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## DECLARATION OF JOSEPH CARBON

## **PURSUANT TO 28 U.S.C. § 1746**

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I, Joseph A. Carbon, state that I have personal knowledge of the facts and matters set forth below, and if called as a witness would testify competently thereto:

1. I am a U.S. citizen over the age of eighteen years old.

2. I am a Digital Forensic Analyst with CACI, Inc., 6315 Bren Mar Drive, Suite 175, Alexandria, VA 22312. I am ACE Certified and have been practicing forensics for over two years. As part of my job duties, I often do contract computer forensic work for the Federal Trade Commission (FTC).

3. On September 19, 2014, in connection with a pending lawsuit, FTC v. Butterfly Labratory, Hugh Huettner, Technical Forensic Examiner for the FTC, 400 D Street SW, Washington D.C., 20024 instructed me to forensically image digital media that was located at 10770 El Monte Street, Suite 101, Leawood, Kansas 66211.

4. I arrived at 10770 El Monte Street, Suite 101, Leawood, Kansas 66211 on September 19<sup>th</sup>, 2014 in the early morning where the receiver, Eric L. Johnson, allowed me access to the premises. I was instructed by Leah Fraizer, who was the matter lead attorney for the FTC, to image select devices.

The names of the forensically sound images taken at 10770 El Monte Street, Suite 101, Leawood, Kansas 66211 are listed below:

BFL-ELM-IT02-JoshZerlan: Physical image of Samsung MZ-7PC256 256gb hard drive S/N: S0Z4NEAC834664 from custom generic desktop with no serial number. This image was stored on FTC Media 02, Western Digital WD5000BPVT-00HXZT3 S/N: WXH1E93ZKJ49. This device was identified as belonging to Josh Zerlan.

BFL-ELM-IT03b-DaveMcClain: Physical image of Seagate ST2000DM001 2tb hard drive S/N: Z340S6F9. This image was stored on FTC Media 07, HGST HTS721010A9E630 S/N: 6PHE3KTE. This device was identified as belonging to Justin Rourden, though initially idenitified by the case team as belonging to Dave McClain.

BFL-ELM-IT04a-Fishbowl: Memory and pagefile capture from custom generic server

with no serial number. This image was stored on FTC Media 04, Western Digital WD5000LPVX-22V0TT0 S/N: WX21A34J7907. This server was identified by its label FISHBOWL.

1	BFL-ELM-IT04b-Fishbowl: Physical image of Samsung MZ-7TD120 120gb hard drive S/N: S14CNEACB08918 from custom generic server with no serial number. This image
2	was stored on FTC Media 04, Western Digital WD5000LPVX-22V0TT0 S/N: WX21A34J7907. This server was identified by its label FISHBOWL.
3	DEL ELM ITOA Eighboud. Locial image of "DEL Claud" montition of size 1900 ch
4	BFL-ELM-IT04c-Fishbowl: Logical image of "BFLCloud" partition of size 1890gb found on Seagate ST4000DM000 4tb hard drive S/N: Z30101X1 from custom generic server with no serial number. This image was stored on FTC Media 04, Western Digital
5	WD5000LPVX-22V0TT0 S/N: WX21A34J7907. This server was identified by its label FISHBOWL.
6	TISTIBO W.L.
7	BFL-ELM-IT04d-Fishbowl: Logical image of "FTP" partition of size 1835gb found on Seagate ST4000DM000 4tb hard drive S/N: Z30101X1 from custom generic server with
9	no serial number. This image was stored on FTC Media 04, Western Digital WD5000LPVX-22V0TT0 S/N: WX21A34J7907. This server was identified by its label FISHBOWL.
10	DEL ELM ITOS Lock Zoulani Dhysical image of Secreta ST2201 T012 0WS14C 220ch
11	BFL-ELM-IT05-JoshZerlan: Physical image of Seagate ST320LT012-9WS14C 320gb hard drive S/N: S0V1030M from ASUS 1015E laptop S/N: D4N0CX276730156. This image was stored as ETC Media 05. Western Digital WD5000LDVX 22V0TT0 S/N:
12	image was stored on FTC Media 05, Western Digital WD5000LPVX-22V0TT0 S/N: WX21A34L0252. This device was identified as belonging to Josh Zerlan.
13	BFL-ELM-IT06a-DaveMcClain: Memory and pagefile capture from Lenovo ThinkPad
14	X230 laptop S/N: R9-RXND7 12/08. This image was stored on FTC Media 06, Western Digital WD5000BPVT-00HXZT3 S/N: WXH1E93ZKR33. This device was identified a
15	belonging to Justin Rourden, though initially idenitified by the case team as belonging to Dave McClain.
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17	BFL-ELM-IT06b-DaveMcClain: Physical image of Micron C400-MTFDDAK128MAN 128gb hard drive S/N: 1220033CD595 from Lenovo ThinkPad X230 laptop S/N: R9-
18	RXND7 12/08. This image was stored on FTC Media 02, Western Digital WD5000BPVT-00HXZT3 S/N: WXH1E93ZKJ49. This device was identified as
19	belonging to Justin Rourden, though initially idenitified by the case team as belonging to Dave McClain.
20	Dave McClain.
21	BFL-ELM-IT07a-DaveMcClain: Memory and pagefile capture from Lenovo ThinkPad W530 laptop S/N: PK-11ZYZ 13/09. This image was stored on FTC Media 06, Western
22	Digital WD5000BPVT-00HXZT3 S/N: WXH1E93ZKR33. This device was identified a belonging to Dave McClain.
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2	13/09. This image was stored on FTC Media 06, Western Digital WD5000BPVT-00HXZT3 S/N: WXH1E93ZKR33. This device was identified as belonging to Dave
3	McClain.
4	BFL-ELM-IT07c-DaveMcClain: Physical image of Chronos MKNSSDCR240GB-DX
5	240gb hard drive S/N: MK130801AS1068815 from Lenovo ThinkPad W530 laptop S/N: PK-11ZYZ 13/09. This image was stored on FTC Media 06, Western Digital
6	WD5000BPVT-00HXZT3 S/N: WXH1E93ZKR33. This device was identified as belonging to Dave McClain.
7	BFL-ELM-IT08-AmbraIzanburg: Physical image of Seagate ST9500325AS 500gb hard
8	drive S/N: S2WJR6R4 from Lenovo G570 laptop S/N: CB16608818. This image was
9	stored on FTC Media 08, Western Digital WD5000LPVX-22V0TT0 S/N: WX11A34K2891. This device was identified as belonging to Ambra Izanburg.
10	BFL-ELM-IT11a-MarcGoodpasture: Memory and pagefile capture from Lenovo
11	ThinkPad T520 laptop S/N: R9-PVWZN 11/2012. This image was stored on FTC Media 11, Western Digital WD5000BPVT-00HXZT3 S/N: WXH1E93UMR95. This device
12	was identified as belonging to Marc Goodpasture.
13	BFL-ELM-IT11b-MarcGoodpasture: Physical image of generic 1gb thumb drive S/N:
14	B30DA964 which was found inserted in Lenovo ThinkPad T520 laptop S/N: R9-PVWZN 11/2012. This image was stored on FTC Media 11, Western Digital
15	WD5000BPVT-00HXZT3 S/N: WXH1E93UMR95. This device was identified as belonging to Marc Goodpasture.
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17	BFL-ELM-IT11c-MarcGoodpasture: Physical image of HGST HTS725050A7E630 500gb hard drive S/N: Y9KZYW8M from Lenovo ThinkPad T520 laptop S/N: R9-
18	PVWZN 11/2012. This image was stored on FTC Media 11, Western Digital WD5000BPVT-00HXZT3 S/N: WXH1E93UMR95. This device was identified as
19	belonging to Marc Goodpasture.
20	BFL-ELM-IT12-MarcGoodpasture: Physical image of generic 512mb thumb drive S/N:
21	CCFE2008d6d945d which was found in the room designated as N on the desk designated N2 next to the laptop indicated in BFL-ELM-IT11. This image was stored on FTC
22	Media 11, Western Digital WD5000BPVT-00HXZT3 S/N: WXH1E93UMR95. This device was identified as belonging to Marc Goodpasture.
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24	BFL-ELM-IT15-SonnyVleisides: Physical image of Intel SSDSCMMW240A3L 240gb hard drive S/N: CVCS345300VU240C from Lenovo ThinkPad X1 Carbon laptop S/N:
25	R9-WEVA8. This image was stored on FTC Media 13, Hitatchi HTS721010A9E630 S/N: 6PHE182E. This device was identified as belonging to Sonny Vleisides.

BFL-ELM-IT07b-DaveMcClain: Physical image of Ricoh SD 8gb memory card S/N:

0001 which was found inserted in Lenovo ThinkPad W530 laptop S/N: PK-11ZYZ

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5. I maintained the hard drives containing the above mentioned images in a secure location until September 20<sup>th</sup>, 2014, where I handed and signed them over to Jason T. Sweeney, Digital Forensic Analyst for CACI, Inc., 6315 Bren Mar Drive, Suite 175, Alexandria, VA 22312. I signed the FTC chain of custody form when I handed the hard drives to Jason T. Sweeney. The custody of the hard drives transferred at the collection site, 10770 El Monte Street, Suite 101, Leawood, Kansas 66211.

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 25th day of September 2014, in Alexandria, VA.

Joseph A. Carbon