*, the Stored Communications Act, 18 U.S.C. § 2701 *et seq.*, and the Fourth Amendment prevented MIT and

¹⁰ Swartz later reached a civil agreement with JSTOR, pursuant to which he delivered to the Secret Service four hard drives containing millions of JSTOR's documents.

¹¹ Swartz's numbering convention is used here for ease of reference.

Final

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

(b)(6),(b)(7)(C)

I, [redacted] being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a warrant to search Samsung Model HD154UI hard drives, serial numbers S1Y6J1CZ800326, S1Y6J1CZ800329, S1Y6J1CZ800331 and S1Y6J1CZ800332, currently in the custody of the United States Secret Service, as described in Attachment A, for the things described in Attachment B.

2. I am a Special Agent with the United States Secret Service ("the Secret Service"), Department of Homeland Security, and have been since 2003. My current duties include the investigation of electronic crimes and forensic examination of computers and cellular telephones. As an agent, I have participated in numerous investigations involving computer and high technology related crimes, including computer intrusions, Internet fraud and credit card fraud. I also have received specialized training in the investigation of crimes involving unauthorized intrusions into computer networks. In connection with my official responsibilities, I am charged with investigating violations of 18 U.S.C. §§ 1030 and 1343.

3. As set forth herein, there is probable cause to believe that the Samsung Model HD154UI hard drives, serial numbers S1Y6J1CZ800326, S1Y6J1CZ800329, S1Y6J1CZ800331 and S1Y6J1CZ800332 contain evidence, instrumentalities, and fruits of violations of 18 U.S.C. § 1030(a)(2) (intentionally accessing a computer without authorization and obtaining information), 18 U.S.C. § 1030(a)(5)(A) (intentionally causing damage without authorization to a protected computer) and 18 U.S.C. § 1343 (wire fraud).

4. I make this affidavit based upon communications with witnesses and others with

knowledge of relevant events, conversations with Secret Service agents, Cambridge Police, and MIT Police, my review of records gathered in the course of the investigation described below and my own observations and knowledge. Because this affidavit is submitted for the limited purpose of establishing probable cause for the requested warrant, I have not included each and every fact known to me concerning this investigation. Rather, I have set forth only those fact that I believe are necessary to establish probable cause to support the issuance of the search warrant.

5. On May 13, 2011, this Court issued a warrant to seize the following property subject to forfeiture:

All digitized journal articles, documents and records from JSTOR in the possession, custody or control of Aaron Swartz, including all electronic, magnetic and optical storage media on which they are contained, which digitized materials can be identified as follows:

- (i) all copies of all digitized journal articles, documents and records with the name JSTOR on the cover page; and
- (ii) all copies of all electronic files with the name xxxxxxxx.pdf where xxxxxxxx is a seven to eight digit number.

A copy of my Application for a Warrant to Seize Property Subject to Forfeiture ("Forfeiture Warrant Application") and the Court's Warrant to Seize Property Subject to Forfeiture ("Forfeiture Warrant") are attached hereto as Attachments C and D, and incorporated herein by reference.

6. In brief, as set forth in the Forfeiture Warrant Application, there is probable cause to believe Aaron Swartz:

- a. broke into a computer network interface closet at MIT;
- b. without authorization, accessed MIT's computer network from a network

switch within that closet;

- c. used MIT's computer network to access JSTOR's extensive electronic library; and
- d. fraudulently took files from that library, including over a million journal articles which JSTOR made available by paid subscription or individual purchase.

7. The Court's Forfeiture Warrant was served in hand on Swartz on May 16th.

Swartz failed and refused to produce any objects to be seized under the terms of the Forfeiture Warrant.

8. On or about June 3, 2011, Swartz entered into an agreement with JSTOR (the "Civil Agreement"), a copy of which is attached as Attachment E. In the recitals to the Civil Agreement, Swartz admitted that:

[F]rom on or about August 2010 to January 2011, on multiple occasions through a research institution, Swartz obtained access to the JSTOR database and downloaded from the database numerous journal articles and other material.¹

9. Swartz then undertook in paragraphs 1 and 2(b) of the Civil Agreement to deliver "all hard drive copies" of the journal articles and other material which he had downloaded from JSTOR in his possession custody and control to law enforcement officials.

10. On ____, Attorney Andrew Good, accompanied by Swartz, delivered four hard drives to me in accordance with the terms of the Civil Agreement:

Samsung Model HD154UI hard drives, serial numbers S1Y6J1CZ800326, S1Y6J1CZ800329, S1Y6J1CZ800331 and S1Y6J1CZ800332

11. I believe that Swartz no longer has a reasonable expectation of privacy in the

¹ In the recitals to the Civil Agreement, JSTOR and Swartz dispute whether Swartz accessed a computer and JSTOR's database without authorization or exceeded authorized access.

contents of the hard drives, having voluntarily given them to law enforcement pursuant to the terms of his Civil Agreement with JSTOR. Nevertheless, I believe it is prudent to apply for a warrant to search them out of an abundance of caution to avoid any ambiguity.

12. Following the arrest and initial stages of forensic review, I have determined that domain name registration records reflect that Swartz registered the domain "guerillaopenaccess.com" in July, 2008. Records from the Internet Archive reflect that the "Guerilla Open Access Manifesto" was posted on guerillaopenaccess.com.² In pertinent part, the manifesto concluded: "We need to take information, wherever it is stored, make our copies and share them with the world....We need to download scientific journals and upload them to file sharing networks. We need to fight for *Guerilla Open Access*." (Emphasis in the original).³

CONCLUSION

13. Based on the information described above, I have probable cause to believe that

(b)(5)

² This record is no longer available for viewing on the Internet Archive.

(b)(6),(b)(7)(C) Evidence to date suggests that guerilla open access was a collaborative effort. (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) friend of Swartz, said that she was asked by Swartz to edit the Manifesto but was uncertain with whom it was written. She also stated that she was uncertain to what extent Swartz presently adhered to the positions set out in the Manifesto.

contained within Samsung Model HD154UI Hard Drives, Serial Numbers S1Y6J1CZ800326,
S1Y6J1CZ800329, S1Y6J1CZ800331 and S1Y6J1CZ800332.

Sworn to under the pains and penalties of perjury,

(b)(6),(b)(7)(C)

Special Agent
United States Secret Service

Subscribed and sworn to before me on June ____, 2011

CHIEF UNITED STATES MAGISTRATE JUDGE

ATTACHMENT A

PREMISES TO BE SEARCHED

**Samsung Model HD154UI Hard Drives, Serial Numbers S1Y6J1CZ800326, S1Y6J1CZ800329,
S1Y6J1CZ800331 and S1Y6J1CZ800332, currently in the custody of the United States Secret
Service.**

ATTACHMENT B

ITEMS TO BE SEIZED

- I. All records, in whatever form, and tangible objects that constitute evidence, fruits, or instrumentalities of violations of 18 U.S.C. § 1030(a)(2) (intentionally accessing a computer without authorization and obtaining information), 18 U.S.C. §1030(a)(5)(A) (intentionally causing damage without authorization to a protected computer) and 18 U.S.C. § 1343 (wire fraud), including, without limitation:
- A. Records and tangible objects pertaining to the following entities, websites, computer networks, and IP addresses:
1. JSTOR
 2. Massachusetts Institute of Technology
 3. Jstor.org
 4. Mit.edu
 5. IP addresses in the class A domain 18.
 6. Guerilla Open Access
 7. guerillaopenaccess.com
- B. Records and tangible objects pertaining to the following topics:
1. JSTOR
 2. Records and data digitized by JSTOR, including, without limitation, journals digitized by JSTOR
 3. Records and data stored on JSTOR

4. Records and data originating on JSTOR
 5. Means of access to JSTOR
 8. Computer software capable of making repeated requests for data and records from JSTOR
 9. Computer software capable of making repeated downloads of records and data from JSTOR
 10. MIT's computer network
 11. MIT's physical plant
 12. Remote electronic storage locations
 13. MAC addresses
- C. Records and tangible objects pertaining to the existence and identity of any co-conspirators, as well as any co-conspirators' acts taken in furtherance of the crimes listed above;
- D. Records and tangible objects pertaining to communications to any third parties in anticipation, during or following the crimes listed above about those crimes;
- E. Records and tangible objects relating to the ownership, occupancy, or use of 950 Massachusetts Avenue, Apartment 320, Cambridge, Massachusetts 02139 and assigned storage locker "C4", Acer Aspire One laptop computer, serial number LUSAX0D001001100E1601, 2.0 terabyte Western Digital hard drive, serial number WMAZA1626675, and HP USB drive,

marked 0045SMKBT1 85102; and

F. For any computer hardware, computer software, computer-related documentation, or storage media called for by this warrant or that might contain things otherwise called for by this warrant ("the computer equipment"):

1. evidence of who used, owned, or controlled the computer equipment;
2. evidence of computer software that would allow remote access and control of the computer equipment
3. evidence of the attachment of other computer hardware or storage media;
4. evidence of counter-forensic programs and associated data that are designed to eliminate data;
5. evidence of the times the computer equipment was used;
6. passwords, encryption keys, and other access devices that may be necessary to access the computer equipment; and
7. records and tangible objects pertaining to accounts held with companies providing Internet access or remote storage of either data or storage media.

II. All computer hardware, computer software, computer-related documentation, and storage media. Off-site searching of these items shall be limited to searching for the items described in paragraph I.

DEFINITIONS

For the purpose of this warrant:

- A. "Computer equipment" means any computer hardware, computer software, computer-related documentation, storage media, and data.
- B. "Computer hardware" means any electronic device capable of data processing (such as a computer, personal digital assistant, cellular telephone, or wireless communication device); any peripheral input/output device (such as a keyboard, printer, scanner, monitor, and drive intended for removable storage media); any related communication device (such as a router, wireless card, modem, cable, and any connections), and any security device, (such as electronic data security hardware and physical locks and keys).
- C. "Computer software" means any program, program code, information or data stored in any form (such as an operating system, application, utility, communication and data security software; a log, history or backup file; an encryption code; a user name; or a password), whether stored deliberately, inadvertently, or automatically.
- D. "Computer-related documentation" means any material that explains or illustrates the configuration or use of any seized computer hardware, software, or related items.
- E. "Storage media" means any media capable of collecting, storing, retrieving, or transmitting data (such as a hard drive, CD, DVD, or

memory card).

- F. "Data" means all information stored on storage media of any form in any storage format and for any purpose.
- G. "A record" is any communication, representation, information or data. A "record" may be comprised of letters, numbers, pictures, sounds or symbols.

U. S. Secret Service NCIC/NLETS Response Display

ORI: MASS10200

Response: FROM(NLETS) ON 01/06/11 AT 15:39:39 MASS10200

DR.ILOLN0000
13:39 01/06/2011 37890
13:39 01/06/2011 35649 MASS10200
TXT
01062011 1439

SWARTZ AARON H

(b)(6),(b)(7)(C)

SEX/M DOB/11081986 HGT/5'07" WGT/145 HAI/BRO EYE/BRO
OLN/S632-0088-6318 OLT/D* INSTRUCTION PERMIT
EXP/07292006 ISS/07292004
RES-PID CLASS/NONE
DL/IP STA/EXPIRED
TDL/TIP STA/SEE ILOLNHELP
CDL/CIP STA/SEE ILOLNHELP
END

Next>> Cancel

Table of Contents

Subject Information	1
Comprehensive Report Summary	1
Address History (4 Found)	2
Cities History (3 Found)	2
Counties History (3 Found)	2
Possible Relatives - Summary (6 Found)	3
Possible Relatives - Details (6 Found)	3
Possible Associates - Summary (6 Found)	10
Possible Associates - Details (6 Found)	10
Neighbors (9 Found)	14
Neighbors' Phones (19 Found)	19
Business Associations (1 Found)	20
Index	21

(b)(6),(b)(7)(C)

(ISD)

From: (b)(6),(b)(7)(C) (BOS)
Sent: Thursday, May 12, 2011 11:15 AM
To: (b)(6),(b)(7)(C) (ISD)
Subject: Fw: Comparison to Review
Attachments: Seizure Warrant Affidavit Comparison.pdf

(b)(6),(b)(7)(C)

Sent from Blackberry

— Original Message —

From: Heymann, Stephen (USAMA) (b)(6),(b)(7)(C) @usdoj.gov
To: (b)(6),(b)(7)(C) (OS); External (b)(6),(b)(7) cambridgepolice.org
Sent: Thu May 12 11:14:21 2011
Subject: Comparison to Review

(b)(6),(b)(7)(C)

(ISD)

From: (b)(6),(b)(7)(C)@ARCCorp.com>
Sent: Thursday, February 10, 2011 1:54 PM
To: (b)(6),(b)(7)(C) (ISD)
Cc: (b)(6),(b)(7)(C)
Subject: FW: URGENT Request - SWARTZ
Attachments: ARC LEO INTEL Search Agreement.pdf

Dear (b)(6),(b)(7)(C)

Per our phone conversation I have attached the Leo Search Agreement for your review. Please let me know if you have any concerns or questions.

Best regards,

(b)(6),(b)(7)(C)

Analyst

Carrier Participation

(b)(6),(b)(7)(C) direct
+1.703.816.5158 fax

(b)(6),(b)(7)(C)@arccorp.com

ARC

4100 N. Fairfax Drive
Arlington, VA 22203-1629
<http://www.arccorp.com>

(b)(6),(b)(7)(C)

From: (b)(6),(b)(7)(C) (ISD) [mailto:(b)(6),(b)(7)(C)@usss.dhs.gov]
Sent: Thursday, February 10, 2011 9:34 AM
To: SSR
Subject: URGENT Request - SWARTZ

In connection with an official investigation being conducted by this office, please provide any and all available flight information for the following individual for the period of 01/01/2011 to present:

Aaron H SWARTZ - DOB 11/08/1986

(b)(6),(b)(7)(C)

Please feel free to contact me with any questions or comments at (b)(6),(b)(7)(C) or via fax at (617) 565-5659. Additionally, I am registered with ARC's secure mail service under the user name (b)(6),(b)(7)(C)

Your attention to this matter is greatly appreciated.

Invoice should be to the following:

US Secret Service - Boston
10 Causeway Suite 447
Boston MA 02222-1080

(b)(6),(b)(7)(C)

Thank you -

(b)(8),(b)(7)(C)

All e-mail to/from this account is subject to official review and is for official use only. Action may be taken in response to any inappropriate use of the Secret Service's e-mail system. This e-mail may contain information that is privileged, law enforcement sensitive, or subject to other disclosure limitations. Such information is loaned to you and should not be further disseminated without the permission of the Secret Service. If you have received this e-mail in error, do not keep, use, disclose, or copy it; notify the sender immediately and delete it.

(b)(6),(b)(7)(C)

(SD)

From: (b)(6),(b)(7)(C) (SD)
Sent: Thursday, February 10, 2011 9:34 AM
To: (b)(6), (b) @arccorp.com
Subject: URGENT Request - SWARTZ

In connection with an official investigation being conducted by this office, please provide any and all available flight information for the following individual for the period of 01/01/2011 to present:

Aaron H SWARTZ - DOB 11/08/1986

Please feel free to contact me with any questions or comments at (b)(6),(b)(7)(C) or via fax at (617) 565-5659. Additionally, I am registered with ARC's secure mail service under the user name (b)(6),(b)(7)(C)

Your attention to this matter is greatly appreciated.

Invoice should be to the following:

US Secret Service - Boston
10 Causeway Suite 447
Boston MA 02222-1080

Thank you -

(b)(6),(b)(7)(C)

Boston Field Office
10 Causeway Suite 447
Boston, MA 02222-1080

February 10, 2011

File: 102-775-60071-S

Airlines Reporting Corporation
4100 North Fairfax Drive
Arlington, VA 22203
Tel: (703) 816-8137

Attn: Fraud Department

VIA Fax: (703) 816-8138

Dear Sir/Madam,

In connection with an official investigation being conducted by this office, please provide any and all available flight information for the following individual for the period of 01/01/2011 to present:

Aaron H SWARTZ - DOB 11/08/1986

Please feel free to contact me with any questions or comments at (b)(6),(b)(7)(C) or via fax at (617) 565-5659. Additionally, I am registered with ARC's secure mail service under the user name (b)(6),(b)(7)(C)

Your attention to this matter is greatly appreciated.

Very truly yours,

(b)(6),(b)(7)(C)

Criminal Research Specialist

(b)(6),(b)(7)(C)

(ISD)

From: (b)(6),(b)(7)(C) (ISD)
Sent: Monday, February 14, 2011 12:48 PM
To: Heymann, Stephen (USAMA)
Cc: (b)(6),(b)(7)(C) (BOS) (b)(6),(b)(7)(C) cambridgepolice.org
Subject: RE: SWARTZ - Accounts (b)(6),(b)(7)(C)

It's the billing address for the card.

From: Heymann, Stephen (USAMA) [mailto:(b)(6),(b)(7)(C)@usdoj.gov]
Sent: Monday, February 14, 2011 12:45 PM
To: (b)(6),(b)(7)(C) (ISD)
Subject: RE: SWARTZ - Accounts

Is that the billing address of the card or the address given by (b)(6),(b)(7)(C) whom I would like to locate.

From: (b)(6),(b)(7)(C) (ISD) [mailto:(b)(6),(b)(7)(C)@ussc.dhs.gov]
Sent: Monday, February 14, 2011 12:32 PM
To: Heymann, Stephen (USAMA)
Cc: (b)(6),(b)(7)(C) (BOS) (b)(6),(b)(7)(C) cambridgepolice.org
Subject: SWARTZ - Accounts (b)(6),(b)(7)(C)

Steve -
Steve -

I gave a call into AMEX -- SWARTZ is the supplemental card holder on an AMEX card for (b)(6),(b)(7)(C) at the 950 Mass Ave (b)(6) Cambridge MA 02139 address. According to AMEX the card is a Premier Reward Gold card opened in September 2010. Let me know if you need/want the actual card number. Subpoena should be directed to:

American Express Subpoena Compliance (by mail only, NO faxes)
 43 Butterfield Circle
 El Paso, TX 79906

Citibank had no cards for him under his SSN.

(b)(6),(b)(7)(C)

All e-mail to/from this account is subject to official review and is for official use only. Action may be taken in response to any inappropriate use of the Secret Service's e-mail system. This e-mail may contain information that is privileged, law enforcement sensitive, or subject to other disclosure limitations. Such information is loaned to you and should not be further disseminated without the permission of the Secret Service. If you have received this e-mail in error, do not keep, use, disclose, or copy it; notify the sender immediately and delete it.

BMW CALIFORNIA

BMW CARD
E243993

(7)(A) (7)(C)

Sale - Approved

Card Type	Visa
Card Number	[REDACTED]
Expiration Date	XXXX/XX
Date	02/17/2011
Time	22:26:11
Entry Source	Manual
Order ID	2011025468
Authorization #	082798
Amount	50.00

Customer Copy

Non Responsive

-----Original Message-----

From: (b)(6),(b)(7)(C) (BOS)

Sent: Saturday, January 12, 2013 8:05 PM

To: (b)(6),(b)(7)(C) (BOS)

Subject: Swartz is the lead story on Yahoo.

Is (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) ok?



M.I.T. POLICE
301 VASSAR ST CAMBRIDGE, MA

INCIDENT # / REPORT # 11000351 / 1
OFFICER (b)(6),(b)(7)(C)
RANK
REVIEW STATUS APPROVED by (b)(6),(b)(7)(C)

Not For Public Release

Date/Time Printed: Fri Feb 25 14:20:19 EST 2011 By

INCIDENT #11000351 DATA
As Of 01/25/2011 08:55:10

(b)(6),(b)(7)(C)

BASIC INFORMATION

CASE TITLE B&E
LOCATION 21 AMES ST
AFT/UNIT
CITY, STATE CAMBRIDGE, MA

DATE/TIME REPORTED 01/06/2011 14:20:45
DATE/TIME OCCURRED On or after 01/04/2011 15:26

INCIDENT TYPE/OFFENSE
B&E DAYTIME FOR FELONY cr66 S18

PERSONS

ROLE	NAME	SEX	RACE	AGE	DOB	PHONE
VICTIM	MIT,					(HOME) (CELL)
ADDRESS: 77 MASSACHUSETTS AVE CAMBRIDGE, MA						
WITNESS	(b)(6),(b)(7)(C)	MALE	(b)(6),(b)(7)(C)			(HOME)
ADDRESS: (b)(6),(b)(7)(C)						

OFFENDERS

STATUS	NAME	SEX	RACE	AGE	DOB	PHONE
DEFENDANT	SWARTZ, AARON H	MALE	UNKNOWN	24	11/08/1986	(HOME) (CELL)
ADDRESS: , IL						

[NO VEHICLES]

PROPERTY

CLASS	DESCRIPTION	MAKE	MODEL	SERIAL #	VALUE
		(b)(6),(b)(7)(C)			

OFFICER REPORT: 11000351 - 1

DATE/TIME OF REPORT
01/06/2011 14:20:45

TYPE OF REPORT
INCIDENT

REVIEW STATUS
APPROVED

NARRATIVE

On January 4, 2010 at approximately 10:30 hours I responded to MIT building 16, room 004T for a report of a past break. This room is a telephone closet and networking closet; it's access is controlled by MIT's IS&T Department. (b)(6),(b)(7)(C) of MIT IS&T explained to me that someone had entered the restricted room and connected a laptop and external hard drive directly to a networking switch. The laptop and external hard drive were being hidden under a cardboard box. (b)(6),(b)(7)(C) further explained that they were able to determine that this laptop was illegally downloading scientific periodicals from JStor, a subscription based database that houses academic periodicals.

Cambridge Police Detective (b)(6),(b)(7)(C) Special Agent (b)(6),(b)(7)(C) from the United States Secret Service and Boston Police Officer (b)(6),(b)(7) responded to building 16 room 004T. Cambridge Police's Crime Scene Services also responded and processed the laptop and external hard drive for latent prints. It was determined that the laptop would be left in place and IS&T would monitor the network traffic in an attempt to identify the suspect. A camera was also installed by MIT's IS&T Department to monitor the area.

On January 4, 2010 at approximately 15:26 hours a white male, dark or black shoulder length wavy hair, wearing a dark coat, gray backpack, jeans with a white bicycle helmet enters the room. It appears as though the suspect takes a hard drive out of his back pack and bends over the laptop and external hard drive. He exits the room moments later.

On January 5, 2010 MIT's IS&T Department informed me that approximately 70 gigabytes of data had been downloaded, 98% of which was from JStor. SA (b)(6),(b)(7)(C) had informed me that MIT's IS&T had put an approximate value on the downloaded information at \$50,000.

On January 6, 2010 at approximately 13:32 hours a white male, dark or black shoulder length wavy hair, wearing a dark coat, gray backpack, jeans with a white bicycle helmet enters the room, I was monitoring the video feed at the MIT Police Department at this time. It appears as though the suspect packed up the laptop and hard drive and exited the room. MIT Police units responded to the area and searched for the suspect. A check of the room determined that the laptop and hard drive had been removed.

On January 6, 2010 at approximately 14:11 hours (b)(6),(b)(7)(C) of the MIT Police Department called me and stated he had located the suspect riding his bike on Massachusetts Ave at Lee Street. Special Agent (b)(6),(b)(7)(C) and I responded to the Lee Street to assist (b)(6),(b)(7)(C). The suspect jumped off his bike when encountered by (b)(6),(b)(7)(C) and ran down Lee Street. (b)(6),(b)(7)(C) and Special Agent (b)(6),(b)(7)(C) were able to apprehend the suspect at 24 Lee Street. He was handcuffed by SA (b)(6),(b)(7)(C).

The suspect encountered by (b)(6),(b)(7)(C) and apprehended on Lee Street is the same person seen on video entering the restricted telephone closet in building 16 on January 4th at 15:26 hours and on January 6th at 14:11 hours.

He was arrested for two counts of Breaking and Entering in the daytime with the intent to commit a felony, Chapter 266 Section 18.



**M.I.T. POLICE
CAMBRIDGE, MA**

OFFICER REPORT

INCIDENT #	REPORT DATE	REPORT TYPE	OFFICER	RANK	REVIEW STATUS
11000351 / s	01/06/2011 14:20:45	SUPPLEMENT	(b)(6), (b)(7)(C)		APPROVED

Not For Public Release Date/Time Printed: Fri Feb 25 14:21:09 EST 2011 By: (b)(6), (b)(7)(C)

OFFICER REPORT
As Of 01/10/2011 08:44:39

NARRATIVE

On Friday, January 7, 2010 at 15:00 hours DCSB Special Agent (b)(6), (b)(7)(C) contacted me and requested that the 8gig MP memory stick that was in Aaron Swartz's backpack at the time of arrest be transferred into evidence as evidence of a crime.

The item was sealed into evidence bag #1200333 and turned over to (b)(6), (b)(7)(C) of the MIT police to secure it into evidence.



M.I.T. POLICE
CAMBRIDGE, MA

OFFICER REPORT

INCIDENT #	REPORT DATE	REPORT TYPE	OFFICER	RANK	REVIEW STATUS
11000331 / 3	01/06/2011 14:20:45	SUPPLEMENT	(b)(6),(b)(7)(C)		APPROVED

Not For Public Release Date/Time Printed: Fri Feb 25 14:21:20 EST 2011 By (b)(6),(b)(7)(C)

OFFICER REPORT

As Of 01/10/2011 09:35:43

NARRATIVE

(b)(6),(b)(7)(C)

On Thursday, January 6, 2011 at 1230 hours (b)(6),(b)(7)(C) Special Agent (b)(6),(b)(7)(C) and I (b)(6),(b)(7)(C) were observing a camera feed from the telecommunication closet in the basement of Building 16. This is the crime scene of an earlier report that a laptop computer had been plugged into the network and was downloading unauthorized information. A suspect entered the closet and began to dismantle the laptop computer. (See attached video) I advised (b)(6),(b)(7)(C) that I would respond to building 16 and attempt to stop the suspect. Other units also responded to the building.

Upon arrival to building 16 at approximately 1235 hours, I proceeded to the basement closet. The suspect had fled the area and took the laptop computer and associated hardware. I proceeded to search the area for the suspect but was unable to locate him in the building. I advised (b)(6),(b)(7)(C) who also had arrived on scene that the suspect had fled the building. All units continued to search the area for the suspect.

Shortly after searching the building area (b)(6),(b)(7)(C) advised units on the radio that he was in pursuit of the suspect and was headed towards central square on Mass. av. (b)(6),(b)(7)(C) stated that the suspect had turned on Lee Street and was in custody. I responded to the scene. Upon arrival I found (b)(6),(b)(7)(C) and Special Agent (b)(6),(b)(7)(C) on the side walk on Lee Street with the suspect. I was advised that the suspect was under arrest.

I left the scene and went back to building 16 after request from IS&T. Upon arrival (b)(6),(b)(7)(C) and I went to the fourth floor and met with (b)(6),(b)(7)(C) and other IS&T employees. IS&T (b)(6),(b)(7)(C) informed me that the computer was still showing that it was logged into the network. We searched the remaining telecommunications closets and a office for the computer but was unable to locate it. (b)(6),(b)(7)(C) informed me that he would contact me directly when he could find out where the computer was plugged into.

At approximately 1515 hours I received a call from (b)(6),(b)(7)(C) stating the the signal is coming from the fifth floor of the student center (W-20). The network drop is located specifically in office 557 the SIFB Office.

Special Agent (b)(6),(b)(7)(C) and I respond to the fifth floor of the student center and enter the office of 557. This is a student group area that is frequented by many students throughout the day. We enter the room and I find the network drop and a laptop computer plugged into it under the desk and laying on the floor. Special Agent (b)(6),(b)(7)(C) obtained the names of the three students that were in the room during our entry. According to the students they did not see anyone come in and place the computer there because they had just got there 15 to 20 minutes prior to our arrival. I photographed the computer and external harddrive. Special Agent (b)(6),(b)(7)(C) donned his rubber gloves and secured the computer and we placed it into an evidence bag. We secured the scene and advised the students that were on location to call me if they could provide us with any additional information.

I entered the evidence into the evidence room in accordance with our policies and procedures.



**M.I.T. POLICE
CAMBRIDGE, MA**

OFFICER REPORT

INCIDENT#	REPORT DATE	REPORT TYPE	OFFICER	RANK	REVIEW STATUS
11000951 / 4	01/06/2011 14:20:45	SUPPLEMENT	(b)(6),(b)(7)(C)		APPROVED

Not For Public Release Date/Time Printed: Fri Feb 25 14:21:41 EST 2011 By (b)(6),(b)(7)(C)

OFFICER REPORT

As Of 01/18/2011 09:48:26

NARRATIVE

On Friday, January 14, 2011 I (b)(6),(b)(7)(C) met with Mr. (b)(6),(b)(7)(C) at the MIT Police station. I had (b)(6),(b)(7)(C) of the MIT Police Department conduct a photo array with (b)(6),(b)(7)(C)

At 1830 hours a photo array presentation was given to Mr. (b)(6),(b)(7)(C) officer (b)(6),(b)(7)(C) finished the array and advised me that Mr. (b)(6),(b)(7)(C) had identified picture C as the person he had seen. Photograph C is identified as Mr. Swartz.

A copy of the photo array is included in this report. The array was composed by the Cambridge Police department.

<u>Item</u>	<u>15448</u>
Western Digital Hard Drive, Model WD1200, Serial # WMANN1006724	-38
Apple Multi Adapter, White, S/N 6F9395M7ZU6	-31
Apple Multi Adapter, White, S/N 6F7281NNU4S	-31
Galaxy Metal Gear Box External Hard Drive	-82
Nokia Cell Phone w/ power cord	-34
T Mobile, HTC G2 Cell phone w/ power cord	-34
12 Magnetic Media Tapes in Fedex Box	-34
Acer Aspire One Model 532H, S/N LUSAX0D0010011001E1601	-39
Rocketfish Enclosure Kit containing on Western Digital 2TB HDD S/N WMAZA1626675	-39
HP USB Drive Marked 0045SMKBT1 85102	-39
Macbook Mac OSX Install Disc 1 and 2	-33
Macbook User Guide S/N 2V09082006	-33
Apple Care Service Letter, Dispatch #R7276408	-33
Genius Bar Work Confirmation Repair #R7276313 and R7276408	-33
Digital Media Compact Flash 256MB Simple Tech	-33
T Mobile Sidekick	-36
Sony Micro Vault, Orange	-36
Office Depot DVD/R, Handwritten Label "Bibliographic Data Which Mysteriously Appeared One Day as the Sun Was Shining"	-37
Pocket Notebook with blue and white hexagon	-37
Samsung HDD 1500GB Hard Drive S/N S1Y6J1CZ800326	-119
Samsung HDD 1500GB Hard Drive S/N S1Y6J1CZ800329	-119
Samsung HDD 1500GB Hard Drive S/N S1Y6J1CZ800331	-119

Samsung HDD 1500GB Hard Drive S/NS1Y6J1CZ800332

-119

R I F
470



U.S. SECRET SERVICE

BOSTON FIELD OFFICE

10 Causeway Street, Suite 447

Boston, MA 02222



617.565.5640 phone - 617.565.5659 fax

TO: (b)(6), (b)(7)(C)
Federal Convicted Offender Program

Recipient Fax Number: 703-632-7620

FROM: SA (b)(6), (b)(7)(C)

SUBJECT: SWARTZ, AARON

DATE: 8/5/11

PAGES: 2
(Including Cover)

The information contained in this facsimile message, and any and all accompanying documents constitutes information subject to law enforcement sensitivity. This information is property of the United States Secret Service. If you are not the intended recipient of this information, and disclosure, copying, distribution, or taking of any action in reliance on this information is strictly prohibited. If you received this information in error, please notify us immediately at the above number to make arrangements for its return. Thank you.

2128886

AO 442 (Rev. 01/09) Arrest Warrant

RECEIVED
U.S. MARSHAL SERVICE
BOSTON, MA
JUL 14 P 3 7

UNITED STATES DISTRICT COURT

for the
District of Massachusetts

United States of America
v.

Aaron Swartz
Defendant

Case No. 11-cf-10260

ARREST WARRANT

To: Any authorized law enforcement officer

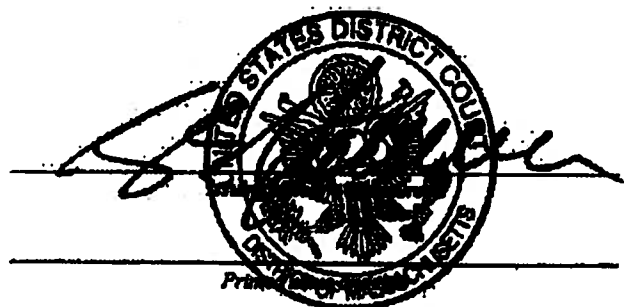
YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) Aaron Swartz
who is accused of an offense or violation based on the following document filed with the court:

- Indictment
- Superseding Indictment
- Information
- Superseding Information
- Complaint
- Probation Violation Petition
- Supervised Release Violation Petition
- Violation Notice
- Order of the Court

This offense is briefly described as follows:
18 U.S.C. 1343 (Wire Fraud); 18 U.S.C. 1030(a)(4) (Computer Fraud); 18 U.S.C. 1030 (a)(2) (Theft of information From a Computer) and 18 U.S.C. 1030 (a)(5)(B) (Recklessly Damaging a Computer); 18 U.S.C. 2 (Aiding and Abetting)
All committed between September 24, 2010 and January 6, 2011, or thereafter

Date: July 14, 2011

City and state: Boston, Massachusetts



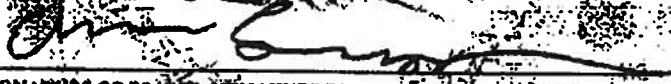
Return	
This warrant was received on (date) _____, and the person was arrested on (date) _____ at (city and state) _____ Date: _____	_____ <i>Arresting officer's signature</i> _____ <i>Printed name and title</i>

R I F
472

The Secretary of State of the United States of America
hereby requests all consular officers to permit the citizens (national
of the United States named herein to pass without delay or hindrance
and in case of need to give all useful aid and protection.

Le Secrétaire d'Etat des Etats-Unis d'Amérique
par les présentes supplie les officiers consulaires de laisser passer le citoyen
citoyen des Etats-Unis nommé ci-dessous sans délai ni entrave
et, en cas de besoin, de lui donner toute aide et protection utiles.

El Secretario de Estado de los Estados Unidos de América
solicita por el presente a todos los funcionarios consulares que permitan a los ciudadanos
nacionales de los Estados Unidos nombrados en el presente pasar sin demora ni
obstáculo alguno y, en caso de necesidad, prestarles toda la ayuda y protección
útiles que sean necesarias.



SIGNATURE OF BEARER / SIGNATURE DU TITULAIRE / FIRMA DEL TITULAR

UNITED STATES OF AMERICA

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

REPÚBLICA FEDERATIVA DO BRASIL

B (D)(6),(D)(7)(C) Passport number
Nº do passaporte
(D)(6),(D)(7)(C)

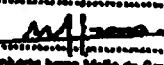
VISTO Visto de Turista

00002666

Name **AARON H SWARTZ**
Nome

Stay up to 90 days
Múltiplas entradas permitidas por 90 dias
X Multiple entry (es) maximum: 180 days per year
Não permitido trabalhar ou estudar

Valid for **Cinco (5) Anos (Years)**
Validade

Date of expedite **27 Jan 2009** Assinatura 
Emissa em Signature **Roberto Inacio Mello de Souza**
Emitido por Consul em Nova York **Vice-Cônsul**

**FIRST ENTRY WITHIN 90 DAYS
PRIMEIRA ENTRADA EM 90 DIAS**



CAMBRIDGE POLICE DEPARTMENT
CAMBRIDGE, MA
Supplementary Report #11000078/3

Case Title MIT COMPUTER CRIMES		Location 301 VASSAR ST (BLD 1)	
Date/Time Reported 01/04/2011 10:49:00		Date/Time Occurred to	
Incident Type/Offense MISCELLANEOUS STATUTORY VIOLATION(999999)			

(b)(6),(b)(7)(C)

Role	Name	Sex	Race	Age	DOB	Phone	Address
						(b)(6) (b)(7)	
						(b)(6) (b)(7)	

Status	Name	Sex	Race	Age	DOB	Phone	Address
						(b)(6) (b)(7)	
						(b)(6) (b)(7)	

Role	Type	Year	Make	Model	Color	Reg #	State
Stolen S	Rec Code	Date Rec	Rec S	Rec By			

Class	Description	Make	Model	Serial #	Value

EVIDENCE:

SP1: (1) known fingerprint card for Aaron SWARTZ, DOB: 11/08/1986, W/M, OBTN: TCAM201100032, collected on January 6, 2011.

LP7: (1) small clear hinge lifter collected from the upper right corner of the screen (CS1). Collected prior to fuming on 2/10/2011 at approx. 0953 hours.

2LP7: (1) small clear hinge lifter collected from same area as LP7. Collected after

(Continued on next page)

(b)(6),(b)(7)(C) (b)(6),(b)(7)(C)
 (03/31/2011 16:32:49) (04/01/2011 08:06:48)



CAMBRIDGE POLICE DEPARTMENT
CAMBRIDGE, MA
Supplementary Report #11000078/3

(b)(6),(b)(7)(C)

Case Title MIT COMPUTER CRIMES	Location 301 YASSAR ST (BLD 1)
Date/Time Reported 01/04/2011 10:49:00	Date/Time Occurred to
Incident Type/Offense MISCELLANEOUS STATUTORY VIOLATION(999999)	

fuming and traditional black powder processing. Collected on 2/10/2011 at approx. 1216 hours.
 LP8: (1) small clear hinge lifter collected from CS2a (silver metal surface).
 Collected after fuming and traditional black powder processing. Collected on 2/10/2011 at approx. 1150 hours.
 LP9: (1) small clear hinge lifter collected from CS1 between areas for LP6 and LP7.
 Collected after fuming and traditional black powder processing. Collected on 2/10/2011 at approx. 1223 hours.

NARRATIVE:

On February 10, 2011 and February 11, 2011 I examined the above latent lifts and their respective photographs to determine their value for comparison. LP7, 2LP7, and LP9 were determined to contain insufficient quantity and quality for comparison. LP8 was determined to contain sufficient quantity and quality for comparison. I then compared LP8 to the known exemplar prints for Aaron SWARTZ (Item SP1) and individualized it to the #6 impression. I submitted a Verification Request to Boston Police Department, [redacted] on February 25, 2011.

Verification report received on March 9, 2011. See case attachments for Verification report and supported documents. [redacted] (b)(6),(b)(7)(C)

[redacted] (b)(6),(b)(7)(C)

[redacted] (b)(6),(b)(7)(C)

POLICE DEPARTMENT
CAMBRIDGE, MASSACHUSETTS

RECORD OF BOOKING
PLEASE PRINT

CELL NUMBER RELEASED		ARREST NUMBER TTCAM201100832		DATE & TIME OF BOOKING 01/06/2011 14:46:26		INCIDENT NUMBER 11000131	
LAST NAME SWARTZ		FIRST AARON		MIDDLE NAME H		D.O.B. 11/08/1996	
TRUE NAME AARON H SWARTZ		AGE 24		SEX M		(b)(6),(b)(7)(C)	
STREET NO.		STREET NAME		APT #		CITY/TOWN	
STATE		ZIP		PHONE (WORK)		PHONE (CELL)	
SEX M		HEIGHT 506		WEIGHT 120		RACE WHITE	
HAIR BROWN		EYES BROWN		BILD THIN		SKIN FAIR	
ETHNICITY NOT OF HISPANIC ORIGIN		SCARS		LOCATION OF ARREST 24 LEE ST			
PLACE OF BIRTH CHICAGO IL		MARTIAL STATUS UNMARRIED		DRIVER'S LICENSE E2433493 CA			
FATHER'S NAME (b)(6),(b)(7)(C)		MOTHER'S NAME (b)(6),(b)(7)(C)		MOTHER'S MAIDEN NAME			
EMPLOYER HARVARD U		OCCUPATION RESEARCH AT HAR					
ADDRESS OF EMPLOYER 124 MOUNT AUBURN ST #51 CAMBRIDGE MA							
IF CUT VISIBLE ON PERSON, DESCRIBE KIND & LOCATION no injuries per defendant							
TREATED WHERE				ATTENDING PHYSICIAN			
PRISONER ADVISED OF RIGHTS UNDER G.L. CHAP 276 33A				YES <input checked="" type="checkbox"/>		BY WHOM (b)(6),(b)(7)(C)	
FINGERPRINTS TAKEN		YES <input checked="" type="checkbox"/>		PHOTO TAKEN		YES <input checked="" type="checkbox"/>	
IF PRISONER WAS ARRESTED FOR OPERATING UNDER THE INFLUENCE, FILL IN BELOW							
PRISONER ADVISED OF RIGHTS UNDER G.L. CHAP 263 5A				YES <input type="checkbox"/>		BY WHOM	
BREATHLYZER READING		BY WHOM		ARREST ON WARRANT? <input type="checkbox"/>			
I have been advised of and understand my rights to remain silent, use a telephone to call a lawyer or have one provided, and to have my own physician test for alcohol.				WARRANT NUMBER			
PRISONER SIGNATURE				CITY/COURT			
ARRESTING OFFICER OTHER PD		BOOKING OFFICER (b)(6),(b)(7)(C)		DID ARRESTED PERSON HAVE POSITIVE IDENTIFICATION ID TYPE: STATE ID			
COMPLAINANT OTHER PD		OFFICER IN CHARGE (b)(6),(b)(7)(C)		CHARGES			
IS ARRESTEE A JUVENILE <input type="checkbox"/> YES				NAME OF PROBATION OFFICER NOTIFIED		TIME	
NAME OF PARENT OR GUARDIAN NOTIFIED				OFFICER MAKING NOTIFICATION		TIME	
BAIL COMMISSIONER (b)(6),(b)(7)(C)		AMOUNT OF BAIL 1,000.00		DATE AND TIME OF BAIL			
DISPOSITION							



U.S. Secret Service

Examiner: Special Agent (b)(6),(b)(7)(C)
Phone: (b)(6),(b)(7)(C)
Fax: 617-585-5859
Email: (b)(6),(b)(7)(C)@uss.s.dhs.gov



Forensic Cover Report

Date: 05/20/11

Investigator:

SA (b)(6),(b)(7)(C)

USSS case no.: 102-775-60071-S

Investigative Summary:

SA (b)(6),(b)(7)(C) conducted a forensic examination of digital evidence received from the Cambridge Police Department as part of a network intrusion and wire fraud investigation, case 102-775-60071-S. This examination was conducted pursuant to a search warrant.

This report DVD is designed to provide information on what evidence has been identified as relevant by the examiner on the subject digital evidence. Additional evidence may be present if further information is provided to the examiner.

Items examined:

The following items are discussed in this report cover:

Acer Aspire One with serial number LUSAX0D0010011001E1601 containing a Hitachi 160GB hard drive with serial number QCE2TH4H

A Rocketfish hard drive enclosure containing a Western Digital 2TB hard drive with serial number MMAZA1626675.

An Apple iMac Model A1311 with serial number W8025AXGDB7.

A Western Digital Model WD1200JS-00MH80 120GB hard drive with serial number WD-WMANN1006724.

A HTC G2 cell phone with IMEI 359116031962625 and serial number HT09SR203106. The HTC cell phone contained a Sandisk 8GB micro SD Card.

A Nokia model 2320 cell phone with IMEI 012185001723274

A flash drive with the markings HP and 8GB.

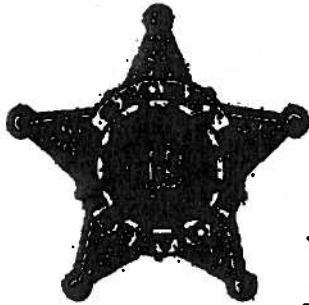
A Sony Micro Vault Tiny.

On 02/11/11, the Apple iMac model A1311 was placed into target disk mode and an image of the hard drive was made using Access Data FTK imager through a Tableau T9 Forensic Firewire Bridge. The image of the hard drive was later examined using Access Data Forensic Tool Kit (FTK) and Guidance Software Encase.

On 02/11/11, the Western Digital 120GB hard drive was imaged using FTK imager through a Tableau T35es forensic SATA bridge. The image of the hard drive was later examined using FTK.

On 02/14/11, Nokia 2320 cell phone was examined using the CelleBrite Universal Forensic Extraction Device (UFED) and SIMCon SIM Card Recovery.

On 02/16/11, the SIM card from the HTC G2 was examined using SIMCon. The SanDisk 8GB micro SD card was placed in a memory card reader and copied through a Tableau T8 Forensic USB Bridge.



U.S. Secret Service

Examiner: Special Agent (b)(6),(b)(7)(C)
 Phone: (b)(6),(b)(7)(C)
 Fax: 817-565-5659
 Email: (b)(6),(b)(7)(C)@uss.s.dhs.gov



Forensic Cover Report

Date: 07/26/11

Investigator:

SA (b)(6),(b)(7)(C)

USSS case no.: 102-775-60071-S

Investigative Summary:

(b)(6),(b)(7)(C) conducted a forensic examination of digital evidence received from the Cambridge Police Department as part of a network intrusion and wire fraud investigation, case 102-775-60071-S. This examination was conducted pursuant to a search warrant.

This report DVD is designed to provide information on what evidence has been identified as relevant by the examiner, within the scope of the search warrant, on the subject digital evidence. Additional evidence may be present if further information is provided to the examiner.

Items examined:

The following items are discussed in this report cover:

Samsung Model HD154UI 1500GB Hard Drive with serial number S1Y6J1CZ800326.

Samsung Model HD154UI 1500GB Hard Drive with serial number S1Y6J1CZ800329.

Samsung Model HD154UI 1500GB Hard Drive with serial number S1Y6J1CZ800331

Samsung Model HD154UI 1500GB Hard Drive with serial number S1Y6J1CZ800332.

The Samsung hard drive with serial number S1Y6J1CZ800326 contained 2,726,544 Portable Document Format (PDF). The first PDF file was created on 12/13/10 and the last PDF file was created on 01/04/11.

The Samsung hard drive with serial number S1Y6J1CZ800329 contained 1,739,461 Portable Document Format (PDF). The first PDF file was created on 10/12/10 and the last PDF file was created on 12/12/10.

The Samsung hard drive with serial number S1Y6J1CZ800331 contained 1,005,388 Portable Document Format (PDF). The first PDF file was created on 10/02/10 and the last PDF file was created on 10/09/10.

The Samsung hard drive with serial number S1Y6J1CZ800332 contained 3,391,669 Portable Document Format (PDF). The first PDF file was created on 09/24/10 and the last PDF file was created on 09/26/10.

(b)(6),(b)(7)(C)

Special Agent
 U.S. Secret Service



Electronic Crimes Special Agent Program

CASE NUMBER: 102-886-0000071

TOTAL MEDIA PROCESSED: 0.30 TB

CASE TITLE: Swartz

SUBJECT: Swartz, Aaron

IOO: N

CITY OF OFFENSE: Cambridge

REQUESTER: AUSA Heymann

STATE OF OFFENSE: MA

EXAMINER'S SUPERVISOR: (b)(6),(b)(7)(C)

CASE OFFICE: BOS (102)

EXAMINER'S OFFICE: BOS (102)

DATE/APPROVER

EXAM DATE: 07/07/2011

APPROVED DATE: 07/27/2011

SUBMIT DATE: 07/25/2011

USER CASE INFORMATION

J-CASE:

SSF-1544: 102 2011 CE 39

S-CASE: S

INTERNAL TRACKING NUM:

OCCURRENCE: NOT SPECIFIED

ICR:

OTHER AGENCY INFORMATION

OTHER AGENCY: N

OTHER AGENCY NO:

REQUESTOR:

REQUESTOR NUMBER:

CASE ENCRYPTION

ENCRYPTION USED: N

ENCRYPTION DESCR: NOT SPECIFIED

COMMENTS

CASE SUMMARY: Aaron Swartz broke into a network closet in MIT, attached a laptop to the MIT network and illegally downloaded a large number of documents from JSTOR.

DISPOSITION EVIDENCE: Held in the Boston Field Office pending judicial action

CASE TYPES

PRIMARY CASE TYPE: 806.775 - Computer Crime Investigations

SECONDARY CASE TYPES: 848.193 - Financial Crimes Task Force
848.191 - Electronic Crimes Task Force
848.830 - Crimes Involving use of Emerging Technology
848.304 - Books/Poems/Plays

INVESTIGATIVE TOOLS

(b)(6),(b)(7)(C)

Office: BOSTON FIELD OFFICE Agent Phone

(b)(6),(b)(7)(C)

Approved by CID on 07/27/2011

CASE NUMBER: 103-006-0060071

TOTAL MEDIA PROCESSED: 9.30 TB

SOFTWARE TOOLS

Smartcard Commander - Embedded Device Forensics
CelleBrite - Cell Phone Forensics
FTK - Forensic Tool Kit
Encase - Encase

COMMENTS: NO SOFTWARE COMMENTS PROVIDED

HARDWARE TOOLS

UFED (CelleBrite) - Cell Phone Forensics
SIM Card Reader - Embedded Device Forensics
Ultra Toolkit - All Writeblock Devices in the Ultra Toolkit

COMMENTS: NO HARDWARE COMMENTS PROVIDED

CASE COMPUTERS

COMPUTER DETAIL:

MODEL: Acer Aspire
SERIAL NO: LUSAX0D0010011001E1601
START DATE: 02/25/2011
PROCESSED BY: SA (b)(6),(b)(7)(C)

ACQUIRED BY: SA (b)(6),(b)(7)(C)
ACQUIRED DT: 02/25/2011
END DATE: 06/20/2011

HARD DRIVE(S) DETAILS:

MODEL	SERIAL NUMBER	SIZE
HSech HT95450168BA3	091209F85B06QcE	160.00 G

HD COMMENTS:

COMPUTER DETAIL:

MODEL: Apple iMac A1311
SERIAL NO: W002SAXG087
START DATE: 02/11/2011
PROCESSED BY: SA (b)(6),(b)(7)(C)

ACQUIRED BY: SA (b)(6),(b)(7)(C)
ACQUIRED DT: 02/11/2011
END DATE: 05/20/2011

HARD DRIVE(S) DETAILS:

MODEL	SERIAL NUMBER	SIZE
Imaged by TOM	Imaged by TOM	1.00 T

HD COMMENTS:

EMBEDDED TECHNOLOGY

(b)(6),(b)(7)(C)

Office: BOSTON FIELD OFFICE Agent Phone

(b)(6),(b)(7)(C)

Approved by CID on 07/27/2011

CASE NUMBER: 102-804-8060071

TOTAL MEDIA PROCESSED: 9.30 TB

EMBEDDED TECHNOLOGY

MODEL: Nokia 2320

ACQUIRED BY: SA (b)(6),(b)(7)(C)

SERIAL NO: 012188001723274

ACQUIRED DT: 02/14/2011

START DATE: 02/14/2011

END DATE: 05/20/2011

PROCESSED BY: SA (b)(6),(b)(7)(C)

STORAGE DETAILS:

DESCRIPTION	SERIAL NUMBER	SIZE
Internal Memory	Internal Memory	32.00 M

HD COMMENTS:

EMBEDDED TECHNOLOGY

MODEL: HTC G2

ACQUIRED BY: SA (b)(6),(b)(7)(C)

SERIAL NO: 358115031882826

ACQUIRED DT: 02/16/2011

START DATE: 02/16/2011

END DATE: 05/20/2011

PROCESSED BY: SA (b)(6),(b)(7)(C)

STORAGE DETAILS:

DESCRIPTION	SERIAL NUMBER	SIZE
Internal Memory	Internal Memory	4.00 G

HD COMMENTS:

LOOSE DRIVES

(b)(6),(b)(7)(C)

Office: BOSTON FIELD OFFICE Agent Phone

(b)(6),(b)(7)(C)

Approved by CID on 07/27/2011

CASE NUMBER: 102-866-0000071

TOTAL MEDIA PROCESSED: 9.30 TB

MODEL:WD20EARS

SERIAL NUMBER:WD-VMAZA1628876

SIZE:2.00 T

ACQUIRED BY:SA (b)(6),(b)(7)(C)

ACQUIRED DATE: 02/28/2011

PROCESSED BY:SA (b)(6),(b)(7)(C)

EXAM START:02/28/2011

EXAM END: 06/20/2011

COMMENTS:None specified

MODEL:Western Digital WD1200JS

SERIAL NUMBER:WD-VMANN1006724

SIZE:120.00 G

ACQUIRED BY:SA (b)(6),(b)(7)(C)

ACQUIRED DATE: 02/11/2011

PROCESSED BY:SA

EXAM START:02/11/2011

EXAM END: 05/20/2011

COMMENTS:None specified

MODEL:Samsung HD154UI

SERIAL NUMBER:S1Y6J1CZ800326

SIZE:1.50 T

ACQUIRED BY:SA (b)(6),(b)(7)(C)

ACQUIRED DATE: 06/25/2011

PROCESSED BY:SA

EXAM START:06/27/2011

EXAM END: 07/07/2011

COMMENTS:None specified

MODEL:Samsung HD154UI

SERIAL NUMBER:S1Y6J1CZ800326

SIZE:1.50 T

ACQUIRED BY:SA (b)(6),(b)(7)(C)

ACQUIRED DATE: 06/27/2011

PROCESSED BY:SA

EXAM START:06/27/2011

EXAM END: 07/07/2011

COMMENTS:None specified

(b)(6),(b)(7)(C)

Office: BOSTON FIELD OFFICE Agent Phone

(b)(6),(b)(7)(C)

Approved by CID on 07/27/2011

CASE NUMBER: 102-309-0000071

TOTAL MEDIA PROCESSED: 9.30 TB

MODEL:Samsung HD164UI

SERIAL NUMBER:S1Y6J1CZ00331

SIZE:1.50 T

ACQUIRED BY:SA (b)(6),(b)(7)(C)
PROCESSED BY:SA

ACQUIRED DATE: 08/23/2011

EXAM START:08/23/2011

EXAM END: 07/07/2011

COMMENTS:None specified

MODEL:Samsung HD164UI

SERIAL NUMBER:S1Y6J1CZ00332

SIZE:1.50 T

ACQUIRED BY:SA (b)(6),(b)(7)(C)
PROCESSED BY:SA

ACQUIRED DATE: 08/22/2011

EXAM START:08/22/2011

EXAM END: 07/07/2011

COMMENTS:None specified

CASE MEDIA

CATEGORY	QTY	NUM	SIZE
Sim Card (Cell Phones) - Cell Phones	2	64.0	KB
Secure Digital Card	1	8.0	GB
USB Thumb Drives	2	8.0	GB

CASE CREDIT

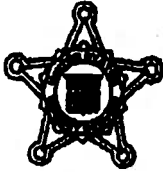
HARD DRIVE CREDIT: 8
 MEDIA CREDIT: 3
 E-TECH CREDIT: 2
 TOTAL CREDIT: 13

EXAM RESULTS

EVIDENCE FOUND: YES
 AUTHORITY: Warrant
 COMMENTS: NO COMMENTS PROVIDED

(b)(6),(b)(7)(C) Office: BOSTON FIELD OFFICE Agent Phone (b)(6),(b)(7)(C)

Approved by CID on 07/27/2011



**U.S. Department of Homeland Security
UNITED STATES SECRET SERVICE**

Boston Field Office
10 Causeway St., Suite 447
Boston, MA 02222-1080
Telephone: (617) 595-5540

File: 102-775-80071-S

RECEIPT

I acknowledge receipt of the following items from the U.S. Secret Service, Boston, MA:

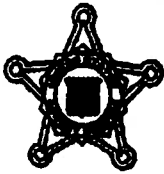
One (1) Western Digital My Passport hard drive, serial #WXG1A8146179

SIGNATURE: _____ (b)(6),(b)(7)(C)

Print Name: _____

DATE: 12/26/11

RECEIVED FROM: SA _____ (b)(6),(b)(7)(C)
Boston Field Office



**U.S. Department of Homeland Security
UNITED STATES SECRET SERVICE**

Boston Field Office
10 Causeway St., Suite 447
Boston, MA 02222-1080
Telephone: (617) 565-5640

File #: 102-775-60071-S

RECEIPT

On November 21, 2011 SA (b)(6), (b)(7)(C) Boston Field Office returned the below listed items to Martin Weinburg, Attorney for suspect Aaron Swartz.

<u>ITEM#</u>	<u>SSE 1644 Evidence S/N:</u>	<u>Description</u>
1	102 2011 CE 31	Scientific Atlantic Modem with Power Cord
4	"	Black Notebook Journal
1-6	102 2011 CE 32	Statements, Mail in Rebate, Notebook Paper with black writing, and Master's Thesis M-876 Lind
1	102 2011 CE 33	Wireless Broadband Router Linksys
1-6	102 2011 CE 36	Ipods, Wireless ITalk, and Thumbdrive
1	102 2011 CE 36	(39) Misc CD's
3-6	102 2011 CE 37	Pure Drive Harddrive , Disc Utility Internal Harddrive Upgrade, and Seagate Sata Internal Harddrive
1	102 2011 CE 81	(16) Department of Labor CD's

SIGNATURE (b)(6), (b)(7)(C)

DATE: 11/21/11

You have reached the cached page for <http://www.aaronsw.com/weblog/goa>

Below is a snapshot of the Web page as it appeared on 4/4/2011. This is the version of the page that was used for ranking your search results. The page may have changed since it was last cached. To see what might have changed (without the highlights), [go to the current page](#).

Yahoo! is not responsible for the content of this page.

RAW THOUGHT

Guerilla Open Access

by Aaron Swartz

A few months ago I got to attend a meeting in Bremo, Italy, a beautiful abandoned monastery deep into the European countryside. There, talking with others round the world, I realized that the Open Access movement simply wasn't enough -- even if we got all journals going forward to be open, the whole history of scientific knowledge would be locked up. We had to do something more.

Talking with others at the meeting, I realized what must be done. If we couldn't get free access to this knowledge, folks would have to take it. Guerilla open access. So I wrote up a manifesto:

"I agree," many say, "but what can we do? The companies hold the copyrights, they make enormous amounts of money by charging for access, and it's perfectly legal -- there's nothing we can do to stop them." But there is something we can, something that's already being done: we can fight back.

I'm announcing the project in a talk today at Software Freedom Day in Boston, but I'm also announcing it here:

Visit guerrillaopenaccess.com and join us.

September 20, 2008

[Read comments.](#)



CambridgeMA.gov

Search



Living Working Voting

FISCAL AFFAIRS

Press Here to view

Back to the Show Property Details

Property Database Search Results

950 Mass Ave, Unit (b)(6),(b)(7)(C)



Click on Photo to view larger image.

Property Information:
 Property Class: CONDOMINIUM
 State Class Code: 102
 Zoning (Uniform):
 Map/Lot: 120-40-330
 Land Area: 0

Property Value:
 Year of Assessment: 2011
 Tax District: R12
 Residential Exemption: No
 Building Value: \$308,800
 Land Value: \$0
 Assessed Value: \$308,800
 Sale Price: \$257,800
 Book/Page: 3266A/443
 Sale Date: March 28, 2001
 Previous Assessed Value: \$308,800

Related Information:

- GIS Map of this Property
- Show PDF Map
- Taxes

Comparable Sales Search

Owner Information:

Owner(s): (b)(6),(b)(7)(C)

This page contains much of the information used by the City of Cambridge to assess properties. The purpose of this information is to be used only for ad valorem taxation purposes and any other use is therefore not valid.

Building Information:

Condominium Building Number 1

EXTERIOR:

Style: APARTMENT
 Number of Stories: 1
 Floor Location: 3
 View: Average

INTERIOR:

Living Area: 508
 Total Rooms: 3
 Bedrooms: 1
 Kitchen: Full Above
 Full Baths: 1
 Half Baths: 0
 Fireplaces: 0
 Flooring: Hardwood
 Layout: Corner Unit
 Laundry in Unit: N

SYSTEMS:

Heat Type: Forced Air

CONDITION & GRADE:

Year Built 1999
Overall Condition VERY GOOD
Overall Grade Good

PARKING:
Open Parking 0
Covered Parking 0
Garage Parking 0

SUBAREAS:

Code	Description	Gross Area	Living Area
BAS	Flat Floor	500	500
Total		500	500

< Previous Property Next Property >

[Back to Search Results](#) [Search Again](#)





Host Lookup

visitor registration

name:

email:

phone:

days remaining: 4

last expiration date: 18 Oct 2010

MAC address:

status:

comment:
please include
contact info

record last updated by (b)(6),(b) at Wed Oct 13 15:54:22 2010 EDT

[Delete Host](#) [Update Host](#)

[Add feedback](#)



Host Lookup

visitor registration

name: Gary Hess

email: ghess@nic.mil.edu

phone: _____

days remaining: 9

last expiration date: 29-Sep-2010

MAC address: 0021577250

status: Active Inactive

comment:
please include
contact info:

record last updated by: (b)(6),(b)(7)(C) at Thu Sep 20 12:57:46 2010 EDT

[Delete Host](#) [Update Host](#)

[Log Feedback](#)



Host Lookup

visitor registration

name: Geo Host
email: geo@geohost.com
phone: _____
days remaining: 9
last expiration date: 12-Oct-2010
MAC address: 0817220076
status: Active Inactive
comment: _____
please include contact info: _____

record last updated by (b)(6),(b) [redacted]@mc.edu at Thu, Oct 14 10:45:57 2010 EDT

[Delete Host](#) [Update Host](#)

[faq](#) | [feedback](#)



Registering Your Computer

This registration will allow you to temporarily use the network as a visitor. By registering your computer, you are agreeing

- Don't let anyone know your password(s).
- Don't violate the privacy of other users.
- Don't interfere with the integrity of the system.
- Don't copy or misuse copyrighted material (including software).
- Don't use the network to harass anyone in any way.
- Don't restrict or deny access to the network by legitimate users.
- Don't use the network for private financial gain.

Please understand and follow the rules of use. Violations will result in loss of network service.

[Register](#)

[Request Feedback](#)



Visitor Registration

Please fill out the form below. You can use this registration for up to 14 days per year before you are required to formally register with us. If your registration expires and less than 14 days have been used, you will be diverted back to this form for an extension.

name:

Please do not include apostrophes

email:

limit of 32 characters

phone:

name of person/department you are visiting or event you are attending:

number of days (use 1 unless you know you will use the network for multiple consecutive days):

Register

for feedback

Introducing thinkful.org

A lot of the work I've been doing on Open Library for the past few months has to do with handling large quantities of data. After the writing comes to a close, I'll have to process millions of data, or processing with libraries to generate them to give the engine, or I'm evaluating algorithms for processing them, or building tools for viewing it.

And while I've been doing this for information about books, I've noticed my friends doing similar things in other fields. Engineers try to get huge data sets to work faster. Programmers get huge data sets to add features to their sites. Scientists try to make available data about the inner workings of the government.

And while each community has ways of talking to each other -- reporters talking to other reporters, NSF people talking to other NSF people, heavy business talking to other heavy business -- there's an opportunity that cuts across these typical lines, and that's one that, because there's a lot that we could share, from tips on how not to get caught when creating or using or making it easier to build big data sets and maps.

So that's why I've started a new community site for people who work with large amounts of data called thinkful.org and I'd really appreciate it if you joined the mailing list and spread the word.

<http://thinkful.org/>

January 22, 2008



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Current

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Google **Kittens JSTOR**

About 81,280 results (0.10 seconds) Advanced search

NEARBY STIMULATION ACTIVITY AND LEARNING BY CATS - JSTOR
by [H. Wilson](#) - 1955 - Cited by 32 - Related articles
of the kittens remained with their mothers and they roamed in large (25 x 25 x 20 in. ... Figure 1 shows that kittens handled in infancy (Group N and ...
www.jstor.org/stable/122928

Visuals - JSTOR site - FEAR OF STRANGERS AND PLAY BEHAVIOR IN ...
by [H. Wilson](#) - 1955 - Cited by 22 - Related articles
kittens each week. 100 kittens from the three groups were tested in each ... Results from
strength and endurance in the first 100 days of life ...
www.jstor.org/stable/122928

Fetal Neospora caninum infection in Kittens Fetal Neospora caninum ...
by [J.P. Dubey](#) - 1985 - Cited by 10 - Related articles
city, portions of brain from kittens 2 and 3 were inoculated up to cat cultures and other
portions ... and were in faces of kittens at their queen. Mother ...
www.jstor.org/stable/422285

Twenty healthy kittens (2-weeks-old) were divided into 10 groups ...
by [R.L. Ranges](#) - 1955 - Related articles
two kittens each. Two of the cats of groups one through five were given ... groups of kittens
were kept isolated and other observations were obtained ...
www.jstor.org/stable/422285

The Development of Play in Cats - JSTOR
by [P. Bauer](#) - 1978 - Cited by 72 - Related articles
circumstances in which we were observing the kittens, these tended to be ... the kittens
emerged from the nest box. Each two second sample hour of life was ...
www.jstor.org/stable/422285

Synaptic connections of physiologically identified ...
by [J.C. Anderson](#) - 1982 - Cited by 40 - Related articles
kittens. All three areas showed clustered subthreshold, activity in layer 4A. ... in overall context,
the areas from kittens fall within the adult range ...
www.jstor.org/stable/422285

see [Parasitology R. S. Besser, J. \(1980\) - new](#)
File Format: PDF Adobe Acrobat - Quick View
by [R. Parasitology](#) - 1976 - Cited by 55 - Related articles
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by [G.E. Mitchell](#) - 1981 - Cited by 25 - Related articles
Kittens Occasion on Recovery from Early Monocular Deprivation in ... The Royal Society is



By clicking the PURCHASE ARTICLE button, the user is taken to their shopping cart

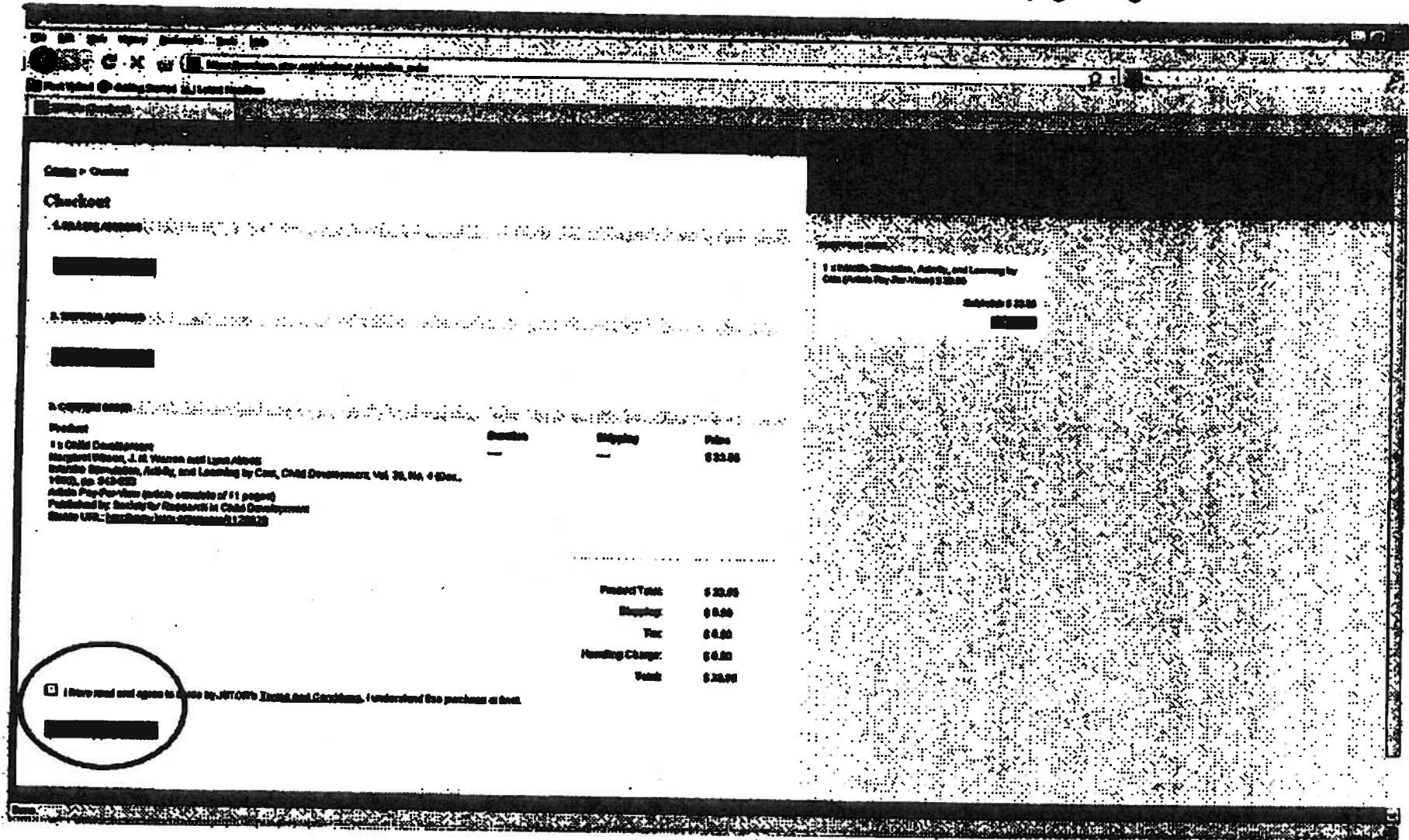
The screenshot shows a web browser window displaying a shopping cart. The page title is "Shopping Cart". The cart contains two items:

Quantity	Price
1	\$ 22.00
1	\$ 22.00

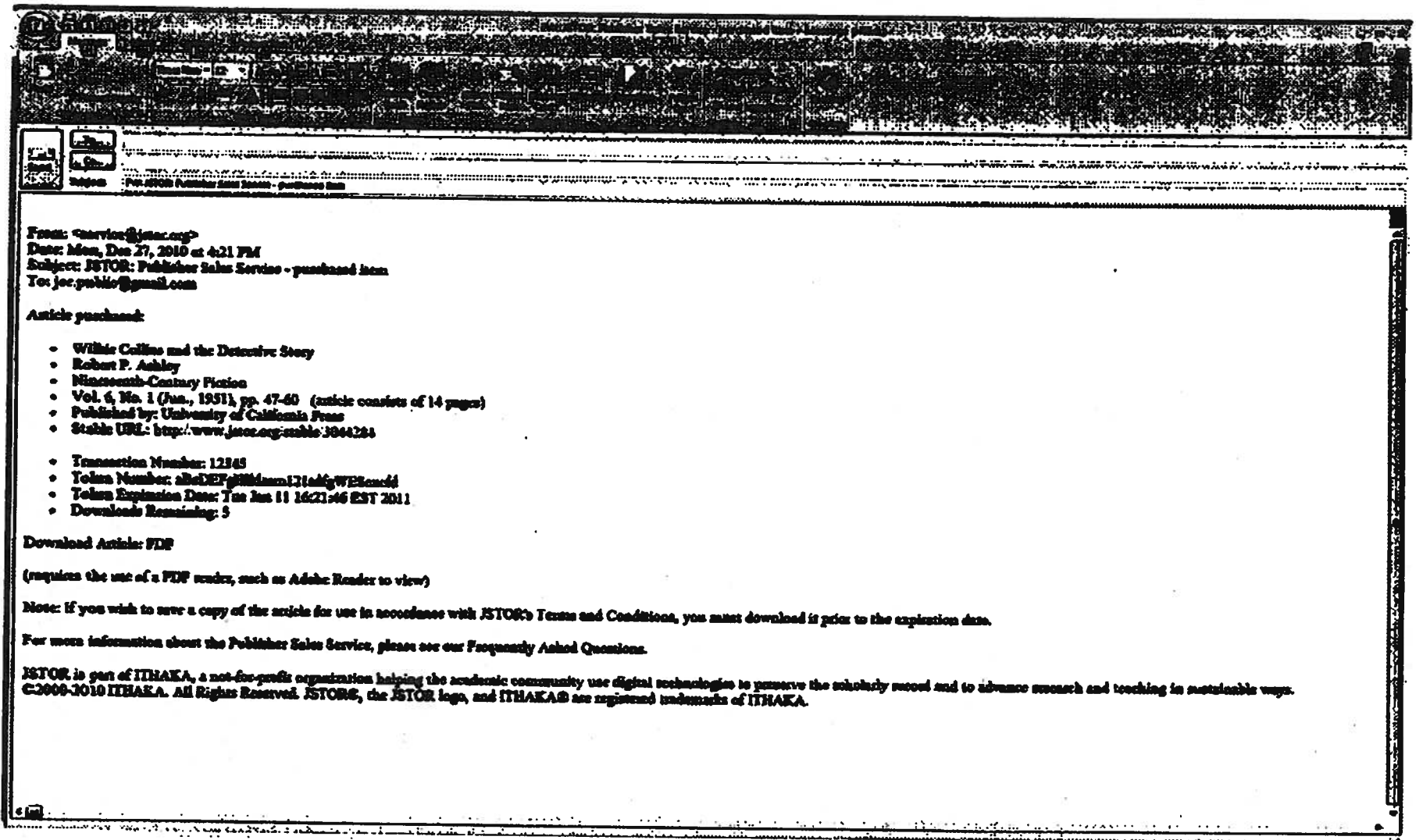
The first item is "Child Development" by Margaret W. Ross, J. M. Warren, and Lynn Abbeduto. The second item is "Intentional Reading, Writing, and Learning by Children" by Susan B. Neuman, et al. A "PURCHASE ARTICLE" button is highlighted with a red circle. Below the cart, there is a footer with copyright information for JSTOR.



By clicking the CONTINUE TO NEXT STEP button, the user is taken to our second checkout page – Page 2



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Below is a snapshot of the Web page as it appeared on 04/07/11. This is the version of the page that was used for making your attachment. The page may have changed since I was last checked. To see what might have changed, follow the highlighted path on current page.

Printed on 04/07/11

BAW THOUGHTS

by James Baw

Guerrilla Open Access

After months of getting stuck on the issue of Open Access, I finally found a way to get it done. (I'm talking about the way, not the Open Access movement itself, which is a great thing to get done, but I'm talking about the way to get it done.)

Talking with others in the movement, I realized that most of them were not getting it done. I realized that I was the only one who was getting it done.

"I got it," I said, "but what can we do?" The answer is simple: we can do it. We can do it by doing it. We can do it by doing it. We can do it by doing it.

The answer to the problem is simple: we can do it. We can do it by doing it. We can do it by doing it.

The answer to the problem is simple: we can do it. We can do it by doing it. We can do it by doing it.

September 2011

