

Documentation of the Evidence of Media Outlets Hacking NXIVM's Servers

From 2006 to 2010, *The Times Union* and *Vanity Fair* published hostile articles targeting NXIVM, Keith Raniere, and the Bronfmans. Members of these media outlets, working with former members of NXIVM, illegally accessed password-protected areas of NXIVM's website to obtain confidential information.

Forensic analysis traced multiple illegal accesses of confidential information to IP addresses belonging to *The Times Union*, *Vanity Fair* writer Suzanne Andrews, and Advanced Publications, the parent company of *Vanity Fair* and *Condé Nast*.¹

As a result of the investigation, in 2015, **a grand jury in Albany County indicted several individuals involved in the illegal accesses**², including 1 who pleaded guilty.³ Some of these individuals were closely associated with the EDNY prosecution and have played a prominent role in shaping the media narrative around this case.

The following documents are included as Exhibits herein:

1. Depositions by Ben Myers, IT Consultant for NXIVM (May & September 2012)
2. Declaration by Ben Myers, January 15, 2015 (IP addresses of fraudulent accessors)
3. Declaration by Ben Myers, October 20, 2015
4. Indictments returned by the Grand Jury of Albany County
5. Memorandum from former U.S. Attorney Dennis Burke (District of Arizona) to the U.S. Attorney for NDNY regarding the criminal referral for Vanity Fair writer Suzanna Andrews

¹ See Exhibit 2.

² See Exhibits 4 and 5.

³ See Robert Gavin, Blogger Pleads Guilty in Hacking Case, Times Union (Nov. 5, 2014), <https://www.timesunion.com/local/article/Blogger-pleads-guilty-in-hacking-case-5872651.php>.

Exhibit 1

BT

BT 09/26/12 11:25 AM

Supporting Deposition (CPL 100.20)**The People of the State of New York****-vs.-****Location of Incident**

State of New York Local Criminal Court
 County of Albany
 Town of Colonie

Location of Deposition

State of New York
 County of Saratoga
 Town of Clifton Park

**I, Benjamin T. Myers, date of birth [REDACTED] residing at [REDACTED]
 [REDACTED] voluntarily make the following
 written statement to Investigator Rodger Kirsopp of the New York State Police:**

I have previously provided a deposition on 04/18/12. I am an Information Technology professional and I am self employed. I am doing business as Solsys, LLC. I provide IT services for NXIVM and I have been providing these services for at least six and half years. I am providing the following information to clarify the information that was gathered by Steve Ose and myself during the course of our research of the database and web server files and logs.

Files

	File Name	Description
APACHE	APACHE.xlsx	This is an export of our Apache server log file filtered for IP addresses associated with MJP login attempts. This is a very standard, very widely used web server. According to a Netcraft survey, Apache holds a 61.45% market share of web servers on the internet (http://news.netcraft.com/archives/2012/07/03/july-2012-web-server-survey.html).
DB	DB.xlsx	This is an export from our own database table containing data associated with login attempts to nxian.net. This is data collected with a custom program.

Relevant General Contents

APACHE	
Datetime	The date/time of the server clock at the time the request is received by the server
Request	the page/file/information requested by the client computer
IP address	The IP address to which the server sends the requested data (the IP address from which the request originated)
bytes sent	How much data (in bytes) were sent from the server to the client computer

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user agent data*	Client information typically including data about the requesting computer's browser and operating system
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* User agent data includes

- Browser type and version making the request (ex: Firefox/6.0)
- Operating system and version of computer making the request (ex: Intel Mac OS X 10.6 rv: 6.0)

DB	
ID	database unique ID of record.
login name	username used in login attempt
id_pass	password used in login attempt
succ_fail	result of login attempt
login_time	The date/time of the server clock at the time the request is received by the server (Apache server)
IP_address	The IP address to which the server sends the requested data (the IP address from which the request originated) (from the Apache server)
locator_city	the general location associated with the IP address – acquired via publicly available ip locator tool
nxian number	ID number associated with the login username

General Summary

DB – Tells us login used, when, and what IP address that person is connecting with our server from

APACHE – Tells us exactly what was accessed/downloaded by each IP address

Our Process

The following describes how we determined that private, confidential data from our system was transferred from our server to the computers of individuals who did not have permission to access or acquire that data.

1. I was advised by Clare Bronfman that a current NXIVM client list was posted on a blog site. The list appeared to be a mirror image of information accessible only through the NXIVM website by members of NXIVM. Since each member is assigned individual usernames and passwords, I ran a list of all members who accessed the website around the time of the blog post. With the assistance of Clare Bronfman and Steve Ose, we were looking for any unusual activity of a particular member.
2. By checking the login attempts using (DB), we noticed that Mary Jane Pino (MJP) had an unusual amount of logins in between 2010 and 2011.
3. Clare and I suspected that the MJP login (maryjane) was being used by someone other than Mary Jane Pino to access our system with the intent to steal information.
 - a. Clare determined that the actual person associated with the username (Mary Jane Pino) was an active member in good standing (therefore

allowing her to have continued access to the website) but that she had not been participating or using her membership. Clare also inquired with people who knew her when she was active, and we found that there were no indications that she intended to become active again.

4. I then conducted a search through public information to determine the physical location of the IP addresses recorded in **DB**. The MJP logins traced back to a number of geographically distant locations, including at least one instance where the login was used at the same time period in two geographically distant locations.
5. To determine what data was downloaded using the MJP login credentials, I used the following process:
 - a. Searched for all MJP login attempts in **DB** – specifically pulling date-time of login attempt and IP address associated with login attempt
 - b. Search **APACHE** logs for all entries that have IP addresses used by MJP.
 - i. The IP address recorded in **DB** were pulled directly from the **APACHE** server.
 - c. In resulting data from **APACHE**, match date / time from each **DB** record with date/ time of **APACHE** log record.
 - i. The date/time recorded in **DB** and **APACHE** are from the same source – the hardware server clock. Both **DB** and **APACHE** exist on the same hardware server, so both share the same clock.
 - d. Filtered out records that were from locations associated with Nxivm and IP addresses that didn't have any relevant data transfers associated with them.
 - i. 24.97.168.75
 1. One MJP login with our IT override password – this was me, testing access for the mjp login.
 - ii. 67.248.93.29
 1. One mjp login, with the IT override password – again, testing.
 - iii. 66.109.54.90
 1. Two mjp login attempts on 2011-09-27 – failed – this was the day we shut down MJP access, and these attempts were to test to ensure the login was shut down.
 - e. Manually and programmatically correlated and verified the **APACHE** log entries associated with each individual MJP login entry in **DB**

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- i. For every **DB** entry there are many **APACHE** entries, because **APACHE** entry records every request made, whereas **DB** only records the login request data.
- f. Each **APACHE** record tells us what pages/data were accessed in each session

What the Data Tells Us

1. The **DB** data tells us when login attempts are made, what login credentials are used, and where the request for data from the server originates from. Specifically the IP address of the requestor.
2. From that **DB** data, we look at the **APACHE** data with the matching IP address and date/time. From the **APACHE** data we can see what data from the server was sent to the computer that was used to log in to the NXIVM private access web portal.
3. Within the **APACHE** data, we can examine the specific pages that were accessed by – and amount of data sent to – the IP address in question. We can determine the specific content that the person accessed through the 'data requested' part of the log.
 - a. Ex: 'GET /comm/tools/1contact.php HTTP/1.1' tells us that the person accessed the data rendered by the 'https://www.nxian.net/comm./tools/1contact.php' page – a page with names and contact information of participants.
4. The **APACHE** data also tells us the amount of data sent from the server to the requesting computer with each request.
5. With all this, we can say - very definitively - the following (for example):
 - a. A person at xxx.xxx.xxx.xxx IP address logged into Nxian.net at yyyy-mm-dd hh:mm:ss successfully using xxxxxx username and yyyyyyy password. (**DB**)
 - b. The person at the IP address defined in (a) accessed pages [a, b, c, d, e, f, g, h]. (**APACHE**)
 - c. Those pages contain applications [aa, bb, cc, dd, ee, ff, gg, hh], and those applications contain [data] data. (**this is determined by simply looking at the pages/applications**)
 - d. XXXXX bytes of data were sent from the server to the requesting IP address in each request (**APACHE**)

The data downloaded by these IP addresses could not be accessed legitimately without logging into the server. **APACHE** very clearly tracks exactly what data was sent and where it was sent, specifically to what IP addresses at what date/time.

Notable Private Data Accessed

The following is an example of data that contained private corporate information which was requested by IP addresses associated with illegitimate use of the MJP login

credentials. The data requested was sent from the system server to the machine at the requesting IP address. There is much more data that was transferred but this is an example of particularly sensitive corporate information.

- 1contact.php –list of active participants/clients including contact information
- Magreps/1index.php – this page contains a dropdown list containing 99% of the client names of the organization. One of the lists that were publicly posted appeared to match this list and included full names and ID numbers of clients. Due to the nature of how this list is displayed, it is possible, but time consuming, to manually copy all the names from this list. However, in order to acquire the names and ID number associated with each name, someone would need to both view the source code of the page and understand the code to some extent, which would require at least a base understanding of IT and/or web development to pull both names and associated ID numbers of the client list.
- Calendar – the calendar contains a list of upcoming trainings and other events. These events and the data associated with them are intended for organization clients/members only.
- Because video – this is a testimonial video intended to be viewed only by clients/members. It is in no way intended for viewing by people who have not already participated in trainings.

The data provided in the DB records dated between Feb 3, 2010 through Oct 31, 2011 are relevant because of the IP address captures. The Mary Jane Pino username and password were used prior to Feb 3, 2010. Those entries are not provided at this time because the IP addresses were not captured. The DB program was modified on or about Feb 3, 2010 to record the IP addresses. Because the IP addresses were not recorded in the DB program, we were not able to correlate the log in with the associated data on the APACHE logs. You could associate the log in with the APACHE logs but not through an IP address. You would be able to deduct that the log in date and time correlates with the APACHE log date and time.

The following IP addresses are suspected of illegal access to the NXIVM private access web portal.

172.131.55.185
173.86.169.21
207.237.232.82
24.39.203.50
65.37.35.176
67.248.49.143
69.2.120.11
71.197.137.141
71.244.122.39
72.226.58.91
74.46.60.59

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74.46.62.199
74.47.145.18
74.47.146.147
74.47.146.70
74.47.147.117
74.47.149.101
74.47.150.81
74.47.151.77
74.76.145.115
74.76.149.7
96.236.30.20
96.236.44.171

The DB records and APACHE logs are standard tracking processes that NXIVM uses and has used for an extended period of time. They are kept as a normal course of business. I can verify that these files have not been corrupted, manipulated or manufactured in any way.

Having reviewed this statement in its entirety, is it an accurate account of events to the best of your recollection? *Yes*

After reviewing this statement, is there anything you wish to add, delete or change? *No*

Has anyone forced or coerced you into making this statement against your will? *No*

///-----END OF STATEMENT-----///

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a Class A Misdemeanor,

Affirmed under the penalty of perjury
This 26th day of September 2012.

Signed: 

Inv Rodger Kirsopp, SP Clifton Park BCI

ET 09/26/12 @ 1:13 PM

BT 05/23/12 09:12 AM

Supporting Deposition (CPL 100.20)**The People of the State of New York****-vs.-**

<u>Location of Incident</u>	<u>Location of Deposition</u>
State of New York Local Criminal Court	State of New York
County of Albany	County of Saratoga
Town of Colonie	Town of Clifton Park

I, Benjamin T. Myers, date of birth [REDACTED] residing at [REDACTED] voluntarily make the following written statement to Investigator Rodger Kirsopp of the New York State Police:

I am an IT professional and I am a contractor working for NXIVM. I do business as Solsys and I have been doing work NXIVM since 2006.

As part of my employment, I am charged with a daily audit of the log in system for the NXIVM website. I am knowledgeable of the website and the software that is used to run the website.

The website uses a username and password log in process to gain access to the website on a log in credentials page. It captures the users credentials, including the time and date stamp and IP address associated to the log in. The system is set up so only certain users can gain access to certain areas of the website. Lower members would have limited access and higher members would have greater access. Also it would depend on the individual's role with NXIVM on where they would be allowed to have access to certain pages in the website.

The daily audits of the system were not always done until some material from the website began to show up on the blog at Saratoga in Decline. The system always captured the information but the daily audits were not done on a regular basis. The daily audits were done at the request of Clare Bronfman.

I am not sure of the specific date, but we started looking at the log ins and determining if they were active members or not. If it was a member that we had not heard from in a while, we would use a process of elimination to determine if they were active or suspicious in nature. Through our process of elimination, we determined that Mary J Pinot had used her user name and password to gain access to the website. I then looked at the logs to determine what pages that she had accessed. I determined that the pages that she had accessed on the website were pages that contained information that was released through the blog. I looked closer at the log ins for Mary J Pinot and located multiple log ins and they appeared pretty regular.

I provided this information to Clare Bronfman.

Having reviewed this statement in its entirety, is it an accurate account of events to the best of your recollection?

Yes

After reviewing this statement, is there anything you wish to add, delete or change?

No

Has anyone forced or coerced you into making this statement against your will?

No

///-----END OF STATEMENT-----///

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a Class A Misdemeanor.

Affirmed under the penalty of perjury

This 18th day of April 2012.

23rd day May 2012

Signed:

[Signature]

[Signature]

Inv Rodger Kirsopp, SP Clifton Park BCI

ET 04/18/12 @ 4:23 PM

5/23/12 @ 9:37 AM

Exhibit 2

CERTIFICATION

I hereby certify, to the best of my knowledge, information, and belief, that:

My name is Benjamin Myers. I am a United States citizen and I am over eighteen years of age. I am the custodian of records of the business named above, or I am otherwise qualified as a result of my position with the business named above to make this decision.

I am in receipt of a request for specified records of the business named below. This certification is for documents provided on January 14, 2014 in regards to New York State Police Investigation, case number 4582273. I hereby certify that the records attached hereto:

1. Were made at or near the time of the occurrence of the matters set forth in the records, by, or from information transmitted by, a person with knowledge of those matters;
2. Were kept in the course of the regularly conducted business activity; and
3. Were made by the regularly conducted business activity as a regular practice.

Executed on 11/15/15


Benjamin Myers
Principal

Solsys, LLC


(Notary Public)

(notary stamp and when commissions expires)



Email addresses derived from scans of recovered drive that are associated with our mjp IP address list.

We scanned the recovered drive for each IP address in our list and on that drive we found emails originating from the below IP addresses and pulled the email addresses that the email was sent from.

173.86.169.21	
Associated email address(es) - the FROM field in the email	Toni Foley [REDACTED] Toni Natalie [REDACTED]

96.236.30.20	
Associated email address(es) - the FROM field in the emails	Richard Croak [REDACTED]

74.46.60.59	
Associated email address(es) - the FROM field in the emails	Toni Natalie [REDACTED] Toni Foley [REDACTED] Toni Foley [REDACTED]

72.226.58.91	
Associated email address(es) - the FROM field in the emails	john tigue [REDACTED]

71.197.137.141	
Associated email address(es) - the FROM field in the emails	Susan Dones [REDACTED]

207.237.232.82	
Associated email address(es) - the FROM field in the emails	Andrews Suzanna [REDACTED] Suzanna Andrews [REDACTED]

24.39.203.50	
Associated email address(es) - the FROM field in the emails	[REDACTED]

74.46.62.199	
Associated email address(es)	Toni Foley [REDACTED]

– the FROM field in the emails	
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96.236.44.171	
Associated email address(es) – the FROM field in the emails	"Joe OHara" [REDACTED]

71.244.122.39	
Associated email address(es) – the FROM field in the emails	[REDACTED]

74.46.62.199	
Associated email address(es) – the FROM field in the emails	Toni Foley [REDACTED]

74.47.145.18	
Associated email address(es) – the FROM field in the emails	Toni Foley [REDACTED]

Date time	S/F		IP	ISP	City,State	Confirmed Owner
03/25/2006 20:22:12	SUCCESS	bjl1982	151.203.9.236	Verizon, Dynamic	Brighton, MA	
2006-04-07 13:24:39			167.166.80.145	The Times Union	Albany, NY	
					Newtonville, MA	
04/25/2006 13:08:06	SUCCESS	bjl1982	141.154.242.38	Verizon, Dynamic	Newtonville, MA	
04/25/2006 13:10:29	SUCCESS	bjl1982	141.154.242.38	Verizon, Dynamic	MA	
05/11/2006 16:27:53	SUCCESS	bjl1982	141.154.199.221	Verizon, Dynamic	Reverer, MA	
07/15/2006 11:23:01	SUCCESS	bjl1982	141.154.235.238	Verizon, Dynamic	Belmont, MA	
07/17/2006 11:41:25	SUCCESS	bjl1982	141.154.235.238	Verizon, Dynamic	Belmont, MA	
07/18/2006 15:03:40	FAIL	mjpino	141.154.235.238	Verizon, Dynamic	Belmont, MA	
07/18/2006 15:03:55	SUCCESS	bjl1982	141.154.235.238	Verizon, Dynamic	Belmont, MA	
08/24/2006 15:42:11	SUCCESS	bjl1982	72.43.251.52	Road Runner, Static	Rochester, NY	
08/24/2006 15:47:43	SUCCESS	bjl1982	72.43.251.52	Road Runner, Static	Rochester, NY	
					Charlestown, MA	
08/24/2006 16:39:51	SUCCESS	bjl1982	151.203.234.64	Verizon, Dynamic	MA	
08/26/2006 11:23:56	SUCCESS	bjl1982	72.43.251.52	Road Runner, Static	Rochester, NY	
08/26/2006 13:24:41	SUCCESS	bjl1982	72.43.251.52	Road Runner, Static	Rochester, NY	
					Charlestown, MA	
08/28/2006 09:59:29	SUCCESS	bjl1982	151.203.234.64	Verizon, Dynamic	MA	
					Charlestown, MA	
08/28/2006 11:21:24	SUCCESS	bjl1982	151.203.234.64	Verizon, Dynamic	MA	
08/28/2006 11:44:36	SUCCESS	bjl1982	64.246.146.33	INOC	Oneonta	
08/28/2006 11:48:51	SUCCESS	bjl1982	64.246.146.33	INOC	Oneonta	
08/28/2006 11:56:49	SUCCESS	bjl1982	64.246.146.33	INOC	Oneonta	
08/28/2006 12:07:20	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
08/28/2006 12:12:48	SUCCESS	bjl1982	72.43.251.52	Road Runner, Static	Rochester, NY	
08/28/2006 12:15:25	SUCCESS	bjl1982	72.43.251.52	Road Runner, Static	Rochester, NY	
08/28/2006 12:40:36	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
08/28/2006 13:02:16	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
08/28/2006 13:08:27	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	

08/28/2006 13:35:37	SUCCESS	bjl1982	64.246.146.33	INOC	Oneonta	
08/28/2006 13:46:59	FAIL	bjl1952	64.246.146.33	INOC	Oneonta	
08/28/2006 13:48:02	FAIL	bjl1952	64.246.146.33	INOC	Oneonta	
08/28/2006 14:41:22	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
08/28/2006 15:12:52	SUCCESS	bjl1982	24.97.136.234	Road Runner, Static	Saratoga Springs	
08/28/2006 15:21:36	SUCCESS	bjl1982	24.97.136.234	Road Runner, Static	Saratoga Springs	
08/28/2006 15:41:21	SUCCESS	bjl1982	24.97.136.234	Road Runner, Static	Saratoga Springs	
08/28/2006 15:42:21	SUCCESS	bjl1982	24.97.138.86	Road Runner, Static	Albany	
08/28/2006 17:24:48	SUCCESS	bjl1982	24.97.136.234	Road Runner, Static	Saratoga Springs	
08/28/2006 21:13:45	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
08/28/2006 21:26:12	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
08/28/2006 21:31:59	FAIL	jbl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
08/28/2006 21:32:23	FAIL	bsl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
08/28/2006 21:32:43	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
08/29/2006 16:24:56	SUCCESS	bjl1982	64.246.146.33	INOC	Oneonta	
08/29/2006 16:27:20	FAIL	jbl1982	64.246.146.33	INOC	Oneonta	
08/29/2006 16:27:43	SUCCESS	bjl1982	64.246.146.33	INOC	Oneonta	
08/29/2006 16:38:28	SUCCESS	bjl1982	64.246.146.33	INOC	Oneonta	
08/29/2006 20:57:10	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
09/01/2006 13:11:41	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
09/01/2006 13:25:05	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
09/01/2006 15:12:26	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
09/01/2006 15:52:12	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
09/01/2006 18:42:55	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
09/03/2006 19:01:29	SUCCESS	bjl1982	68.233.75.226	Taleo Corporation, Static	Dublin, CA	

09/03/2006 19:17:30	SUCCESS	bjl1982	68.233.75.226	Taleo Corporation, Static	Dublin, CA	
09/05/2006 22:14:30	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
09/07/2006 08:09:01	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
09/07/2006 08:10:52	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
09/07/2006 12:37:21	SUCCESS	bjl1982	64.246.146.33	INOC	Oneonta	
09/07/2006 12:40:48	SUCCESS	bjl1982	64.246.146.33	INOC	Oneonta	
09/07/2006 15:31:21	SUCCESS	bjl1982	64.246.146.33	INOC	Oneonta	
09/07/2006 17:02:33	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
09/08/2006 16:26:27	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
09/10/2006 16:24:45	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
09/11/2006 17:21:27	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
09/12/2006 11:03:00	SUCCESS	bjl1982	166.214.34.29	Wireles Data Service Provider (cingular)	?	
09/12/2006 23:13:04	SUCCESS	bjl1982	166.214.36.178	Wireles Data Service Provider (cingular)	?	
09/13/2006 19:05:46	SUCCESS	bjl1982	151.203.197.173	Verizon, Dynamic	Boston, MA	
09/13/2006 19:12:43	SUCCESS	bjl1982	151.203.197.173	Verizon, Dynamic	Boston, MA	
09/14/2006 10:57:31	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
09/15/2006 13:55:09	FAIL	BJL1982	72.43.251.60	Road Runner, Static	Rochester, NY	
09/15/2006 13:55:36	SUCCESS	bjl1982	72.43.251.60	Road Runner, Static	Rochester, NY	
09/15/2006 17:36:42	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
09/15/2006 18:49:00	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
09/16/2006 21:01:33	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
09/18/2006 10:46:32	SUCCESS	bjl1982	24.97.136.234	Road Runner, Static	Saratoga Springs	
09/19/2006 12:16:03	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
09/22/2006 14:38:06	SUCCESS	bjl1982	64.246.146.33	INOC	Oneonta	
09/22/2006 14:46:38	SUCCESS	bjl1982	64.246.146.33	INOC	Oneonta	
09/23/2006 10:07:41	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
09/24/2006 11:01:05	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	

09/25/2006 15:44:39	SUCCESS	bjl1982	167.166.80.145	The Times Union	Albany, NY	
09/27/2006 17:47:11	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
10/02/2006 10:15:46	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
10/03/2006 19:20:58	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
10/05/2006 10:33:43	SUCCESS	bjl1982	141.154.237.250	Verizon, Dynamic	Quincy, MA	
10/06/2006 10:16:00	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
10/08/2006 13:09:26	SUCCESS	bjl1982	72.43.251.60	Road Runner, Static	Rochester, NY	
10/24/2006 10:24:20	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
				Wireles Data Service Provider (cingular)	?	
11/01/2006 17:16:27	SUCCESS	bjl1982	166.214.24.57			
11/06/2006 10:35:52	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
11/06/2006 10:52:34	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
11/10/2006 18:33:17	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
11/11/2006 13:55:27	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
11/11/2006 14:12:54	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
11/11/2006 14:16:48	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
11/13/2006 20:56:08	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
11/15/2006 13:43:12	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
11/17/2006 10:27:29	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
11/26/2006 13:45:16	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
11/28/2006 09:46:40	FAIL	bjl1082	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
11/28/2006 09:47:13	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
11/29/2006 10:57:14	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
12/08/2006 18:49:50	SUCCESS	bjl1982	64.246.146.33	Inoc	Oneonta, NY	
12/13/2006 14:11:34	SUCCESS	bjl1982	24.92.51.39	Road Runner, Dynamic	Waterford, NY	
				America Online, Dynamic	?	
12/26/2006 11:44:16	SUCCESS	bjl1982	172.164.14.43			
12/26/2006 15:15:01	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
				America Online, Dynamic	?	
01/05/2007 18:36:48	FAIL	bjl1980	172.147.167.71			

01/05/2007 18:37:27	SUCCESS	bjl1982	172.147.167.71	America Online, Dynamic	?	
01/14/2007 19:02:58	SUCCESS	bjl1982	24.92.48.14	Road Runner, Dynamic	Troy, NY	
01/20/2007 15:33:45	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
01/28/2007 13:01:37	FAIL	vj;1982	24.92.48.14	Road Runner, Dynamic	Troy, NY	
01/28/2007 13:01:59	SUCCESS	bjl1982	24.92.48.14	Road Runner, Dynamic	Troy, NY	
01/28/2007 13:07:00	SUCCESS	bjl1982	24.92.48.14	Road Runner, Dynamic	Troy, NY	
01/28/2007 20:08:58	SUCCESS	bjl1982	24.92.48.14	Road Runner, Dynamic	Troy, NY	
02/06/2007 14:50:54	SUCCESS	bjl1982	24.92.48.14	Road Runner, Dynamic	Troy, NY	
02/07/2007 14:12:29	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
02/15/2007 15:40:26	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
02/18/2007 19:08:09	SUCCESS	bjl1982	24.92.48.14	Road Runner, Dynamic	Troy, NY	
02/21/2007 10:49:31	FAIL	blj1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
02/22/2007 09:21:25	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
02/22/2007 09:32:46	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
02/22/2007 09:42:38	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
02/25/2007 16:22:21	SUCCESS	bjl1982	24.92.48.14	Road Runner, Dynamic	Troy, NY	
03/01/2007 23:06:04	SUCCESS	bjl1982	24.92.48.14	Road Runner, Dynamic	Troy, NY	
03/06/2007 19:49:28	SUCCESS	bjl1982	24.92.48.14	Road Runner, Dynamic	Troy, NY	
03/09/2007 18:30:48	SUCCESS	bjl1982	24.92.48.14	Road Runner, Dynamic	Troy, NY	
03/11/2007 14:08:52	SUCCESS	bjl1982	24.92.48.14	Road Runner, Dynamic	Troy, NY	
03/19/2007 10:14:49	SUCCESS	bjl1982	72.226.68.163	Road Runner, Static	Troy, NY	
04/03/2007 13:58:17	SUCCESS	bjl1982	64.246.146.33	Inoc	Oneonta, NY	
04/04/2007 17:04:27	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
04/15/2007 12:23:26	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
04/15/2007 12:36:22	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
04/15/2007 12:48:49	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
04/15/2007 12:54:37	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
04/15/2007 13:13:00	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
04/15/2007 14:04:03	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
04/15/2007 14:10:58	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	

04/15/2007 14:33:20	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
04/15/2007 17:24:13	SUCCESS	bjl1982	66.66.121.181	Road Runner, Dynamic	Rochester, NY	
04/18/2007 12:09:40	SUCCESS	bjl1982	24.105.183.6	Road Runner, Static	Seneca Falls, NY	
04/18/2007 12:12:13	SUCCESS	bjl1982	24.105.183.6	Road Runner, Static	Seneca Falls, NY	
04/26/2007 13:17:09	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
05/17/2007 01:37:18	SUCCESS	bjl1982	24.18.243.255	Comcast	Seattle, WA	
05/17/2007 01:39:07	SUCCESS	bjl1982	24.92.48.14	Road Runner, Dynamic	Troy, NY	
05/19/2007 16:42:50	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
06/20/2007 18:35:51	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
07/12/2007 10:52:44	SUCCESS	bjl1982	65.96.24.218	Comcast	Harwich, MA	
07/27/2007 21:55:06	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
07/31/2007 16:24:12	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
08/08/2007 11:51:26	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
08/10/2007 21:42:44	SUCCESS	bjl1982	74.70.120.156	Road Runner, Dynamic	Schenectady, NY	
08/20/2007 23:41:37	SUCCESS	bjl1982	24.195.247.33	Road Runner, Dynamic	Albany	
08/22/2007 01:04:45	SUCCESS	bjl1982	24.195.247.33	Road Runner, Dynamic	Albany	
08/27/2007 01:23:24	SUCCESS	bjl1982	24.195.247.33	Road Runner, Dynamic	Albany	
08/27/2007 16:12:19	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
08/31/2007 23:54:23	SUCCESS	bjl1982	24.195.247.33	Road Runner, Dynamic	Albany	
08/31/2007 23:59:59	SUCCESS	bjl1982	24.195.247.33	Road Runner, Dynamic	Albany	
09/11/2007 01:50:16	SUCCESS	bjl1982	24.195.247.33	Road Runner, Dynamic	Albany	
09/11/2007 01:51:20	SUCCESS	bjl1982	24.195.247.33	Road Runner, Dynamic	Albany	
09/11/2007 16:00:32	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
09/27/2007 14:30:33	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
09/27/2007 15:16:14	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
10/01/2007 16:10:53	FAIL	BJL1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
10/01/2007 16:11:13	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
10/01/2007 17:10:45	FAIL	BJL1982	72.79.105.201	Verizon	Kearny, NJ	

				International Immigration Foundation (Broadview Networks)	Brooklyn, NY	
10/01/2007 17:16:41	SUCCESS	bjl1982	64.115.124.74			
10/01/2007 17:17:33	FAIL	BJL2982	72.79.105.201	Verizon	Kearny, NJ	
10/01/2007 17:17:52	FAIL	BJL2982	72.79.105.201	Verizon	Kearny, NJ	
10/01/2007 17:18:50	SUCCESS	bjl1982	72.79.105.201	Verizon	Kearny, NJ	
10/01/2007 22:35:55	SUCCESS	bjl1982	72.79.105.201	Verizon	Kearny, NJ	
10/02/2007 00:16:05	SUCCESS	bjl1982	72.79.105.201	Verizon	Kearny, NJ	
10/02/2007 12:26:14	SUCCESS	bjl1982	72.79.105.201	Verizon	Kearny, NJ	
10/02/2007 17:22:24	SUCCESS	bjl1982	167.166.23.253	Times Union	Saratoga Springs	
10/03/2007 02:02:38	SUCCESS	bjl1982	24.195.247.33	Road Runner, Dynamic	Albany	
10/04/2007 10:33:02	SUCCESS	bjl1982	68.196.159.132	Optimum Online	Nanuet, NY	
10/04/2007 16:32:53	SUCCESS	bjl1982	64.115.124.74	International Immigration Foundation (Broadview Networks)	Brooklyn, NY	
10/8/07 13:23	Success		64.115.124.74	International Immigration Foundation (Broadview Networks)	Brooklyn, NY	
10/08/2007 13:59:46	SUCCESS	bjl1982	172.135.47.131	America Online, Dynamic		
10/08/2007 14:04:26	FAIL	bjl1962	172.135.47.131	America Online, Dynamic		
10/08/2007 14:04:50	SUCCESS	bjl1982	172.135.47.131	America Online, Dynamic		
10/08/2007 14:23:45	SUCCESS	bjl1982	76.167.234.97	Road Runner, Dynamic	Ventura, CA	
10/08/2007 14:43:54	SUCCESS	bjl1982	167.166.23.253	Times Union	Saratoga Springs	
10/08/2007 15:33:19	SUCCESS	bjl1982	205.203.128.142	Dow Jones-Telerate	NY, NY	

10/09/2007 15:15:30	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
				America Online, Dynamic		
10/09/2007 17:52:16	SUCCESS	bjl1982	172.163.104.227	America Online, Dynamic		
10/15/2007 19:41:20	SUCCESS	bjl1982	172.163.218.27	America Online, Dynamic		
10/16/2007 17:27:56	SUCCESS	bjl1982	24.105.186.129	Road Runner, Static	Henrietta, NY	
10/27/2007 01:51:57	SUCCESS	bjl1982	24.195.247.33	Road Runner, Dynamic	Albany	
10/27/2007 01:52:44	SUCCESS	bjl1982	24.195.247.33	Road Runner, Dynamic	Albany	
11/03/2007 15:53:30	SUCCESS	bjl1982	208.125.146.90	Road Runner, Static	Rochester, NY	
11/03/2007 15:54:50	SUCCESS	bjl1982	208.125.146.90	Road Runner, Static	Rochester, NY	
11/03/2007 15:55:48	SUCCESS	bjl1982	208.125.146.90	Road Runner, Static	Rochester, NY	
12/06/2007 21:20:46	FAIL	BJL1982	24.195.247.33	Road Runner, Dynamic	Albany	
12/06/2007 21:21:19	FAIL	BJL1982	24.195.247.33	Road Runner, Dynamic	Albany	
12/06/2007 21:21:56	SUCCESS	bjl1982	24.195.247.33	Road Runner, Dynamic	Albany	
01/14/2008 20:28:04	SUCCESS	bjl1982	24.149.58.165	Earthlink	Poestenkill, NY	
01/14/2008 20:33:36	SUCCESS	bjl1982	24.149.58.165	Earthlink	Poestenkill, NY	
01/14/2008 21:24:46	SUCCESS	bjl1982	74.70.25.182	Road Runner, Dynamic	Keene, NH	
					Saratoga Springs	
01/16/2008 17:34:30	SUCCESS	bjl1982	24.97.136.234	Road Runner	Saratoga Springs	
01/17/2008 17:59:57	SUCCESS	bjl1982	24.195.247.33	Road Runner, Dynamic	Albany	
01/25/2008 17:02:35	SUCCESS	bjl1982	208.125.146.90	Road Runner, Static	Rochester, NY	
01/25/2008 17:03:59	SUCCESS	bjl1982	208.125.146.90	Road Runner, Static	Rochester, NY	
01/30/2008 22:12:38	SUCCESS	bjl1982	24.195.247.33	Road Runner, Dynamic	Albany	
02/02/2008 18:41:20	SUCCESS	bjl1982	208.125.146.90	Road Runner, Static	Rochester, NY	
02/11/2008 03:02:52	SUCCESS	bjl1982	24.195.247.33	Road Runner, Dynamic	Albany	
03/05/2008 21:00:33	SUCCESS	bjl1982	24.195.247.33	Road Runner, Dynamic	Albany	
03/06/2008 23:57:17	SUCCESS	bjl1982	24.149.58.165	Earthlink	Poestenkill, NY	
03/06/2008 23:58:58	SUCCESS	bjl1982	208.125.160.90	Road Runner, Static	Rochester, NY	
03/07/2008 13:29:42	SUCCESS	bjl1982	72.43.11.34	Road Runner, Static	Albany	
03/07/2008 13:29:50	SUCCESS	bjl1982	24.149.58.165	Earthlink	Poestenkill, NY	
03/07/2008 14:35:19	SUCCESS	bjl1982	24.149.58.165	Earthlink	Poestenkill, NY	

03/07/2008 15:06:48	SUCCESS	bjl1982	208.125.160.90	Road Runner, Static	Rochester, NY	
03/07/2008 16:52:51	SUCCESS	bjl1982	208.125.160.90	Road Runner, Static	Rochester, NY	
03/07/2008 16:57:14	SUCCESS	bjl1982	208.125.160.90	Road Runner, Static	Rochester, NY	
03/13/2008 15:05:44	SUCCESS	bjl1982	72.10.215.229	Inoc	Troy, NY	
03/17/2008 10:35:13	SUCCESS	bjl1982	208.125.160.158	Road Runner, Static	Albany	
04/04/2008 13:32:02	SUCCESS	bjl1982	24.97.136.234	Road Runner, Static	Saratoga Springs	
04/04/2008 13:32:22	SUCCESS	bjl1982	24.97.136.234	Road Runner, Static	Saratoga Springs	
04/07/2008 00:02:42	SUCCESS	bjl1982	24.195.247.33	Road Runner, Dynamic	Albany	
04/16/2008 21:07:28	FAIL	BJL1982	24.195.247.33	Road Runner, Dynamic	Albany	
04/16/2008 21:08:22	SUCCESS	bjl1982	24.195.247.33	Road Runner, Dynamic	Albany	
04/16/2008 21:09:08	SUCCESS	bjl1982	24.195.247.33	Road Runner, Dynamic	Albany	
04/16/2008 21:35:32	SUCCESS	bjl1982	64.115.124.74	International Immigration Foundation (Broadview Networks)	Brooklyn, NY	
04/16/2008 21:36:23	SUCCESS	bjl1982	64.115.124.74	International Immigration Foundation (Broadview Networks)	Brooklyn, NY	
04/16/2008 21:39:13	SUCCESS	bjl1982	64.115.124.74	International Immigration Foundation (Broadview Networks)	Brooklyn, NY	
05/02/2008 12:33:04	SUCCESS	bjl1982	64.115.124.74	International Immigration Foundation (Broadview Networks)	Brooklyn, NY	
05/02/2008 12:36:18	SUCCESS	bjl1982	208.105.218.190	Road Runner, Static	Rochester, NY	
05/02/2008 12:40:48	SUCCESS	bjl1982	167.166.80.201	Times Union	Albany	
05/02/2008 16:32:21	SUCCESS	bjl1982	208.105.218.190	Road Runner, Static	Rochester, NY	

05/06/2008 19:25:32	SUCCESS	bjl1982	64.115.124.74	International Immigration Foundation (Broadview Networks)	Brooklyn, NY	
05/07/2008 10:44:18	SUCCESS	bjl1982	64.115.124.74	International Immigration Foundation (Broadview Networks)	Brooklyn, NY	
06/26/2008 18:42:40	SUCCESS	bjl1982	24.195.247.33	Road Runner, Dynamic	Albany	
07/03/2008 00:45:05	SUCCESS	bjl1982	24.195.247.33	Road Runner, Dynamic	Albany	
07/04/2008 13:32:22	FAIL	bjl1982	24.195.247.33	Road Runner, Dynamic	Albany	
07/04/2008 13:32:42	SUCCESS	bjl1982	24.195.247.33	Road Runner, Dynamic	Albany	
07/17/2008 02:31:17	SUCCESS	bjl1982	24.195.247.33	Road Runner, Dynamic	Albany	
07/17/2008 02:39:50	SUCCESS	bjl1982	24.195.247.33	Road Runner, Dynamic	Albany	
07/22/2008 02:39:05	SUCCESS	bjl1982	24.195.247.33	Road Runner, Dynamic	Albany	
07/27/2008 17:36:07	SUCCESS	bjl1982	208.105.218.190	Road Runner Commercial		
07/28/2008 23:40:38	SUCCESS	bjl1982	24.195.247.33	Dynamic	Albany	
08/03/2008 03:30:42	SUCCESS	bjl1982	24.195.247.33	Dynamic	Albany	
08/07/2008 03:00:31	SUCCESS	bjl1982	24.195.247.33	Dynamic	Albany	
08/09/2008 19:36:11	SUCCESS	bjl1982	208.105.218.190	Road Runner Commercial		
08/18/2008 03:11:34	SUCCESS	bjl1982	24.195.247.33	Dynamic	Albany	
08/20/2008 02:43:54	SUCCESS	bjl1982	24.195.247.33	Dynamic	Albany	
08/26/2008 02:12:47	SUCCESS	bjl1982	24.195.247.33	Dynamic	Albany	
09/04/2008 03:06:58	SUCCESS	bjl1982	24.195.247.33	Dynamic	Albany	
09/07/2008 17:30:29	SUCCESS	bjl1982	24.195.247.33	Dynamic	Albany	
09/07/2008 17:31:22	SUCCESS	bjl1982	24.195.247.33	Dynamic	Albany	
09/08/2008 16:50:36	SUCCESS	bjl1982	24.195.247.33	Dynamic	Albany	
09/15/2008 02:58:05	SUCCESS	bjl1982	24.195.247.33	Dynamic	Albany	
10/13/2008 18:11:14	SUCCESS	bjl1982	24.195.247.33	Dynamic	Albany	

10/19/2008 23:51:02	SUCCESS	bjl1982	24.195.247.33	Dynamic	Albany	
				America Online, Dynamic		
11/04/2008 23:00:36	SUCCESS	bjl1982	172.164.147.210	Dynamic		
11/12/2008 22:53:23	SUCCESS	bjl1982	24.195.247.33	Dynamic	Albany	
12/04/2008 00:42:52	SUCCESS	bjl1982	24.195.247.33	Dynamic	Albany	
12/18/2008 01:14:28	SUCCESS	bjl1982	24.195.247.33	Dynamic	Albany	
01/03/2009 17:50:05	SUCCESS	bjl1982	208.105.222.113	Road Runner, Static	Rochester, NY	
01/08/2009 20:05:49	SUCCESS	bjl1982	24.195.247.33	Dynamic	Albany	
01/29/2009 18:20:17	SUCCESS	bjl1982	74.70.75.247	Road Runner		
02/03/2010 13:08:05	SUCCESS	bjl1982	71.244.122.39	Verizon FiOS	Albany	
05/17/2010 14:31:13	SUCCESS	bjl1982	67.248.49.143	Roadrunner	Albany	
05/29/2010 01:07:56	SUCCESS	bjl1982	172.131.55.185	AOL (dial up)		
06/07/2010 01:45:32	SUCCESS	bjl1982	67.248.49.143	Roadrunner	Albany	
06/10/2010 02:02:38	SUCCESS	bjl1982	67.248.49.143	Roadrunner	Albany	
06/16/2010 21:42:10	SUCCESS	bjl1982	67.248.49.143	Roadrunner	Albany	
07/06/2010 14:30:48	FAIL	bjl1982	24.39.203.50	Road Runner	Albany	Barbara Bouchey
07/06/2010 14:31:09	FAIL	bjl1982	24.39.203.50	Road Runner	Albany	Barbara Bouchey
07/06/2010 14:31:38	FAIL	bjl1982	24.39.203.50	Road Runner	Albany	Barbara Bouchey
07/08/2010 01:33:20	SUCCESS	bjl1982	67.248.49.143	Roadrunner	Albany	
				Frontier Communications	Fairport, NY	
07/08/2010 16:53:18	SUCCESS	bjl1982	74.47.147.117	Frontier Communications	Fairport, NY	
07/09/2010 09:13:48	SUCCESS	bjl1982	74.47.147.117	Frontier Communications	Fairport, NY	
2010-07-09 23:23:45	SUCCESS	bjl1982	207.237.232.82	RCN Corporation	NY, NY	Suzanne Andrews
07/10/2010 15:11:52	SUCCESS	bjl1982	207.237.232.82	RCN Corporation	NY, NY	Suzanne Andrews
				Frontier Communications	Fairport, NY	
07/10/2010 15:11:58	SUCCESS	bjl1982	74.47.147.117	Frontier Communications	Fairport, NY	
07/13/2010 20:48:35	SUCCESS	bjl1982	67.248.49.143	Roadrunner	Albany	

07/15/2010 18:51:18	SUCCESS	bjl1982	74.47.147.117	Frontier Communications	Fairport, NY	
07/15/2010 20:59:09	SUCCESS	bjl1982	74.47.147.117	Frontier Communications	Fairport, NY	
07/16/2010 01:59:18	SUCCESS	bjl1982	67.248.49.143	Roadrunner	Albany	
07/26/2010 12:18:40	SUCCESS	bjl1982	74.47.146.147	Frontier Communications	Penfield, NY	
07/28/2010 18:07:34	FAIL	bjl1982	72.226.58.91	Road Runner	Clifton Park	John Tighe
07/28/2010 18:08:38	FAIL	bjl1982	72.226.58.91	Road Runner	Clifton Park	John Tighe
07/28/2010 18:09:38	FAIL	bjl1982	72.226.58.91	Road Runner	Clifton Park	John Tighe
07/29/2010 11:01:07	FAIL	bjl1192	96.236.30.20	Verizon	Schenectady, NY	Richard Croak
07/29/2010 11:02:38	FAIL	bjl1982	96.236.30.20	Verizon	Schenectady, NY	Richard Croak
07/29/2010 11:04:10	SUCCESS	bjl1982	96.236.30.20	Verizon	Schenectady, NY	Richard Croak
07/29/2010 11:50:47	SUCCESS	bjl1982	72.226.58.91	Road Runner	Clifton Park	John Tighe
07/30/2010 00:28:40	SUCCESS	bjl1982	67.248.49.143	Roadrunner	Albany	
08/01/2010 21:29:28	SUCCESS	bjl1982	72.226.58.91	Road Runner	Clifton Park	John Tighe
08/04/2010 15:55:41	SUCCESS	bjl1982	74.47.146.70	Frontier Communications	Penfield, NY	
08/08/2010 17:58:51	SUCCESS	bjl1982	72.226.58.91	Road Runner	Clifton Park	John Tighe
08/08/2010 19:32:48	SUCCESS	bjl1982	72.226.58.91	Road Runner	Clifton Park	John Tighe
08/09/2010 19:06:21	FAIL	bjl	207.237.232.82	RCN Corporation	NY, NY	Suzanne Andrews
08/09/2010 19:07:08	SUCCESS	bjl1982	207.237.232.82	RCN Corporation	NY, NY	Suzanne Andrews
08/09/2010 19:21:00	SUCCESS	bjl1982	207.237.232.82	RCN Corporation	NY, NY	Suzanne Andrews
08/13/2010 22:35:47	SUCCESS	bjl1982	72.226.58.91	Road Runner	Clifton Park	John Tighe
08/17/2010 15:35:51	SUCCESS	bjl1982	72.226.58.91	Road Runner	Clifton Park	John Tighe
08/17/2010 20:45:28	SUCCESS	bjl1982	72.226.58.91	Road Runner	Clifton Park	John Tighe
08/20/2010 13:08:47	SUCCESS	bjl1982	74.47.151.77	Frontier Communications	Fairport, NY	

08/23/2010 18:11:58	FAIL	bjl1992	173.86.169.21	Frontier Communications	Fairport, NY	Toni Natalie
08/23/2010 18:12:19	FAIL	BJL1982	173.86.169.21	Frontier Communications	Fairport, NY	Toni Natalie
08/23/2010 18:12:39	SUCCESS	bjl1982	173.86.169.21	Frontier Communications	Fairport, NY	Toni Natalie
08/23/2010 19:45:03	SUCCESS	bjl1982	72.226.58.91	Road Runner	Clifton Park	John Tighe
08/28/2010 22:45:29	SUCCESS	bjl1982	72.226.58.91	Road Runner	Clifton Park	John Tighe
09/04/2010 12:15:06	SUCCESS	bjl1982	72.226.58.91	Road Runner	Clifton Park	John Tighe
09/07/2010 15:45:58	SUCCESS	bjl1982	72.226.58.91	Road Runner	Clifton Park	John Tighe
09/10/2010 16:10:40	SUCCESS	bjl1982	207.237.232.82	RCN Corporation	NY, NY	Suzanne Andrews
09/10/2010 16:35:31	SUCCESS	bjl1982	69.2.120.11	Advance Publications	NY, NY	
09/13/2010 00:16:16	SUCCESS	bjl1982	72.226.58.91	Road Runner	Clifton Park	John Tighe
09/16/2010 21:23:27	SUCCESS	bjl1982	72.226.58.91	Road Runner	Clifton Park	John Tighe
10/03/2010 21:59:22	SUCCESS	bjl1982	72.226.58.91	Road Runner	Clifton Park	John Tighe
10/04/2010 00:18:18	FAIL	bil1982	74.47.149.101	Frontier Communications	Webster, NY	
10/04/2010 00:23:26	FAIL	BLJ1892	74.47.149.101	Frontier Communications	Webster, NY	
10/04/2010 00:23:49	FAIL	BLJ1982	74.47.149.101	Frontier Communications	Webster, NY	
10/04/2010 00:25:08	FAIL	BJL1982	74.47.149.101	Frontier Communications	Webster, NY	
10/04/2010 00:29:32	FAIL	JL1982	71.197.137.141	Comcast	Bonney Lake, WA	Susan Dones
10/04/2010 01:10:30	FAIL	BJL1982	74.47.149.101	Frontier Communications	Webster, NY	
10/04/2010 01:10:49	SUCCESS	bjl1982	74.47.149.101	Frontier Communications	Webster, NY	
10/06/2010 20:12:52	FAIL	blj1982	74.46.62.199	Frontier Communications	Fairport, NY	Toni Natalie
10/09/2010 05:56:36	SUCCESS	bjl1982	72.226.58.91	Road Runner	Clifton Park	John Tighe

10/11/2010 20:49:28	SUCCESS	bjl1982	72.226.58.91	Road Runner	Clifton Park	John Tighe
10/23/2010 21:21:48	SUCCESS	bjl1982	72.226.58.91	Road Runner	Clifton Park	John Tighe
10/25/2010 23:20:00	SUCCESS	bjl1982	72.226.58.91	Road Runner	Clifton Park	John Tighe
11/04/2010 21:35:41	SUCCESS	bjl1982	72.226.58.91	Road Runner	Clifton Park	John Tighe
12/02/2010 07:17:59	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
12/29/2010 10:58:51	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
01/05/2011 12:03:07	FAIL	bjl1982	74.46.60.59	Frontier Communications	Fairport, NY	Toni Natalie
01/05/2011 12:05:01	SUCCESS	bjl1982	74.46.60.59	Frontier Communications	Fairport, NY	Toni Natalie
01/10/2011 10:39:57	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
01/14/2011 09:30:58	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
01/19/2011 10:38:09	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
01/23/2011 08:57:35	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
01/23/2011 09:11:39	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
02/09/2011 10:40:43	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
02/15/2011 09:56:41	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
02/28/2011 10:06:37	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
03/07/2011 10:43:08	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
03/15/2011 22:46:18	SUCCESS	bjl1982	74.47.145.18	Frontier Communications	Webster, NY	Toni Natalie

03/15/2011 23:05:47	SUCCESS	bjl1982	74.47.145.18	Frontier Communications	Webster, NY	Toni Natalie
03/16/2011 10:49:18	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
03/16/2011 12:54:55	FAIL	BJL1982	96.236.44.171	Verizon FiOS	Albany	Joe O'Hara
03/16/2011 12:55:16	SUCCESS	bjl1982	96.236.44.171	Verizon FiOS	Albany	Joe O'Hara
03/16/2011 14:50:11	SUCCESS	bjl1982	96.236.44.171	Verizon FiOS	Albany	Joe O'Hara
03/16/2011 14:51:53	SUCCESS	bjl1982	74.76.145.115	Road Runner	Saratoga Springs	
03/16/2011 17:24:36	FAIL	bjg1982	74.76.145.115	Road Runner	Saratoga Springs	
03/21/2011 18:36:26	SUCCESS	bjl1982	74.47.150.81	Frontier Communications	Fairport, NY	
03/21/2011 18:51:12	SUCCESS	bjl1982	74.47.150.81	Frontier Communications	Fairport, NY	
03/23/2011 10:50:14	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
03/31/2011 10:35:43	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
03/31/2011 10:38:58	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
04/07/2011 10:17:17	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
04/26/2011 09:13:07	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
05/02/2011 09:22:21	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
05/22/2011 09:51:46	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
05/27/2011 10:32:47	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
05/28/2011 16:05:57	SUCCESS	bjl1982	65.37.35.176	Frontier Communications	Fairport, NY	

06/13/2011 09:05:49	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
06/28/2011 09:46:52	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
07/07/2011 11:58:33	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
07/12/2011 09:33:25	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
07/25/2011 08:56:01	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
07/28/2011 09:18:11	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
08/06/2011 19:32:02	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
08/18/2011 09:22:00	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
08/18/2011 09:29:25	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
08/25/2011 09:30:18	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
09/03/2011 09:13:25	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
09/11/2011 18:32:41	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
09/13/2011 10:59:15	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
09/25/2011 19:14:31	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
09/27/2011 10:19:24	SUCCESS	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
10/03/2011 11:40:22	FAIL	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	

10/03/2011 11:40:33	FAIL	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
10/03/2011 11:45:22	FAIL	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
10/03/2011 11:45:32	FAIL	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
10/13/2011 17:58:04	FAIL	bjl1982	108.4.147.32	Verizon FiOS	Albany	
10/13/2011 17:58:34	FAIL	bjl1982	108.4.147.32	Verizon FiOS	Albany	
10/13/2011 17:59:22	FAIL	bjl1982	108.4.147.32	Verizon FiOS	Albany	
10/14/2011 09:45:24	FAIL	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
10/26/2011 10:18:39	FAIL	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	
10/31/2011 09:25:17	FAIL	bjl1982	74.76.149.7	Road Runner	Saratoga Springs	

Exhibit 3

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

NXIVM CORPORATION,

Plaintiff,

-against-

TONI FOLEY, JOSEPH O'HARA, JOHN TIGHE,
SUZANNA ANDREWS, JAMES ODATO, and JOHN
DOES 1-59,

Defendants.

**DECLARATION
OF BENJAMIN T.
MYERS**

14-CV-01375
(LEK)(RFT)

I, BENJAMIN T. MYERS, make the following declaration pursuant to 17 U.S.C.
§1746:

1. I am an Information Technology professional doing business as Solsys, LLC. I provide IT services for NXIVM and have been doing so for approximately nine years.
 2. On May 23, 2012 and September 26, 2012 I provided sworn statements to the New York State Police related to the unauthorized access of the NXIVM confidential and proprietary website.
 3. My statements were an accurate account of events to the best of my recollection but were not intended to be an exact timeline of the events, nor to suggest that NXIVM could confirm that its website had been unlawfully accessed as of September 27, 2011. In addition, when I gave my statement to the police in May, 2012 and September, 2012, I was aware of many additional facts that were not known to me in September, 2011.
-

4. The process for identifying whether Mary Jane Pino was herself logging into the NXIVM system, whether others were unlawfully accessing the system, what information was accessed from the system and who was accessing the system if not Mary Jane Pino, was conducted over the course of several years. It involved years of analysis by me, other members of NXIVM's IT team, and outside experts.

5. NXIVM maintains a confidential and proprietary website that requires personal credentials (user names and passwords or full name, birth year, and assigned ID number) to gain access. NXIVM maintains a separate website for members of the public who are interested in learning about the company.

6. To the best of my knowledge, NXIVM has never experienced what is commonly known as hacking whereby confidential and proprietary information is obtained by infiltrating or bypassing NXIVM's security measures.

7. I was specifically asked by Clare Bronfman to provide login data to her because private NXIVM information was showing up on a blog and it was believed that a mole existed at NXIVM. As stated above, there was no indication that the system was hacked in the traditional sense. This meant that if information was appearing in public, it was likely being obtained either from a person with legitimate login credentials to access the NXIVM system or by someone who already had the information in his or her possession.

8. I was asked to review login information of people currently logging in and using the system. After a process of elimination of NXIVM members logging in, Mary Jane Pino was identified as one possible person who could be a mole.

9. In September, 2011, I was asked to evaluate the details of the logins for Mary Jane Pino including the dates of the logins by Mary Jane Pino and the IP addresses she logged in from. The information that I was able to provide from the current NXIVM website server included logins for the time period of February 3, 2010 through September, 2011.

10. It was identified during the period of February 3, 2010 through September 27, 2011, that Mary Jane Pino logged in on multiple occasions. Although this raised suspicions, it was not possible for me to determine if in fact Mary Jane Pino was logging in or someone else was logging in with her credentials either with or without her permission.

11. Based upon the fact that Mary Jane Pino's logins appeared directly related to disclosures on John Tighe's blog, we believed there was in fact a mole, which could have been Mary Jane Pino. We also suspected other members to be moles. Since her login credentials were a possible source of the information being disclosed as a precaution, we determined it was necessary to block her credentials on September 27, 2011.

12. It was not possible for me to confirm, based on the data obtained from the NXIVM system, whether Mary Jane Pino herself, or someone else using her login credentials, was logging into the NXIVM system.

13. I have no personal knowledge of when Mary Jane Pino confirmed that she was not the person who accessed the NXIVM system.

14. In May, 2012, I was asked by Clare Bronfman if the IT team could assemble every record of Mary Jane Pino's logins, including those prior to February 3,

2010. She asked specifically for dates accessed, IP addresses used, information and web pages accessed, etc. I conducted this investigation starting in May 2012.

15. It was sometime after May, 2012, not September, 2011, that I was able to identify occasions where multiple IP addresses were logged into the system on the same day and at the same time using Mary Jane Pino's credentials as described in my September, 2012 statement to the police.

16. After the logins were all compiled, it was discovered, that logins from 2007 and 2008, using Mary Jane Pino's credentials, were accessing the site from IP addresses owned by the Times Union.

17. I was also aware in 2012 that NXIVM was given permission to scan a "recovered drive" of Joseph O'Hara emails that had been given to Clare Bronfman by Joseph O'Hara's former employer.

18. We conducted the scan of the recovered drive in 2012 to determine if any of the IP addresses of the senders or recipients of the O'Hara emails matched the IP addresses of the Mary Jane Pino logins. Because the "recovered drive" was an attempt to restore deleted emails and was determined to be corrupted, I could not confirm that the results produced from the scan were reliable.

19. It is my understanding that NXIVM hired an outside consultant to seek O'Hara's former employer's permission to review the original O'Hara email server to scan the IP addresses and identify matches to the IP addresses that logged into the NXIVM system as Mary Jane Pino.

20. In April and May of 2013, it was established through an outside expert that an IP address found in Defendant Suzanna Andrews' email headers matched an IP

address that logged into the NXIVM system as Mary Jane Pino on five occasions in August and September, 2010. See Bronfman Declaration Exhibit "D".

21. It is my understanding that Andrews' counsel stated that NXIVM's investigation "confirmed unauthorized access by no later than September 27, 2011 when it shut down access to its website" through Mary Jane Pino's login credentials. See Andrews MOL at p. 1, and page 11, Declaration of Michael J. Grygiel at paragraph "19".

22. This statement is not true. As set forth above, NXIVM did not, and could not, confirm the unauthorized access based upon the information captured by the NXIVM system.

23. I have reviewed the document Andrews cites to as support for this untrue statement, which is paragraph "5.d.iii" of my September 26, 2012 statement to the New York State Police. *Id.*

24. Paragraph 5.d.iii. of my September 26, 2012 statement to the New York State Police states:

"Two mjp login attempts on 2011-09-27 failed – this was the day we shut down mjp access, and these attempts were to test to ensure the login was shut down" (see Andrews' Exhibit 1-A, paragraph 5.d.iii).

25. Nowhere in that statement do I say that I or anyone at NXIVM was able to "confirm unauthorized access" as of September 27, 2011. I simply state that the access was shut down. Andrews' statement is a misrepresentation with no factual support.

26. It is also my understanding that Andrews now claims NXIVM could have discovered that she was the person who unlawfully accessed NXIVM's website in

September, 2011 by matching the IP addresses of the Mary Jane Pino logins with IP addresses in the O'Hara emails.

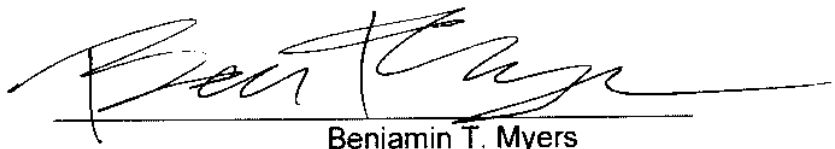
27. This claim is also not true. In September, 2011, Clare Bronfman possessed only copies of O'Hara emails that had been forwarded by O'Hara's former employer.

28. These copies of forwarded O'Hara emails did not contain IP addresses for the senders or recipients (as copies of forwarded emails generally do not). Therefore, it was not possible to determine at that time that Andrews unlawfully accessed the NXIVM site by matching IP addresses in September, 2011.

29. As stated above, NXIVM could not confirm unlawful access in September, 2011 and could not confirm Andrews as a person who committed the unlawful access (on five separate occasions) until April, 2013.

30. I have reviewed the Andrews logins to NXIVM's website and I have knowledge of the pages accessed by her. When Andrews entered the NXIVM website on those five occasions using Mary Jane Pino's legitimate login credentials, she misrepresented to NXIVM that in 2010 she was in fact Mary Jane Pino. On each of those login dates, Andrews viewed a screen that said "Welcome back Mary Jane". She proceeded past that screen and accessed the confidential and proprietary pages of NXIVM including the Magnificence Reports, corporate retreat information and client lists.

I declare under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct. Executed on October 20, 2015.

A handwritten signature in black ink, appearing to read "Ben T. Myers", is written over a horizontal line.

Benjamin T. Myers

Exhibit 4

STATE OF NEW YORK
COUNTY COURT

COUNTY OF ALBANY

THE PEOPLE OF THE STATE OF NEW YORK

-against-

INDICTMENT

No. 34

TONI F. NATALIE a/k/a TONI F. FOLEY,
Defendant.

The Grand Jury of Albany County, New York, accuse the above named defendant of the commission of:

COUNT ONE:

Computer Trespass, in violation of Section 156.10 (2) of the Penal Law of the State of New York, a Class E Felony, in that the defendant on or about August 23, 2010, at approximately 6:13 pm, at 80 State Street, 7th Floor, in the City of Albany, County of Albany, State of New York, did knowingly use or caused to be used, or accessed a computer, computer service, or computer network without authorization and he or she thereby knowingly gained access to computer material to wit: at the aforesaid date, time and place, the defendant did, access a computer/computer network without authorization and knowingly gained access to the computer material of NXIVM from IP Address 173.86.169.21 by using the username and password assigned to Mary Jane Pino, a previous NXIAN student/coach, without authorization from persons provided with such authority to authorize access to the computer/computer network. Said defendant gained access to "Calendar/index.php" and "magreps/index.php" which contains a list of NXIVM training sessions and other events and associated data intended for NXIVM clients and members only as well as the Magnificence Report.


Holly A. Trexler
Special Assistant District Attorney

February 27, 2015

-continued on page two-

STATE OF NEW YORK
COUNTY COURT

COUNTY OF ALBANY

THE PEOPLE OF THE STATE OF NEW YORK

-against-

INDICTMENT
No.

TONI F. NATALIE a/k/a TONI F. FOLEY,
Defendant.

The Grand Jury of Albany County, New York, accuse the above named defendant of the commission of:

COUNT TWO:

Computer Trespass, in violation of Section 156.10 (2) of the Penal Law of the State of New York, a Class E Felony, in that the defendant on or about October 5, 2010, at approximately 3:19 pm, at 80 State Street, 7th Floor, in the City of Albany, County of Albany, State of New York, did knowingly use or caused to be used, or accessed a computer, computer service, or computer network without authorization and he or she thereby knowingly gained access to computer material to wit: at the aforesaid date, time and place, the defendant did, access a computer/computer network without authorization and knowingly gained access the computer material of NXIVM from IP Address 74.46.62.199 by using the username and password assigned to Mary Jane Pino, a previous NXIAN student/coach, without authorization from persons provided with such authority to authorize access to the computer/computer network. Said defendant gained access to the "Because" testimonial video at "GET/sales/because.m4v HTTP/1.1"



Holly A. Trexler
Special Assistant District Attorney

February 27, 2015

-continued on page three-

STATE OF NEW YORK
COUNTY COURT

COUNTY OF ALBANY

THE PEOPLE OF THE STATE OF NEW YORK

-against-

INDICTMENT
No.

TONI F. NATALIE a/k/a TONI F. FOLEY,
Defendant.

The Grand Jury of Albany County, New York, accuse the above named defendant of the commission of:

COUNT THREE:

Computer Trespass, in violation of Section 156.10 (2) of the Penal Law of the State of New York, a Class E Felony, in that the defendant on or about January 5, 2011, at approximately 12:10 pm, at 80 State Street, 7th Floor, in the City of Albany, County of Albany, State of New York, did knowingly use or caused to be used, or accessed a computer, computer service, or computer network without authorization and he or she thereby knowingly gained access to computer material to wit: at the aforesaid date, time and place, the defendant did, access a computer/computer network without authorization and knowingly gained access the computer material of NXIVM from IP address 74.46.60.59 by using the username and password assigned to Mary Jane Pino, a previous NXIAN student/coach, without authorization from persons provided with such authority to authorize access to the computer/computer network. Said defendant gained access to "Calendar/index.php" which contains a list of NXIVM training sessions and other events and associated data intended for NXIVM clients and members only.



Holly A. Trexler
Special Assistant District Attorney

February 27, 2015

-continued on page four-

STATE OF NEW YORK
COUNTY COURT

COUNTY OF ALBANY

THE PEOPLE OF THE STATE OF NEW YORK

-against-

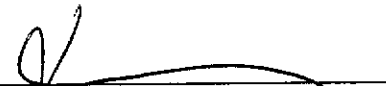
INDICTMENT
No.

TONI F. NATALIE a/k/a TONI F. FOLEY,
Defendant.

The Grand Jury of Albany County, New York, accuse the above named defendant of the commission of:

COUNT FOUR:

Computer Trespass, in violation of Section 156.10 (2) of the Penal Law of the State of New York, a Class E Felony, in that the defendant on or about March 15, 2011, at approximately 10:47 pm, at 80 State Street, 7th Floor, in the City of Albany, County of Albany, State of New York, did knowingly use or caused to be used, or accessed a computer, computer service, or computer network without authorization and he or she thereby knowingly gained access to computer material to wit: at the aforesaid date, time and place, the defendant did, access a computer/computer network without authorization and knowingly gained access the computer material of NXIVM from IP Address 74.47.145.18 by using the username and password assigned to Mary Jane Pino, a previous NXIAN student/coach, without authorization from persons provided with such authority to authorize access to the computer/computer network. Said defendant gained access to "Calendar/index.php" and "magreps/index.php" and "contact.php" which contains a list of NXIVM training sessions and other events and associated data intended for NXIVM clients and members only as well as the Magnificence Report.


Holly A. Trexler
Special Assistant District Attorney

February 27, 2015

-continued on page five-

STATE OF NEW YORK
COUNTY COURT

COUNTY OF ALBANY

THE PEOPLE OF THE STATE OF NEW YORK

-against-

BARBARA J. BOUCHEY,

Defendant.

INDICTMENT

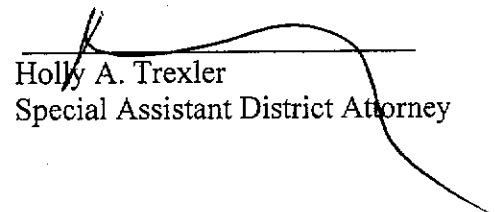
No. 31-7323

Index No. DA-172-15

The Grand Jury of Albany County, New York, accuse the above named defendant of the commission of:

COUNT FIVE:

Computer Trespass, in violation of Section 156.10 (2) of the Penal Law of the State of New York, a Class E Felony, in that the defendant on or about January 8, 2014, at approximately 2:05 am, at 80 State Street, 7th Floor, in the City of Albany, County of Albany, State of New York, did knowingly use or caused to be used, or accessed a computer, computer service, or computer network without authorization and he or she thereby knowingly gained access to computer material to wit: at the aforesaid date, time and place, the defendant did, access a computer/computer network without authorization and knowingly gained access the computer material of NXIVM from IP Address 24.203.50 by using the username and password assigned to Svetlana Kotlin, a previous NXIAN student, without authorization from persons provided with such authority to authorize access to the computer/computer network. Said defendant gained access to "calendar1/index.php" and the Coach Tree at "GET/comm/tools/1coachtree1rpt.php HTTP/1.1" which contains a list of upcoming NXIVM training sessions and other events and associated data intended for NXIVM clients and members only as well as a list of coaches.


Holly A. Trexler
Special Assistant District Attorney

February 27, 2015

-continued on page six-

STATE OF NEW YORK

COUNTY COURT

COUNTY OF ALBANY

THE PEOPLE OF THE STATE OF NEW YORK

-against-

INDICTMENT
No.

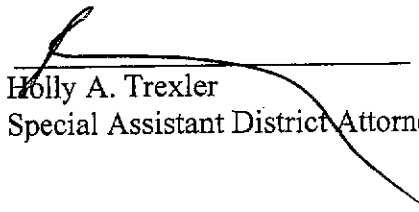
JOSEPH J. O'HARA,

Defendant.

The Grand Jury of Albany County, New York, accuse the above named defendant of the commission of:

COUNT SIX:

Computer Trespass, in violation of Section 156.10 (2) of the Penal Law of the State of New York, a Class E Felony, in that the defendant on or about March 16, 2011, at approximately 12:56 pm, at 80 State Street, 7th Floor, in the City of Albany, County of Albany, State of New York, did knowingly use or caused to be used, or accessed a computer, computer service, or computer network without authorization and he or she thereby knowingly gained access to computer material to wit: at the aforesaid date, time and place, the defendant did, access a computer/computer network without authorization and knowingly gained access the computer material of NXIVM from IP Address 96.236.44.171 by using the username and password assigned to Mary Jane Pino, a previous NXIAN student/coach, without authorization from persons provided with such authority to authorize access to the computer/computer network. Said defendant gained access to "magreps/1index.php," the Magnificence Report.


Holly A. Trexler
Special Assistant District Attorney

February 27, 2015

-continued on page seven-

STATE OF NEW YORK
COUNTY COURT

COUNTY OF ALBANY

THE PEOPLE OF THE STATE OF NEW YORK

-against-

INDICTMENT
No.

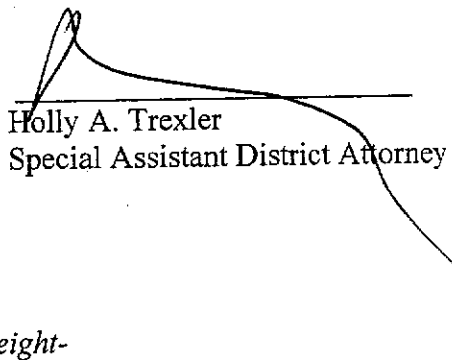
JOSEPH J. O'HARA,

Defendant.

The Grand Jury of Albany County, New York, accuse the above named defendant of the commission of:

COUNT SEVEN:

Computer Trespass, in violation of Section 156.10 (2) of the Penal Law of the State of New York, a Class E Felony, in that the defendant on or about March 16, 2011, at approximately 2:55 pm, at 80 State Street, 7th Floor, in the City of Albany, County of Albany, State of New York, did knowingly use or caused to be used, or accessed a computer, computer service, or computer network without authorization and he or she thereby knowingly gained access to computer material to wit: at the aforesaid date, time and place, the defendant did, access a computer/computer network without authorization and knowingly gained access the computer material of NXIVM from IP Address 96.236.44.171 by using the username and password assigned to Mary Jane Pino, a previous NXIAN student/coach, without authorization from persons provided with such authority to authorize access to the computer/computer network. Said defendant gained access to "Calendar/index.php" contains a list of upcoming NXIVM training sessions and other events and associated data intended for NXIVM clients and members only.


Holly A. Trexler
Special Assistant District Attorney

February 27, 2015

-continued on page eight-

STATE OF NEW YORK
COUNTY COURT

COUNTY OF ALBANY

PEOPLE OF THE STATE OF NEW YORK

-against-

ANNOUNCEMENT OF
READINESS

TONI NATALIE A/K/A TONI FOLEY,
BARBARA BOUCHEY, JOSEPH O'HARA
Defendants.

PLEASE TAKE NOTICE, that an Albany County Grand Jury returned a four count indictment charging the above-named defendants with Computer Trespass. This indictment was filed with the Clerk's Office on February 27, 2015. The Clerk's Office assigned the case Indictment No. 34. The People are ready for trial on each and every count contained therein.

DATED: February 27, 2015

Yours, etc,

Holly A. Trexler, Esq.
The Law Office of Holly A. Trexler
90 State Street, Suite 1400
Albany, NY 12207
(518) 445-8415

Exhibit 5

Law Offices of Dennis K. Burke

August 3, 2015

The Honorable Richard Hartunian
United States Attorney
Northern District of New York
445 Broadway, Room 218
Albany, New 12207-2924

Re: Special Prosecutor' Referral of Suzanna Andrews for Federal Prosecution

Dear United States Attorney Hartunian:

I represent Clare Bronfman who resides in your District and is a victim in this matter.

We understand you received a formal request from a State Special Prosecutor to seek a federal prosecution of a Suzanna Andrews. We would like to provide some background and support as to why you should, respectfully:

- 1) Accept that referral;
- 2) Proceed with an investigation and prosecution by your office or seek the Department to assign an attorney to your District; and
- 3) Address this matter as expeditiously as possible.

The Special Prosecutor was charged with investigating several individuals who had gained unlawful access to the computer network of a company, NXIVM, in your District. These were not random acts nor were they innocuous activities. The individuals in this matter were conspiring over a lengthy period, some over many years, and they were well aware and proceeded, as so, knowing that their conduct was criminal in nature. Beyond any doubt, the intent was to harm the company.

As will become quite evident, Suzanna Andrews was not a minor participant nor just the beneficiary of a source. She committed the federal crime, herself.

The New York State Police have been conducting an ongoing investigation into this matter beginning not long after it was first discovered in 2011. There has been no gap in the investigation and the investigators have treated it with the degree of alacrity circumstances

would permit. As you know the investigation has resulted in state indictments of four individuals, one who has already pled to the crime at the heart of matter. Presented to you now by this Special Prosecutor is a similarly situated culprit whose criminal activity does indeed rise to the requisite federal interest for it to be pursued by your office. As we will further uncover below, for her criminal actions to be left unaddressed would leave a distinct impression that she is free to operate above the law.

This investigation is important to our client because she has invested considerably both financially and in personal labor to build and grow this company. Separately, any public notoriety she has is due to her family status. She didn't inject herself into the public sphere, indeed, quite the opposite. Yet, she has had to suffer being hounded and harmed by destructive people in a robust conspiratorial ring, including Suzanna Andrews hailing from the celebrity media sphere. These individuals repeatedly accessed NXIVM's company network, a network containing extremely confidential and proprietary materials whose value is considerably diminished by its unauthorized disclosure.

NXIVM took numerous steps and procedures to protect access to this network and no one could ever feasibly claim that was not abundantly evident. Suzanna Andrews was serving no greater good nor were her actions constitutionally protected by any stretch. She didn't benefit from a confidential source. Instead, she committed a crime in the pursuit of writing a salacious defamatory hit piece for a fashion magazine. Intrusion into private property through subterfuge has no constitutional shield.

Background on the Victim

Founded in 1998 and located in Albany New York, NXIVM conducts professional success training programs for executives and other individuals in areas such as internal ethics, logical analysis and problem-solving skills. As part of its intellectual property portfolio it has developed a patent-pending system known as Rational Inquiry. NXIVM's information and property was developed over time at a great expense. It is unique and proprietary to NXIVM and is not available to the general public thereby providing a distinct and highly valuable advantage over its competitors.

NXIVM's primary asset is an innovative educational system, including its methodologies, its written materials, its complex business and educational philosophy and its client list. With the exception of some very limited introductory material, no one is permitted to view or experience any of its course material without signing a confidentiality agreement.

NXIVM requires any participant who formally withdraws from its business program or becomes hostile to NXIVM to return all written materials and revokes their access to NXIVM' Password Protected Website.

The confidentiality of NXIVM' client list is critical, and NXIVM goes to great lengths to guard the confidentiality of each client's personal identifying information. It is also highly valuable and its creation has taken years of effort to cultivate and develop through a highly personalized, time-intensive and expensive process that is unique to NXIVM.

NXIVM established an interactive confidential and proprietary website, which is saved on NXIVM' server and maintained by NXIVM' Information Technology staff for the exclusive use of its clients and staff. This protected site was created for the purposes of communicating privately to its clients and staff, providing its clients an interactive forum to communicate with other NXIVM clients and staff, and to view schedules of upcoming NXIVM course and events, among other available resources.

NXIVM's Password Protected Website can only be accessed with a NXIVM username and password, or by using a specialized formula, with varying degrees of access depending upon a user' role with NXIVM.

The information contained on NXIVM's Password Protected Website is extremely valuable to the company. For over a decade, NXIVM has invested extensive time and money into creating, gathering, maintaining and updating the information contained in its Password Protected Website, including its client and coach lists, and it requires considerable time to routinely update the client and coach lists and database so that all information is current. NXIVM has also spent extensive time and money developing other confidential and proprietary information on its website, including, but not limited to its humanities questionnaire, Coach Evaluation Tool, Goal Reporting Tools, Knowledge Base, Magnificence Reports, and Video Testimonials, among others.

The Criminal Activity of Suzanna Andrews

This is a straight forward no blind shots matter lacking any degree of complexity. The investigational groundwork has already been conducted and preserved by the New York State Police. Indeed, as investigators will inform you, Suzanna Andrews has not denied she was indeed the individual who logged in to the NXIVM network impersonating a permissible user.

In late 2011, suspicions arose at NXIVM as to whether unauthorized users were accessing the Password Protected Website. NXIVM conducted an internal investigation uncovering evidence

that the user name and password belonging to Mary Jane Pino, a former client of NXIVM in continuous good standing with the company, was being used without her knowledge and over a period of time.

One of the individuals indicted by the New York State Special Prosecutor unlawfully obtained the user name and password of Ms. Pino and provided it to co-conspirators, eventually reaching Suzanna Andrews. Giving an indication of the criminal proclivity and sophistication of these individuals, one of the co-defendants is currently serving a sentence for a separate fraud scheme.

We can provide the witnesses who conducted this investigation, their methods and the work product they produced and provided the New York State Police.

Beginning in or about July 2010 and continuing into September 2010, Suzanna Andrews, in violation of federal law, accessed NXIVM' Password Protected Website using a client's login credentials. This was not a singular act but a continuing criminal conspiracy with Toni Natalie over this period of time. Andrews accessed, among other proprietary NXIVM information, the "Magnificence Reports," "NXIVM' coach list," and its "Vanguard Week" information. The value of this property is considerably diminished by not only being unlawfully accessed but by its public circulation, which was Andrews' intent in this conspiracy.

Andrews, along with the defendants indicted by the New York State Special Prosecutor, repeatedly accessed NXIVM' Password Protected Website without authorization and utilized this private property obtained from that site to harm NXIVM and harass or attempt to harass NXIVM' clients. The conspiracy was driven by a warped desire to financially damage this successful company by devaluing its intellectual property.

In an overt act furthering the conspiracy, Suzanna Andrews obtained the log-in credentials belonging to a current client of NXIVM, Mary Jane Pino, from a third party, Toni Natalie. Natalie was indicted by the State Special Prosecutor for her criminal activity in this conspiracy. Leading up to this scheme, Natalie had made it clear that she was going to take steps to harm NXIVM. We can provide evidence to that effect.

Andrews had conspired with Toni Natalie to access NXIVM's password protected website, downloading confidential information and publishing that information impersonating an authorized user. Andrews's impersonation was intentional to further this scheme. Indeed, she would have faced a prompt of "Welcome back, Mary Jane" while she was illegally hacking into the protected network. Her whole method of operating during this conspiracy evinces that she was aware that she was accessing someone else's private property without permission with the eventual goal of disseminating it and thereby devaluing it.

Mary Jane Pino never authorized Andrews to use her username and password to access proprietary information. Toni Natalie had no permission to use nor provide that username or password for herself or anyone else. We have an affidavit from Ms. Pino we will provide you.

Andrews repeatedly accessed the NXIVM website from her home. New York State Police have the log-ins and the original server.

The Federal Criminal Statutes Violated

The Computer Fraud and Abuse Act (18 USC § 1030) (“CFAA”) defines the federal offense and parameters for computer hacking. This section applies to seven categories of illegal activity regarding the intrusion of computers, both government and privately-owned.

The CFAA criminalizes conduct whereby an individual “intentionally accesses a computer without authorization or exceeds authorized access, and thereby obtains...information from any protected computer 18 USC § 1030(a) (2)(C), or “knowingly and with intent to defraud, accesses a protected computer without authorization, or exceeds authorized access, and by means of such conduct furthers the intended fraud and obtains anything of value,” *id.* § 1030(a) (4), or “knowingly and with intent to defraud traffics...in any password or similar information through which a computer may be accessed without authorization. *id.* § 1030(a) (6).

18 USC § 1030 was violated by Suzanna Andrews on a number of occasions and she constitutes a repeat offender under this statute. Andrews engaged in such unlawful conduct by, among other acts, accessing NXIVM’ Password Protected Website without authorization, obtaining information from the website and distributing it to others. The NXIVM network is Internet-based and therefore is used in or affecting interstate or foreign commerce or communications.

Similar to the CFAA, the Stored Communications Act, 18 USC §§ 2701-12 makes it a crime to “intentionally access without authorization a facility through which an electronic communication service is provided...and thereby obtain []...access to a wire or electronic communication while it is in electronic storage in such systems 18 USC § 2701(a).

Andrews and her co-conspirators intentionally accessed NXIVM’ Password Protected Website, database and server, in knowing violation of this criminal statute.

Andrews violated 18 USC § 371 by conspiring with Toni Natalie, at the minimum, to commit this crime and her intrusions were overt acts furthering that conspiracy. This conspiracy continued at least until Andrews’ last intrusion into the NXIVM network but arguably beyond as

she continued her scheme to damage the company by referencing the proprietary information in her article.

The Federal Interest at Matter

The United States Attorney Manual (USAM) provides in Section 9-27.23 a list of factors relevant, to be appropriately weighted, in determining whether prosecution should be pursued or declined due to the existence or not of a substantial Federal interest to be served by prosecution. Foundational to a consideration of this non-exclusive list is two factors: 1) Did the person commit a Federal offense; and 2) is there sufficient admissible evidence to obtain and sustain a conviction.

Andrews admitted she logged-in. She will contend that Natalie had authority to grant her that access. Natalie did not and Andrews has no basis whatsoever by any stretch to contend that as a defense. There is sufficient evidence that was obtained by the New York State Police pursuant to the state investigation to sustain a conviction against Andrews.

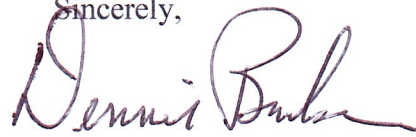
Underlying this matter is a looming statute of limitations defense that could arguably be invoked and create a preclusion next month. First of all, the premise of this legal concept and federal law is not at issue in this matter: that is, there has been no intentional delay detrimental to the defendant. During the period of time since these federal crimes were discovered, the victims and state investigators have been diligent and active. And Suzanna Andrews is well aware of that activity. In addition, the USAM encourages federal prosecutors to institute prosecution to prevent the running of a statute of limitations (9-27.23(8)) -- "The prosecutor should also be alert to the desirability of instituting prosecution to prevent the running of the statute of limitations") rather than to consider it as a basis not to proceed.

Conclusion

We respectfully request that you accept the referral from the New York State Special Prosecutor and proceed with a federal investigation and prosecution of Suzanna Andrews. Andrews unquestionably committed a Federal crime, a crime that indeed has victims. Andrews conspired to intentionally and without authorization accessed NXIVM' network and database in violation of 18 USC Section 1030, 18 USC § 2701(a) and 18 USC § 371. Over a series of times, Andrews, conspiring with others, accessed NXIM' secure website she had no authority to access and viewed information she had no permission to view and damaged the private property of the victim contained in that network and database.

This is not a cold case, though the period to file is rapidly closing. We appreciate this opportunity to provide this information and are available to assist you in any way possible.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dennis Burke", with a stylized, flowing script.

Dennis K. Burke