

**EXHIBIT**  
Jeff's 15  
2/23/07 ES



Lindor report  
sk.doc (36 KB)

-----Original Message-----  
From: Doug Jacobson [mailto:dougj@iastate.edu]  
Sent: Wednesday, October 25, 2006 9:28 AM  
To: Richard Gabriel  
Subject: Lindor report Disk

Here it is

Doug

--  
Doug Jacobson  
Director: ISU Information Assurance Center  
Dept. Electrical & Computer Engineering  
2419 Coover Hall  
Iowa State University  
PH: (515) 294-8307 Fax (515) 294-8432  
Center web site: <http://www.iac.iastate.edu>  
Personal web site: <http://vulcan.ee.iastate.edu/~dougj>

**UMG RECORDING INC., et al v. Lindor**  
**ED - NY Case Number: 05-cv-1095**

**Affidavit and Supplemental Expert Report**

**Dr. Doug Jacobson, Ph.D., CFCE**

Ph.D. Computer Engineering  
Certified Forensic Computer Examiner  
International Association of Computer Investigative Specialists

---

**Qualifications & Prior Testimony**

- 1) I am employed as an associate Professor of Electrical and Computer Engineering at Iowa State University and as the Director of the Iowa State University Information Assurance Center. I also have an appointment with the Iowa State University police department where I aid in computer forensics.
- 2) In addition, I am the Chief Technical Officer and founder of Palisade Systems, a high-tech computer security company that specializes in network monitoring and filtering technologies.
- 3) My employment with Iowa State University began in 1982 as a computer programmer. I completed my Ph.D. in Computer Engineering with a focus in computer networking in December 1985. In January 1986, I was hired by the Department of Electrical and Computer Engineering as an Assistant Professor to teach and research in the area of computer networks. Since that time, I have taught over 25 classes in computer networks at both the undergraduate and graduate level. I have received over 5 million dollars in funding for my research and have written several articles and made numerous presentations on the topic.
- 4) In 1995, I created and taught one of the first computer security classes at Iowa State University and in the country. Under my guidance, in 1999, Iowa State University was recognized by the National Security Agency as a center of excellence. And in 2000, the Iowa State University Information Assurance Center was created. I am its first and only director. I am a Certified Forensics Computer Examiner. My Curriculum Vitae is attached as Exhibit (A)
- 5) On September 9<sup>th</sup> 2003, I testified in front of the U.S. Senate Judiciary Committee on the uses of peer-to-peer protocols.

**Prior Experience**

- 6) I have been teaching computer networking since 1986 and written papers and performed research on computer networks.
- 7) I have given over 50 presentations on computer security and networks at conferences, workshops, and various meetings.

Dr. Doug Jacobson  
2500 Woodview Dr, Ames, Iowa 50014  
(515)-292-7239 dougj@iastate.edu

Page 1

DJ0069

- 8) I hold two patents in the area of computer network security and have won two R&D 100 awards for technologies I developed at Palisade Systems. One of these technologies is designed to detect and block peer-to-peer network protocols in addition to over 100 other network protocols.
- 9) I have assisted the Iowa State University Police department on several computer cases including cases using peer-to-peer networks to distribute pirated software and child pornography.
- 10) One of my graduate students, under my supervision and guidance, developed a system that monitors peer-to-peer networks and other forms of file-sharing for child pornography.
- 11) My rate for analysis and testimony is \$200.00 per hour. Additional expenses relating to analysis, testimony, and travel are reimbursed at the incurred costs.

### **Materials Considered**

- 12) I have reviewed the underlining investigative data for the Lindor case. This includes all of the data supplied by MediaSentry. I also have reviewed information supplied by Defendant's Internet Service Provider (ISP) Verizon Internet Services. Below is a list of the materials I considered in developing my conclusions.
  - a) MediaSentry Screenshots
  - b) MediaSentry Systemlog
  - c) MediaSentry UserLog (compressed)
  - d) MediaSentry UserLog
  - e) MediaSentry Download Logs
  - f) Certificate of Registration
  - g) MediaSentry Trace
  - h) Verizon Internet Services subpoena response
  - i) Disk drive image from defendant's computer

### **Conclusions**

In addition to the conclusions contained in my report dated April 7<sup>th</sup> 2006 I have the following additional conclusions based on the additional information from the hard drive image.

- 13) I will testify to the procedures used and results obtained by MediaSentry coupled with the information supplied by Defendant's ISP, to demonstrate the Defendant's Internet account and computer were used to download and upload Copyrighted music from the Internet using the KaZaA peer-to-peer network.
- 14) I will testify that based on the MediaSentry data mentioned above and registry entries recovered from the computer that the computer had a public IP address and was not connected to the Internet via a wireless router.
- 15) I will testify based on the forensics examination that the computer had three usernames of interest that were named Kathleen, Woody, and Yanick.
- 16) I will testify that none of the three users appeared to have used the computer much due to the lack of user created files and emails.

Dr. Doug Jacobson  
2500 Woodview Dr, Ames, Iowa 50014  
(515)-292-7239 dougj@iastate.edu

Page 2

- 17) I will testify that based on the data recovered from the hard drive that this hard drive does not appear to be the same hard drive that was used to share copyrighted songs as shown by the MediaSentry materials. I will testify based on the forensics examination of the hard drive that was copied from the computer owned by the defendant that the computer had no evidence of the KaZaA program nor was there any evidence of the KaZaA program ever being installed on the computer, although the MediaSentry data showed the computer connected to the defendant's Internet account was running the KaZaA program.
- 18) I will testify that the computer contained the resume of Gustave Lindor, Jr and that the document indicates he was living and working in Brooklyn N.Y. and working at Long John Silver's during the dates that the copyrighted music was being shared.
- 19) I reserve the right to review additional discovery materials, as they are made available for my review, and use any of the material considered as exhibits in my testimony.

Attachments:

Doug Jacobson -- Curriculum Vitae -- Exhibit (A)

I declare under penalty of perjury that the foregoing is true and correct. Executed this

\_\_\_\_ day of \_\_\_\_\_, 2006, at \_\_\_\_\_

\_\_\_\_\_  
Dr. Doug Jacobson

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Notary Public

My commission expires:

Dr. Doug Jacobson  
2500 Woodview Dr, Ames, Iowa 50014  
(515)-292-7239 dougj@iastate.edu

Page 4

DJ0072