

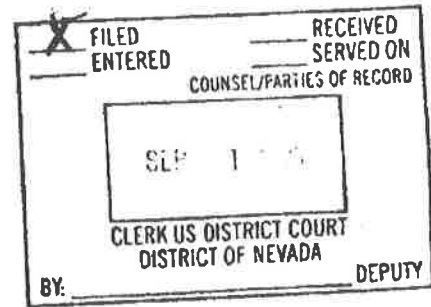
# **EXHIBIT 15**

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1 DANIEL G. BOGDEN  
United States Attorney  
2 PAUL L. PUGLIESE  
Assistant United States Attorney  
3 100 W. Liberty Street, Suite 600  
Reno, Nevada 89501  
4 Tel: (775) 784-5438

5 Attorneys for Plaintiff



6 UNITED STATES DISTRICT COURT

7 DISTRICT OF NEVADA

8 IN THE MATTER OF THE SEARCH OF: )

) No. 3:06-CV-0263-BES-VPC

9 The Residence Located at 12720 )  
Buckthorne Lane, Reno, Nevada, and )  
10 Storage Units 136, 140, 141, 142, and 143, )  
Double R. Storage, 888 Maestro Drive, )  
11 Reno, Nevada )

) **GOVERNMENT'S COMPLIANCE**  
) **WITH COURT ORDER OF**  
) **AUGUST 17, 2006**

12 )  
13 )  
14 COMES NOW, the United States of America, by and through DANIEL G. BOGDEN, United  
15 States Attorney, and PAUL L. PUGLIESE, Assistant United States Attorney, and complies with the  
16 Court's order of August 17, 2006.

17 During a hearing on August 17, 2006, the Court directed that the Government provide to the  
18 Court all reports and information that Special Agent Michael West relied upon in support of the  
19 information contained in the search warrant affidavits at issue in this matter. Upon receipt, the Court  
20 would conduct an *in camera* review in order to determine whether any of the information is relevant  
21 to a determination on issues currently outstanding in this matter.


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1 The Government has attached pages numbered 00001 - 00137 and dated September 11, 2006.  
2 The Government opposes the release of any of the attached documents to counsel for the movants at  
3 this time. Such release is not appropriate as the investigation of alleged offenses involving Mr.  
4 Montgomery continues, and the information contained herein is not necessary for a determination on  
5 the movants' pending motions.

6 Dated: September 11, 2006

7 Respectfully submitted,  
8 DANIEL G. BOGDEN  
9 United States Attorney

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11 PAUL L. PUGLIESE  
12 Assistant United States Attorney  
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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 02/13/2006

Warren Trepp, Chief Executive Officer, eTreppid Technology, LLC., 755 Trademark Drive, Reno, Nevada, telephone (775) 337-6771, was interviewed at the Reno Resident Agency of the Federal Bureau of Investigation by Special Agents John Piser III and Michael A. West, regarding the theft of trade secrets and classified information from eTreppid Technology, LLC.

Trepp was introduced to Dennis Lee Montgomery by Eldorado Casino Host Steven Sands in 1997. Trepp became aware that Montgomery wanted to start a new business involving the development of pattern recognition and compression of software.

In the end of 1998, Trepp and Montgomery formed Intrepid, a company to develop pattern recognition and compression software. On September 28, 1998, Trepp and Montgomery signed a contribution agreement wherein Montgomery received a fifty percent ownership in Intrepid in return for providing certain computer software technologies to Intrepid. Trepp provided a copy of the contribution agreement signed by Montgomery dated September 28, 1998.

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Trepp advised that at a later date, the name Intrepid was changed to eTreppid Technology, LLC to avoid any legal issues relating to the name of Intrepid.

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Trepp advised that Montgomery currently owns approximately thirty percent of eTreppid. Montgomery's ownership was reduced due to Montgomery selling a portion of his ownership for 2.25 million dollars and a capitol call in which Montgomery did not participate. The capitol call required equity investors to contribute additional capitol to eTreppid to continue the operation of the business.

Montgomery became the Chief Technical Officer (CTO) for eTreppid and had the responsibility for the day to day activities of eTreppid to include the hiring and firing of employees and preparing the company's products to satisfy customers. Montgomery was also on the Executive Management Committee which controlled the overall activities of the business. This Executive Management Committee consisted of Trepp, Montgomery, and Attorney Doug Frye.

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Investigation on 01/31/2006 at Reno, Nevada

File # 295A-LV-39368

Date dictated 02/09/2006

by SA John Piser III

JPW  
by SA Michael A. West:st

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Sept, 11' 06

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Continuation of FD-302 of Warren Trepp . On 01/31/2006 . Page 2

Trepp advised that Montgomery has software programming skills; however, recently Trepp has found out that Montgomery's skills may not be what he has purported them to be. Trepp cited a recent Air Force Office of Special Investigation Inquiry, which determined that Montgomery's programming skills were not what he alleged. Montgomery has hired other employees to do programming and claimed that he did the work.

Trepp recently learned that Montgomery would require eTreppid employees to falsify the results of live demonstrations for it's customers. Jesse Anderson, a programmer for eTreppid, told Trepp that Montgomery would require Anderson and Jim Bauder, another eTreppid employee to go into an office at eTreppid while Montgomery was out in a nearby field with a toy bazooka to demonstrate eTreppid's recognition software capabilities. Montgomery instructed Anderson and Bauder to go into a room and wait to hear a noise on their cell phone and then instructed them to press a button on a computer keyboard that would display an image of a bazooka on the computer screen viewed by the customers, including Department of Defense employees. Trepp advised that the Department of Defense employees were at the demonstration to make a judgment regarding the purchase of this technology.

Trepp advised that on December 8, 2005, Montgomery requested a personal loan of two hundred and seventy five thousand dollars through Trepp's financial company known as Friendly Capitol Partner, LP. Trepp further advised that he has loaned Montgomery money since approximately 1999 and estimated that Montgomery has an outstanding balance of approximately 1.375 million dollars and an \$125,000.00 in interest owed.

Trepp advised that Sloan Venables was able to recover approximately five years of Montgomery's e-mails maintained on eTreppid hardware; however, no e-mails were recovered for December 2005 to January 2006. Trepp advised that a review of these e-mails clearly showed that Montgomery is having financial troubles.

Trepp advised that Montgomery goes to the Eldorado Casino/Hotel and the Peppermill Hotel/Casino at night to gamble. Montgomery has told Trepp that he has a system for counting cards in an eight deck shoe in blackjack. Trepp has known Montgomery to use a three hundred thousand dollar line of credit at Nevada casinos.

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Trepp advised that approximately ten days ago, Montgomery asked Neil Azzinero, an El Dorado Hotel/Casino host, if Azzinero knew of a U.S. citizen who would be interested in funding a new business with him and needed five to ten million dollars.

Trepp advised that Montgomery is married to Brenda Montgomery and has two boys, Brian Montgomery, age 30, Steven Montgomery, age 26, and Kate Montgomery, age 23. Brian Montgomery and Steven Montgomery have been employed at eTreppid in the past, building hardware components.

Trepp advised that on January 9 or January 10, 2006, Montgomery stated "you're an asshole and I will see you again" to Jesse Anderson, which Anderson took as some type of threat. Montgomery has a bad temper and has been verbally abusive to employees and known to throw objects. Montgomery was also known to have had a Temporary Restraining Order issued against him from a former girlfriend who was employed at eTreppid.

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Trepp considers Montgomery to be a bright individual, who is a workaholic and has been known to embellish facts to his advantage. Trepp further described Montgomery as being independent and arrogant.

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Trepp advised that while Venables was on vacation from December 22, 2006 to January 4, 2006, Montgomery deleted all source code relating to eTreppid's software development efforts and all back up copies related to that software. Trepp further advised that only two employees had access to the company servers, known as the Source Server and the ISA Server. Those two employees were Sloan Venables and Dennis Montgomery. The Source Server contained all source code developed by eTreppid employees and their executable forms. Montgomery had the sole responsibility to back up the Source Server. Venables recently purchased a server known as the ISA server, just prior to his vacation, to act as a data warehouse for all eTreppid data.

Trepp advised that Montgomery routinely backed up the Source Server data onto a stand alone computer in Montgomery's office.

When Sloan returned from vacation, Sloan asked Montgomery where the back up computer for the Source Server was to which Montgomery advised Venables that he took it home. Trepp advised that Montgomery has never been known to take this computer home in

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Continuation of FD-302 of Warren Trepp, On 01/31/2006, Page 4

the past. Trepp further advised that this back up computer is missing from eTreppid.

Trepp advised that a review of both the Source Server and the ISA server revealed that all pertinent development data was deleted from the Source Server and the ISA server was damaged and is unusable. Trepp further advised that between January 7, 2006 and January 8, 2006, each computer work station at eTreppid was deleted of all software development data. Trepp advised that only two employees at eTreppid would have access to delete this level of data and those two employees are Venables and Montgomery.

Trepp advised that a review of eTreppid's alarm code log revealed that on January 7, 2006 and January 8, 2006, eTreppid alarm was disarmed and re-armed by Montgomery's alarm code.

Trepp further advised that eTreppid maintains a video surveillance system covering the exterior and interior of eTreppid and on January 10, 2006, a review of this equipment revealed that ~~the machines were no longer recording and all data on the computers had been deleted.~~ eTreppid's video surveillance system consists of seventeen video cameras which record on seventeen separate computer systems.

Trepp advised that the Source Server contained all intellectual property developed by eTreppid employees and possibly contained secret information.

Trepp advised that eTreppid has been developing software for use by various U.S. Government agencies and as a part of this development effort, have received authorization to possess and maintain classified information up to the Secret level. eTreppid employees would receive Secret information from U.S. Government agencies on various hard drives and Mini DV tapes which contained still and video images to be used in eTreppid's development efforts. Trepp advised that employees Patty Gray, Sloan Venables, and Dennis Montgomery handled this classified information. eTreppid was required to store this classified information in safes provided by the Air Force.

Trepp advised that after Montgomery left the business on January 10, 2006, an inventory of the classified hard drives and mini DV tapes was conducted and this inventory revealed that nine hard drives containing secret data were missing. As a result of

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this inventory, Trepp learned that possibly additional copies of the nine original hard drives were made by Montgomery.

Trepp advised that Montgomery is no longer an employee of eTreppid and alleges that he (Montgomery) has a copyright dating back to 1982 on software used by eTreppid for which he has not been paid.

Trepp advised that Montgomery's behavior is odd, considering that eTreppid would most likely receive government contracts in the near future which would result in million dollar contracts for eTreppid.

Trepp advised that on January 9, 2006, he asked Montgomery, who deleted the data from the Source Server and ISA server, to which Montgomery blamed Patty Gray. Trepp further advised that on January 10, 2006, he requested that Montgomery returned any items including the software that he had taken from eTreppid and Montgomery denied taking anything.

Trepp advised that he required Montgomery to provide him a copy of all data on the Source Server once every year to protect ~~both himself and Montgomery should something ever happen to this~~ data. Trepp advised that when he learned that the Source Server had been deleted and Montgomery refused to return to work, he looked at the copies provided by Montgomery over the years, and found that these disks were blank or contained no data relevant to eTreppid's development efforts.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 02/13/2006

Sloan Sterling Venables, white male, [REDACTED]

[REDACTED] cell [REDACTED] was interviewed at the Reno Resident Agency of the Federal Bureau of Investigation by Special Agents John Piser III and Michael A. West, regarding the theft of trade secrets from eTrepid Technologies, LLC.

Venables has been employed as the Director of Research and Development at eTrepid since approximately December of 1999. Venables duties include being the Facilities Security Officer who is responsible for ensuring compliance with government regulations in the storage of restricted information maintain by eTrepid. Venables is also the Network Administrator who maintains the mail and web servers, maintains the router configurations, purchases hardware for both internal and customer use, and leads half of the programming staff. Venables advised that he or Dennis Montgomery would know all eTrepid's efforts related to software development and the daily operations at ETrepid.

Venables advised that because of his responsibilities, he knows every piece of hardware at eTrepid as he has either installed it or hired someone to install it.

Venables knew Montgomery prior to coming to work at eTrepid and has worked closely with Montgomery since December of 1999.

Venables advised that in the fall of 2005, Patty Gray suspected Montgomery was doing something other than what he was actually telling people he was doing. Gray was trying to figure out what Montgomery was doing. Venables knew Montgomery promised products to customers that had not been completed or even assigned to programmers. Venables did not have specific details regarding this activity; however, Gray or employee Jesse Anderson may have more information.

Venables advised that Montgomery found out about Gray's and Anderson's efforts to look into his activities. In the beginning of December 2005, Montgomery installed removable hard drives on each of the programmer's workstation so he could remove

Investigation on 02/02/2006 at Reno, Nevada

File # 295A-LV-39368

SA John Piser III

by SA Michael A. West:st

Date dictated 02/09/2006

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the hard drives and required the programmers, to include Lalith Tenneti and Barjinder Bal, and Krishna Tangirala, to give him the source code that they were working on.

Venables advised that on December 21, 2005, he called Montgomery while driving to work and Montgomery told Venables not to come in to work and to stay home to get ready for his trip. Venables arrived at eTreppid at approximately 11:00 AM on December 21, 2005, to complete work on the Internet Security Accelerator Server or ISA Server. Venables intended this server to act as a proxy server and manage the RAID (Redundant Array of Inexpensive Disks) unit, containing sixteen hard drives, to back up the Source Code Server or SRC Server and all other servers. Venables wanted to put the ISA server in operation and back up all eTreppid data prior to leaving on vacation. Venables mounted the ISA Server and RAID unit in the same cabinet as the SRC Server with the assistance of Jim Bowder.

Venables turned on the ISA Server and started backing up the SRC Server using a program known as XX-Copy which copies files and prepares a log of which files were successfully copied. Venables recalled that the ISA Server finished a few folders on the SRC Server while he was still in the building on December 21, 2005.

The servers at eTreppid contain a large amount of data which would take many hours to back up successfully. The Development Server contains approximately two hundred gigabytes of storage and Venables estimated that the SRC Server contains another two hundred gigabytes of information. Venables advised that because of the file size and structure, it would take a lot of time to successfully delete these files.

Venables advised that on December 21, 2005, he went out into the warehouse where Montgomery had a server and RAID box. Montgomery used to periodically back up the SRC Server. Venables noticed that the Central Processing Unit (CPU) and the RAID box were missing and the only thing left at Montgomery's work area were the monitor, mouse, and keyboard. Venables asked Montgomery what happened to the server and the RAID box to which Montgomery stated that he took them home. Venables advised that both the CPU and the RAID box are large and noticeable items with the CPU being a large black Lianli case with a Pentium processor with an ASUS 4C800-E motherboard and a LSI controller to run the RAID box and the RAID box contained eight hard drives and had serial number 6564737. Venables advised that these items are large and noticeable with the

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RAID box weighing approximately one hundred pounds. Venables valued these items at approximately \$5,000.00 for the RAID box, \$5,000.00 for the hard drives, \$600.00 for the controller card, and \$3,000.00 for the CPU.

Venables advised that Montgomery was responsible for backing up the SRC Server onto the RAID box maintained by Montgomery. The server and RAID box used by Montgomery was not accessible by any other computer on the network and was connected directly to the SRC Server. Venables further described the RAID box as being an Ultra Store, model 2081, containing eight IDE 320 gigabyte hard drives with serial number 6564737. eTreppid purchased two like models, one of which is accounted for in the warehouse, and contains serial number 4460005.

Venables questioned Montgomery further as to why he took the server and RAID box home and Montgomery did not respond. Montgomery is known for not responding to people and just walking off.

Venables advised that he is responsible for backing up the data on all other eTreppid servers except for the SRC Server. These other servers included web servers, a SQL database server, and eight other servers for administrative functions at eTreppid.

Venables advised that he was at eTreppid until approximately 11:00 P.M., on December 21, 2005, and left his residence on December 22, 2005, at approximately 7:00 A.M., en route to the Reno Airport to travel to Budapest, Hungary to visit a high school friend for the Holidays. Venables returned to Reno, Nevada at approximately 12:00 A.M., on January 2, 2006.

Venables was unable to sleep after returning from in vacation and decided to go into work early on January 3, 2006, and arrived at the office at around 9:00 A.M. Venables normally arrives at the office around 11:00 A.M. and works into the evening.

Upon arriving at his desk on January 3, 2006, Venables noticed that the server cabinet and keyboard were messed up. Venables went into the Server Room and noticed that the SRC Server had recently been logged into and a process was running. Venables advised that he configured all eTreppid servers to have the screen saver lock out mode activate after one minute of non-use which requires the user to log back into the server after not touching the keyboard for one minute.

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Venables noticed the SRC Server had a command prompt on the screen which indicated to him that someone had used the SRC Server console within the last minute and he could see files scrolling by; however, he could not determine what task was running. Shortly thereafter, Montgomery walked into the Server Room and said he was just "cleaning up stuff" on the SRC Server and Venables could cancel the operation. Venables went downstairs to talk to Montgomery more about what he was doing on the SRC Server. Montgomery stated he was "cleaning up stuff" and deleting old files.

Venables advised that he set up the SRC server with a folder named ET Development with sub-folders for each programmer. Each programmer was given permission up to modify which allowed the programmer to add and change but not delete any files. Venables advised that the only eTreppid employees who had the administrative permissions and passwords to delete files from eTreppid's servers were himself and Montgomery. Venables further advised that all eTreppid servers had the same user name and password for ~~administrative functions which were only known to Montgomery and Venables.~~

Venables advised that after finding the command prompt on the SRC Server, he looked at the server and found that the ET Latest folder was empty; the ET Development folder was empty except for folders named Jesse and Michael; the ET Programmer folder was empty; and the ET Shared folder contained a few files. Venables then went to the ISA Server and noticed the server was locked up or not functioning; however, he could see it was still on the network but all files had been deleted, including the log files created prior to his leaving on December 21, 2005. Venables tested the ISA Server for approximately two months, 24 hours a day, seven days a week prior to putting it use on December 21, 2005, and had no problems.

Based on Venables' experience, Venables believes that the files were intentionally deleted. Venables advised that if the files were deleted due to a hardware malfunction, selected files would not have been deleted, and files or folder would not be accessible. In addition, Venables advised that he would not have been able to undelete the files if they had not been deleted through a normal delete process. Venables has been able to recover some of the deleted files from the SRC Server and from Montgomery's personal computer using Executive Software undelete function.

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Venables estimated it would have taken approximately three days to delete the data contained on the SRC Server.

Venables advised that on January 3, 2006, he went to talk to Montgomery about the SRC Server and again asked Montgomery where the RAID box and server were that he used to back up the SRC Server to which Montgomery said "I'll bring it back, I don't need it anymore".

Venables further advised that on January 3, 2006, Montgomery told him that he (Montgomery) was hiding in the building on December 21, 2005, and saw Patty Gray come back into the office after hours and saw her going around the building deleting things. Montgomery said he had set the alarm and hid out in the building and had Gray on video. Venables knew this was a lie because he (Venables) was in the building until approximately 11:00 P.M., on December 21, 2005, and neither Montgomery nor Gray were in the building. Venables further advised if the alarm been set, it would have activated if someone was in the building.

Venables learned that Montgomery had taken each programmer's hard drive and returned it with the current source folder wiped clean.

Tangirala told Venables that Montgomery took his hard drive while Venables was on vacation. Montgomery told Venables that the hard drive crashed; however, Tangirala told Venables that Montgomery just took the hard drive and gave him (Tangirala) back a blank hard drive with only the master image software on it. Tangirala was working primarily on eTreppid's Automatic Target Recognition software and had been working closely with Montgomery the last few months.

Venables asked Lalith Tenneti and Baljinder Bal when Montgomery started deleting the SRC Server, and both stated that the data on the SRC Server gradually started going away while Venables was on vacation. Tenneti and Bal also informed Venables that Montgomery also started deleting the information from their workstation during the time Venables was on vacation.

Venables found out the Gray had copied some information off of one of the programmer's workstations to present to Trepp and he (Venables) knew that Gray did not have the user name and password to delete information. Venables further advised that Gray was also on vacation from December 22, 2005, until January 3, 2006,

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along with Jesse Anderson who was on vacation from December 22, 2005 to January 3, 2006.

Venables advised that he last saw Montgomery on January 10, 2006, when Montgomery was in the eTreppid yelling obscenities at Warren Trepp and Joel Safriet.

Venables advised that on January 10, 2006, he found that all sixteen computers used by eTreppid to record video signals from their video surveillance cameras had stopped recording and further inspection revealed that all recorded data on each machine had been deleted from each of the sixteen computers sometime on January 8, 2006 or January 9, 2006 at approximately 8:00 to 8:30 PM.

Venables advised that he is also the Facility Security Officer and first learned that eTreppid had Secret material in the building when he saw Montgomery placing Secret stickers on hard drives. When Venables asked Montgomery about the Secret material, Montgomery told Venables not to worry about it.

Venables advised that after Montgomery left eTreppid on January 10, 2006, he believed that Montgomery had attempted to access eTreppid's computer system through the Internet; however, he has not been successful.

Venables advised that in past conversations with Montgomery, Montgomery has told Venables that he has storage units in Reno, Nevada, possibly at Double R Storage or Mt. Rose Storage.

Venables advised that Steven Montgomery, the son of Dennis Montgomery, worked at eTreppid on projects for Montgomery involving assembly of hardware components.

Venables advised that Montgomery has a daughter, Kathleen "Katie" Montgomery, who lives [REDACTED] in South Reno.

Venables has known Montgomery to use the following telephones: [REDACTED]

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Venables provided an e-mail message dated January 30, 2006, showing the serial number for the Ultra Store RAID storage unit having serial number 6564737.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 02/21/2006

Patty Gray, Asian female, [REDACTED]

[REDACTED] was interviewed by Special Agents John Piser III and Michael A. West at the Reno office of the Federal Bureau of Investigation regarding activities at eTreppid Technologies, LLC.

Gray advised that she has a Master's Degree in Computer Engineering and has been employed by eTreppid for approximately three years and four months. Gray holds the title of Vice President of Product Development with responsibilities for business development and marketing for U.S. Government customers. Gray handles all customer relations to include gathering customer requirements and cost estimates for various products. Gray reports to both Chief Technical Officer Dennis Lee Montgomery and Chairman Warren Trepp.

Gray advised that the main project that she had been working on is a long term project with the Special Operations Command (SOCOM) ~~contract to record video feeds from Predator Drones operating overseas and to develop Automatic Target Recognition software.~~

Gray advised that in March of 2005, she traveled to Nellis Air Force Base in Las Vegas, Nevada to record test video received from a Predator Drone in a demonstration test to record vehicles, people, and weapons. Personnel at Nellis Air Force Base instructed Gray to label these tapes Secret which Gray did in her own handwriting and affix a red Secret level to five mini DV tapes. Gray advised that the same information was received by eTreppid from Fort Bragg, North Carolina; however, these tapes were marked Unclassified and contained more data than the set of tapes she made at Nellis Air Force Base. Gray advised that all five of the tapes marked Secret are accounted for. Gray further advised that Montgomery would take small segments for test data from these tapes; however, Gray did not know if Montgomery took the test data from the tapes labeled Secret or from the Unclassified tapes.

Gray advised that in June of 2005, this process was again repeated by having test data generated from a Predator Drone which

Investigation on 02/06/2006 at Reno, Nevada

File # 295A-LV-39368

Date dictated \_\_\_\_\_

by SA John Piser III JPW  
SA Michael A. West:st

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Sept. 11' 06

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Gray called a "fabricated scenario", which produced approximately seven tapes which she labeled with handwritten labels and placed a red Secret sticker on each of these seven tapes. Gray advised that these seven tapes are accounted for.

Gray advised that in November of 2005, eTreppid delivered two servers to SOCOM at Nellis Air Force Base. eTreppid would no longer record the video data on to mini DV tapes and now recorded the video data onto 320 gigabytes hard drives. Gray advised that during this time she would travel to Nellis Air Force Base and start the system recording the data from similar fabricated test scenarios. Gray advised that on one occasion, SOCOM employee Lance Lombardo was supposed to coordinate the activities of the Predator Drone and set up objects to record. On this occasion, Lombardo never showed up and Montgomery instructed Gray to record the data anyway to obtain test data.

Gray advised that when labeling this media, she would prepare a handwritten description on a label which she would place on the hard drive which included the date of the information and which server, Server A or Server B, and then affix a red Secret label to the hard drive. Gray would apply the label and Secret sticker to the outer case of the removable Imclose case but not directly to the hard drive. Gray was instructed by SAIC Contractor Personnel at Nellis Air Force Base to double wrap the hard drives for shipment. Gray identified a red Secret label described as an SF-707 label as being identical to the red Secret label she applied to these hard drives.

Gray advised that the video data she recorded contains dates and times in Zulu time and GPS coordinates in each video frame. Gray kept personal notes regarding what videos were made and would make those available to the FBI.

Gray would send these Secret hard drives via Federal Express to Montgomery in Reno, Nevada. Gray recalled that she made three FedEx shipments, two of which were received and signed for by Montgomery and one was received by another eTreppid employee; however, Gray recalls delivering this package directly to Montgomery upon arriving in Reno, Nevada.

Gray advised that she recorded the information at Nellis Air Force Base onto nine hard drives which she labeled Secret and were all eventually mailed to eTreppid in Reno, Nevada via Federal Express. These nine Secret hard drives along with the Secret Mini

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DV tapes, were stored in a GSA approved container or safe when they were not in use. Gray advised that only she, Montgomery, and Trepp had access to the combination for the safe containing the Secret information with her and Montgomery having the primary access.

Gray advised that on several occasions, she found the entire contents of the safe were gone and would go to Trepp to complain about Montgomery's non-compliance with the security procedures. Trepp would immediately get up from his desk and tell Montgomery to put the Secret material back in the safe and Montgomery would return the Secret items. Gray further advised that Montgomery was the only other employee at eTreppid besides herself that would use the Secret data. Gray advised that she did see other eTreppid employees using tapes with similar content but was unsure if the content was classified. These employees would have received the data from Montgomery.

Gray advised that Montgomery instructed the software engineers or programmers not to talk to her and Montgomery had the ~~engineers afraid that they would be fired and removed from the U.S.~~ if they spoke to Gray. eTreppid employees hires a number of foreign individuals as software engineers.

In December of 2005, Montgomery took the nine Secret hard drives out of the safe and said he was going to condense the nine original hard drives onto six hard drives due to their being unused space on the original nine Secret hard drives. Gray recalled that Montgomery returned six hard drives labeled Secret into the safe along with the original nine Secret hard drives.

Around that same time, Trepp asked Gray to place test data on Mini DV tapes containing segments of day and night operations. Gray advised that Trepp wanted two sets of tapes, one set for Montgomery and one set for Trepp to be used to validate Montgomery's work and to ensure that the results of Montgomery's work was not staged. Gray informed Trepp that because the video segments were only five to seven minutes in length, anyone could train the software to work in a certain way to achieve a specific result for that short time frame. Trepp suggested that Gray made additional tapes for him and place those tapes in a separate drawer in the safe with the combination only being known to Trepp and Gray. Gray prepared four tapes containing Secret data, two of which she placed in the safe only known to her and Trepp and gave the two remaining tapes to Montgomery. Gray advised that the two

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tapes provided to Montgomery are missing, however, the two tapes placed in the safe are accounted for.

Gray advised that Montgomery would store Secret tapes and hard drives in a file cabinet located behind his desk in the warehouse. Gray advised that when she would find the Secret information missing from the GSA approved safe, she would find the tapes or hard drives with Montgomery in the warehouse. Gray recalled that the second to the last time she found these tapes missing, she told Montgomery that he may lose his security clearance if he did not store the Secret material properly. Montgomery told Gray "I will never lose my clearance because they will always want me to do the work". Gray told Trepp of Montgomery's statement and Trepp told her to collect the Secret material and change the combination and not to give the combination to Montgomery. Gray advised that she did as instructed by Trepp and placed the nine Secret original hard drives and the six copies and all Secret mini DV tapes in the safe. Gray recalled that she did this prior to December 18, 2005 and believed that she had ~~placed all classified material in the safe and only she had the combination.~~

On December 18, 2005, Gray returned home to Arizona and received a number of telephone calls from Trepp and Montgomery. Gray received a number of text messages from Montgomery requesting access to the Secret material in the safe so he could work. Gray received a telephone call from Trepp in which Trepp instructed Gray to give the combination to the safe to Montgomery to let him work and that they would re-secure the data on Monday. Gray advised that she told Trepp that she felt that Montgomery only wanted access to the Secret data to make copies of it so he would not seem to be in non-compliance with security procedures. Upon Gray's return to Reno, she put all the classified material that she had back in the safe that both Trepp and Montgomery had access to and went on vacation from December 21, 2005 to January 3, 2006 in Phoenix, Arizona. Gray felt that she lost control of the classified material and left it up to Trepp and Montgomery to secure the data.

Software Engineer Lalith Tenneti told Gray that before New Years, Montgomery sat down at Tenneti's computer and deleted his source code while Tenneti watched. Montgomery told Tenneti that he didn't need the source code on his work station and Montgomery had a new back up system in place. Gray later found out that Montgomery did this on every engineer's work station.

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Gray advised that Montgomery created an environment that if anyone challenged him they felt they would be fired or deported as the majority of eTreppid's software engineers are foreigners.

Gray felt that Montgomery had extremely poor program management and assigned work to the software engineers that had been promised to customers which had not been complete or yet been assigned. Gray also found out that Montgomery was taking credit for writing code done by others.

Gray informed Trepp that Montgomery claimed to have written 95% of the source code for various eTreppid products and she learned that he had not. In December of 2005, Gray started collecting information about Montgomery's activities and provided this information to Trepp on December 21, 2005, and somehow Montgomery became aware of Gray's efforts. Gray advised that she received a telephone call thirty minutes after having a close door meeting with Trepp from Jesse Anderson. Montgomery told Anderson that Trepp and Gray were ganging up on Anderson and wanted to know if he had any source code on his computer. Gray further advised that Sloan Venables called her on December 21, 2005, and said that Montgomery was leaving the building with a case of hard drives and believed that Montgomery was talked to by Trepp.

Gray further advised that engineers Young Mian and Zehang Sun, who are both from China, may have had access to classified data on their computers. Gray advised that she saw some video content on both their computers which was similar to the classified video content. Gray asked Young Mian where he got the data and Young Mian told her from Montgomery.

Gray advised that after Montgomery left the business on or about January 10, 2006, she and other employees conducted a search of the entire eTreppid office space to locate the nine original Secret hard drives and or their removable enclosures. During the search, an additional copy of the six Secret hard drives were located labeled Secret and were put in the safe; however, the nine original Secret tapes were not located.

Gray provided a chronological list of events occurring at eTreppid related to the Secret hard drives which is attached to and considered a part of this FD-302.

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Date	Description
11/3/05 – 11/4/05	Traveled from Reno to Nellis AFB to test latest ATR software and gather test data. Generated data on 3 HDDs, marked them all Secret, double-wrapped them and sent them via Fedex to Dennis using Priority Overnight with Saturday delivery. Dennis did receive them on Saturday.
11/7/05	Arrived in Reno and confirmed with Dennis that he had received the data.
11/9/05 – 11/11/05	Traveled from Reno to Nellis AFB to test the latest ATR software and gather additional test data. Generated 5 HDDs, marked them all Secret, double-wrapped them and sent them via Fedex to Dennis using Priority Overnight with Saturday delivery. Dennis did receive them on Saturday.
11/14/05	Arrived in Reno and confirmed with Dennis that he had received the data.
11/17/05 – 11/18/05	Traveled from Reno to Nellis AFB to test latest ATR software and gather test data. Dennis was on vacation 11/18/05 – 11/20/05. The software that I was to test had a bug and no update was sent so 3 HDDs were sent back. Two with the OS and ATR application, one with classified data. The classified material was marked Secret, double-wrapped. All 3 HDDs were sent via Fedex to myself using Overnight for Monday delivery.
11/21/05	Arrived in Reno. Altan Bora signed for the Fedex delivery close to noon. I arrived in the office shortly after noon, and gave the unopened Fedex package to Dennis in the warehouse.
12/5/05	Arrived in Reno shortly after noon. I requested from Zehang Sun and/or Dennis that I get a copy of the latest version of the motion detection software so that I could do some testing. Dennis told Zehang that he would get it to me right away. Zehang told me the latest version was on Yongmian's computer.
12/6/05	Reminded Dennis that I was still waiting for the motion detection software for testing. He continued to promise but I did not receive it. At 3pm, I went to Yongmian's computer (Yongmian was away at a conference) and copied it from his computer onto mine. When I started the application in my office, noticed that it appeared that the test content on Yongmian's computer was classified video. I then checked the safes to find out if the rest of the data was being correctly stored and saw that all of the original hard drives from Nellis were not in the safe. I notified Warren who told Dennis to correct this.
12/7/05	I checked the safes and noticed that the classified content was still not in the safe. I approached Dennis and he said that it was all in the file cabinets in the warehouse. I verbally told him that this was not the correct place to store classified content. I notified Warren that the content was still not being correctly stored.

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12/8/05	I sent an email to Dennis and copied Warren to remind him that all classified content should be stored in the safe and asked that he use a particular safe so that we could both have access to it since we both had the combination. As a result, all original classified HDDs and tapes were moved to the safe.
12/12/05	Warren asked me to generate some test tapes from the classified HDDs for internal testing. I sent an email to confirm this since previously Dennis had told me he wanted to use the HDDs, not tapes. Warren requested that I make 4 DV tapes, two for Dennis (one night video, one day) and two for him that he could conduct a blind test with (one night video, one day). I retrieved one of the HDDs (content from 11/5/05) to start looking for which scenes to extract to a tape.
12/13/05	<p>I went to get another HDD to generate more of the test tapes and found that all of the HDDs were missing from the safe again. I alerted Warren and he had Dennis return the content to the safe immediately. I completed the 4 test tapes in the late afternoon using content from the Nellis classified content from 11/5/05 and 11/13/05. I handed two tapes to Dennis. During the time that I was generating the second tape, Dennis came in to put a new label on the HDD that I was using. He said that he was condensing the hard drives I had used at Nellis because some were only partially full.</p> <p>I changed the combination to the top drawer of the safe and secured Warren's two test tapes in that drawer. The rest of the original hard drives were stored in the bottom drawer that Dennis and I both had the combination to.</p>
12/15/05	I went to get a HDD so that I could resume testing the motion detection software. Once again, all of the HDDs were missing from the safe. I went to ask Dennis about this and he said that he wanted to store them in the file cabinet in the warehouse because it was more convenient for him. I told him that this was not the appropriate way to secure the classified content and he was risking losing his clearance. He said "I don't care about my clearance. They'll always give me my clearance because they want me to do the work." I reported this to Warren and he agreed that access to the classified material needed to be restricted. He had Dennis immediately return all of the classified HDDs and tapes to the safe and then instructed me to move all of the classified material in the top drawer of the safe and not give the combination to Dennis.

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12/18/05	Dennis tried to contact me by text message. Warren eventually made contact with me by cell phone and told me to provide the combination to Dennis so that he could access the classified material. I told Warren that I suspected that Dennis would make copies of the content and that he would also have access to the two tapes that Warren wanted for the blind testing. He still wanted me to provide Dennis with the combination and we would talk to him and re-secure everything when I got back into the office on Monday.
12/20/05	I sent a note to Warren that indicating that I was not comfortable being responsible for securing the content because I was suspicious that Dennis had made copies of all of the content.
12/21/05	I met with Warren to discuss several issues including that I had seen what appeared to be classified content on Zehang's shared folder on his computer. As I was trying to copy it over to my system, it got deleted. I left for my vacation at 6:35a on 12/22/05.
1/8/06	Lalith told me that Dennis had deleted all of the source code from his and the other engineers's systems between Christmas and New Year's. I arranged to have him talk to Warren about this.
1/9/06	We began looking for source code on any hard drive in the building. I found seven HDDs in his file cabinet that were copies of the original 9 Nellis HDDs. When I checked the safe, another copy of the original 9 Nellis HDDs were there (condensed to seven HDDs) but the originals were missing. In addition, two of the four tapes generated per Warren's request on 12/12/05 were also missing.
1/10/06 – 1/13/06	A search of the work and storage areas in the building did not result in locating the missing classified material.
1/23/06	I checked one of the HDDs that Dennis had generated to see what was on it. It was labeled "Nellis Images WIP 12/8/05". On it was a recent version of the target detection/motion detection software and test imagery. I asked Yongmian to describe the test sequences that he had been using. His description matches the test sequences in the two directories on this HDD that contain the detection software. At least one of the test sequences is from classified material. However, without showing Yongmian the sequence, I cannot be positive that the test sequence he had access to and the imagery on this HDD are the same.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 02/13/2006

Neil Azzinaro [REDACTED]

[REDACTED] was interviewed by Special Agents John Piser III and Michael A. West regarding Dennis Lee Montgomery.

Azzinaro is an independent casino host who periodically works in Reno, Nevada, where he met Warren Trapp and Dennis Montgomery in approximately 1999 or 2000.

Azzinaro advised that in the first of January 2006, he called Montgomery to discuss a home computer problem with Montgomery. Azzinaro knows Montgomery to have extensive knowledge of computer and Montgomery has helped Azzinaro resolve problems in the past.

During this telephone call, Azzinaro asked how Montgomery was doing. Montgomery advised that things were not going well for him, that he made Warren Trepp eleven million dollars last year, recently asked Trepp for a raise, and Trepp would not give him one. ~~Montgomery commented that he was aware that Azzinaro knew a lot of~~ people through the casino business and wanted to find someone with ten to eleven million dollars. Montgomery advised this individual could only be from this country, not from a corporation, and has to be a private party. Montgomery told Azzinaro he wanted to start his own business.

Azzinaro told Montgomery that he would look around.

Azzinaro commented that during this telephone conversation, Montgomery sounded very revengeful and reiterated that he made a lot of money for Trepp and Trepp owes him. Montgomery stated on more than one occasion during this conversation that he made Trepp eleven million dollars and he got nothing.

Azzinaro is aware that Montgomery gambles large sums of money and on occasions has borrowed ninety thousand dollars from a casino and lost the ninety thousand dollars. Montgomery paid the money back the next day which Azzinaro found to be odd as most high stakes gamblers don't repay their debts immediately. Azzinaro was

Investigation on 02/06/2006 at Reno, Nevada

File # 295A-LV-39368

Date dictated 02/09/2006

by SA John Piser III

SA Michael A. West:st

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also aware of an occasion when Montgomery had a three hundred thousand dollar outstanding credit bill with Nevada casino on which he immediately paid two hundred thousand dollars.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 02/21/2006

Sloan Venables, Director of Research and Development, eTreppid Technologies, LLC, 755 Trademark Drive, Reno, Nevada, telephone number (775) 337-6771, voluntarily provided Special Agent Michael A. West with one Supermicro Central Processing Unit, no serial number, containing dual Xeon processors, a X5DAE motherboard, and two internal hard drives removed from eTreppid's video surveillance system.

Venables was provided a copy of a FD-597, "Receipt for Property" which was placed in the 1A section of the case file.

Investigation on 02/8/2006 at Reno, Nevada

File # 295A-LV-39368

Date dictated 02/21/2006

by SA Michael A. West:maw

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 02/23/2006

Patty Gray, Vice President of Product Development, eTreppid Technology, LLC, 755 Trademark Drive, Reno, Nevada, telephone number (775) 337-6771, provided the attached inventory of classified material maintained at eTreppid Technology, LLC.

Investigation on 02/14/2006 at Reno, Nevada

File # 295A-LV-39368

Date dictated 02/23/2006

by SA Michael A. West:maw

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Sept. 11' 06

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#	Date of material	Dispatch/ Receipt	Date of D/R	Classification	Unclassified description of material	ID of activity (contract #/recipient)
1	3/15/05	R	3/15/05	Secret	Mini-DV Tape labeled Tape 1 EO 10K, 7.5K 5K altitude 3/15/05	SOCOM USZA26-03-P-3294
2	3/15/05	R	3/15/05	Secret	Mini-DV Tape labeled Tape 1 0330 IR&EO, No targets 3/15/05	SOCOM USZA26-03-P-3294
3	3/15/05	R	3/15/05	Secret	Mini-DV Tape labeled Tape 2 IR 3-15-05 10K, 7.5K, 5K	SOCOM USZA26-03-P-3294
4	3/15/05	R	3/15/05	Secret	Mini-DV Tape labeled Short Test Clip	SOCOM USZA26-03-P-3294
5	6/3/05	R	6/3/05	Secret	Mini-DV Tape labeled Gold #97 White #88 Purple #80 POCN 03Jun05	SOCOM USZA26-03-P-3294
6	6/3/05	R	6/3/05	Secret	Mini-DV Tape labeled Orange #76 GCS 7 Night 03Jun05	SOCOM USZA26-03-P-3294
7	6/3/05	R	6/3/05	Secret	Mini-DV Tape labeled Red-75 ORA-81 6/3/05	SOCOM USZA26-03-P-3294
8	6/3/05	R	6/3/05	Secret	Mini-DV Tape labeled 12.6K Orange #76 Night 03Jun05	SOCOM USZA26-03-P-3294
9	6/3/05	R	6/3/05	Secret	Mini-DV Tape labeled Orange GCS 7 #78 Day Nellis IR/EO 03Jun05 2330PM	SOCOM USZA26-03-P-3294
10	6/3/05	R	6/3/05	Secret	Mini-DV Tape labeled Orange #76 03Jun05 Day	SOCOM USZA26-03-P-3294
11	6/3/05	R	6/3/05	Secret	Mini-DV Tape labeled Orange #76 03Jun05 Day	SOCOM USZA26-03-P-3294
12	11/4/05	MISSING	12/12/05	Secret	Mini-DV Tape labeled Tape 1 11/4/05 IR	SOCOM USZA26-03-P-3294
12	11/4/05	R	12/12/05	Secret	Mini-DV Tape labeled Tape 2 11/4/05 IR	SOCOM USZA26-03-P-3294
13	11/10/05	R	11/10/05	Secret	Mini-DV Tape labeled GCS 11 #125 IR 11/10/05	SOCOM USZA26-03-P-3294
14	11/10/05	R	11/10/05	Secret	Mini-DV Tape labeled GCS 6 #61 11/10/05 IR	SOCOM USZA26-03-P-3294
15	11/10/05	R	11/10/05	Secret	Mini-DV Tape labeled GCS 10 #119 11/10/05 IR Taps 1(A)	SOCOM USZA26-03-P-3294
16	11/10/05	R	11/10/05	Secret	Mini-DV Tape labeled GCS 6, #61 to GCS 11 #125 IR 11/10/05	SOCOM USZA26-03-P-3294

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17	11/13/05	MISSING	12/13/05	Secret	Mini-DV Tape labeled Tape 3 11/13/05	SOCOM USZA26-03-P-3294
17	11/13/05	R	12/13/05	Secret	Mini-DV Tape labeled Tape 4 11/13/05	SOCOM USZA26-03-P-3294
18	11/4/05	MISSING	11/4/05	Secret	HDD labeled 11/4/05 Nellis	SOCOM USZA26-03-P-3294
19	11/4/05	MISSING	11/4/05	Secret	HDD labeled 11/4/05 Nellis	SOCOM USZA26-03-P-3294
20	11/4/05	MISSING	11/4/05	Secret	HDD labeled 11/4/05 Nellis	SOCOM USZA26-03-P-3294
21	11/10/05	MISSING	11/10/05	Secret	HDD labeled 11/10/05 Nellis	SOCOM USZA26-03-P-3294
22	11/10/05	MISSING	11/10/05	Secret	HDD labeled 11/10/05 Nellis	SOCOM USZA26-03-P-3294
23	11/10/05	MISSING	11/10/05	Secret	HDD labeled 11/10/05 Nellis	SOCOM USZA26-03-P-3294
24	11/11/05	MISSING	11/11/05	Secret	HDD labeled 11/11/05 Nellis	SOCOM USZA26-03-P-3294
25	11/11/05	MISSING	11/11/05	Secret	HDD labeled 11/11/05 Nellis	SOCOM USZA26-03-P-3294
26	11/12/05	MISSING	11/12/05	Secret	HDD labeled 11/12/05 Nellis	SOCOM USZA26-03-P-3294
27	11/4/05	R	12/7/05	Secret	Hard Disk Drive labeled Nellis 11/04/05	SOCOM USZA26-03-P-3294
28	11/11/05	R	12/7/05	Secret	Hard Disk Drive labeled Nellis 11/11/05	SOCOM USZA26-03-P-3294
29	11/11/05	R	12/7/05	Secret	Hard Disk Drive labeled Nellis 11/11/05	SOCOM USZA26-03-P-3294
30	11/12/05	R	12/7/05	Secret	Hard Disk Drive labeled Nellis 11/12/05	SOCOM USZA26-03-P-3294
31	12/04 - 04/05	R	12/7/05	Secret	Hard Disk Drive labeled SOCOM 12/04 - 04/05	SOCOM USZA26-03-P-3294
32	12/04 - 04/05	R	12/7/05	Secret	Hard Disk Drive labeled SOCOM 12/04 - 04/05	SOCOM USZA26-03-P-3294
33	12/8/05	R	12/8/05	Secret	Nellis Images WIP 12/8/05	SOCOM USZA26-03-P-3294
34	11/4/05 - 11/12/05	R	12/19/05	Secret	Hard Disk Drive labeled Nellis 11/4/05 - 11/12/05	SOCOM USZA26-03-P-3294
35	12/8/05	Destroyed	1/11/06	Secret	Hard Disk Drive labeled Nellis Images WIP 12/8/05	Dod 7-pass delete and wipe
36	11/4/05 - 11/11/05	R	12/19/05	Secret	Hard Disk Drive labeled Nellis 11/4/05 - 11/11/05	SOCOM USZA26-03-P-3294
37	11/11/05	R	12/19/05	Secret	Hard Disk Drive labeled Nellis 11/11/05	SOCOM USZA26-03-P-3294
38	03/05-06/05	Destroyed	1/19/05	Secret	Hard Disk Drive labeled Lance Prod 03/05-06/05	Dod 7-pass delete and wipe

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39	7/7/05-7/10/05	R	12/19/05	Secret	Hard Disk Drive labeled Lance Data	SOCOM USZA26-03-P-3294
40	06/05-07/05	R	12/19/05	Secret	Hard Disk Drive labeled Lance Prod	SOCOM USZA26-03-P-3294

41 03/05-04/05 R  
 42 04/05-07/05 R  
 Secret Hard Disk labeled Camera 05/05-06/05 A  
 Secret Hard Drive labeled Camera 06/05-07/05 A

43 R  
 44 R  
 45 R  
 46 R  
 47 R  
 48 R  
 49 R  
 50 R  
 51 R

Secret MiniDV Museum 6/26-6/29 Reconn Track Download  
 MiniDV 182004 ORS Big Red Tape 2  
 MiniDV 04 May Recon Hostage Loc  
 MiniDV 12 May Recon ORS Ramson/Aten  
 MiniDV Redigshan  
 MiniDV 31 Dec 03  
 MiniDV Camp I  
 MiniDV Camp II

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 02/23/2006

Sloan Sterling Venables, Director of Research and Development and Facility Security Officer, eTrepid Technology, LLC, 755 Trademark Drive, Reno, Nevada, telephone number (775) 337-6771, provided the attached documents relating to Security Clearances of Chief Technical Officer Dennis Lee Montgomery:

Standard Form 312, "Classified Information Nondisclosure Agreement", signed and dated September 16, 2003, by Dennis Lee Montgomery, [REDACTED]

Department of the Army, U.S. Army Security Operations Training Facility, Post Office Box 70660, Fort Bragg, North Carolina, "Security Briefing" Form, briefed and signed on August 25, 2003, by Dennis Montgomery, [REDACTED]

Department of Security Services, Investigation Summary, for Dennis Lee Montgomery.

Department of Defense, Letter of Consent, National Industrial Security Program, Clr Date, May 7, 2003, to Dennis Lee Montgomery, [REDACTED]

Investigation on 02/14/2006 at Reno, Nevada

File # 295A-LV-39368

Date dictated 02/23/2006

by SA Michael A. West:maw

00028

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

Sept. 11' 06

COPY

CLASSIFIED INFORMATION NONDISCLOSURE AGREEMENT

AN AGREEMENT BETWEEN DENNIS MONTGOMERY AND THE UNITED STATES

(Name of Individual - (Printed or typed))

1. Intending to be legally bound, I hereby accept the obligations contained in this Agreement in consideration of my being granted access to classified information. As used in this Agreement, classified information is marked or unmarked classified information, including oral communications, that is classified under the standards of Executive Order 12958, or under any other Executive order or statute that prohibits the unauthorized disclosure of information in the interest of national security; and unclassified information that meets the standards for classification and is in the process of a classification determination as provided in Sections 1.1, 1.2, 1.3 and 1.4(e) of Executive Order 12958, or under any other Executive order or statute that requires protection for such information in the interest of national security. I understand and accept that by being granted access to classified information, special confidence and trust shall be placed in me by the United States Government.

2. I hereby acknowledge that I have received a security indoctrination concerning the nature and protection of classified information, including the procedures to be followed in ascertaining whether other persons to whom I contemplate disclosing this information have been approved for access to it, and that I understand these procedures.

3. I have been advised that the unauthorized disclosure, unauthorized retention, or negligent handling of classified information by me could cause damage or irreparable injury to the United States or could be used to advantage by a foreign nation. I hereby agree that I will never divulge classified information to anyone unless: (a) I have officially verified that the recipient has been properly authorized by the United States Government to receive it; or (b) I have been given prior written notice of authorization from the United States Government Department or Agency (hereinafter Department or Agency) responsible for the classification of information or last granting me a security clearance that such disclosure is permitted. I understand that if I am uncertain about the classification status of information, I am required to confirm from an authorized official that the information is unclassified before I may disclose it, except to a person as provided in (a) or (b), above. I further understand that I am obligated to comply with laws and regulations that prohibit the unauthorized disclosure of classified information.

4. I have been advised that any breach of this Agreement may result in the termination of any security clearances I hold; removal from any position of special confidence and trust requiring such clearances; or termination of my employment or other relationships with the Departments or Agencies that granted my security clearance or clearances. In addition, I have been advised that any unauthorized disclosure of classified information by me may constitute a violation, or violations, of United States criminal laws, including the provisions of Sections 641, 793, 794, 798, 952 and 1924, Title 18, United States Code, the provisions of Section 783(b), Title 50, United States Code, and the provisions of the Intelligence Identities Protection Act of 1982. I recognize that nothing in this Agreement constitutes a waiver by the United States of the right to prosecute me for any statutory violation.

5. I hereby assign to the United States Government all royalties, remunerations, and emoluments that have resulted, will result or may result from any disclosure, publication or revelation of classified information not consistent with the terms of this Agreement.

6. I understand that the United States Government may seek any remedy available to it to enforce this Agreement including, but not limited to, application for a court order prohibiting disclosure of information in breach of this Agreement.

7. I understand that all classified information to which I have access or may obtain access by signing this Agreement is now and will remain the property of, or under the control of the United States Government unless and until otherwise determined by an authorized official or final ruling of a court of law. I agree that I shall return all classified materials which have, or may come into my possession or for which I am responsible because of such access: (a) upon demand by an authorized representative of the United States Government; (b) upon the conclusion of my employment or other relationship with the Department or Agency that last granted me a security clearance or that provided me access to classified information; or (c) upon the conclusion of my employment or other relationship that requires access to classified information. If I do not return such materials upon request, I understand that this may be a violation of Sections 793 and/or 1924, Title 18, United States Code, a United States criminal law.

8. Unless and until I am released in writing by an authorized representative of the United States Government, I understand that all conditions and obligations imposed upon me by this Agreement apply during the time I am granted access to classified information, and at all times thereafter.

9. Each provision of this Agreement is severable. If a court should find any provision of this Agreement to be unenforceable, other provisions of this Agreement shall remain in full force and effect.

(Continue on reverse.)



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10. These restrictions are consistent with and do not supersede, conflict with or otherwise alter the employee obligations, rights or liabilities created by Executive Order 12958, Section 7211 of Title 5, United States Code (governing disclosures to Congress); Section 1034 of Title 10, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military); Section 2302(b) (8) of Title 5, United States Code, as amended by the Whistleblower Protection Act (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that expose confidential Government agents), and the statutes which protect against disclosure that may compromise the national security, including Sections 641, 793, 794, 798, 952 and 1924 of Title 18, United States Code, and Section 4 (b) of the Subversive Activities Act of 1950 (50 U.S.C. Section 783(b)). The definitions, requirements, obligations, rights, sanctions and liabilities created by said Executive Order and listed statutes are incorporated into this Agreement and are controlling.

11. I have read this Agreement carefully and my questions, if any, have been answered. I acknowledge that the briefing officer has made available to me the Executive Order and statutes referenced in this agreement and its implementing regulation (32 CFR Section 2003.10) so that I may read them at this time, if I so choose.

SIGNATURE 	DATE 9/14/03	SOCIAL SECURITY NUMBER (See Notice below) [REDACTED]
---------------	-----------------	------------------------------------------------------------

ORGANIZATION (IF CONTRACTOR, LICENSEE, GRANTEE OR AGENT, PROVIDE: NAME, ADDRESS, AND, IF APPLICABLE, FEDERAL SUPPLY CODE NUMBER)  
 (Type or print)

ETREPAD TECHNOLOGIES, LLC      325XΦ  
 755 TRADEMARK DR  
 RENO, NV 89521

WITNESS		ACCEPTANCE	
THE EXECUTION OF THIS AGREEMENT WAS WITNESSED BY THE UNDERSIGNED.		THE UNDERSIGNED ACCEPTED THIS AGREEMENT ON BEHALF OF THE UNITED STATES GOVERNMENT.	
SIGNATURE 	DATE 16 Sept 03	SIGNATURE 	DATE 16 Sept 03
NAME AND ADDRESS (Type or print) Defense Security Inc. (S41P4) 4349 Duffer Drive Wallops AFB, NV 85191		NAME AND ADDRESS (Type or print) SAME	

**SECURITY DEBRIEFING ACKNOWLEDGEMENT**

I reaffirm that the provisions of the espionage laws, other federal criminal laws and executive orders applicable to the safeguarding of classified information have been made available to me; that I have returned all classified information in my custody; that I will not communicate or transmit classified information to any unauthorized person or organization; that I will promptly report to the Federal Bureau of Investigation any attempt by an unauthorized person to solicit classified information, and that I (have) [have not] (strike out inappropriate word or words) received a security debriefing.

SIGNATURE OF EMPLOYEE	DATE
-----------------------	------

NAME OF WITNESS (Type or print)	SIGNATURE OF WITNESS
---------------------------------	----------------------

NOTICE: The Privacy Act, 5 U.S.C. 552a, requires that federal agencies inform individuals, at the time information is solicited from them, whether the disclosure is mandatory or voluntary, by what authority such information is solicited, and what uses will be made of the information. You are hereby advised that authority for soliciting your Social Security Account Number (SSN) is Executive Order 9397. Your SSN will be used to identify you precisely when it is necessary to (1) certify that you have access to the information indicated above or (2) determine that your access to the information indicated has terminated. Although disclosure of your SSN is not mandatory, your failure to do so may impede the processing of such certifications or determinations, or possibly result in the denial of your being granted access to classified information.

\*NOT APPLICABLE TO NON-GOVERNMENT PERSONNEL SIGNING THIS AGREEMENT.

00030

STANDARD FORM 312 (Rev. 11-06)

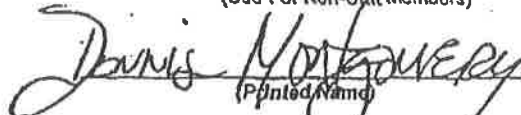
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DEPARTMENT OF THE ARMY  
U. S. MY SECURITY OPERATIONS TRAINING FACILITY  
POST OFFICE BOX 70660  
FORT BRAGG, NORTH CAROLINA 28307-5000

### SECURITY BRIEFING

(Use For Non-Unit Members)

  
(Printed Name)

I understand that in consideration of my assignment, employment, or association with the Security Operations Training Facility (SOTF), I may be granted access, if properly authorized or security cleared, to information, material, and plans which concern the security of the United States of America and which are either sensitive or classified by the order of the President or as authorized by statute.

1. I agree that I will never divulge, publish, or reveal by writing, word, conduct, or otherwise, to any unauthorized person, any classified or sensitive information relating to the SOTF Facility / Project, its personnel, fiscal data or security measures without prior consent of the Director, SOTF or his designated security representative.
2. I agree that the burden is upon me to ascertain whether or not information is sensitive or classified, and, if so, who is authorized to receive it. I will, therefore, obtain the decision of the authorizing officials of the SOTF Security Office on these matters before disclosing such information.
3. I agree to submit information for review by the SOTF Security Office, prior to discussing with or showing to any publisher, literary agent, architectural firm, or other unauthorized persons, all manuscripts, articles, speeches, resumes, and all architectural design drawings and papers, written or drawn by me or in conjunction with others, which contain or are derived from information or material obtained by virtue of my assignment, employment or association with this facility or project. I agree that the purpose of such review is to ensure that no sensitive or classified information or material obtained by virtue of my assignment, employment or association with this facility/project is contained therein. I further understand that such review shall not constitute nor shall be represented as a verification of factual accuracy or an endorsement of the opinions contained in any such manuscripts, articles, speeches, resumes, advertisements or papers.
4. I agree that all classified or sensitive information acquired by me in connection with my assignment, employment or association with this facility/project remains the property of the Government of the United States of America, and I must surrender, upon demand by the Director, SOTF or his Security Representatives, any material in my possession relating to such information.
5. I agree to report, without delay, to my superiors or the Security Manager, the details or circumstances of any case which comes within my knowledge wherein an unauthorized person has obtained or is attempting to obtain classified or sensitive information or material, or wherein such information or material may be or is being disclosed or removed in an unauthorized manner.
6. I agree that my compliance with all the obligations required to protect classified and/or sensitive information may be a consideration of my continuing assignment, employment or association with this facility/project. I understand that any failure to so comply may subject me to administrative action including termination of my assignment, employment or association with this facility/project.

(Continued on Reverse)

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**SECURITY BRIEFING**  
(Use For Non-Unit Members)

(Continued from front page)

7. I understand that the provisions of the Espionage Act apply during my assignment, employment or association with the SOTF. I have been made aware and understand that the provisions of the Espionage Act, Sections 793, 794, and 798, of Title 18, United States Code provide penalties for any violation of the Espionage Act.

8. I have read and understand the contents of this briefing. I have been made aware and understand that Section 1001 of Title 18, United States Code provides information on the penalties involved in the making of false, fictitious, or fraudulent statements or representations.

Person Conducting the Briefing:

Date: 8/26/03

MICHAEL S ALLEN  
Printed Name

N/A  
Social Security Number

CDI (910) 987-5170  
Section Phone Number

[Signature]  
Signature

Person being briefed:

Date: 8/25/03

Donnis Montgomery  
Printed Name

[Redacted]  
Social Security Number

STRIPES  
Organization

[Signature]  
Signature

NOTICE: The PRIVACY ACT, 5 U.S.C. 552a, requires that federal agencies inform individuals, at the time information is solicited from them, whether the disclosure is mandatory or voluntary, by what authority such information is solicited, and what uses will be made of the information. You are hereby advised that the authority for soliciting your Social Security Account Number (SSAN) is Executive Order 9397. Your SSAN will be used to identify you precisely when it is necessary to certify that you have access to the information indicated above. While the disclosure of your SSAN is not mandatory, your failure to do so may delay the processing of such certification.

on 2, dated 11 January 2000

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**[?] Person Summary**

**MONTGOMERY, DENNIS LEE**

Person Category Industry (KMP) 3C5X0-I

Open Investigation: N/A  
 PSQ Sent Date: N/A  
 Attestation Date: N/A  
 Incident Report: 2006 01 20  
 SF 713 Fin Consent Date: N/A  
 SF 714 Fin Disclosure Date: N/A  
 Polygraph: N/A  
 Foreign Relation: N/A

Marital Status: N/A  
 Place of Birth: Arkansas  
 Citizenship: U.S. Citizen  
 NdA Signed: No  
 NdS Signed: No

PSQ Sent  
Non-SCI Access History

Request to Research/Upgrade Eligibility

**Accesses**

Category	PSP	Suitability and Trustworthiness
Industry (KMP) 3C5X0-I Access Suspended	No	IT: N/A Public Trust: N/A Child Care: N/A

**Person Category Information**

Category Classification: KMP

Organization: 3C5X0-I, ETREPPID TECHNOLOGIES, LLC, 755 Trademark Drive, Reno, NV, 89521

Organization Status: Top Secret, ACTIVE, 2005 06 01

Occupation Code: N/A

Separation Date: N/A

SCI SMO: W4VYAA - INSCOM MISSION SPT CMD, Level 2, 703-706-1352, Alt phone for SSO INSCOM: (703) 706-1768/2520 or (703) 428-4376. FOR CONTRACTOR CLEARANCE ISSUES CONTACT THE CONTRACTOR SUPPORT ELEMENT (CSE) AT: (301) 677-6982; (301) 677-4628 OR (301) 677-4622

Non-SCI SMO: ETREPPID TECHNOLOGIES, LLC, Level 4, 775-337-6771 X 14,

Servicing SMO: No

Office Symbol: N/A

Grade: N/A

Position Code: N/A

PS: N/A

Arrival Date: N/A

RNLTD: N/A

Office Phone Comm: N/A

Office Phone DSN: N/A

Separation Status: N/A

TAFMSD: N/A

Interim: N/A

Proj. Departure Date: N/A

Proj. UIC/RUC/PASCODE: N/A

Report Incident

In/Out Process

Remarks

Suspense Data

**Investigation Summary**

SSBI from DSS, Opened: 2003 04 04 Closed 2004 02 13

NAC from DSS, Opened: Closed 2003 04 29

Investigation History

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## Incident Report Update Notification

Records 1 - 1 of 1, Page 1 of 1

SSN	Name	Person Category	Incident Date	Incident Status	Incident Criteria	Expand Incident	Remove From Display
[REDACTED]	MONTGOMERY, DENNIS LEE	Industry	2006 01 20	Initial	Personal Conduct, Emotional, Mental and Personality Disorders, Criminal Conduct, Security Violations, Misuse of Information Technology Systems	<input type="checkbox"/>	<input type="checkbox"/>

Records 1 - 1 of 1, Page 1 of 1

Confirm

Cancel

**Notice:** Under the Privacy Act of 1974, you must safeguard personnel information retrieved through this system. Disclosure of information is governed by Title 5, United States Code, Section 552a Public Law 93-579, DoDD 5400.11, DoDR 5400.11-R and the applicable service directives.

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DEFS002251

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**Person Summary**

**MONTGOMERY, DENNIS LEE**

Eligibility: SCI - DCID 6/4, 2005 10 06, AFCAF

Place of Birth: Arkansas

Investigation: SSBI, 2004 02 13, DSS

Citizenship: U.S. Citizen

Open Investigation: N/A

Marital Status: N/A

Date PSQ Sent: N/A

NdA Signed: No

Incident Report: N/A

NdS Signed: No

Attestation Date: N/A

Polygraph: N/A

Foreign Relation: N/A

PSQ Sent

Request to Research/Upgrade Eligibility

Non-SCI Access History

**Person Category** Industry (KMP) 3C5X0-I

Category Classification: KMP

Organization: 3C5X0-I, ETREPPID TECHNOLOGIES, LLC, 755 Trademark Drive, Reno, NV, 89521

Organization Status: Top Secret, ACTIVE, 2005 06 01

Occupation Code: N/A

Office Symbol: N/A

Position Code: N/A

Grade: N/A

Arrival Date: N/A

PS: N/A

Office Phone Comm: N/A

Office Phone DSN: N/A

Separation Date: N/A

RNLTD: N/A

Separation Status: N/A

TAFMSD: N/A

Interim: N/A

Proj. Departure Date: N/A

PSP: No

Proj. UIC/RUC/PASCODE: N/A

SCI SMO: N/A

Non-SCI SMO: ETREPPID TECHNOLOGIES, LLC, Level 4, 775-337-6771 X 14,

Servicing SMO: No

Report Incident

In/Out Process

Remarks

Suspense Data

Non-SCI Access		SCI Access
US: N/A	NATO: N/A	SPA: N/A
CNWDI: N/A	SIOP: N/A	Access: No
PRP: N/A	Restricted Data: N/A	
SIGMA 16: N/A		
IT: N/A	Public Trust: N/A	Child Care: N/A
	Indoctrinate	

**Investigation Summary**

SSBI from DSS, Opened: 2003 04 04 Closed 2004 02 13

NAC from DSS, Opened: Closed 2003 04 29

Investigation History 00035

Sept. 11' 06

### ? Person Summary

**MONTGOMERY, DENNIS LEE**

Eligibility: Top Secret, 2004 02 21, DISCO  
Investigation: SSBI, 2004 02 13, DSS  
Open Investigation: NLC, 2003 04 04, DSS  
Date EPSQ Sent: N/A  
Incident Report: N/A  
Polygraph: N/A  
Foreign Relation: N/A

Place of Birth: Arkansas  
Citizenship: U.S. Citizen  
NDA Signed: No  
NdS Signed: No  
Attestation Date: N/A

#### Person Category

Industry (KMP) 3C5X0-I

Category Classification: KMP

Organization: 3C5X0-I, ETREPPID TECHNOLOGIES LLC, 755 Trade Mark Drive, Reno, NV, 89521

Occupation Code: N/A

Office Symbol: N/A

SA: N/A

Grade: N/A

Arrival Date: N/A

PS: N/A

Office Phone Comm: N/A

Office Phone DSN: N/A

Separation Date: N/A

RNLTD: N/A

Separation Status: N/A

TAFMSD: N/A

Interim: N/A

Proj. Departure Date: N/A

PSP: No

Proj. UIC/RUC/PASCODE: N/A

SCI SMO: N/A

Non-SCI SMO: N/A

Servicing SMO: No

#### Report Incident

#### In/Out Process

Non-SCI Incident		SCI Incident
US: N/A	NATO: N/A	SPA: N/A
CNWDI: N/A	SIOP: N/A	Access: No
PRP: N/A	Restricted Data: N/A	
SIGMA 16: N/A		
IT: N/A	Public Trust: N/A	Child Care: N/A

#### Investigation Summary

SSBI from DSS, Opened: 2003 04 04 Closed 2004 02 13

NAC from DSS, Opened: Closed 2003 04 29

#### Adjudication Summary

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PSI Adjudication of SSBI DSS, Opened 2003 04 04, Closed 2004 02 13, determined Eligibility of Top Secret on 2004 02 21 DISCO

PSI Adjudication of NAC DSS, Opened , Closed 2003 04 29, determined Eligibility of Interim Top Secret on 2003 12 29 DISCO

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**External Interfaces**

Perform SII Search      DCII

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**Notice:** Under the Privacy Act of 1974, you must safeguard personnel information retrieved through this system. Disclosure of information is governed by Title 5, United States Code, Section 552a Public Law 93-579, DoDD 5400.11, DoDR 5400.11-R and the applicable service directives

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DEFS002254



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DEPARTMENT OF DEFENSE-LETTER OF CONSENT-NATIONAL INDUSTRIAL SECURITY PROGRAM

Last Name - First Name - Middle Clr Date Other Names  
MONTGOMERY, DENNIS LEE 07-MAY-03

[REDACTED] Place of Birth  
[REDACTED] MENA, AR, US

[REDACTED] KMP Phys Loc Citizen of  
NO NO US

Level of Clearance Type of Investigation Inv Date  
INTERIM SECRET

Remarks:

SSBI PENDING, LIMITED ACCESS PER PARA 2-212 NISPOM  
ATTN: SECURITY SUPERVISOR - (3C5X0)  
NAME AND ETREPPID TECHNOLOGIES LLC  
ADDRESS OF 755 TRADE MARK DRIVE  
CONTRACTOR RENO, NV 89521

The consent of the Secretary of Defense is hereby granted for the above-named employee to have access to classified information up to and including the level shown, provided access is essential in connection with the performance of a classified contract. Unless suspended or revoked by the Department of Defense, or administratively terminated when access no longer is required, this personnel security clearance is valid as long as the individual is continuously employed by your organization. If this clearance is administratively terminated and a need for access develops later, or if employment is terminated and the individual is subsequently reemployed and requires access, this clearance may be reinstated provided not more than 24 months have elapsed since it was last valid. This consent will continue in effect if the employee is transferred to another facility of your organization if continued clearance is required. You are required to report promptly any information coming to your attention which may indicate that continued access to classified information may not be clearly consistent with the national interest. A copy of this form shall not be furnished to the above-named employee for any purpose whatsoever. You may reproduce it only as necessary for your organization's essential records or to meet Department of Defense requirements. This form shall be returned upon request by the Government.

Issued by

DEFENSE SECURITY SERVICE  
COLUMBUS, OH

(N)

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Sept. 11' 06

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Preferred Technology, Inc.

8271 E. Gelding Dr. Scottsdale, AZ 85260

(480) 991-1259

### *Unit Activity By Unit Number - 0132*

<i>Time</i>	<i>Remote #</i>	<i>Description</i>	<i>Data</i>	<i>Tenant</i>
<i>Tuesday, January 10, 2006</i>				
3:48:00 PM	2-	Exit Area	0132	ISTVAN BURGYAN
3:45:00 PM	16-	Door Close	0132	ISTVAN BURGYAN
3:32:00 PM	18-	Door Open	0132	ISTVAN BURGYAN
3:31:00 PM	16-	Door Close	0132	ISTVAN BURGYAN
3:31:00 PM	16-	Door Open	0132	ISTVAN BURGYAN
3:30:00 PM	1-	Enter Area	0132	ISTVAN BURGYAN
3:29:00 PM	1-	Enter Area	0132	ISTVAN BURGYAN

**Total Records: 83**

*Friday, March 03, 2006*

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Preferred Technology, Inc.

8271 E. Gelding Dr. Scottsdale, AZ 85260

(480) 991-1259

**Unit Activity By Unit Number - 0136**

<i>Time</i>	<i>Remote #</i>	<i>Description</i>	<i>Data</i>	<i>Tenant</i>
<i>Friday, February 03, 2006</i>				
11:48:00 AM	0-	User Logged Off Site	0138	DENNIS MONTGOMERY
<i>Tuesday, January 10, 2006</i>				
3:46:00 PM	16-	Door Close	0138	DENNIS MONTGOMERY
3:31:00 PM	18-	Door Open	0136	DENNIS MONTGOMERY
1:19:00 PM	15-	Door Close	0136	DENNIS MONTGOMERY
1:18:00 PM	16-	Door Open	0138	DENNIS MONTGOMERY
<i>Thursday, January 05, 2006</i>				
8:22:00 AM	16-	Door Close	0136	DENNIS MONTGOMERY
9:18:00 AM	18-	Door Open	0136	DENNIS MONTGOMERY
<i>Thursday, December 08, 2005</i>				
3:54:00 PM	16-	Door Close	0138	DENNIS MONTGOMERY
3:40:00 PM	16-	Door Open	0136	DENNIS MONTGOMERY
<i>Sunday, November 27, 2005</i>				
4:02:00 PM	16-	Door Close	0138	
2:55:00 PM	18-	Door Alarm	0138	
2:56:00 PM	16-	Door Close	0138	
12:59:00 PM	15-	Door Alarm	0138	
12:59:00 PM	16-	Door Close	0138	
9:21:00 AM	18-	Door Alarm	0138	

**Total Records: 15**

Friday, March 03, 2006

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Preferred Technology, Inc.

8271 E. Gelding Dr. Scottsdale, AZ 85260

(480) 991-1259

**Unit Activity By Unit Number - 0140**

Le

Time	Remote #	Description	Data	Tenant
<b>Friday, March 03, 2006</b>				
8:00:00 AM	16-	Door Close	0140	DENNIS MONTGOMERY
7:58:00 AM	16-	Door Open	0140	DENNIS MONTGOMERY
7:52:00 AM	16-	Door Close	0140	DENNIS MONTGOMERY
7:49:00 AM	16-	Door Open	0140	DENNIS MONTGOMERY
<b>Tuesday, February 28, 2006</b>				
9:43:00 AM	16-	Door Close	0140	DENNIS MONTGOMERY
9:36:00 AM	16-	Door Open	0140	DENNIS MONTGOMERY
<b>Sunday, February 26, 2006</b>				
8:19:00 PM	16-	Door Close	0140	DENNIS MONTGOMERY
8:18:00 PM	16-	Door Open	0140	DENNIS MONTGOMERY
<b>Monday, February 20, 2006</b>				
2:00:00 PM	16-	Door Close	0140	DENNIS MONTGOMERY
1:59:00 PM	16-	Door Open	0140	DENNIS MONTGOMERY
<b>Thursday, February 16, 2006</b>				
2:00:00 PM	16-	Door Close	0140	DENNIS MONTGOMERY
1:59:00 PM	16-	Door Open	0140	DENNIS MONTGOMERY
<b>Saturday, February 11, 2006</b>				
9:34:00 AM	16-	Door Close	0140	DENNIS MONTGOMERY
9:33:00 AM	16-	Door Open	0140	DENNIS MONTGOMERY
<b>Thursday, February 09, 2006</b>				
12:06:00 PM	16-	Door Close	0140	DENNIS MONTGOMERY
12:00:00 PM	16-	Door Open	0140	DENNIS MONTGOMERY
<b>Monday, February 06, 2006</b>				
9:21:00 AM	16-	Door Close	0140	DENNIS MONTGOMERY
9:14:00 AM	16-	Door Open	0140	DENNIS MONTGOMERY
<b>Sunday, February 05, 2006</b>				
10:31:00 AM	16-	Door Close	0140	DENNIS MONTGOMERY
10:09:00 AM	16-	Door Open	0140	DENNIS MONTGOMERY
<b>Friday, February 03, 2006</b>				
12:17:00 PM	16-	Door Close	0140	DENNIS MONTGOMERY
10:50:00 AM	16-	Door Open	0140	DENNIS MONTGOMERY
<b>Thursday, February 02, 2006</b>				
4:33:00 PM	16-	Door Close	0140	DENNIS MONTGOMERY
4:03:00 PM	16-	Door Open	0140	DENNIS MONTGOMERY
<b>Wednesday, February 01, 2006</b>				
10:19:00 AM	16-	Door Close	0140	DENNIS MONTGOMERY
10:18:00 AM	16-	Door Open	0140	DENNIS MONTGOMERY
<b>Tuesday, January 31, 2006</b>				
3:13:00 PM	16-	Door Close	0140	DENNIS MONTGOMERY
2:55:00 PM	16-	Door Open	0140	DENNIS MONTGOMERY

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Preferred Technology, Inc.

827 E. Gelding Dr. Scottsdale, AZ 85260

(480) 991-1259

**Unit Activity By Unit Number - 0140**

Time	Remote #	Description	Data	Tenant
<b>Tuesday, January 24, 2006</b>				
12:28:00 PM	16-	Door Close	0140	DENNIS MONTGOMERY
12:22:00 PM	16-	Door Open /	0140	DENNIS MONTGOMERY
11:06:00 AM	16-	Door Close	0140	DENNIS MONTGOMERY
10:45:00 AM	16-	Door Open /	0140	DENNIS MONTGOMERY
<b>Monday, January 23, 2006</b>				
11:31:00 AM	16-	Door Close	0140	DENNIS MONTGOMERY
11:30:00 AM	16-	Door Open /	0140	DENNIS MONTGOMERY
9:20:00 AM	16-	Door Close	0140	DENNIS MONTGOMERY
8:58:00 AM	16-	Door Open /	0140	DENNIS MONTGOMERY
<b>Saturday, January 21, 2006</b>				
1:05:00 PM	16-	Door Close	0140	DENNIS MONTGOMERY
1:05:00 PM	16-	Door Open /	0140	DENNIS MONTGOMERY
<b>Friday, January 20, 2006</b>				
9:38:00 AM	16-	Door Close	0140	DENNIS MONTGOMERY
9:24:00 AM	16-	Door Open /	0140	DENNIS MONTGOMERY
<b>Tuesday, January 17, 2006</b>				
10:34:00 AM	16-	Door Close	0140	DENNIS MONTGOMERY
10:34:00 AM	16-	Door Open /	0140	DENNIS MONTGOMERY
<b>Tuesday, January 10, 2006</b>				
3:47:00 PM	16-	Door Close	0140	DENNIS MONTGOMERY
3:38:00 PM	16-	Door Open /	0140	DENNIS MONTGOMERY
1:17:00 PM	16-	Door Close	0140	DENNIS MONTGOMERY
1:04:00 PM	16-	Door Open /	0140	DENNIS MONTGOMERY
10:41:00 AM	16-	Door Close	0140	DENNIS MONTGOMERY
10:39:00 AM	16-	Door Open /	0140	DENNIS MONTGOMERY
<b>Monday, January 09, 2006</b>				
11:37:00 AM	16-	Door Close	0140	DENNIS MONTGOMERY
11:36:00 AM	16-	Door Open /	0140	DENNIS MONTGOMERY
10:32:00 AM	16-	Door Close	0140	DENNIS MONTGOMERY
10:32:00 AM	16-	Door Open /	0140	DENNIS MONTGOMERY
10:31:00 AM	16-	Door Close	0140	DENNIS MONTGOMERY
10:29:00 AM	16-	Door Open /	0140	DENNIS MONTGOMERY
<b>Tuesday, January 03, 2006</b>				
9:44:00 AM	16-	Door Close	0140	DENNIS MONTGOMERY
9:44:00 AM	16-	Door Open /	0140	DENNIS MONTGOMERY
<b>Wednesday, December 28, 2005</b>				
9:11:00 AM	16-	Door Close	0140	DENNIS MONTGOMERY
9:04:00 AM	16-	Door Open /	0140	DENNIS MONTGOMERY

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Preferred Technology, Inc.

8271 E. Gelding Dr. Scottsdale, AZ 85260

(480) 991-1259

**Unit Activity By Unit Number - 0140**

Time	Remote #	Description	Data	Tenant
<i>Tuesday, December 27, 2005</i>				
1:05:00 PM	16-	Door Close	0140	DENNIS MONTGOMERY
1:02:00 PM	16-	Door Open	0140	DENNIS MONTGOMERY
12:48:00 PM	16-	Door Close	0140	DENNIS MONTGOMERY
12:43:00 PM	16-	Door Open	0140	DENNIS MONTGOMERY
<i>Thursday, December 22, 2005</i>				
10:15:00 AM	16-	Door Close	0140	DENNIS MONTGOMERY
10:15:00 AM	16-	Door Open	0140	DENNIS MONTGOMERY
10:14:00 AM	16-	Door Close	0140	DENNIS MONTGOMERY
10:09:00 AM	16-	Door Open	0140	DENNIS MONTGOMERY
<i>Wednesday, December 21, 2005</i>				
2:50:00 PM	18-	Door Close	0140	DENNIS MONTGOMERY
2:47:00 PM	16-	Door Open	0140	DENNIS MONTGOMERY
2:06:00 PM	16-	Door Close	0140	DENNIS MONTGOMERY
2:06:00 PM	16-	Door Open	0140	DENNIS MONTGOMERY
1:41:00 PM	18-	Door Close	0140	DENNIS MONTGOMERY
1:40:00 PM	16-	Door Open	0140	DENNIS MONTGOMERY
1:39:00 PM	18-	Door Close	0140	DENNIS MONTGOMERY
1:38:00 PM	16-	Door Open	0140	DENNIS MONTGOMERY
1:05:00 PM	18-	Door Close	0140	DENNIS MONTGOMERY
1:02:00 PM	16-	Door Open	0140	DENNIS MONTGOMERY
11:31:00 AM	18-	Door Close	0140	DENNIS MONTGOMERY
11:30:00 AM	18-	Door Open	0140	DENNIS MONTGOMERY
<i>Sunday, December 04, 2005</i>				
11:27:00 AM	16-	Door Close	0140	DENNIS MONTGOMERY
11:26:00 AM	16-	Door Open	0140	DENNIS MONTGOMERY
<i>Saturday, December 03, 2005</i>				
1:32:00 PM	16-	Door Close	0140	DENNIS MONTGOMERY
1:32:00 PM	16-	Door Open	0140	DENNIS MONTGOMERY
<i>Sunday, November 27, 2005</i>				
9:36:00 AM	16-	Door Close	0140	DENNIS MONTGOMERY
9:35:00 AM	16-	Door Open	0140	DENNIS MONTGOMERY
<i>Thursday, November 24, 2005</i>				
4:13:00 PM	18-	Door Close	0140	DENNIS MONTGOMERY
4:12:00 PM	16-	Door Open	0140	DENNIS MONTGOMERY
4:12:00 PM	18-	Door Close	0140	DENNIS MONTGOMERY
4:09:00 PM	16-	Door Open	0140	DENNIS MONTGOMERY
<i>Monday, November 21, 2005</i>				
9:48:00 AM	16-	Door Close	0140	DENNIS MONTGOMERY
9:47:00 AM	18-	Door Open	0140	DENNIS MONTGOMERY
<i>Monday, November 14, 2005</i>				
10:14:00 AM	16-	Door Close	0140	DENNIS MONTGOMERY
10:13:00 AM	16-	Door Open	0140	DENNIS MONTGOMERY

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Preferred Technology, Inc.

8271 E. Gelding Dr. Scottsdale, AZ 85260

(480) 991-1259

**Unit Activity By Unit Number - 0140**

Time	Remote #	Description	Data	Tenant
<i>Saturday, November 12, 2005</i>				
8:38:00 PM	18-	Door Close	0140	DENNIS MONTGOMERY
6:36:00 PM	18-	Door Open ✓	0140	DENNIS MONTGOMERY
2:59:00 PM	18-	Door Close	0140	DENNIS MONTGOMERY
2:52:00 PM	18-	Door Open ✓	0140	DENNIS MONTGOMERY
12:14:00 PM	18-	Door Close	0140	DENNIS MONTGOMERY
12:13:00 PM	18-	Door Open ✓	0140	DENNIS MONTGOMERY
8:04:00 AM	18-	Door Close	0140	DENNIS MONTGOMERY
8:04:00 AM	18-	Door Open ✓	0140	DENNIS MONTGOMERY
<i>Thursday, November 10, 2005</i>				
2:00:00 PM	18-	Door Close	0140	DENNIS MONTGOMERY
2:00:00 PM	18-	Door Open ✓	0140	DENNIS MONTGOMERY
<i>Sunday, November 06, 2005</i>				
11:57:00 AM	18-	Door Close	0140	DENNIS MONTGOMERY
11:48:00 AM	18-	Door Open ✓	0140	DENNIS MONTGOMERY
<i>Saturday, November 05, 2005</i>				
9:57:00 AM	18-	Door Close	0140	DENNIS MONTGOMERY
8:58:00 AM	18-	Door Open ✓	0140	DENNIS MONTGOMERY
<i>Thursday, November 03, 2005</i>				
10:40:00 AM	18-	Door Close	0140	DENNIS MONTGOMERY
10:39:00 AM	18-	Door Open ✓	0140	DENNIS MONTGOMERY
<i>Tuesday, November 01, 2005</i>				
2:14:00 PM	18-	Door Close	0140	DENNIS MONTGOMERY
2:13:00 PM	18-	Door Open ✓	0140	DENNIS MONTGOMERY
2:12:00 PM	18-	Door Close	0140	DENNIS MONTGOMERY
2:11:00 PM	18-	Door Open ✓	0140	DENNIS MONTGOMERY

**Total Records: 112**

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Preferred Technology, Inc.

8271 E. Gelding Dr. Scottsdale, AZ 85260

(480) 993-1259

**Unit Activity By Unit Number - 0141**

Time	Remote #	Description	Data	Tenant
<i>Friday, February 03, 2006</i>				
11:49:00 AM	0-	User Logged Off Site	0141	DENNIS MONTGOMERY
<i>Tuesday, January 24, 2006</i>				
12:22:00 PM	16-	Door Close	0141	DENNIS MONTGOMERY
12:21:00 PM	18-	Door Open ✓	0141	DENNIS MONTGOMERY
<i>Saturday, January 14, 2006</i>				
12:10:00 PM	16-	Door Close	0141	DENNIS MONTGOMERY
12:09:00 PM	18-	Door Open ✓	0141	DENNIS MONTGOMERY
11:35:00 AM	16-	Door Close	0141	DENNIS MONTGOMERY
11:30:00 AM	16-	Door Open ✓	0141	DENNIS MONTGOMERY
<i>Tuesday, January 10, 2006</i>				
1:16:00 PM	18-	Door Close	0141	DENNIS MONTGOMERY
1:14:00 PM	16-	Door Open ✓	0141	DENNIS MONTGOMERY
<i>Monday, January 09, 2006</i>				
11:35:00 AM	18-	Door Close	0141	DENNIS MONTGOMERY
11:32:00 AM	18-	Door Open ✓	0141	DENNIS MONTGOMERY
9:19:00 AM	16-	Door Close	0141	DENNIS MONTGOMERY
9:18:00 AM	18-	Door Open ✓	0141	DENNIS MONTGOMERY
<i>Thursday, January 05, 2006</i>				
1:05:00 PM	18-	Door Close	0141	DENNIS MONTGOMERY
1:04:00 PM	16-	Door Open ✓	0141	DENNIS MONTGOMERY
8:22:00 AM	16-	Door Close	0141	DENNIS MONTGOMERY
8:22:00 AM	16-	Door Open ✓	0141	DENNIS MONTGOMERY
<i>Wednesday, January 04, 2006</i>				
4:10:00 PM	18-	Door Close	0141	DENNIS MONTGOMERY
4:08:00 PM	16-	Door Open ✓	0141	DENNIS MONTGOMERY
<i>Friday, December 23, 2005</i>				
1:24:00 PM	16-	Door Close	0141	DENNIS MONTGOMERY
1:21:00 PM	16-	Door Open ✓	0141	DENNIS MONTGOMERY
<i>Thursday, December 22, 2005</i>				
12:10:00 PM	16-	Door Close	0141	DENNIS MONTGOMERY
12:07:00 PM	18-	Door Open ✓	0141	DENNIS MONTGOMERY
<i>Wednesday, December 21, 2005</i>				
2:26:00 PM	16-	Door Close	0141	DENNIS MONTGOMERY
2:07:00 PM	18-	Door Open ✓	0141	DENNIS MONTGOMERY
<i>Tuesday, December 20, 2005</i>				
5:22:00 PM	18-	Door Close	0141	DENNIS MONTGOMERY
5:20:00 PM	16-	Door Open ✓	0141	DENNIS MONTGOMERY
<i>Sunday, December 18, 2005</i>				
11:18:00 AM	16-	Door Close	0141	DENNIS MONTGOMERY
11:05:00 AM	18-	Door Open ✓	0141	DENNIS MONTGOMERY

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Preferred Technology, Inc.

8271 E. Gelding Dr. Scottsdale, AZ 85260

(480) 991-1259

**Unit Activity By Unit Number - 0141**

<i>Time</i>	<i>Remote #</i>	<i>Description</i>	<i>Data</i>	<i>Tenant</i>
<i>Thursday, December 08, 2005</i>				
3:53:00 PM	16-	Door Close	0141	DENNIS MONTGOMERY
3:45:00 PM	18-	Door Open	0141	DENNIS MONTGOMERY

**Total Records: 31**

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Preferred Technology, Inc. 8271 E. Gelding Dr. Scottsdale, AZ 85260 (480) 991-1259

**Unit Activity By Unit Number - 0142**

Time	Remote #	Description	Data	Tenant
<i>Monday, February 20, 2006</i>				
1:48:00 PM	16-	Door Close	0142	DENNIS MONTGOMERY
1:46:00 PM	16-	Door Open ✓	0142	DENNIS MONTGOMERY
<i>Friday, February 03, 2006</i>				
11:49:00 AM	0-	User Logged Off Site	0142	DENNIS MONTGOMERY
<i>Tuesday, January 24, 2006</i>				
12:21:00 PM	16-	Door Close	0142	DENNIS MONTGOMERY
12:20:00 PM	16-	Door Open ✓	0142	DENNIS MONTGOMERY
<i>Tuesday, January 10, 2006</i>				
1:19:00 PM	16-	Door Close	0142	DENNIS MONTGOMERY
1:18:00 PM	16-	Door Open ✓	0142	DENNIS MONTGOMERY
<i>Monday, January 09, 2006</i>				
11:38:00 AM	16-	Door Close	0142	DENNIS MONTGOMERY
11:37:00 AM	16-	Door Open ✓	0142	DENNIS MONTGOMERY
<i>Tuesday, December 20, 2005</i>				
5:20:00 PM	16-	Door Close	0142	DENNIS MONTGOMERY
5:20:00 PM	16-	Door Open ✓	0142	DENNIS MONTGOMERY
<i>Sunday, December 18, 2005</i>				
11:05:00 AM	16-	Door Close	0142	DENNIS MONTGOMERY
11:04:00 AM	16-	Door Open ✓	0142	DENNIS MONTGOMERY
<i>Monday, November 28, 2005</i>				
10:08:00 AM	16-	Door Close	0142	DENNIS MONTGOMERY
10:08:00 AM	16-	Door Open ✓	0142	DENNIS MONTGOMERY
<i>Saturday, November 12, 2005</i>				
2:54:00 PM	16-	Door Close	0142	DENNIS MONTGOMERY
2:53:00 PM	16-	Door Open ✓	0142	DENNIS MONTGOMERY

Total Records: 17

Preferred Technology, Inc.

8271 E. Gelding Dr. Scottsdale, AZ 85260

(480) 991-1259

**Unit Activity By Unit Number - 0143**

Time	Remote #	Description	Data	Tenant
<i>Friday, March 03, 2006</i>				
8:01:00 AM	2-	Exit Area	0143	DENNIS MONTGOMERY
7:49:00 AM	1-	Enter Area	0143	DENNIS MONTGOMERY
<i>Tuesday, February 28, 2006</i>				
9:44:00 AM	2-	Exit Area	0143	DENNIS MONTGOMERY
9:35:00 AM	1-	Enter Area	0143	DENNIS MONTGOMERY
<i>Sunday, February 26, 2006</i>				
8:22:00 PM	2-	Exit Area	0143	DENNIS MONTGOMERY
8:08:00 PM	1-	Enter Area	0143	DENNIS MONTGOMERY
<i>Monday, February 20, 2006</i>				
2:01:00 PM	2-	Exit Area	0143	DENNIS MONTGOMERY
1:59:00 PM	1-	Enter Area	0143	DENNIS MONTGOMERY
1:52:00 PM	2-	Exit Area	0143	DENNIS MONTGOMERY
1:50:00 PM	16-	Door Close	0143	DENNIS MONTGOMERY
1:50:00 PM	16-	Door Open	0143	DENNIS MONTGOMERY
1:48:00 PM	16-	Door Close	0143	DENNIS MONTGOMERY
1:46:00 PM	16-	Door Open	0143	DENNIS MONTGOMERY
1:45:00 PM	1-	Enter Area	0143	DENNIS MONTGOMERY
<i>Thursday, February 16, 2006</i>				
2:01:00 PM	2-	Exit Area	0143	DENNIS MONTGOMERY
1:59:00 PM	1-	Enter Area	0143	DENNIS MONTGOMERY
<i>Saturday, February 11, 2006</i>				
9:35:00 AM	2-	Exit Area	0143	DENNIS MONTGOMERY
9:33:00 AM	1-	Enter Area	0143	DENNIS MONTGOMERY
<i>Thursday, February 09, 2006</i>				
12:07:00 PM	2-	Exit Area	0143	DENNIS MONTGOMERY
11:59:00 AM	1-	Enter Area	0143	DENNIS MONTGOMERY
<i>Monday, February 06, 2006</i>				
9:22:00 AM	2-	Exit Area	0143	DENNIS MONTGOMERY
9:14:00 AM	1-	Enter Area	0143	DENNIS MONTGOMERY
<i>Sunday, February 05, 2006</i>				
10:32:00 AM	2-	Exit Area	0143	DENNIS MONTGOMERY
10:28:00 AM	16-	Door Close	0143	DENNIS MONTGOMERY
10:25:00 AM	18-	Door Open	0143	DENNIS MONTGOMERY
10:08:00 AM	1-	Enter Area	0143	DENNIS MONTGOMERY
<i>Saturday, February 04, 2006</i>				
9:54:00 AM	2-	Exit Area	0143	DENNIS MONTGOMERY
9:53:00 AM	16-	Door Close	0143	DENNIS MONTGOMERY
9:50:00 AM	18-	Door Open	0143	DENNIS MONTGOMERY
9:49:00 AM	1-	Enter Area	0143	DENNIS MONTGOMERY

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Sept. 11' 06

**AFOI OFFICE OF SPECIAL INVESTIGATIONS  
REPORT OF INVESTIGATIVE ACTIVITY**

1. DATE OF INVESTIGATIVE ACTIVITY 23 JAN 2006	2. PLACE eTreppid LLC, Reno NV	3. FILE NUMBER
--------------------------------------------------	-----------------------------------	----------------

4. REMARKS:

On 23 Jan 2006, SAs HARALDSEN and SMITH interviewed VENABLES at eTreppid LLC. In addition to reiterating the information from his declaration, VEANABLES related the following information:

He has known SUBJECT since December 1999 and had both a professional and personal relationship with him. He believed SUBJECT was "nuts and a crazy compulsive liar." SUBJECT was unwilling to share his work with others and kept employees in the dark about company projects. SUBJECT was abusive to subordinates and created an atmosphere of fear. SUBJECT created fictitious stories about TREPP and claimed that he (SUBJECT) was the actual majority owner of the company. SUBJECT would threaten subordinates and instruct them to not engage with TREPP. Consequently, problems or issues within the company were not elevated to TREPP.

VENABLES questioned SUBJECT's technical capabilities. His suspicion was reinforced when he discovered SUBJECT's workstation did not have the necessary applications installed to develop source code. VENABLES found this peculiar since this was purportedly SUBJECT's primary responsibility as the Chief Technical Officer. Additionally, VENABLES designed the dual Zeon processors used by SUBJECT to operate as a cluster. However, when SUBJECT changed the operating system to Windows XP this required the computers to work as independent systems. VENABLES said SUBJECT's actions were irrational and divergent since it caused the network of computers to operate inefficiently.

The workstation containing eTreppid's source code was typically located in the company's warehouse. On 21 Dec 05, VENABLES noticed the workstation and RAID box controller housing eight drives was missing. The monitor and keyboard, however, were still present. VENABLES asked SUBJECT if he knew the whereabouts of the workstation and raid box. SUBJECT said without any further explanation "I took the workstation home." On 3 Jan 06, when VENABLES returned from vacation he discovered that the SRCSERVER and ISASERVER had been accessed. The monitors displayed a "command prompt window" indicating an executable command had taken place. When VENABLES questioned SUBJECT about this, SUBJECT said he was "cleaning up old stuff." During the week of 3-6 JAN 06, VENABLES questioned SUBJECT numerous times about the workstation and raid box controller. Each time SUBJECT stated "I am bringing back the workstation." However SUBJECT never did. On 10 JAN 06, when VENABLES arrived at work he discovered SUBJECT and TREPP in the warehouse arguing. SUBJECT stormed out of the building. TREPP instructed VENABLES to call SUBJECT and encourage him to return. VENABLES contacted SUBJECT and SUBJECT said, "He fucked me out of millions and is not going to get away with it." SUBJECT said he would think about returning. Later on 10 Jan 06 SUBJECT did return, but did not speak with VENABLES.

VENABLES confirmed he and SUBJECT were the only ones with administrator password necessary to access the SRCSERVER and ISASERVER to accomplish the task of deleting source code. VENABLES denied deleting the source code. VENABLES said that only the individual programmers and SUBJECT had the passwords necessary to delete the source code from the individual workstations. VENABLES further said the passwords on the workstations were established and set by SUBJECT. VENABLES said he established his own password on his workstation; therefore his information was not deleted. Additionally, SUBJECT had the building alarm codes for all of the company employees. SUBJECT possessed the necessary accesses and passwords to access the surveillance cameras within the facility and could have deleted the last four months worth of video recordings.

VENABLES said he would attempt to obtain the workstation motherboard and raid box controller serial numbers that SUBJECT told VENABLES that he took home.

5. CONDUCTED BY  
SA PAUL L. HARALDSEN and SA THOMAS A. SMITH

6. SIGNATURE  


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REMARKS (Continued)

VENABLES explained he was the Facility Security Officer for eTrepid. He did not become aware of any SECRET hard drives located in the facility until he inadvertently discovered SUBJECT possessing two hard drives in the warehouse. This discovery occurred sometime in Nov 2005. Prior to this incident, GRAY and SUBJECT did not inform him that they had brought classified material into the facility. Therefore, he did not provide day-to-day security for these hard drives. The hard drives were stored in a safe in a room secured with a cipher lock. GRAY and SUBJECT had the combination to the safe. Again, VENABLES emphasized he never saw the hard drives until accidentally discovering SUBJECT using them. He was unaware of how many were in the facility. Once he was made aware that the hard drives were into the facility, he would routinely see SUBJECT use them for his work. VENABLES was unaware of which specific computer system SUBJECT was using, but surmised it probably was one in the warehouse routinely used by SUBJECT. The facility did not have formal approval to process classified information on any computer system. VENABLES explained that GRAY claimed SUBJECT was not properly storing the hard drives in the approved safe. VENABLES confronted SUBJECT about this and SUBJECT said, "Fuck her, she's making stuff up again." VENABLES informed TREPP of the conversation and TREPP said he would speak to SUBJECT. Between 10-13 JAN 06, VENABLES and GRAY conducted a search of the company in an attempt to account for nine SECRET hard drives. This was his first knowledge that there was supposed to be nine SECRET hard drives in the facility. The search revealed six copies of the original SECRET nine hard drives and two SECRET video tapes. They were unable to locate the original nine SECRET hard drives. VENABLES said he and GRAY began a security inquiry to determine the facts surrounding the disappearance of the original hard drives

VENABLES was aware SUBJECT had several storage units around the Reno, NV area. He believed that SUBJECT would often change the units as well. He was unaware of the specific locations of these storage units.

**AIR FORCE OFFICE OF SPECIAL INVESTIGATIONS  
REPORT OF INVESTIGATIVE ACTIVITY**

1. DATE OF INVESTIGATIVE ACTIVITY 19-23 JAN 2006	2. PLACE Telephonic and Personal Interviews -Personal interview at Hilton, Reno NV	3. FILE NUMBER
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**4. REMARKS**

Between 19-23 Jan 2006, WARREN TREPP, Chief Executive Officer, eTreppid Limited Liability Corporation, Reno, NV, related the following information:

SUBJECT illegally deleted and removed the company's source code used for data compression, object tracking and anomaly detection. TREPP initially became aware that the source code was missing on 9-10 January 2006 when employees complained about their inability to operate their computer systems. TREPP asked Sloan VENABLES, eTreppid Facility Security Officer (FSO) about the problem and was told that company's source data was deleted from the source server, a system known as ISA and all of eTreppid's work stations. TREPP said VENABLES and SUBJECT were the only eTreppid employees to have exclusive access to the source and ISA servers as well as all of eTreppid's individual work stations. Additionally, the company had a separate stand-alone back-up system located in eTreppid's warehouse which contained the source code. This system is also missing. SUBJECT had exclusive access to this stand alone back-up system. TREPP said without the source code (intellectual property) the company would go out of business. He was unable to estimate the value of the source code/intellectual property.

TREPP believed that SUBJECT removed and deleted the source code from the source server, the ISA system and all workstations for the following reasons: 1) VENABLES informed TREPP that he had asked SUBJECT where the back-up system was and SUBJECT told VENABLES that he had taken it home; 2) VENABLES informed TREPP that SUBJECT told him that TREPP will, "Have to pay big bucks to get what he wants" 3) An employee named JAMES BAUDER, graphics designer said he carried sealed boxes out of the company for SUBJECT during this time period; and 4) VENABLES was on vacation during the time period that the source code was discovered to have been deleted. VENABLES denied removing the source code from the source and the ISA servers. Furthermore, in an effort to prove TREPP's assumption that SUBJECT had removed the stand-alone computer Back-up system from the warehouse, TREPP had VENABLES review the internal security monitoring cameras in hopes of learning who took the system. Unfortunately, someone deleted the last four months of video.

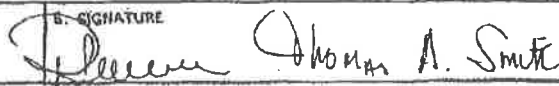
On 9 JAN 06, TREPP confronted SUBJECT about the source code and was told by SUBJECT that the code could be located on the 753 removable hard drives located in the company. TREPP asked SUBJECT why he was "doing this", to which SUBJECT said, "I did not do a thing." TREPP also asked SUBJECT why he deleted the files. SUBJECT said "I didn't!" TREPP then asked who did and SUBJECT replied "GRAY." TREPP said "GRAY" was a reference to Ms PATTY GRAY, eTreppid Business Manager. SUBJECT stormed out of the company and was followed by TREPP into the company's parking lot. TREPP plead with SUBJECT to let him help him. SUBJECT said, "You are not going to screw me, and just try to bring me down!" and drove off. Conversations between TREPP and SUBJECT on the 10th of January were the same as those addressed on the 9th of January, still without resolution.

TREPP was told by VENABLES that it would have taken about two weeks to delete the source code from the source and ISA servers. Coincidentally, VENABLES was on vacation between 22 Dec 05 - 3 Jan 06. TREPP believed the source code was deleted from the servers during VENABLES' vacation. TREPP also believed that the source code was deleted from the company's individual work stations during the weekend of 7/8 January 2006. TREPP also said, sometime prior to VENABLES' vacation, VENABLES was told by SUBJECT to stay at home and enjoy the holidays. However, on one either the 21st or 22nd of December, VENABLES came to work and found SUBJECT working on the source and ISA servers. VENABLES asked SUBJECT what he was doing, and SUBJECT said "cleaning up some files."

SUBJECT was required to provide copies of the source code to TREPP on an annual basis and did so for seven years. A review of the backup copies, consisting of CDs, DVDs and hard drives, by TREPP revealed the data on these media devices was worthless and did not contain the data SUBJECT was required to provide.

TREPP instructed his employees to analyze all of the company's 753 hard drives in an attempt to locate the code. The two-day analysis determined the code was not on any of these hard drives as claimed by SUBJECT.

6. CONDUCTED BY  
SA PAUL L. HARALDSEN and SA THOMAS A. SMITH

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REMARKS (Continued)

On 28 September 1998 SUBJECT was hired by eTreppid to become the CTO, he was paid \$1,300,000 for the data compression source code which he developed prior to his employment with eTreppid. Initially, SUBJECT was a 50% owner of eTreppid. However, during the course of his ownership SUBJECT required some liquidity and sold a two percent interest in his stock for \$1.5 million. This stock was sold to two of TREPP's associates for \$750,000 each. With the sale of the stock and other capital call dilutions SUBJECT became a 30% stakeholder in the company. TREPP was unaware of any reason why SUBJECT would have maliciously deleted the source code. TREPP was aware that SUBJECT was having financial difficulties. Since Jan 1999, TREPP loaned SUBJECT a total of \$1,379,759 to assist him with his financial burden. With the accrued and unpaid interest of \$125,211 the total owed by SUBJECT was \$1.5 million. On 7 or 8 Dec 2005 SUBJECT asked to borrow an additional \$270,000. When asked what it was for SUBJECT told TREPP that it was "to pay down casino and other debts." Additionally, TREPP discovered SUBJECT also owed \$300,000 to various casinos.

During the period of 1999-2005 inclusive, SUBJECT earned the following annual salaries:

1999-2000 - \$132,000

2001 - \$176,000

2002 - \$192,000

2003-2005 - \$300,000

On 20 Jan 06, Mr. Douglas J. Frye, General Counsel for eTreppid filed a temporary restraining order in the Second District Judicial Court of Nevada Washoe County, requesting SUBJECT return the source code to eTreppid. TREPP said eTreppid attorneys told him that SUBJECT told the judge "eTreppid had shared classified information with foreign nationals." These same attorneys told TREPP that SUBJECT made the comment "I don't have any source files, I have the source files in my head" to the judge. TREPP was unaware of any instance where a foreign national employee was exposed to classified information.

TREPP asked GRAY about it and she said she believed SUBJECT was asking foreign national employees to work on portions of data from the SECRET hard drives. TREPP was unaware of specifics and suggested GRAY would have additional details. Additionally, TREPP said when GRAY and SLOAN conducted an inventory of classified holdings; they were unable to locate nine SECRET hard drives provided by the government and two SECRET video tapes made by eTreppid. He again said that GRAY and SLOAN would have additional information.

During the week of 16-20 Jan 06, Neil Azzinaro, Las Vegas, NV, a mutual friend of both SUBJECT and TREPP said SUBJECT called him and said that he was looking for a US citizen, not an institution or corporation to start a new company and would require \$10 Million.

On 18 Jan 06, SUBJECT's employment was terminated from eTreppid.

AFSI FORCE OFFICE OF SPECIAL INVESTIGATIONS  
REPORT OF INVESTIGATIVE ACTIVITY

1. DATE OF INVESTIGATIVE ACTIVITY 23 JAN 2006	2. PLACE eTreppid, LLC, Reno NV	3. FILE NUMBER
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4. REMARKS

On 23 JAN 2006, TREPP provide a copy of a statement from Mr. Jerry SNYDER, eTreppid attorney, dated 23 JAN 2006, concerning SUBJECT's statements at the TRO hearing.

A review of the statement revealed that Mr Snyder recalled that SUBJECT made the following remarks to the judge during the TRO hearing:

1. SUBJECT said he did not have possession of eTreppid source code.
2. SUBJECT said he owned all intellectual property interests in eTreppid's pattern recognition and anomaly detection software and had not transferred interest to eTreppid.
3. SUBJECT stated that eTreppid was allowing foreign nationals without the appropriate security clearances to work on the subject software.

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AFOSI FORCE OFFICE OF SPECIAL INVESTIGATIONS  
REPORT OF INVESTIGATIVE ACTIVITY

1. DATE OF INVESTIGATIVE ACTIVITY 23 JAN 2006	2. PLACE eTrepid, Reno NV	3. FILE NUMBER
--------------------------------------------------	------------------------------	----------------

4. REMARKS

On 23 Jan 2006, a review of the Declaration of SLOAN VENABLES, dated 19 Jan 2006 was conducted and revealed the following information:

On 21 Dec 05, VENABLES discovered that a workstation containing a RAID storage box used to backup eTrepid source code was missing. SUBJECT told VENABLES that he (SUBJECT) took the workstation home. On 3 Jan 06, SUBJECT was observed by VENABLES working on the SRC (source) and ISA servers. SUBJECT told VENABLES he was "cleaning stuff up" and this included deleting files. On 3 Jan 06, VENABLES and other employees determined that the source code was deleted from the SRC source server and the ISA server. On the 9 JAN, he and the other employees discovered the source code was removed from the workstations also. VENABLES and SUBJECT were the only two people with the administrator password necessary to accomplish this action. On 10 Jan 06, SUBJECT told VENABLES that if TREPP wanted the source code "he needs to give me big money."

5. CONDUCTED BY SA PAUL L. HARALDSEN	6. SIGNATURE 
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ARMY FORCE OFFICE OF SPECIAL INVESTIGATIONS  
REPORT OF INVESTIGATIVE ACTIVITY

1. DATE OF INVESTIGATIVE ACTIVITY  
24 JAN 2006

2. PLACE  
eTrepid, LLC, Reno, NV

3. FILE NUMBER

4. REMARKS

SA Paul HARALDSEN and SA Thomas SMITH, AFOSI interviewed Patricia L. GRAY, Female, Asian, [REDACTED] GRAY is currently employed by ETREPPID Technologies, LLC (ETREPPID) as the Vice President, Product Development, 755 Trademark Drive, Reno, NV.

GRAY stated that she has been employed by ETREPPID for approximately three years and four months. She indicated that she has known SUBJECT for a little more than six years; three of those years were prior to employment with ETREPPID, as she had done some work with ETREPPID when she was employed by INTEL CORPORATION. GRAY stated that she came to work for ETREPPID because she believed that she could help bring its products to the marketplace.

GRAY stated that she had been recording tapes on hard drive disks (HDDs) since March of 2005 and the original recordings were unclassified from Fort Bragg, NC. GRAY believes that when GPS coordinates were displayed on images recorded on HDDs that would make the content of the HDD classified. GRAY said that the recordings she performed at Nellis AFB, NV were classified SECRET, but no higher.

GRAY stated that on 3 and 4 Nov 2005, she generated data on three (3) HDDs at Nellis AFB, NV, marked them SECRET, double-wrapped them and sent them via FEDEX Invoice # 3-182-50372 to ETREPPID addressed to SUBJECT. SUBJECT signed for the delivery at 1541 hours on 5 Nov 2005. On 07 Nov 2005, when GRAY returned to Reno, NV she confirmed with SUBJECT that he had received the data contained in the package.

GRAY stated that on 9, 10 and 11 Nov 2005, she generated data on three (5) HDDs at Nellis AFB, NV, marked them SECRET, double-wrapped and sent them via FEDEX Invoice # 3-194-79312 to ETREPPID addressed to SUBJECT. SUBJECT signed for the delivery at 1502 hours on 12 Nov 2005. On 14 Nov 2005, when GRAY returned to Reno, NV she confirmed with SUBJECT that he had received the data contained in the package on the previous Saturday.

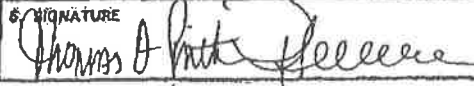
GRAY stated that ON 17 and 18 Nov 2005, she generated data on three (3) HDDs, two (2) of which contained unclassified data and one (1) that contained classified data at Nellis AFB, NV, marked them SECRET, double wrapped them and sent them via FEDEX Invoice # 3-207-28841 to ETREPPID addressed to herself. Altan BORA, employee of ETREPPID signed for the delivery at 1147 hours on 21 Nov 2005. GRAY stated that on 21 Nov 2005, she arrived for work shortly after noon and delivered the unopened package to SUBJECT in the warehouse section of ETREPPID's facilities.

GRAY related that on 06 Dec 2005 she checked to see if the HDDs that she had shipped from Nellis AFB were stored in the NSA approved safe at ETREPPID's corporate office. GRAY found that the HDDs were not in the safe and notified TREPP who, in turn, informed SUBJECT to return the HDDs to the safe. GRAY again checked the safe on 07 Dec 2005 and found that the HDDs were not there. GRAY said that she asked SUBJECT about the location of the HDDs and SUBJECT told her that the HDDs were all in the file cabinet in the warehouse. GRAY informed SUBJECT that this was not the correct location to store the HDDs and informed TREPP of the incident.

On 08 Dec 2005, GRAY e-mailed SUBJECT, copying TREPP on the e-mail to remind SUBJECT that all classified material should be stored in one safe so that she and SUBJECT would both have the combination and access. GRAY said that as a result of this e-mail all original nine (9) original HDDs and tapes were placed in the safe.

GRAY said that on 12 Dec 2005, TREPP asked her to generate some test tapes from the classified HDDs for internal testing. TREPP requested that four (4) DV tapes be made, two (2) for SUBJECT and two (2) for TREPP so a "blind test" could be performed. GRAY stated that she retrieved the one of the HDDs from the safe that had classified content generated on 5 Nov 2005 and started work on making the tapes.

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REMARKS (Continued)

GRAY related that on 13 Dec 2005, she went to retrieve another HDD to generate test tapes and all of the HDDs were not stored in the safe. GRAY informed TREPP that the HDDs were not properly stored and TREPP had SUBJECT return the HDDs to the safe. GRAY also related that while generating test tapes, SUBJECT came into her work area and placed a new label on one of the HDDs that she was using to generate test tapes. GRAY said that SUBJECT told her he was condensing the HDDs that were used at Nellis AFB because some were only partially full. As per TREPP, GRAY also gave SUBJECT two (2) test tapes. GRAY changed the safe's upper drawer combination and placed TREPP's two (2) copies of test tapes and original HDDs were secured in the safe's bottom drawer of which both GRAY and SUBJECT had the combination.

GRAY related that on 15 Dec 2005, all the HDDs were missing from the safe. When GRAY approached SUBJECT about the HDDs he told her he wanted to store the HDDs in the file cabinet in the warehouse for his convenience. GRAY told SUBJECT he could not store classified in the warehouse and was risking his clearance. GRAY said SUBJECT replied, "I don't care about my clearance. They'll always give me my clearance because they want me to do the work." GRAY told TREPP and he agreed that the classified material needed to be restricted. TREPP had SUBJECT return the classified HDDs and tapes to the safe. GRAY said TREPP then asked her to move all of the classified material to the top drawer of the safe and not give SUBJECT the combination.

GRAY said that on 18 Dec 2005, SUBJECT tried to contact her via text message and eventually was contacted by TREPP who instructed her to give the safe combination to SUBJECT. GRAY related to TREPP that she had concerns that SUBJECT would make copies of the classified content and that he would have access to the two (2) tapes that GRAY had segregated for the blind test. GRAY said that TREPP instructed her to give SUBJECT the combination so SUBJECT could work and on Monday TREPP and her would talk with SUBJECT and re-secure all the HDDs and tapes on Monday when GRAY returned to the office.

GRAY said that on 21 Dec 2005, at approximately 1030 hours, she had a closed door meeting with TREPP where she told TREPP that she had reason to believe SUBJECT had not written significant software for the company and observed what may have been classified imagery displaying coordinates that may have been images of Iraq on Zehang SUN's unclassified system, who does not have a clearance, network drives. GRAY said that earlier she had tried to copy what appeared to be classified content on SUN's shared folder, but as she was trying to copy it to her computer it was deleted. GRAY believes that SUBJECT deleted it because he has access to all of the engineer's folders. GRAY also informed TREPP that she had fairly complete information that led her to believe SUN had worked on a classified project involving ocean images. GRAY said that TREPP recommend that she look at source code archive disks that SUBJECT gave him to help her with the information she was seeking. GRAY stated that soon after her meeting with TREPP she received a call from Jesse ANDERSON. GRAY said that ANDERSON, who was on vacation, asked her what was going on in the building, said that he had just received a call from SUBJECT who told him that TREPP and GRAY were "ganging up on him" and asked ANDERSON if there was any source code resident on his computer. GRAY told him that she didn't know what he was talking about and her conversations with TREPP was none of his business. GRAY said that almost immediately after her conversation with ANDERSON, VENABLES called her on the office intercom and said he just received call from SUBJECT who told him that TREPP and GRAY were "ganging up on him" and accusing VENABLES of "stuff". GRAY believes that her conversation with TREP at 1030 hours was either overheard or somehow monitored. GRAY informed TREPP of her conversations with ANDERSON and VENABLES and of her belief that their conversation had been monitored. GRAY said VENABLES called at approximately 1530 hours on the office intercom and inquired as to why SUBJECT was leaving the building with hard drives. GRAY said that she told TREPP about VENABLES call and she and TREPP went to the warehouse. GRAY said that she saw TREPP and SUBJECT have a conversation while she and then both SUBJECT and TREPP went to TREPP's office.

GRAY said that on 8 Jan 2006, TENETTI informed her that SUBJECT had deleted all the source code from all of the engineer's systems between Christmas and New Year's. GRAY said that on 9 January 2006 that she found 7 HDDs (copies of the original 9 HDDs that were condensed to 7) in SUBJECT's file cabinet in the warehouse. GRAY stated that she also checked the safe and found 7 HDDs (copies of the original 9 HDDs that had been condensed to 7), but none of the original HDDs were in the safe. In addition, GRAY related that 2 of the 4 test tapes made for the blind test were missing from the safe. GRAY stated that between 9 Jan and 13 Jan 2006 she continued to attempt to ascertain the location of the original 9 HDDs and the 2 test tapes to no avail.

GRAY also added that she believes SUBJECT processed classified information on an unclassified stand-alone system that was not part of ETREPPID's computer domain.

On 23 Jan 2006, GRAY said that she checked one of the HDDs that SUBJECT generated labeled, "Nellis Images WIP 12/8/05" containing a recent version of target/motion software and test imagery. GRAY asked Yongmian ZHANG, Asian/Male [REDACTED] to describe test sequences he had been using. ZHANG's description matched test sequences in two directories on the "Nellis Images WIP 12/8/05" HDD containing detection software. One sequence contain classified material, but she could not show it to ZHANG because he does not have a clearance. GRAY said that since she cannot show ZHANG the image, she cannot be sure that the test sequence he had access to and the imagery on the "Nellis Images WIP 12/8/05" HDD are one and the same.

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~~Case 3:06-cv-00263-PMP-VPC \*SEALED\* Document 70-3 Filed 09/11/2006 Page 19 of 40~~

AI **FEDERAL BUREAU OF INVESTIGATION  
REPORT OF INVESTIGATIVE ACTIVITY**

1. DATE OF INVESTIGATIVE ACTIVITY 24-25 JAN 2006	2. PLACE ETREPPID, LLC RENO, NV	3. FILE NUMBER
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4. REMARKS

SA Paul HARALDSEN and SA Thomas SMITH, AFOSI interviewed Jesse ANDERSON, Male/White [REDACTED] ANDERSON is currently employed by ETREPPID Technologies, LLC (ETREPPID) as a Web Developer located at 755 Trademark Drive, Reno, NV.

ANDERSON said that he has been an employee of ETREPPID for approximately five (5) years and has had both a personal and professional relationship with SUBJECT during that time. ANDERSON stated that he, SUBJECT and other employees had seen each other socially on numerous occasions. ANDERSON characterized SUBJECT's recent demeanor as "unstable, needs to be hospitalized and needs psychological help."

ANDERSON stated that on 22 or 23 Dec 2005 SUBJECT called him and asked if he had any source code resident on his computer and ANDERSON said, "No." ANDERSON said that this call took place when he was on vacation during the time period starting on 21 Dec 2005 and ending on 28 Dec 2005. ANDERSON said that he called Patricia L. GRAY and asked her, "Dennis (SUBJECT) just called me and asked if I had any source code on my computer, what's going on?" ANDERSON said that he could not recall GRAY's response.

ANDERSON said that on 28 or 29 Dec 2005, Lalith TENNETI, M/Indian [REDACTED] employee of ETREPPID as a software engineer, informed him that ETREPPID source code was missing from his ETREPPID computer.

ANDERSON said that Jale TREPP (JTREPP), Warren TREPP's wife, called him on 7 Jan 2006. JTREPP told him that GRAY had called her and said that he might have some information as to SUBJECT's activities at ETREPPID. ANDERSON agreed to meet JTREPP at a Barnes & Noble store located at 5555 South Virginia Street, Reno NV 89502. ANDERSON related to JTREPP that SUBJECT was using open source code to develop ETREPPID's source code, not writing software, does not possess adequate technical abilities, and was dishonest. ANDERSON also informed JTREPP that SUBJECT said that he owned 51% of the company, TREPP was just an investor and that GRAY was going away for some time. JTREPP and ANDERSON agreed that ANDERSON should meet and discuss these issues with TREPP.

ANDERSON stated that on 8 Jan 2006, he met TREPP at the Tamarack Junction Restaurant Casino located at 13101 South Virginia Street, Reno, NV 89511. ANDERSON said that he voiced his concerns to TREPP as to SUBJECT's continued claims that he was the majority shareholder in the company (51%), had "lots of cash" invested in the company and that TREPP was only an investor. ANDERSON also informed TREPP that SUBJECT was using open source to develop ETREPPID source code, that SUBJECT was dishonest, that SUBJECT said GRAY would be going away for some time and that as long as five years ago he had suspicions that SUBJECT was less technically competent than he led people to believe. ANDERSON said that TREPP asked him to contact VENABLES and TENNETI so TREPP could be further informed of SUBJECT's activities as they related to ETREPPID.

ANDERSON said that on 10 Jan 2006, while he was at ETREPPID's office SUBJECT said to him that, "You're an asshole" and, "We'll meet again". ANDERSON asked SUBJECT, "Is that a threat?" and SUBJECT replied, "No". ANDERSON stated that he had suspicions that his phone conversations and his conversations at work may have been monitored as he could not understand how SUBJECT knew that he had talked to TREPP about his concerns regarding SUBJECT. ANDERSON fears that SUBJECT may harm him in some way and believes that the SUBJECT has the capacity to do so.

ANDERSON related that on 11 and 12 Jan 2006, he was asked by TREPP to look at all of ETREPPID's computers and talk with employees to ascertain if there was any source code resident on ETREPPID's computers. ANDERSON stated that ETREPPID source code had been deleted from all of the computers. ANDERSON stated that a program known as "Wipe N Clean" was resident on all of ETREPPID's programmer's computers and that program had been resident on the computers prior to the deletion and removal of ETREPPID source code. "Wipe N Clean" is a program used to permanently delete data from computers. ANDERSON stated that a portion of ETREPPID source code was resident on his computer and had not been deleted. ANDERSON stated that approximately three years ago SUBJECT required all ETREPPID personnel, that were working with portions of ETREPPID source code, save the source code in a file named Current Source and that SUBJECT had access to this file.

5. CONDUCTED BY SA THOMAS A SMITH & SA PAUL L. HARALDSEN	6. SIGNATURE 
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REMARKS (Continued)

ANDERSON said that on 15 Jan 2006, he saw SUBJECT at the Peppermill Hotel Casino located at 2707 South Virginia Street, Reno, NV 89502. ANDERSON was at the casino to have lunch with his girlfriend's family. ANDERSON said that while he was waiting on line for lunch service he observed SUBJECT playing blackjack at one of the casino's blackjack tables. ANDERSON said that SUBJECT looked like he had been playing cards all night as SUBJECT look tired, intoxicated, although he did not have a drink glass in front of him and his hair was a mess. ANDERSON said that SUBJECT looked up and said to him, "Get the fuck out of here!" and asked a casino security guard to make ANDERSON move. The security guard asked ANDERSON to move and ANDERSON refused informing the security guard that he was just watching the game on TV and waiting in line for lunch. SUBJECT again asked the security guard to move ANDERSON and this time ANDERSON complied so SUBJECT would "not cause a scene" while ANDERSON was having lunch with his girlfriend's family.

ANDERSON said that he had suspicions that SUBJECT was using open source code to develop ETREPPID source code for almost two years. ANDERSON said that he confronted SUBJECT about ETREPPID's use of open source code to develop its source code when he was at Fort Bragg, NC conducting some training. SUBJECT told him that the "government knew about it" and that TREPP knew about it and TREPP was "O.K with it".

ANDERSON stated that he never saw or touched classified HDDs at ETREPPID's offices, nor did he possess the combinations to the company's safes. ANDERSON stated that he had nothing to with the deletion of ETREPPID source code from ETREPPID computers.

ANDERSON also provided that approximately four months ago SUBJECT gave him electronic TIF files (images), of what ANDERSON said he believed to be the ocean, and directed him to divide the TIF images into 1k x 1k pixels. ANDERSON said that he complied and said those images were still resident on his computer.

In addition, ANDERSON said that sometime in 2003, upon the direction of SUBJECT, during demonstrations of ETREPPID's Automatic Target Recognition (ATR) product ANDERSON was told to monitor his computer screen that displayed a video. SUBJECT instructed ANDERSON to strike the "A" key on his computer's keyboard each time the bazooka came into view on the video screen. ANDERSON said that he did this for approximately forty (40) separate demonstrations. ANDERSON stated that sometime in October or November of 2005, he learned from GRAY that representatives from the Department of Homeland Security (DHS) were coming to see the ATR product and that this visit was in relation to a contract. ANDERSON said that to his knowledge his prior participation in the ATR product was limited to bazooka demonstrations and he did not want to participate if ETREPPID was going to be paid by the DHS. ANDERSON told SUBJECT that he did not want to participate when DHS arrived and he did not. ANDERSON said that subsequent to that date SUBJECT no longer talked to him at work and ceased all social contact with him.

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**AIR FORCE OFFICE OF SPECIAL INVESTIGATIONS  
REPORT OF INVESTIGATIVE ACTIVITY**

**1. DATE OF INVESTIGATIVE ACTIVITY**  
25 JAN 2006

**2. PLACE**  
eTrepid, LLC, Reno NV

**3. FILE NUMBER**

**4. REMARKS**

On 25 JAN 2006, Mr. JAMES BAUDER, Graphics Designer, eTrepid, LLC, Reno NV, was interviewed by SA HARALDSEN and SA SMITH to determine his knowledge regarding SUBJECT removing a computer system from eTrepid.

BAUDER said he worked for eTrepid since April 2000 and was hired by SUBJECT. His relationship with SUBJECT was strictly professional. He characterized SUBJECT as eccentric with minimal personal skills. Because of BAUDER's size, a large man, SUBJECT would often ask him to move heavy "stuff."

On Friday, 23 Dec, 2005, SUBJECT asked BAUDER to move about six boxes from SUBJECT's office and office closet to the back warehouse door. BAUDER accomplished this task. He said the box flaps were closed therefore he was unable to determine the boxes' contents. BAUDER observed SUBJECT load at least two of the boxes into his (SUBJECT's) truck. BAUDER thought this was a little peculiar since he never witnessed SUBJECT remove anything from the facility.

BAUDER said about one year ago, SUBJECT requested he purchase some open source code called MICATOGE XPLAYER. This purchase was an online purchase using BAUDER's PayPal account. The cost of the source code was about \$100. BAUDER said that SUBJECT claimed he did not have a PayPal account and required the open source code for work. BAUDER subsequently provided a copy of the PayPal receipt to SA HARALDSEN.

BAUDER said he assisted SUBJECT with some work regarding "images of the ocean." He said SUBJECT instructed him to place symbols on the images. BAUDER was unaware of why he was accomplishing this task, but surmised it had to do with "terrorist boats." SUBJECT never explained why this work was being performed or for whom.

Sometime in JAN 2006, BAUDER assisted the eTrepid employees with a search of the facility to determine if they could locate any media containing the company's source code. While conducting this search BAUDER, observed Patricia GRAY, holding two hard drives with red stickers on them. He said these hard drives were found in a warehouse filing cabinet used by SUBJECT. He said he looked in the cabinet drawer and saw additional hard drives in the drawer. He was uncertain how many hard drives were in the cabinet drawer. When he tried to assist GRAY, she explained that BAUDER he did not have the appropriate clearance level to take possession of the hard drives.

BAUDER further said that during the summer of 2003 SUBJECT made a peculiar request of BAUDER. SUBJECT invited BAUDER to his office. When BAUDER arrived, SUBJECT shut the office door and closed the blinds. SUBJECT instructed BAUDER to "hit the space bar on his (meaning SUBJECT's) keyboard" whenever BAUDER heard an audible tone on his phone. BAUDER explained that SUBJECT was demonstrating a "bazooka" test to some unidentified customers. SUBJECT would hold a simulated bazooka and walk into the field behind the company. While SUBJECT held the bazooka a camera was trained on SUBJECT. This camera was connected to a laptop computer in the company warehouse and the customers were observing the laptop display. As the camera was trained on the bazooka, SUBJECT would send BAUDER an audible tone to BAUDER's phone. When BAUDER heard the tone he hit the space bar. He was uncertain what "hitting the space bar did" but suspected it highlighted the bazooka on the laptop display. The demonstration lasted about 5-10 minutes. SUBJECT explained that this was for demonstration purposes only and not to worry about it. BAUDER knew better than to pursue this line of questioning because if you questioned SUBJECT you were "eventually fired." BAUDER believed SUBJECT was using "trickery" during this demonstration.

**5. CONDUCTED BY**

SA PAUL L. HARALDSEN and SA THOMAS A. SMITH

**6. SIGNATURE**

*[Handwritten Signature]* THOMAS A SMITH

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ARMY FORCE OFFICE OF SPECIAL INVESTIGATIONS  
REPORT OF INVESTIGATIVE ACTIVITY

1. DATE OF INVESTIGATIVE ACTIVITY 25 JAN 2006	2. PLACE eTrepid, LLC, Reno NV	3. FILE NUMBER
--------------------------------------------------	-----------------------------------	----------------

4. REMARKS

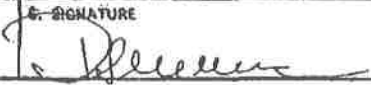
On 25 JAN 2006, SA HARALDSEN reviewed the copy of the PayPal receipt provided BAUDER.

The review disclosed that the receipt was identified by the following data:

"Web Accept Payment Sent ID number 0XM90015NS3987849  
Original transaction date 30 Nov 2004,  
Payment to XIAO CAN YANG, for the amount of 99.00  
Item Title: Micatoge XPlayer  
Item Number: Source Code License  
Time: 0719:07 PST  
Shipping Address:  
JIM BAUDER  
[REDACTED]  
United States

K. CONDUCTED BY SA PAUL L. HARALDSEN	L. SIGNATURE 
-----------------------------------------	------------------------------------------------------------------------------------------------------

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AIR FORCE OFFICE OF SPECIAL INVESTIGATIONS REPORT OF INVESTIGATIVE ACTIVITY		
1. DATE OF INVESTIGATIVE ACTIVITY 24 JAN 2006	2. PLACE cTrepid, LLC, Reno, Nevada	3. FILE NUMBER
4. REMARKS  On 24 JAN 06, VENABLES was interviewed by SA HARALDSEN to determine if any recording devices were located on SUN's computer system. VEANABLES said he inspected the three computer systems used by SUN and each of the systems contained, USB ports, removable hard drives, CD burners and a floppy disk drive. VENABELS believed that if SUN wanted to copy and remove data from his computer system he could have done so without detection.		
6. CONDUCTED BY SA PAUL L. HARALDSEN		5. SIGNATURE 
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AIR FORCE OFFICE OF SPECIAL INVESTIGATIONS  
REPORT OF INVESTIGATIVE ACTIVITY

1. DATE OF INVESTIGATIVE ACTIVITY  
25 JAN 2006

2. PLACE  
eTrepid, LLC, Reno NV

3. FILE NUMBER

4. REMARKS

ON 25 JAN 2006, VENABLES was interviewed by SA HARALDSEN and SA SMITH to determine what classified data if any resided on SUN's computer system. VENABLES related the following:

He reviewed SUN's current computer hard drive to determine its contents. He discovered two ocean images identified as images 5 and 6 and thumb nails generated from the original images. He copied the images onto a DVD and provided the DVD to SA HARALDSEN. He did not discover any other images on the hard drive. These images were deleted from SUN's hard drive.

He also reviewed a hard drive labeled " ZEHANG-MATHLAB 04/27/05" which was found in the company's warehouse. This hard drive was discovered during the search conducted 10 - 13 JAN 06, for hard drives containing source code. This hard drive was previously assigned to SUN. VANABLES believed SUBJECT eventually took possession of the hard drive and placed it in the warehouse. The review determined the drive was a copy of another drive and it was created during the hours of 0800-1200 on 27 April 2005. The review disclosed a file containing over 13,000 bit map images of aerial photography of buildings, people and vehicles taken from an "ACFT". The images also reflected the time the photograph was taken as well as the coordinates.

Five examples of the photographs were printed by VENABLES and provided to SA HARALDSEN. Additionally, he printed the index of the bit map files.

5. CONDUCTED BY  
SA PAUL L. HARALDSEN and THOMAS A. SMITH

6. SIGNATURE  
*Thomas A Smith*

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AIR FORCE OFFICE OF SPECIAL INVESTIGATIONS  
REPORT OF INVESTIGATIVE ACTIVITY

1. DATE OF INVESTIGATIVE ACTIVITY 24 JAN 2006	2. PLACE eTrepid, LLC, Reno NV	3. FILE NUMBER
--------------------------------------------------	-----------------------------------	----------------

4. REMARKS

VENABLES provided SA HARALDSEN with SUN's removable hard drive. Additionally, VENABLES provided a DVD with the partial sea images and and images five and six from the second set of sea images identified previously by TREPP. The images were copied from SUN's hard drive.

VENABLES and SA HARALDSEN conducted a review of SUN's hard drive. The review disclosed a folder identified as "SOCOM". A review of this folder disclosed contained bit maps.

A sampling of the bit maps was conducted by VENABLES and SA HARALDSEN. The sampling disclosed aerial still pictures of desert environment containing people, buildings, vehicles etc. The pictures also displayed the coordinates, dates and other from the camera taking the picture.

VENABLES at the request of SA HARALDSEN printed out a sampling of the pictures.

5. CONDUCTED BY SA PAUL L. HARALDSEN	6. SIGNATURE 
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Sept. 11 '05

AIR FORCE OFFICE OF SPECIAL INVESTIGATIONS  
REPORT OF INVESTIGATIVE ACTIVITY

1. DATE OF INVESTIGATIVE ACTIVITY  
25 JAN 2006

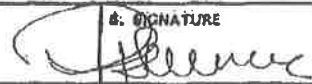
2. PLACE  
cTrepid, LLC, Reno NV

3. FILE NUMBER

4. REMARKS

On 25 JAN 2006, TREPP explained that since the company did not possess any classified information prior to Nov 2005, than all aerial photography images on company hard drives prior to this date must be unclassified. He was specifically referencing SUN's hard drive labeled "ZEHANG-MATHLAB 04/27/05" which was discovered and reviewed by VENABLES.

5. CONDUCTED BY  
SA PAUL L. HARALDSEN

6. SIGNATURE  


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*Haraldsen's  
DATA REPORT*

Here is the latest information from Reno:

*The preliminary inquiry into the nine missing SECRET hard drives has revealed the following:*

- Company was on contract with SOCOM and had a DD Form 254 authorizing access to classified information at another location.
- A company employee transferred SECRET media from Nellis AFB to the company's office in Reno.
- Company was not approved for storage of classified information
- Company was in possession of SECRET media since Mar 2005
- Company was not adequately controlling or protecting SECRET media. CTO was storing SECRET hard drives in a steel filing cabinet in the company's warehouse.
- Company's FSO was not aware of the SECRET material until Nov 05 when he accidentally discovered it in CTO's possession
- CTO was using an unclassified computer system to process SECRET material
- CTO is suspected of providing SECRET material to foreign nationals. An ~~Original Classification Authority review is required to determine if~~ information on a foreign national's computer was classified. This foreign national no longer has access to the hard drive.
- CTO made unauthorized copies of SECRET hard drives. The copies CTO made are accounted for, but the original hard drives are missing.

Ancillary to the preliminary inquiry, it was determined that the CTO deleted source code (intellectual property belonging to the company) from the company servers. The CTO was one of two employees with the appropriate level of access to delete the source code. The second employee was on vacation in Europe when the source code was deleted. Additionally, the CTO removed from the company a computer system containing the source code. The CTO admitted to a company employee that he removed the computer containing the source code and that he brought it to his residence. CEO claimed without the source code the company will be dissolved.

I have a meeting with the Reno FBI today to discuss the aforementioned issues.

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REPORT OF INVESTIGATION

REPORT BY: SA PAUL L. HARALDSEN FILE NR:

PERIOD OF REPORT: 19 Jan- 13 Feb 2006 DATE OF REPORT: 14 Feb 2006

MATTERS INVESTIGATED: Alleged Theft of Intellectual Property from eTreppid Technologies, Limited Liability Company, 775 Trademark Drive, Reno, NV, 89521 – Violation of 18 U.S.C section 1832 (Economic Espionage)

SUBJECT: DENNIS LEE MONTGOMERY, Male, [REDACTED]  
[REDACTED]

IMPACT: The Theft of the intellectual property prohibited the U.S. Government from awarding eTreppid Technologies a contract to develop technologies to be used for prosecuting the Global War on Terrorism

STATUS: Pending

OCTAVIO BAEZ, JR Commander  
AFOSI Region 7,

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DISTRIBUTION:

00106  
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**2-1. CLASSIFIED PROGRAM PARAGRAPH**

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- 1-1. (U) **SUMMARY OF INVESTIGATION:** Chief Executive Officer of eTreppid LLC, Reno, NV, claimed SUBJECT stole and deleted eTreppid's intellectual property (Source Code) during the period of 21 Dec 2005 - 8 January 2006. Interviews of company employees revealed:

SUBJECT was observed removing Source Code from eTreppid's servers and individual workstations;

SUBJECT told an employee he took a workstation containing the backup Source Code to his residence;

SUBJECT on numerous occasions told this same employee he was going to return the workstation, but never did;

SUBJECT told the Facility Security Officer "he (referencing the CEO) needs to give me big money if he wants it (a reference to the Source Code)";

Only two employees - SUBJECT and FSO, had the appropriate passwords to delete the Source Code from the servers, and the FSO was in Europe on vacation when the deletion occurred.

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2-2. (U) INVESTIGATION REQUEST: On 19 Jan 2006, an investigation was initiated into the alleged theft and deletion of intellectual property (Source Code) by SUBJECT from eTreppid Technologies, LLC, Reno, NV.

3-1. (U) NARRATIVE

- A. Interview of: WARREN TREPP, Chief Executive Officer, eTreppid, LLC  
Date/Place: 19-23 JAN 2006/Telephonic, Hilton Hotel and eTreppid LLC  
Interviewer: SA PAUL L. HARALDSEN  
Asst Interviewer: SA THOMAS A. SMITH  
Associated Exhibit Numbers: Attachment 1

TREPP claimed SUBJECT unlawfully deleted and stole the company's Intellectual Property, specifically its Source Code used for data compression, object tracking and anomaly detection. TREPP initially became aware of the missing Source Code on either 9 or 10 January 2006 when his employees complained about their inability to operate their computer systems. TREPP asked SLOAN VENABLES, eTreppid Facility Security Officer (FSO) about the problem and was told that company's Source Code was deleted from the source server (subsequently identified as SRCSERVER), a system known as the ISA server (subsequently identified as ISASERVER) and all of eTreppid's workstations. TREPP said VENABLES and SUBJECT were the only eTreppid employees to have exclusive access and the appropriate passwords to delete the Source Code from the SRCSERVER, ISASERVER and all of eTreppid's individual workstations. TREPP said the company also had a back up of the Source Code on a separate stand-alone workstation located in eTreppid's warehouse. However, this system is also missing. SUBJECT had exclusive access to this workstation. TREPP said without the Source Code the company would go out of business. He was unable to estimate the monetary value of the Source Code, but said eTreppid was losing \$10,000 daily because of non-productivity.

TREPP believed SUBJECT removed and deleted the Source Code from the SRCSERVER/ISASERVER and all workstations for the following reasons:

- 1) VENABLES informed TREPP that SUBJECT admitted taking the backup computer system home;
- 2) VENABLES was on vacation during the period when the Source Code was deleted. VENABLES denied removing the Source Code from the SRCSERVER/ISASERVER and workstations.
- 3) VENABLES informed TREPP that SUBJECT told him "He (TREPP) will have to pay big bucks to get what he wants;"
- 4) An employee named JAMES BAUDER, graphics designer, eTreppid, told TREPP he carried sealed boxes out of the company for SUBJECT during this time period.

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In an effort to substantiate TREPPS suspicions about SUBJECT, TREPP instructed VENABLES to review the internal security monitoring cameras to determine if "it captured MONGOMERY (SUBJECT) removing the workstation. However, TREPP said someone deleted the last four months of video. TREPP said SUBJECT had access to the video recordings and TREPP suspected SUBJECT deleted these video recordings.

On 9 JAN 06, TREPP confronted SUBJECT and was told by SUBJECT that the Source Code could be located on the 753 removable hard drives located at the company. TREPP asked SUBJECT why he was "doing this," to which SUBJECT said, "I did not do a thing." TREPP also asked SUBJECT why he deleted the files. SUBJECT said, "I didn't!" TREPP then asked who did and SUBJECT replied, "GRAY." TREPP said "GRAY" was a reference to Ms PATTY GRAY, eTreppid Business Manager. SUBJECT stormed out of the company and was followed by TREPP into the company's parking lot. TREPP plead with SUBJECT to let him help him. SUBJECT said, "You are not going to screw me. Just try to bring me down!" and drove off. Conversations between TREPP and SUBJECT on the 10th of January were the same as those addressed on the 9th of January. TREPP was unable to provide any "rationale" reason why SUBJECT would have maliciously removed and deleted the Source Code

TREPP instructed his employees to conduct an analysis of each of the company's 753 hard drives in an effort to locate the Source Code. The two-day analysis failed to locate the Source Code.

TREPP was told by VENABLES that it would have taken about two weeks to delete the Source Code from the SRCSERVER and ISASERVER. TREPP believed the Source Code was deleted from the servers during VENABLES' vacation. TREPP said VENABLES was on vacation between 22 Dec 05 - 3 Jan 06. TREPP also believed that the Source Code was deleted from the company's individual workstations during the weekend of 7/8 January 2006. TREPP based this on the fact that the company's alarm log reflected user # 13 (SUBJECT's user number) disabled the facility alarm at 09:06:17 on Saturday 7 January 2006 and activated the alarm 21:33:36. On Sunday, 8 January 2006, USER NUMBER 13 again deactivated the alarm at 08:34:18 and activated the alarm at 17:24:33. TREPP provided a copy of the alarm code printout (Attachment1) reflecting the aforementioned information for the period of 26 Dec - 12 Jan 2006.

TREPP was told by VENABLES that on either the 21st or 22nd of December 2005, VENABLES was told by SUBJECT to stay at home and enjoy the holidays. However, VENABLES came to work and found SUBJECT working on the SRCSERVER and ISASERVER. VENABLES asked SUBJECT what he was doing, and SUBJECT said, "Cleaning up some files."

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TREPP said on an annual basis SUBJECT was required to provide copies of the Source Code to TREPP and did so for seven years. A review of the backup copies, consisting of CDs, DVDs and hard drives, by TREPP revealed the data on these media devices was worthless and did not contain the data SUBJECT was required to provide.

TREPP provided the following biographical and historical information regarding SUBJECT:

On 28 September 1998 SUBJECT was hired by eTreppid to become the Chief Technology Officer. SUBJECT was paid \$1,300,000 and made a 50% partner in eTreppid in exchange for the data compression Source Code that he developed prior to his employment with eTreppid. During SUBJECT's ownership - SUBJECT required some liquidity and sold a two percent of stock in the company for \$1.5 million. This stock was sold to two of TREPP's associates for \$750,000 each. With the sale of the stock and other capital call dilutions SUBJECT reduced his stake in the company to 30%. TREPP was aware that SUBJECT was having financial difficulties and since Jan 1999, TREPP loaned SUBJECT a total of about \$1.5 million to assist him with his financial burden. On 7 or 8 Dec 2005, SUBJECT asked to borrow an additional \$270,000. When asked what the additional money was for, SUBJECT told TREPP that it was "to pay down casino and other debts." TREPP said he discovered through informal sources that SUBJECT owed \$300,000 to various casinos.

During the period of 1999-2005 SUBJECT earned the following annual salaries:

1999-2000 - \$132,000	2001 - \$176,000
2002 - \$192,000	2003-2005 - \$300,000

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TREPP said that on 20 Jan 06, Mr. Douglas J. Frye, General Counsel for eTreppid filed a temporary restraining order in the Second District Judicial Court of Nevada, Reno, NV, Washoe County, requesting SUBJECT return the Source Code to eTreppid.

TREPP said he was told by his attorneys that during the hearing SUBJECT informed the judge "eTreppid had shared classified information with foreign nationals." These same attorneys also told TREPP that SUBJECT made the comment "I don't have any source files, I have the source files in my head."

TREPP was unaware of any instance where a foreign national employee had access to classified information.

(S) TREPP said he asked GRAY about the SUBJECT's allegation regarding foreign nationals having access to classified information. GRAY informed TREPP that she suspected SUBJECT might have asked foreign national employees to work on classified aspects of the data from the United State Special Operations Command Predator videos. TREPP said if that was the case, a foreign national might have had access to SECRET predator images. TREPP was unaware of any specifics and suggested speaking with GRAY. Additionally, TREPP said when GRAY and SLOAN conducted an

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inventory of classified holdings; they were unable to locate nine SECRET hard drives of predator video images and two SECRET videotapes (copied from the nine hard drives) made by eTrepid. He again said that GRAY and SLOAN would have additional information.

(The allegation of foreign national's having access to classified information was independently addressed in AFOSI Report of Investigation \_\_\_\_\_)

TREPP said that sometime during the week of 16-20 Jan 06, Neil Azzinaro, Las Vegas, NV, a mutual friend of both SUBJECT and TREPP, called TREPP and informed him that SUBJECT said that he was looking for a US citizen, not an institution or corporation to start a new company and would require \$10 Million. TREPP suspected SUBJECT was attempting to market and ultimately sell the stolen Source Code or partner with a financier to establish a new company.

SUBJECT was not permitted on company property after 10 Jan 06 and on 18 Jan 06, SUBJECT's employment was officially terminated from eTrepid.

B. (U) Interview of: TREPP  
Date/Place: eTrepid/23 JAN 2006  
Asst Interviewer: SA Smith  
Associated Exhibit Numbers: Attachments 2-19

TREPP provided a compact disc with electronic copies of the following relevant documents:

---

1. *CONTRIBUTION AGREEMENT – between INTREPID (subsequently renamed as eTrepid) and SUBJECT and Brenda K. Montgomery (SUBJECT's wife), dated 28 Sep 1998. Attachment 2*

Agreement reflects payment of \$1.3 million and transfer of 50% membership interest of INTREPID to SUBJECT and the MONTGOMERY Family Trust in exchange for SUBJECT's contributed assets identified as software compression technology. Furthermore, this agreement identified contributed assets to mean "...and include, collectively, all the following assets, together with all of the Contributor's (SUBJECT's) rights, title and interest, therein, tangible and intangible, present or future, including, but not limited to, all development, distribution and exploitation rights, or to any proceeds derived there from."

TREPP said the contribution agreement is the legal document wherein SUBJECT relinquished his rights to all technology – current and future- derived from the software compression technology, which SUBJECT provided, to eTrepid in exchange for financial compensation and partnership in the company.

00113  
Sept. 11' 06

2. *AMENDED AND RESTATED OPERATING AGREEMENT OF ETREPPID TECHNOLOGIES LLC, A NEVADA LIMITE LIABILITY COMPANY – DATED AND ADOPTED EFFECTIVE AS OF NOVEMBER 1 2002.* Attachment 3

TREPP stated that according to paragraph 6.5 and 6.7 of this agreement, signed by SUBJECT, SUBJECT agreed that “the services of Dennis Montgomery.... so long as he is in serving as a Committee Member and/or Chief Technology Officer pursuant to this agreement, shall be exclusive to the LLC, and he shall devote substantially all of his full time and attention and efforts to the Business and affairs of the LLC.”

Additionally, SUBJECT agreed in the Operating Agreement, that while he was the CTO, he would not “compete with the LLC.... (1) By developing, licensing or exploiting in any manner any software programs or other technology which is competitive with the technology or the business of the LLC.”

3. *ETREPPID TECHNOLOGIES PATENT ASSIGNMENT APPLICATION DETAILS.* Attachments 4-13

SUBJECT filed Ten Patent Assignment applications with the United States Patent and Trademark Office during the period of Nov 2000 – Nov 2001. The patents pertained to various technologies developed while SUBJECT was an employee at eTreppid, each patent assigned the “full and exclusive rights, title and interest of these technologies” to eTreppid.

- Assignment of U.S. Origin Patent Application, *Method and Apparatus for Encoding Information Using Multiple Passes and Decoding in a Single Pass*, filed 29 November 200, serial No. 09/727,096. Attachment 4
- Assignment of U.S. Origin Patent Application, *Method and Apparatus for Streaming Data Using Rotating Cryptographic Keys*, filed 29 Mar 2001, serial No. 09/823,278. Attachment 5
- Assignment of U.S. Origin Patent Application, *Optical Encoding of Audio Data*, filed 31 Oct 2001, serial No. 10/033,537. Attachment 6
- Assignment of U.S. Origin Patent Application, *Method and Apparatus for Determining Patterns within Adjacent Blocks of Data*, filed 31 October 2001, serial no. 09/999,776 Attachment 7
- Assignment of U.S. Origin Patent Application, *System and Method for Generating Alert Conditions in a Surveillance System*, filed 21 November 2001, serial no. 09/991,490 Attachment 8
- Assignment of U.S. Origin Patent Application, *System and Method for Managing Memory in a Surveillance System*, filed 21 November 2001, serial No. 09/991,487. Attachment 9
- Assignment of U.S. Origin Patent Application, *Method and Apparatus for Detecting and Reacting to Occurrence of an Event*, filed 21 November 2001, serial No. 09/990, 868. Attachment 10

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- Assignment of U.S. Origin Patent Application, *Method and System for Size Adaptation and Storage Minimization, Source Noise Correction and Source Watermarking of Digital Data Frames*, filed 21 Nov 2001, serial No. 09/991,528. Attachment 11
- Assignment of U.S. Origin Patent Application, *Data Gathering in Games of Chance*, filed 21 November 2001, Serial No. 09/991,531. Attachment 12
- Assignment of U.S. Origin Patent Application, *Method and Apparatus for Storing Digital Video content Provided from a Plurality of Cameras*, filed 21 Nov 2001, serial no. 09/991,527. Attachment 13

TREPP said these ten patent assignments demonstrate and emphasize SUBJECT's knowledge and awareness that all technologies developed while an eTreppid employee became the intellectual property of the company, not SUBJECT.

4. *EMPLOYEE DECLARATIONS SUPPORTING A TEMPORARY RESTRAINING ORDER MOTION FOR A PRELIMINARY INJUNCTION AGAINST SUBJECT – filed in the Second Judicial District Court of the State of Nevada in and for the County of Washoe, 19 January 2006. Attachments 14-17*

- Four-page declaration and multiple page attachment by TREPP, date stamped 19 Jan 2006. Attachment 14
- Two-page declaration by BARJINDER BAL, eTreppid programmer, date stamped 19 Jan 2006. Attachment 15
- Three page declaration by VENKATA KALLURI, eTreppid programmer, date stamped 19 Jan 2006. Attachment 16
- ~~Five-page declaration by VENABLES, date stamped 19 Jan 2006. Attachment 17~~

A review of these declarations is reflected in paragraph 3-1 D-G below.

5. In addition to the documents on the referenced CD, TREPP provided a copy of an eTreppid two page employee sick and annual leave printout (Attachment 18) for the period of 1-31 December 05. TREPP said this printout reflected VENABLES was on vacation during the period of 22 – 30 Dec 05, the time period in which TREPP suspected SUBJECT deleted the Source Code from the company servers.
6. TREPP also provided a copy of a statement from Mr. SNYDER (Attachment 19) dated 23 JAN 2006, concerning SUBJECT's statements made at the Temporary Restraining Order hearing on the 19 Jan 2006.

A review of the SNYDER statement is provided in paragraph 3-1 C. below.

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c. (U) Review of SNYDER statement  
Date/Place: eTreppid/23 JAN 2006  
Associated Exhibit Numbers: Attachment 19

A review of a statement by SNYDER, concerning SUBJECT's statements made at the Temporary Restraining Order hearing was conducted and revealed:

SNYDER recalled that SUBJECT made the following remarks to the judge during the TRO hearing:

1. SUBJECT said he did not have possession of eTreppid Source Code.
2. SUBJECT said he owned all intellectual property interests in eTreppid's pattern recognition and anomaly detection software and had not transferred interest to eTreppid.
3. SUBJECT stated that eTreppid was allowing foreign nationals without the appropriate security clearances to work on the subject software.

D. (U) Review of TREPP Declaration:  
Date/Place: eTreppid LLC/23 JAN 2006  
Associated Exhibit Numbers: Attachment 14

A review of TREPP's declaration disclosed similar information as provided in the interview of TREPP in paragraph 3-1 A above. The declaration did reflect that TREPP said without the eTreppid Source Code, the eTreppid programmers couldn't perform their ordinary duties. As a result, eTreppid is currently losing over \$10,000 per day on wages and other administrative costs in order to retain key personnel even though they are idle.

E. (U) Review of BAL Declaration:  
Date/Place: eTreppid LLC/23 JAN 2006  
Associated Exhibit Number: 15

A review of the declaration disclosed that on 19 or 20 Dec 2005, BAL observed SUBJECT deleting certain (NFI) eTreppid Source Code files from BAL's workstation. SUBJECT told BAL he was doing so for security reasons. On 2 JAN 2006, BAL discovered that all of the eTreppid Source Code on his workstation's hard drive was deleted.

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(U) Review of KALLURI Declaration:  
Date/Place: eTreppid LLC/23 JAN 2006  
Associated Exhibit Number: 16

A review of the declaration disclosed KALLURI noticed that during Dec 2005, right before the Christmas holiday, eTreppid Source Code was deleted from his workstation hard drive. KALLURI contacted SUBJECT and was told by SUBJECT he was backing up eTreppid Source Code. Sometime during the workweek of 3-6 January 2006, KALLURI discovered that the eTreppid Source Code was also missing from the share directory (subsequently identified as the SRCSERVER) as well.

G. (U) Review of VENABLES Declaration  
Date/Place: eTreppid LLC/23 JAN 2006  
Associated Exhibit Numbers: Attachment 17

A review of VENABLES' declaration disclosed that on 21 Dec 05, VENABLES discovered that a workstation containing a Redundant Array of Independent Drives (RAID) storage box used to backup eTreppid Source Code was missing from the company warehouse. SUBJECT told VENABLES that he (SUBJECT) took the workstation and RAID box home. Upon return from his vacation on 3 Jan 06, VENABLES discovered that the eTreppid Source Code was deleted from the company ISASERVER and SRCSERVER. When confronted by VENABLES, SUBJECT said he was "cleaning stuff up" and this included deleting files that "weren't needed" from the SRCSERVER. On the 9 JAN, VENABLES and the other employees discovered the eTreppid Source Code was missing from the eTreppid workstations. VENABLES and SUBJECT were the only two people with the administrator password necessary to accomplish the deletion of the Source Code from the SRCSERVER and ISASERVER. On 10 Jan 06, SUBJECT told VENABLES "he needs to give me big money if he wants it." VENABLES said this comment was made in the context of TREPP's search for the Source Code

H. (U) Interview of: VENABLES  
Date/Place: eTreppid/23 Jan 2006  
Asst Interviewer: SA Smith  
Associated Exhibit Number: Attachment 20

In addition to reiterating the information from his declaration, VEANABLES related the following information:

He has known SUBJECT since December 1999 and had both a professional and personal relationship with him. He believed SUBJECT was "nuts and a crazy compulsive liar." SUBJECT was unwilling to share his work with others and kept employees in the dark about company projects.

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SUBJECT was verbally abusive to subordinates and created an atmosphere of fear. SUBJECT created fictitious stories about TREPP and claimed that he (SUBJECT) was the actual majority owner of the company. VENABLES only learned that TREPP was actually the majority owner of eTreppid after SUBJECT was fired. SUBJECT would threaten subordinates and instruct them avoid engaging with TREPP. Consequently, problems or issues within the company were not elevated to TREPP.

VENABLES questioned SUBJECT's technical capabilities. His suspicion was reinforced when he discovered SUBJECT's workstation did not have the necessary applications installed to develop Source Code. Specifically SUBJECT's computer did not have a compiler (application necessary to convert Source Code from human readable code to machine readable code). VENABLES found this peculiar since this was purportedly SUBJECT's primary responsibility as the Chief Technical Officer. Additionally, VENABLES designed the dual Zeon processors used by SUBJECT to operate as a cluster (multiple computers working in harmony as one powerful super computer). Unexplainably, SUBJECT changed the cluster's operating system to Windows XP, which then reconfigured the computers to operate as independent systems. VENABLES said SUBJECT's actions were irrational and divergent since it caused the cluster network to operate inefficiently.

A workstation containing a backup copy of eTreppid's Source Code was located in the company's warehouse. However, on 21 Dec 05, VENABLES noticed the workstation and RAID box controller housing eight drives was missing. The monitor and keyboard were still present in their normal location. VENABLES asked SUBJECT if he knew the whereabouts of the workstation and raid box. SUBJECT said without any further explanation "I took the workstation home." On 3 Jan 06, when VENABLES returned from vacation he discovered that the SRCSERVER and ISASERVER had been accessed. Each of the server's monitors displayed a "command prompt window" indicating an executable command had taken place. When VENABLES questioned SUBJECT about this, SUBJECT said he was "cleaning up old stuff." During the week of 3-6 JAN 06, VENABLES questioned SUBJECT numerous times about the workstation and raid box controller. Each time SUBJECT stated "I am bringing back the workstation." However SUBJECT never did.

On 10 JAN 06, when VENABLES arrived at work he discovered SUBJECT and TREPP in the warehouse arguing. SUBJECT stormed out of the building. TREPP instructed VENABLES to call SUBJECT and encourage him to return. VENABLES contacted SUBJECT and SUBJECT said, "He fucked me out of millions and is not going to get away with it." SUBJECT told VENABLES "I will think about returning.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 02/23/2006

Sloan Sterling Venables, Director of Research and Development and Facility Security Officer, eTreppid Technology, LLC, 755 Trademark Drive, Reno, Nevada, telephone number (775) 337-6771, provided the attached ADT alarm access log eTreppid Technology, LLC, from November 1, 2005, through January 15, 2006.

Investigation on 02/14/2006 at Reno, Nevada

file # 295A-LV-39368

Date dictated 02/23/2006

by SA Michael A. West:maw

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**eTrepptd Technologies, LLC**

755 Trademark Drive  
Reno, NY 89521

www.eTrepptd.com

Tel: (775) 337-6771  
Fax: (775) 337-1877

**Facsimile Transmittal**

Date: February 14, 2006  
Time: 5:30 PM

To: MIKE WEST Fax Number: 775-823-2635

From: SLOAN VENABLES Pages (including cover): 5

Urgent  For Review  Please Comment  Please Reply  Please Recycle

Re: ADT LOGS Nov 1, 2005 to JAN 15, 2006

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Sept. 11' 06

2/14/2008 5:04 pm

Event History Report

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CS# H008252770  
Monitoring System AJL05A

Dates 11/01/2005 to 01/15/2006  
Event Class All

Employee# All  
Reporting Group All

Date	Zone	Event	Description / Comment	Additional Info
CS# H008252770	Site Name	ETREPID TECHNOLOGIES LLC	Address 755 TRADEMARK DR RENO, NV 89521- Alt#	
11/1/2005 8:09:02 am	1013	06	OP-OPEN (LOG-LSL)	USER #13
11/1/2005 10:39:54 pm	1012	07	CL-CLOSE (LOG-LSL)	USER #12
11/2/2005 7:21:43 am	1018	06	OP-OPEN (LOG-LSL)	USER #10
11/2/2005 1:00:44 am	1012	07	CL-CLOSE (LOG-LSL)	USER #12
11/2/2005 7:33:37 am	1016	06	OP-OPEN (LOG-LSL)	USER #16
11/2/2005 8:16:40 pm	1012	07	CL-CLOSE (LOG-LSL)	USER #12
11/4/2005 8:11:47 am	1013	06	OP-OPEN (LOG-LSL)	USER #13
11/4/2005 10:46:28 pm	1012	07	CL-CLOSE (LOG-LSL)	USER #12
11/5/2005 9:23:18 am	1013	06	OP-OPEN (LOG-LSL)	USER #13
11/5/2005 4:30:48 pm	1013	07	CL-CLOSE (LOG-LSL)	USER #13
11/6/2005 10:38:08 am	1013	06	OP-OPEN (LOG-LSL)	USER #13
11/6/2005 6:32:27 pm	1013	07	CL-CLOSE (LOG-LSL)	USER #13
11/7/2005 8:22:26 am	1013	06	OP-OPEN (LOG-LSL)	USER #13
11/7/2005 10:13:04 pm	1012	07	CL-CLOSE (LOG-LSL)	USER #12
11/8/2005 6:04:37 am	1013	06	OP-OPEN (LOG-LSL)	USER #13
11/8/2005 8:00:40 pm	1012	07	CL-CLOSE (LOG-LSL)	USER #12
11/8/2005 7:14:34 am	1018	06	OP-OPEN (LOG-LSL)	USER #16
11/9/2005 8:18:44 pm	1013	07	CL-CLOSE (LOG-LSL)	USER #13
11/10/2005 7:50:40 am	1013	06	OP-OPEN (LOG-LSL)	USER #13
11/10/2005 6:38:26 pm	1018	07	CL-CLOSE (LOG-LSL)	USER #16
11/10/2005 10:04:43 pm	1013	06	OP-OPEN (LOG-LSL)	USER #13
11/10/2005 10:46:12 pm	1012	07	CL-CLOSE (LOG-LSL)	USER #12
11/11/2005 7:13:40 am	1013	06	OP-OPEN (LOG-LSL)	USER #13
11/11/2005 8:28:29 pm	1013	07	CL-CLOSE (LOG-LSL)	USER #13
11/12/2005 7:41:02 am	1013	06	OP-OPEN (LOG-LSL)	USER #13
11/12/2005 8:30:20 pm	1013	07	CL-CLOSE (LOG-LSL)	USER #13
11/13/2005 9:41:25 am	1013	06	OP-OPEN (LOG-LSL)	USER #13
11/13/2005 3:50:59 pm	1013	07	CL-CLOSE (LOG-LSL)	USER #13
11/14/2005 8:50:45 am	1013	06	OP-OPEN (LOG-LSL)	USER #13
11/14/2005 9:52:38 pm	1012	07	CL-CLOSE (LOG-LSL)	USER #12
11/15/2005 7:24:07 am	1018	06	OP-OPEN (LOG-LSL)	USER #16
11/16/2005 1:18:29 am	1012	07	CL-CLOSE (LOG-LSL)	USER #12
11/16/2005 7:18:59 am	1018	06	OP-OPEN (LOG-LSL)	USER #16
11/17/2005 1:01:53 am	1012	07	CL-CLOSE (LOG-LSL)	USER #12
11/17/2005 7:21:29 am	1018	06	OP-OPEN (LOG-LSL)	USER #16
11/17/2005 8:12:04 pm	1012	07	CL-CLOSE (LOG-LSL)	USER #12
11/17/2005 10:32:11 pm	1013	06	OP-OPEN (LOG-LSL)	USER #13
11/17/2005 11:00:46 pm	1013	07	CL-CLOSE (LOG-LSL)	USER #13
11/18/2005 8:02:32 am	1013	06	OP-OPEN (LOG-LSL)	USER #13
11/18/2005 12:03:42 am	1012	07	CL-CLOSE (LOG-LSL)	USER #12
11/18/2005 8:29:36 am	1013	06	OP-OPEN (LOG-LSL)	USER #13
11/18/2005 8:34:10 am	1013	07	CL-CLOSE (LOG-LSL)	USER #13
11/20/2005 3:01:18 pm	1013	06	OP-OPEN (LOG-LSL)	USER #13
11/20/2005 5:07:46 pm	1013	07	CL-CLOSE (LOG-LSL)	USER #13
11/20/2005 5:09:33 pm	1013	06	OP-OPEN (LOG-LSL)	USER #13
11/20/2005 5:09:53 pm	1013	07	CL-CLOSE (LOG-LSL)	USER #13
11/20/2005 7:51:03 pm	1013	06	OP-OPEN (LOG-LSL)	USER #13
11/20/2005 7:51:09 pm	1013	07	CL-CLOSE (LOG-LSL)	USER #13
11/21/2005 7:43:02 am	1013	06	OP-OPEN (LOG-LSL)	USER #13
11/21/2005 7:30:31 pm	1012	07	CL-CLOSE (LOG-LSL)	USER #12
11/22/2005 6:41:07 am	1013	06	OP-OPEN (LOG-LSL)	USER #13
11/22/2005 8:18:13 pm	1012	07	CL-CLOSE (LOG-LSL)	USER #12
11/22/2005 9:11:45 pm	1013	06	OP-OPEN (LOG-LSL)	USER #13

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CS# H008252770  
Monitoring System AU/LOSA

Date: 11/01/2005 to 01/16/2006  
Event Class All

Employee# All  
Reporting Group All

Date	Zone	Event	Description / Comment	Additional Info
CS# H008252770	Site Name	ETREPPID TECHNOLOGIES LLC	Address 755 TRADEMARK DR RENO, NV 89521- AHS	
11/22/2005 10:40:28 pm	1C13	97	CL-CLOSE (LOG-LSL)	USER #13
11/23/2005 7:18:31 am	1C10	98	OP-OPEN (LOG-LSL)	USER #16
11/23/2005 8:41:50 pm	1C12	97	CL-CLOSE (LOG-LSL)	USER #12
11/23/2005 7:40:08 pm	1C12	96	OP-OPEN (LOG-LSL)	USER #12
11/23/2005 7:48:17 pm	1C12	97	CL-CLOSE (LOG-LSL)	USER #12
11/24/2005 7:51:55 am	1C13	96	OP-OPEN (LOG-LSL)	USER #13
11/24/2005 5:11:24 pm	1C13	97	CL-CLOSE (LOG-LSL)	USER #13
11/25/2005 7:55:49 am	1C13	96	OP-OPEN (LOG-LSL)	USER #13
11/25/2005 5:10:30 pm	1C13	97	CL-CLOSE (LOG-LSL)	USER #13
11/26/2005 8:28:31 am	1C13	96	OP-OPEN (LOG-LSL)	USER #13
11/26/2005 4:44:05 pm	1C11	97	CL-CLOSE (LOG-LSL)	USER #11
11/27/2005 7:46:34 am	1C13	96	OP-OPEN (LOG-LSL)	USER #13
11/27/2005 2:51:24 pm	1C13	97	CL-CLOSE (LOG-LSL)	USER #13
11/27/2005 3:38:37 pm	1C11	96	OP-OPEN (LOG-LSL)	USER #11
11/27/2005 4:49:02 pm	1C11	97	CL-CLOSE (LOG-LSL)	USER #11
11/28/2005 8:04:13 am	1C13	96	OP-OPEN (LOG-LSL)	USER #13
11/28/2005 10:00:35 pm	1C12	97	CL-CLOSE (LOG-LSL)	USER #12
11/28/2005 6:29:17 am	1C13	96	OP-OPEN (LOG-LSL)	USER #13
11/28/2005 7:45:23 pm	1C13	97	CL-CLOSE (LOG-LSL)	USER #13
11/29/2005 9:10:09 pm	1C12	96	OP-OPEN (LOG-LSL)	USER #12
11/29/2005 10:58:44 pm	1C12	97	CL-CLOSE (LOG-LSL)	USER #12
11/30/2005 7:27:37 am	1C10	96	OP-OPEN (LOG-LSL)	USER #10
11/30/2005 11:08:25 pm	1C12	97	CL-CLOSE (LOG-LSL)	USER #12
12/1/2005 8:09:02 am	1C13	96	OP-OPEN (LOG-LSL)	USER #13
12/2/2005 2:28:18 am	1C12	97	CL-CLOSE (LOG-LSL)	USER #12
12/2/2005 7:28:15 am	1C10	96	OP-OPEN (LOG-LSL)	USER #10
12/2/2005 8:58:42 pm	1C12	97	CL-CLOSE (LOG-LSL)	USER #12
12/3/2005 7:20:02 am	1C13	96	OP-OPEN (LOG-LSL)	USER #13
12/3/2005 1:24:45 pm	1C13	97	CL-CLOSE (LOG-LSL)	USER #13
12/4/2005 10:08:58 am	1C13	96	OP-OPEN (LOG-LSL)	USER #13
12/5/2005 9:34:31 pm	1C12	97	CL-CLOSE (LOG-LSL)	USER #12
12/6/2005 7:26:38 am	1C10	96	OP-OPEN (LOG-LSL)	USER #10
12/6/2005 7:13:32 pm	1C12	97	CL-CLOSE (LOG-LSL)	USER #12
12/7/2005 7:30:31 am	1C13	96	OP-OPEN (LOG-LSL)	USER #13
12/7/2005 10:04:08 pm	1C12	97	CL-CLOSE (LOG-LSL)	USER #12
12/8/2005 7:44:01 am	1C10	96	OP-OPEN (LOG-LSL)	USER #10
12/8/2005 9:11:27 pm	1C12	97	CL-CLOSE (LOG-LSL)	USER #12
12/9/2005 6:45:29 am	1C13	96	OP-OPEN (LOG-LSL)	USER #13
12/10/2005 2:56:00 am	1C12	97	CL-CLOSE (LOG-LSL)	USER #12
12/10/2005 10:18:11 am	1C13	96	OP-OPEN (LOG-LSL)	USER #13
12/10/2005 8:51:48 pm	1C13	97	CL-CLOSE (LOG-LSL)	USER #13
12/11/2005 8:58:27 am	1C13	96	OP-OPEN (LOG-LSL)	USER #13
12/11/2005 9:21:40 pm	1C13	97	CL-CLOSE (LOG-LSL)	USER #13
12/12/2005 8:08:07 am	1C13	96	OP-OPEN (LOG-LSL)	USER #13
12/12/2005 10:12:51 pm	1C12	97	CL-CLOSE (LOG-LSL)	USER #12
12/12/2005 10:44:11 pm	1C10	96	OP-OPEN (LOG-LSL)	USER #10
12/12/2005 10:46:58 pm	1C10	97	CL-CLOSE (LOG-LSL)	USER #10
12/13/2005 7:20:24 am	1C10	96	OP-OPEN (LOG-LSL)	USER #10
12/13/2005 8:48:45 pm	1C10	97	CL-CLOSE (LOG-LSL)	USER #10
12/13/2005 9:28:10 pm	1C13	96	OP-OPEN (LOG-LSL)	USER #13
12/13/2005 9:29:10 pm	1C13	97	CL-CLOSE (LOG-LSL)	USER #13
12/14/2005 7:21:35 am	1C10	96	OP-OPEN (LOG-LSL)	USER #10
12/14/2005 11:41:35 pm	1C12	97	CL-CLOSE (LOG-LSL)	USER #12

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2/14/2006 8:04 pm

**Event History Report**

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CS# H008252770  
Monitoring System AJLOSA

Date 11/01/2005 to 01/15/2006  
Event Class All  
Employee# All  
Reporting Group All

Date	Zone	Event	Description / Comment	Additional Info
CS# H008252770	Site Name	ETREPPID TECHNOLOGIES LLC	Address 765 TRADEMARK DR RENO, NV 89521- A1P	
12/15/2005 7:37:01 am	1018	96	OP-OPEN (LOG-LSL)	USER #18
12/15/2005 8:20:46 pm	1013	97	CL-CLOSE (LOG-LSL)	USER #13
12/16/2005 7:42:41 am	1018	96	OP-OPEN (LOG-LSL)	USER #18
12/16/2005 4:31:19 pm	1013	97	CL-CLOSE (LOG-LSL)	USER #13
12/17/2005 8:57:49 am	1013	96	OP-OPEN (LOG-LSL)	USER #13
12/17/2005 4:36:15 pm	1013	97	CL-CLOSE (LOG-LSL)	USER #13
12/18/2005 8:08:41 am	1013	96	OP-OPEN (LOG-LSL)	USER #13
12/18/2005 9:59:39 am	1013	97	CL-CLOSE (LOG-LSL)	USER #13
12/18/2005 12:28:31 pm	1013	96	OP-OPEN (LOG-LSL)	USER #13
12/18/2005 1:25:28 pm	1013	97	CL-CLOSE (LOG-LSL)	USER #13
12/18/2005 8:09:40 pm	1013	96	OP-OPEN (LOG-LSL)	USER #13
12/18/2005 8:09:46 pm	1013	97	CL-CLOSE (LOG-LSL)	USER #13
12/18/2005 8:04:15 am	1013	96	OP-OPEN (LOG-LSL)	USER #13
12/18/2005 8:21:42 pm	1012	97	CL-CLOSE (LOG-LSL)	USER #12
12/20/2005 8:24:37 am	1013	96	OP-OPEN (LOG-LSL)	USER #13
12/20/2005 7:27:58 pm	1013	97	CL-CLOSE (LOG-LSL)	USER #13
12/21/2005 7:50:21 am	1013	96	OP-OPEN (LOG-LSL)	USER #13
12/21/2005 5:23:51 pm	1012	97	CL-CLOSE (LOG-LSL)	USER #12
12/21/2005 5:23:51 pm	1012	96	OP-OPEN (LOG-LSL)	USER #12
12/21/2005 11:11:24 pm	1012	97	CL-CLOSE (LOG-LSL)	USER #12
12/22/2005 7:42:05 am	1013	96	OP-OPEN (LOG-LSL)	USER #13
12/22/2005 7:03:12 pm	1013	97	CL-CLOSE (LOG-LSL)	USER #13
12/23/2005 8:09:09 am	1011	96	OP-OPEN (LOG-LSL)	USER #11
12/23/2005 8:11:54 pm	1013	97	CL-CLOSE (LOG-LSL)	USER #13
12/24/2005 8:00:30 pm	1013	96	OP-OPEN (LOG-LSL)	USER #13
12/24/2005 12:50:31 pm	1013	97	CL-CLOSE (LOG-LSL)	USER #13
12/26/2005 1:12:42 pm	1013	96	OP-OPEN (LOG-LSL)	USER #13
12/26/2005 1:33:12 pm	1013	97	CL-CLOSE (LOG-LSL)	USER #13
12/26/2005 7:53:33 am	1013	96	OP-OPEN (LOG-LSL)	USER #13
12/26/2005 3:56:59 pm	1013	97	CL-CLOSE (LOG-LSL)	USER #13
12/27/2005 8:08:41 am	1013	96	OP-OPEN (LOG-LSL)	USER #13
12/27/2005 6:16:31 pm	1016	97	CL-CLOSE (LOG-LSL)	USER #16
12/27/2005 6:37:28 pm	4113		OA-Cust. Called ADT Steven Montgomery called adt gpp to check on alarm #...	SYSTEM ID
12/28/2005 7:51:54 am	1013	96	OP-OPEN (LOG-LSL)	USER #13
12/28/2005 7:30:31 pm	1013	97	CL-CLOSE (LOG-LSL)	USER #13
12/28/2005 7:30:35 pm	1013	96	OP-OPEN (LOG-LSL)	USER #13
12/28/2005 7:31:50 pm	1013	97	CL-CLOSE (LOG-LSL)	USER #13
12/28/2005 8:08:41 am	1013	96	OP-OPEN (LOG-LSL)	USER #13
12/28/2005 7:40:22 pm	1013	97	CL-CLOSE (LOG-LSL)	USER #13
12/30/2005 8:18:18 am	1013	96	OP-OPEN (LOG-LSL)	USER #13
12/30/2005 9:06:53 pm	1013	97	CL-CLOSE (LOG-LSL)	USER #13
12/31/2005 10:12:38 am	1013	96	OP-OPEN (LOG-LSL)	USER #13
12/31/2005 8:18:09 pm	1013	97	CL-CLOSE (LOG-LSL)	USER #13
1/1/2006 8:06:31 am	1013	96	OP-OPEN (LOG-LSL)	USER #13
1/1/2006 7:35:55 pm	1013	97	CL-CLOSE (LOG-LSL)	USER #13
1/2/2006 8:34:20 am	1013	96	OP-OPEN (LOG-LSL)	USER #13
1/2/2006 8:07:52 pm	1013	97	CL-CLOSE (LOG-LSL)	USER #13
1/3/2006 8:02:47 am	1013	96	OP-OPEN (LOG-LSL)	USER #13
1/3/2006 7:36:08 pm	1013	97	CL-CLOSE (LOG-LSL)	USER #13
1/4/2006 8:05:11 am	1013	96	OP-OPEN (LOG-LSL)	USER #13
1/4/2006 7:43:11 pm	1012	97	CL-CLOSE (LOG-LSL)	USER #12

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2/14/2006 5:04 pm

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CS# H008252770  
Monitoring System AUOSA

Date: 11/01/2006 to 01/15/2006  
Event Class All

Employee# All  
Reporting Group All

Date	Zone	Event	Description / Comment	Additional Info
CS# H008252770 Site Name ETREPPID TECHNOLOGIES LLC Address 755 TRADEMARK DR RENO, NV 89521 AMF				
1/5/2006 7:59:53 am	1013	96	OP-OPEN (LOG-LSL)	USER #13
1/5/2006 10:04:49 pm	1C12	97	CL-CLOSE (LOG-LSL)	USER #12
1/6/2006 8:11:47 am	1013	96	OP-OPEN (LOG-LSL)	USER #13
1/8/2006 11:06:42 pm	1C12	97	CL-CLOSE (LOG-LSL)	USER #12
1/7/2006 9:06:17 am	1013	96	OP-OPEN (LOG-LSL)	USER #13
1/7/2006 9:33:36 pm	1C13	97	CL-CLOSE (LOG-LSL)	USER #13
1/8/2006 8:34:18 am	1013	96	OP-OPEN (LOG-LSL)	USER #13
1/8/2006 8:24:53 pm	1C13	97	CL-CLOSE (LOG-LSL)	USER #13
1/9/2006 7:48:36 am	1013	96	OP-OPEN (LOG-LSL)	USER #13
1/9/2006 8:07:47 pm	1C12	97	CL-CLOSE (LOG-LSL)	USER #12
1/10/2006 8:18:05 am	1013	96	OP-OPEN (LOG-LSL)	USER #13
1/10/2006 11:18:06 am		4113	QA-Cust Called ADT	
1/10/2006 11:18:08 am			ALTON BORA CALLING FOR SERVICE TODAY MADE WORK ORD ER AND TRANSFERED TO FSD	
1/10/2006 3:27:13 pm			TEST-ALL	
1/10/2006 3:27:13 pm			011008 1627 011008 1727	
1/10/2006 3:27:13 pm		4210	QA-Place on Test	CAT: 2
1/10/2006 4:15:44 pm			LAST SET:011008 162713	
1/10/2006 4:15:44 pm			TEST-ALL	
1/10/2006 4:18:46 pm		4211	QA-Clear from Test	CAT: 2
1/10/2006 4:23:23 pm	1C	97	CL-CLOSE (LOG-LSL)	ID #123
1/10/2006 4:23:28 pm	102	96	OP-OPEN (LOG-LSL)	MASTER CODE
1/10/2006 8:32:21 pm	1C4	97	CL-CLOSE (LOG-LSL)	USER #4
1/11/2006 8:06:09 am	108	96	OP-OPEN (LOG-LSL)	USER #8
1/11/2006 7:45:47 pm	1C4	97	CL-CLOSE (LOG-LSL)	USER #4
1/12/2006 8:02:19 am	108	96	OP-OPEN (LOG-LSL)	USER #8
1/12/2006 10:33:28 pm	1C4	97	CL-CLOSE (LOG-LSL)	USER #4
1/12/2006 8:04:24 am	108	96	OP-OPEN (LOG-LSL)	USER #8
1/13/2006 7:38:59 pm	1C4	97	CL-CLOSE (LOG-LSL)	USER #4
1/13/2006 8:15:50 pm	104	96	OP-OPEN (LOG-LSL)	USER #4
1/13/2006 9:37:02 pm	1C4	97	CL-CLOSE (LOG-LSL)	USER #4
1/13/2006 9:37:02 pm	104	96	OP-OPEN (LOG-LSL)	USER #4
1/13/2006 9:37:03 pm	1C4	97	CL-CLOSE (LOG-LSL)	USER #4
1/14/2006 11:15:21 am	103	96	OP-OPEN (LOG-LSL)	USER #3
1/14/2006 3:20:44 pm	1C3	97	CL-CLOSE (LOG-LSL)	USER #3
1/15/2006 2:29:29 pm	103	96	OP-OPEN (LOG-LSL)	USER #3
1/15/2006 2:35:26 pm	1C3	97	CL-CLOSE (LOG-LSL)	USER #3

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 02/23/2006

Sloan Sterling Venables, Director of Research and Development and Facility Security Officer, eTreppid Technology, LLC, 755 Trademark Drive, Reno, Nevada, telephone number (775) 337-6771, provided the attached document relating to text messages received on his cellular phone from December 25, 2005, and January 17, 2006.

Investigation on 02/14/2006 at Reno, Nevada

File # 295A-LV-39368

Date dictated 02/23/2006

by SA Michael A. West:maw

00045

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DEFS002302



m	Message	Date and Time
Dennis	No..Was on way homd from from meeting	1/17/2006 8:17 PM
Dennis	Ok...Good luck...	1/17/2006 8:12 PM
Dennis	U still alone there..B carful..He wil blame u nxt..	1/17/2006 7:34 PM
Dennis	Brenda is havn surgery ori 26th..We will leave oftr that..1st week feb	1/17/2006 5:46 PM
Dennis	This is gong 2 get ugly..U btr transfur u phone 2 u..	1/17/2006 4:46 PM
Dennis	Good luck..He has threatnd me 4 last time..Whn u contact gov agency notify me..Thrx	1/17/2006 1:45 PM
Dennis	Did u get bonus?	1/17/2006 1:06 PM
Dennis	Ok..Nite	1/16/2006 7:04 PM
Dennis	Jst send me bct whn u contact gov..Thrx	1/16/2006 6:52 PM
Dennis	I have movd on....He wil nevr get what he wants..Jale amd patty fucked him!	1/16/2006 4:26 PM
Dennis	Wheo i told warn amd joel what i was going 2 say..Joel cvrd his ears!	1/16/2006 4:18 PM
Dennis	Patty and jale wil drive hkw down!	1/16/2006 4:04 PM
Dennis	I cant belve he would aliw he would allow me 2 say what i know..He is so errogant!	1/16/2006 4:02 PM
Dennis	I can hear the justice dept laughin!	1/16/2006 4:00 PM
Dennis	He was accused of robbn 1 milion people life savngs	1/16/2006 3:59 PM
Dennis	I have quit a bit afr 8 years! I would like 2 hear poor warren tel the us gnv he has been defraudf!	1/16/2006 3:56 PM
Dennis	I wil sure have sum info 4 them!	1/16/2006 3:53 PM
Dennis	Do what u must..	1/16/2006 3:52 PM
Dennis	He cant do what he did 2 me..Minority shareholdr lk.	1/16/2006 3:51 PM
Dennis	Disable brenda email acct..My email..Etreppid@hotmail.Com	1/16/2006 3:49 PM
Dennis	Wel mayb he shld havd thougt b 4 he fucked me!	1/16/2006 3:47 PM
Dennis	Disgwath or patty can do	1/16/2006 3:44 PM
Dennis	Surveillance at pepprml..Lovd his disguise!	1/16/2006 3:15 PM
Dennis	No movn as soon as house goes..	1/16/2006 3:13 PM
Dennis	Askd 4 video tape a classic!	1/16/2006 3:12 PM
Dennis	Hope al is wel with u..Movn 2 bay area..B safe	1/16/2006 3:06 PM
Dennis	N his usual atre..Tee shirt amd torn sweat pants	1/16/2006 3:05 PM
Dennis	Went 2 unr game sat nite..Saw joel at el dorado.Drunk! Like a main strat burn!	1/16/2006 3:04 PM
Dennis	A 80 yr old guard threw him out!	1/16/2006 3:01 PM
Dennis	He really think he special forces!	1/16/2006 3:00 PM
Dennis	He was n a stupid disguise..Hidn behind a plant!	1/16/2006 2:59 PM
Dennis	Caught him at pepprml..Not 2 devr!	1/16/2006 2:57 PM
Dennis	Dishwarhero has been follwn me	1/16/2006 2:56 PM
Jesse	No was eating lunch looked like he was drunk hair was mess	1/15/2006 2:15 PM
Jesse	Looks like been gambling all night	1/15/2006 12:19 PM
Jesse	At peppermill dennis here looks bad	1/15/2006 12:13 PM
Dennis	B safe	1/13/2006 6:35 PM
Dennis	Did u get bonus	1/13/2006 6:33 PM
Dennis	I hope all is wel..Miss u friendship!	1/13/2006 6:31 PM
Dennis	U r dealing withanti christ!	1/12/2006 4:01 PM
Dennis	Etrpid has millions and he is going 2 cut off money and medical! That is no friend!	1/11/2006 7:47 PM
Dennis	That what friends r 4!	1/11/2006 7:44 PM
Dennis	Sorry 4 this..I am always u friend.	1/11/2006 7:15 PM
Dennis	Al he does is threats	1/11/2006 4:01 PM
Dennis	I am at atty wil cal whm done	1/11/2006 12:35 PM
Dennis	Tomrw whn u come n	1/10/2006 9:06 PM
758134776	Hogy van a jo orvos?	12/25/2005 12:18 PM
758134776	Vidam karasony..	12/25/2005 12:16 PM

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 02/23/2006

Sloan Sterling Venables, Director of Research and Development and Facility Security Officer, eTreppid Technology, LLC, 755 Trademark Drive, Reno, Nevada, telephone number (775) 337-6771, provided the attached log generated by XXCopy for files copied from the Source Code Server folder F:\eTDevelopment\[Server-Backups] on December 21, 2005, at 15:08:45 hours.

Investigation on 02/14/2006 at Reno, Nevada

File # 295A-LV-39368

Date dictated 02/23/2006

by SA Michael A. West:maw

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Sept. 11' 06

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DEFS002304

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xxcopy-errors3.txt

```
=====
XXCOPY ver 2.92.6 2005-12-21 15:08:45 Windows Ver 5.2.3790
Command Line = xxcopy F:\eTDevelopment\[Server-Backups]\*. * Y:\ /e /c /h /r /k /y
/pb /oNC:\xxcopy-errors.txt
=====
```

Switch Parameters

```
/AO /BO /C /CA /CBO /CCY /CK /CR3 /DO /DLO /E /ECO /EDO /ERO /FO /FMO /FFO
/FL /FTD /FW /H /IO /IN*.* /KS /LO /NO /NPO /NXO /NIO /NW /NCO
/oNC:\xxcopy-errors.txt /oD1 /oE0 /oF1 /oI0 /oP0 /oS0 /oX0 /PO /PB1M /PBH
/PCO /PDO /PN /Po0 /PZO /Q0 /QF0 /QB0 /QSO /R /S /SPO /SGO /SX0 SZ:- /T0
/TR00 /TS0 /TD0 /TTA0 /TCA0 /TCC0 /TCW /TMO /U0 /V0 /W0 /WD /Y /Z0 /ZE0 /ZSO
/ZX0
=====
```

```
Source base directory = "F:\eTDevelopment\[Server-Backups]\\"
Destination directory = "Y:\\"
File name template = "*. *."
Directories processed = 4
Total data in bytes = 518,274,175,933
Elapsed time in sec. = 18,644
Action speed (MB/min) = 1668
Files copied = 23
Directories created = 3
Log File Created = C:\xxcopy-errors.txt
Exit code = 0 (No error, successful operation)
```

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 03/13/2006

Sloan Sterling Venables, Director of Research and Development and Facility Security Officer, eTreppid Technology, LLC, 755 Trademark Drive, Reno, Nevada, telephone number (775) 337-6771, provided the attached copy of Dennis Lee Montgomery's Office of Personnel Management, Security Clearance Application, Standard Form 86, maintained on file by eTreppid Technologies, LLC.

Investigation on 02/14/2006 at Reno, Nevada

File # 295A-LV-39368

Date dictated 03/13/2006

by SA Michael A. West:maw

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Office of Personnel Management  
Case 3:06-cv-00263-PMP-VPC  
Date: 2006/01/23  
Standard Form 86, Sep. 95

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3. No. 3206-0007  
Time: 15:12:19

MONTGOMERY  
DENNIS, LEE

Page: 1

Personal Information

Name MONTGOMERY  
DENNIS, LEE

Sex Male

Place Of Birth MENA, AR  
County

UNITED STATES

Height 5-7 Weight 155 Hair Color BROWN Eye Color BROWN

2. Other Names Used

NO Have you ever used or been known by another name?

3. Citizenship

Current Citizenship U.S. Citizen

Mother's Maiden Name GIBSON  
BETTY, JEAN

Citizenship Type Born in the U.S.

NO Are you now or were you a dual citizen of the U.S. and another country?

4. Where You Have Lived

FROM	TO	ADDRESS
1. 1999/11/01	PRES	[REDACTED]

Person Who Knows You  
TREPP  
WARREN, UNKNOWN

NO Is this residence address hard to find?

2. 1986/03/01 1999/11/01 [REDACTED]

5. Where You Went To School

NO Have you attended school beyond Junior High School within the last 10 years?

YES Have you attended school beyond high school? (If all education occurred more than 10 years ago, list most recent education beyond high school regardless of date.)

FROM	TO	TYPE/ADDRESS
1. 1971/09/03	1973/06/01	College/University/Military College Degree/Diploma/Other GROSSMONT COLLEGE AS BIOMEDICAL TECH 8800 GROSSMONT COLLEGE DR Award Date 1973/06/01 EL CAJON, CA 92020

6. Your Employment Activities

FROM	TO	TYPE OF EMPLOYMENT
1. 1998/11/01	PRES	Self-employment

Company Name ETREPPID TECHNOLOGIES  
Company Address 755 TRADEMARK DR  
RENO, NV 89521

Verifying Individual TREPP  
WARREN, UNKNOWN  
5625 FORET CIRCLE DR  
RENO, NV 89521

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6. Your Employment Activities (Continued)

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10/2005

Phone [REDACTED]

1992/01/01 1598/11/01 Self-employment

Company Name PACIFIC CONSULTING

Company Address 818 CHENEY CT  
LODI, CA 95242

Verifying Individual MONTGOMERY  
BRENDA, KATHLEEN  
[REDACTED]

NO Were you in the Federal Civil Service prior to the last 10 years?

(Do not list any Federal Civil Service previously entered in this module.)

7. People Who Know You Well

FROM TO REFERENCE NAME/ADDRESS

1. 1991/01/01 PRES CLARK  
GREG, UNKNOWN

Home Address [REDACTED]

Day Phone [REDACTED]

2. 1991/03/01 PRES SCHULTZ  
RICK, UNKNOWN

Home Address [REDACTED]

Day Phone [REDACTED]

1991/01/01 PRES ROSTER  
JIM, UNKNOWN

Home Address [REDACTED]

Day Phone [REDACTED]

8. Your Spouse

What is your current marital status? Married

STATUS/DATES NAME/LOCATION

1. Married MONTGOMERY  
BRENDA, KATHLEEN

Marriage 1975/07/05 POB LA MESA, CA  
EL CAJON, CA

Maiden TATE  
BRENDA, KATHLEEN

NO Is your current spouse's address different from yours?

NO Has your current spouse, to your knowledge, ever used another name (other than maiden name)?

Country(ies) of Citizenship UNITED STATES

9. Your Relatives and Associates

RELATIONSHIP NAME/PLACE OF BIRTH

1. Mother MONTGOMERY  
BETTY, JEAN  
POB UNITED STATES

NO Is the family/associate you listed deceased?

Current Address [REDACTED]

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9. Your Relatives and Associates (Continued)

Country(ies) of Citizenship UNITED STATES

Father

MONTGOMERY  
DAVID, THEODORE

POB UNITED STATES

NO Is the family/associate you listed deceased?

Current Address

Country(ies) of Citizenship UNITED STATES

3. Brother

MONTGOMERY  
DAVID, THOMAS

POB UNITED STATES

NO Is the family/associate you listed deceased?

Current Address

Country(ies) of Citizenship UNITED STATES

4. Sister

MONTGOMERY  
SANDY, JEAN

POB UNITED STATES

NO Is the family/associate you listed deceased?

Current Address

Country(ies) of Citizenship UNITED STATES

Sister

MONTGOMERY  
SHARON, ANN

POB UNITED STATES

NO Is the family/associate you listed deceased?

Current Address

Country(ies) of Citizenship UNITED STATES

6. Sister

MONTGOMERY  
DEBBIE, JEAN

POB UNITED STATES

YES Is the family/associate you listed deceased?

Country(ies) of Citizenship UNITED STATES

7. Child (adopted also)

MONTGOMERY  
BRIAN, THOMAS

POB UNITED STATES

NO Is the family/associate you listed deceased?

Current Address

Country(ies) of Citizenship UNITED STATES

8. Child (adopted also)

MONTGOMERY  
STEVEN, LEE

POB UNITED STATES

Is the family/associate you listed deceased?

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MONTGOMERY  
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st [REDACTED] Page: 4

9. Your Relatives and Associates (Continued)

Current Address [REDACTED]

Country(ies) of Citizenship UNITED STATES

9. Child (adopted also)

MONTGOMERY  
KATHLEEN, ANN  
POB UNITED STATES

NO Is the family/associate you listed deceased?

Current Address [REDACTED]

Country(ies) of Citizenship UNITED STATES

10. Citizenship of Your Relatives and Associates

RELATIONSHIP NAME

11. Your Military History

NO Have you ever served in the military? (If yes, provide in chronological order your military history; begin with the most recent period and include Reserves, National Guard, Merchant Marines, and Foreign Military service.)

12. Your Foreign Activities - Property

NO Do you have any foreign property, business connections, or financial interests?

13. Your Foreign Activities - Employment

NO Are you now or have you ever been employed by or acted as a consultant for a foreign government, firm, or agency?

14. Your Foreign Activities - Contact with Foreign Government

Have you ever had any contact with a foreign government, its establishments (embassies or consulates), or its representatives, whether inside or outside the U.S., other than on official U.S. Government business? (Does not include routine visa applications and border crossing contacts.)

15. Your Foreign Activities - Passport

NO In the last 7 years, have you had an active passport that was issued by a foreign government?

16. Foreign Countries You Have Visited

YES Have you traveled outside the United States on other than official U.S. Government orders in the last 7 years? (Travel as a dependent or contractor must be listed.) Do not repeat travel covered in modules 4, 5, and 6.

FROM/COUNTRY	TO	PURPOSE
1. 1997/01/01	PRRS	
	MEXICO	Pleasure
	ITALY	Pleasure

17. Your Military Record

NO Have you ever received other than an honorable discharge from the military?

18. Your Selective Service Record

NO Are you a male born after December 31, 1959?

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19. Your Medical Record

NO In the last 7 years, have you consulted a mental health professional (psychiatrist, psychologist, counselor, etc.) or have you consulted with another health care provider about a mental health related condition?

20. Your Employment Record

NO Has any of the following happened to you in the past 7 years?

- Fired from job
- Quit a job after being told you'd be fired
- Left a job by mutual agreement following allegations of misconduct
- Left a job by mutual agreement following allegations of unsatisfactory performance
- Left a job for other reason under unfavorable circumstances

21. Your Police Record - Felony Offenses

NO Have you ever been charged with or convicted of any felony offense? (Include those under the Uniform Code of Military Justice.) For this item, report information regardless of whether the record in your case has been "sealed" or otherwise stricken from the record. The single exception to this requirement is for certain convictions under the Federal Controlled Substances Act for which the court issued an expungement order under the authority of 21 U.S.C. 844 or 18 U.S.C. 3607.

Your Police Record - Firearms/Explosives Offenses

Have you ever been charged with or convicted of a firearms or explosives offense? For this item, report information regardless of whether the record in your case has been "sealed" or otherwise stricken from the court record. The single exception to this requirement is for certain convictions under the Federal Controlled Substances Act for which the court issued an expungement order under the authority of 21 U.S.C. 844 or 18 U.S.C. 3607.

23. Your Police Record - Pending Charges

NO Are there currently any charges pending against you for any criminal offense? For this item, report information regardless of whether the record in your case has been "sealed" or otherwise stricken from the record. The single exception to this requirement is for certain convictions under the Federal Controlled Substances Act for which the court issued an expungement order under the authority of 21 U.S.C. 844 or 18 U.S.C. 3607.

24. Your Police Record - Alcohol/Drug Offenses

NO Have you ever been charged with or convicted of any offense(s) related to alcohol or drugs? For this item, report information regardless of whether the record in your case has been "sealed" or otherwise stricken from the record. The single exception to this requirement is for certain convictions under the Federal Controlled Substances Act for which the court issued an expungement order under the authority of 21 U.S.C. 844 or 18 U.S.C. 3607.

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25. Your Police Record - Military Court

NO In the last 7 years, have you been subject to court martial or other disciplinary proceedings under the Uniform Code of Military Justice? (include non-judicial, Captain's mast, etc.) For this item, report information regardless of whether the record in your case has been "sealed" or otherwise stricken from the record. The single exception to this requirement is for certain convictions under the Federal Controlled Substances Act for which the court issued an expungement order under the authority of 21 U.S.C. 844 or 18 U.S.C. 3607.

26. Your Police Record - Other Offenses

NO In the last 7 years, have you been arrested for, charged with, or convicted of any offense(s) not listed in modules 21, 22, 23, 24, or 25? (Leave out traffic fines of less than \$150 unless the violation was alcohol or drug related.) For this item, report information regardless of whether the record in your case has been "sealed" or otherwise stricken from the record. The single exception to this requirement is for certain convictions under the Federal Controlled Substances Act for which the court issued an expungement order under the authority of 21 U.S.C. 844 or 18 U.S.C. 3607.

27. Your Use of Illegal Drugs and Drug Activity-Illegal Use of Drugs

NO Since the age of 16 or in the last 7 years, whichever is shorter, have you illegally used any controlled substance, for example, marijuana, cocaine, crack cocaine, hashish, narcotics (opium, morphine, codeine, heroin, etc.), amphetamines, depressants (barbiturates, methaqualone, tranquilizers, etc.), hallucinogenics (LSD, PCP, etc.), or prescription drugs?

28. Your Use of Illegal Drugs and Drug Activity-Use in Sensitive Positions

NO Have you EVER illegally used a controlled substance while employed as a law enforcement officer, prosecutor, or courtroom official; while possessing a security clearance; or while in a position directly and immediately affecting public safety?

29. Your Use of Illegal Drugs and Drug Activity-Drug Activity

NO In the last 7 years, have you been involved in the illegal purchase, manufacture, trafficking, production, transfer, shipping, receiving, or sale of any narcotic, depressant, stimulant, hallucinogen, or cannabis for your own intended profit or that of another?

30. Your Use of Alcohol

NO In the last 7 years has your use of alcoholic beverages (such as liquor, beer, wine) resulted in any alcohol-related treatment or counseling (such as for alcohol abuse or alcoholism)? Do not repeat information reported in RPSQ Module 19 (Section 21 from the SF86).

31. Your Investigation Record - Investigations/Clearances Granted

NO Has the United States Government ever investigated your background and/or granted you a security clearance? (If you can't recall the investigating agency and/or the security clearance received, enter (Y)es and follow instructions in the help text for the fields on the next screen. If you can't recall whether you've been investigated or cleared, enter (N)o.)

32. Your Investigation Record - Clearance Actions

NO To your knowledge have you ever had a clearance or access authorization denied, suspended, or revoked, or have you ever been debarred from government employment? (Note: An administrative downgrade or termination of a security clearance is not a revocation.)

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Sept. 11'06

DENNIS, LEE Case 3:06-cv-00263-PMP-VPC \*SEALED\* Document 70-2 Filed 09/11/2006 Page: 7

33. Your Financial Record - Bankruptcy  
NO In the last 7 years, have you filed a petition under any chapter of the bankruptcy code (to include Chapter 13)?

34. Your Financial Record - Wage Garnishments  
O In the last 7 years, have you had your wages garnished for any reason?

35. Your Financial Record - Repossessions  
NO In the last 7 years, have you had any property repossessed for any reason?

36. Your Financial Record - Tax Lien  
NO In the last 7 years, have you had a lien placed against your property for failing to pay taxes or other debts?

37. Your Financial Record - Unpaid Judgements  
NO In the last 7 years, have you had any judgements against you that have not been paid?

38. Your Financial Delinquencies - 180 Days  
NO In the last 7 years, have you been over 180 days delinquent on any debt(s)?

39. Your Financial Delinquencies - 90 Days  
NO Are you currently over 90 days delinquent on any debt(s)?

40. Public Record Civil Court Actions  
YES In the last 7 years, have you been a party to any public record civil court actions not listed elsewhere on this form?

DATE	NATURE/RESULT OF ACTION
1. 1998/03/01	SUED FOR BREACH OF CONTRACT LOST SUIT

Court Name SACRAMENTO MUNICIPAL COURT

County

Address SACRAMENTO, CA 95814

Party(ies) to This Action

SNET - JAMES CAMERON - AND OTHERS

41. Your Association Record - Membership  
NO Have you ever been an officer or a member or made a contribution to an organization dedicated to the violent overthrow of the United States Government and which engages in illegal activities to that end, knowing that the organization engages in such activities with the specific intent to further such activities?

42. Your Association Record - Activities  
NO Have you ever knowingly engaged in any acts or activities designed to overthrow the United States Government by force?

43. General Remarks  
NO Do you have any additional remarks to enter in your application?

**CERTIFICATION BY PERSON COMPLETING FORM**

My statements on this form, and any attachments to it, are true, complete, and correct to the best of my knowledge and belief and are made in good faith. I understand that a knowing and willful false statement on this form can be punished by fine or imprisonment or both. (See section 1001 of title 18, United States Code).

Name MONTGOMERY  
DENNIS, LEE

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MONTGOMERY  
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Page: 8

Signature (Sign in ink)

Date

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Date: 2006/01/23

PSQ Version 2.2

Time: 15:12:22

C O - S U B J E C T R E P O R T

MONTGOMERY

NIS, LEE

SF86

Current Spouse

Page: 9

MONTGOMERY  
 BRENDA, KATHLEEN  
 POB LA MESA, CA  
 EL CAJON, CA  
 MARRIAGE 1975/07/05  
 Maiden TATE  
 BRENDA, KATHLEEN

NO Is your current spouse's address different from yours?  
 NO Has your current spouse, to your knowledge, ever used another name (other than maiden name)?

Country(ies) of Citizenship UNITED STATES

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Standard Form 86-2 \*SEALED\* Document 70-2 Filed 09/11/2006 Page 21 of 40  
Case 3:06-cv-00263-PMP-VPC  
Revised September 1995  
U.S. Office of Personnel Management  
5 CFR Parts 731, 732, and 736  
Form approved  
O.M.B. No. 5010-0007  
NSN 7540-00-634-4036  
86-111

UNITED STATES OF AMERICA  
Authorization for Release of Information  
Carefully read this authorization to release information about you, then sign and date it in ink.

I Authorize any investigator, special agent, or other duly accredited representative of the authorized Federal agency conducting my background investigation, to obtain any information relating to my activities from individuals, schools, residential management agents, employers, criminal justice agencies, credit bureaus, consumer reporting agencies, collection agencies, retail business establishments, or other sources of information. This information may include, but is not limited to, my academic, residential, achievement, performance, attendance, disciplinary, employment history, criminal history record information, and financial and credit information. I authorize the Federal agency conducting my investigation to disclose the record of my background investigation to the requesting agency for the purpose of making a determination of suitability or eligibility for a security clearance.

I Understand that, for financial or lending institutions, medical institutions, hospitals, health care professionals, and other sources of information, a separate specific release will be needed, and I may be contacted for such a release at a later date. Where a separate release is requested for information relating to mental health treatment or counseling, the release will contain a list of the specific questions, relevant to the job description, which the doctor or therapist will be asked.

I Further Authorize any investigator, special agent, or other duly accredited representative of the U.S. Office of Personnel Management, the Federal Bureau of Investigation, the Department of Defense, the Defense Security Service, any other authorized Federal agency, to request criminal record information about me from criminal justice agencies for the purpose of determining my eligibility for access to classified information and/or for assignment to, or retention in, a sensitive National Security position, in accordance with 5 U.S.C. 9101. I understand that I may request a copy of such records as may be available to me under the law.

I Authorize custodians of records and other sources of information pertaining to me to release such information upon request of the investigator, special agent, or other duly accredited representative of any Federal agency authorized above regardless of any previous agreement to the contrary.

I Understand that the information released by records custodians and sources of information is for official use by the Federal Government only for the purposes provided in this Standard Form 86, and that it may be redisclosed by the Government only as authorized by law.

Copies of this authorization that show my signature are as valid as the original release signed by me. This authorization is valid for five (5) years from the date signed or upon the termination of my affiliation with the Federal Government, whichever is sooner. Read, sign, and date the Medical Release page if you answered "Yes" to the question posed in Module 19 "Your Medical Record".

Signature (Sign in ink) \_\_\_\_\_

Date \_\_\_\_\_

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Standard Form 86  
Case 3:06-cv-00263-PMP-VPC \*SEALED\*  
U.S. Office of Personnel Management  
5 CFR Parts 731, 732, and 735

Document 70-2 Approved  
Filed 09/11/2006  
O.M.B. No. 6-0007  
NSN 7540-00-34-4036  
86-111

Page 22 of 40

UNITED STATES OF AMERICA  
AUTHORIZATION FOR RELEASE OF MEDICAL INFORMATION

(Carefully read this authorization to release information about you, then sign and date it in ink.)

Instructions for Completing this Release

This is a release for the investigator to ask your health practitioner(s) the three questions below concerning your mental health consultations. Your signature will allow the practitioner(s) to answer only these questions.

I am seeking assignment to or retention in a position with the Federal government which requires access to classified national security information or special nuclear information or material. As part of the clearance process, I hereby authorize the investigator, special agent, or duly accredited representative of the authorized Federal agency conducting my background investigation, to obtain the following information relating to my mental health consultations:

Does the person under investigation have a condition or treatment that could impair his/her judgement or reliability, particularly in the context of safeguarding classified national security information or special nuclear information or material?

If so, please describe the nature of the condition and the extent and duration of the impairment or treatment:

What is the prognosis?

The information released pursuant to this release is for use by the Federal Government only for purposes provided in the Standard Form 86 and it may be redisclosed by the Government only as authorized by law.

Copies of this authorization that show my signature are as valid as the original release signed by me. This authorization is valid for 1 year from the date signed or upon termination of my affiliation with the Federal Government, whichever is sooner.

Signature (Sign in ink) \_\_\_\_\_

Date \_\_\_\_\_

Name MONTGOMERY  
DENNIS, LEE

Other Names Used NONE

Address \_\_\_\_\_  
\_\_\_\_\_

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 03/20/2006

Sloan Sterling Venables, Director of Research and Development and Facility Security Officer, eTrepid Technology, LLC, 755 Trademark Drive, Reno, Nevada, telephone number (775) 337-6771, provided one DVD disk containing Dennis Montgomery's email files located on eTrepid Technologies computers.

This disk was placed in the 1A section of the case file.

Investigation on 02/14/2006 at Reno, Nevada  
File # 295A-LV-39368 Date dictated 03/20/2006  
by SA Michael A. West:maw

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Sept. 11' 06

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 02/23/2006

Warren Trepp, Chief Executive Officer, eTreppid Technology, LLC., 755 Trademark Drive, Reno, Nevada, telephone (775) 337-6771, provided the attached listing of ADT alarm code user names and user numbers.

Investigation on 02/14/2006 at Reno, Nevada

file # 295A-LV-39368

Date dictated 02/23/2006

by SA Michael A. West:maw

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**Vista 100  
ADT**

Alarm Setup  
03/13/03

**Keypad:**

- 1) Enter Setup Code: 0465
- 2) Enter 8
- 3) Enter Location Code (3 digits)
- 4) Enter Code (4 digits) 1 – Can change all codes. 2 – Everything but change master code. (To delete, enter master code again.)

**Installation to 03/11/03**

Code #000	Unused	
Code #001	Unused	
Code #002	Unused	
Code #003	Unused	
Code #004	Unused	
Code #005	Unused	
Code #006	Unused	
Code #007	Unused	
Code #008	Unused	
Code #009	Unused	
Code #010	Unused	
Code #011	Warren	3586
Code #012	Sloan	1515
Code #013	Dennis	3537
Code #014	Patty	4993
Code #015	Cindy	4336
Code #016	Mike	0911

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 02/23/2006

Warren Trepp, Chief Executive Officer, eTreppid Technology, LLC., 755 Trademark Drive, Reno, Nevada, telephone (775) 337-6771, was interviewed at the Reno Resident Agency of the Federal Bureau of Investigation by Special Agents John Piser III and Michael A. West, regarding the theft of trade secrets and classified information from eTreppid Technology, LLC.

Trepp considers eTreppid's trade secrets to be various software programs relating to data compression and pattern recognition to include the following:

1. Lossless or Lossy Compression - A propriety algorithm used to compress audio or video data which is superior to the industry standard.
2. Multi-Pass Re-Compression - A propriety process to re-compressed already compressed data.
3. Pattern Recognition - A propriety process to identify a known image against a video stream to locate a known image.
4. Change Detection - A propriety software designed to identify changes in topography or landscape over a period of time.
5. Anomaly Detection - A propriety process to locate an image not normally found in a given video stream or frame.

eTreppid has earned in excess of ten million dollars in revenues since 1998 from various government and commercial contracts. Trepp anticipates that eTreppid's development efforts will result in other multi-million dollar contracts.

Trepp advised that Chief Technical Officer Dennis Lee Montgomery filed ten Patent Assignment applications with the United States Patent and Trademark Office during the period of November 2000 to November 2001 for patents pertaining to various technologies developed by Montgomery while an employee at eTreppid and on each patent Montgomery assigned full and exclusive rights, title, and interest of these technologies to eTreppid.

Trepp advised that eTreppid has taken reasonable steps to keep its information and development efforts secret by requiring

Investigation on 02/14/2006 at Reno, Nevada

File # 295A-LV-39368

Date dictated 02/23/2006

by SA John Piser JPH  
SA Michael A. West:maw

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Continuation of FD-302 of Warren Trepp , On 02/22/2006 , Page 2

Programmers or Software Developers to use unique user names and passwords to log onto eTreppid computers with limited access to prevent unauthorized duplication, modification, or deletion of Source Codes. Software Developers store their work or Source Code on a hard drive installed in their workstation and on a Source Code Server, a high capacity data storage device, which uses Redundant Array of Inexpensive Disks (RAID) storage to maintain and ensure reliable accessibility to the Source Code files produced by all Software Developers. The Source Code Server is backed up by the Internet Security Accelerator (ISA) Server which also uses RAID storage to maintain and ensure reliable accessibility to the Source Code files. Only two eTreppid employees, Montgomery and Director of Research and Development Sloan Venables, had the access rights to duplicate, modify, or delete Source Code files maintained on the Source Code and ISA Servers.

Trepp advised that Montgomery was responsible for and regularly maintained a separate backup copy of the Source Code Server data on eTreppid equipment located in a work area occupied by Montgomery in the eTreppid warehouse.

As an additional security measure, Trepp required ~~Montgomery to provide him with periodic copies of eTreppid's~~ current Source Code files on compact disks or hard drives over the past seven years which Trepp stored in a secure off-site location.

Trepp advised that eTreppid's facility is physically secured by door locks, access control devices, and a monitored alarm system. eTreppid also maintains a video surveillance system that records sixteen surveillance cameras covering internal and external views of eTreppid's facility.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 02/23/2006

Special Agent Paul Haraldsen, Air Force Office of Special Investigations, Pentagon, Washington, D.C., telephone number (703) 908-9441, provided a compact disk containing the following documents regarding agreements and legal filings regarding eTreppid Technology, LLC, and Dennis Lee Montgomery.

These documents include the following:

Contribution Agreement between Intrepid Technologies, LLC, and Dennis Lee Montgomery, signed and dated September 28, 1998.

Amended and Restated Operating Agreement of eTreppid Technologies, LLC, Dated and Adopted Effective as of November 1, 2001.

Ten U.S. Patent and Trademark Office web page printout representing Dennis Lee Montgomery's patent assignments to eTreppid Technologies, LLC.

Correspondence between Eric A. Pulver, Esq., Logan & Pulver, 225 South Arlington Avenue, Suite A, Reno, Nevada, from Douglas J. Frye, 24955 Pacific Coast Highway, Suite A201, Mabilu, California.

Declaration of Warren Trepp, in support of eTreppid Technologies, LLC, Ex-Parte Application for a Temporary Restraining Order and Order to show cause RE Preliminary Injunction against Dennis Montgomery, filed January 19, 2006.

Declaration of Venkata Kalluri in support of eTreppid Technologies, LLC, Ex-Parte Application for a Temporary Restraining Order and Order to show cause RE Preliminary Injunction against Dennis Montgomery, filed January 19, 2006.

Declaration of Barjinder Bal in support of eTreppid Technologies, LLC, Ex-Parte Application for a Temporary Restraining Order and Order to show cause RE Preliminary

Investigation on 02/16/2006 at Reno, Nevada

File # 295A-LV-39368

Date dictated 02/23/2006

by SA Michael A. West:maw

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DEFS002323

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Continuation of FD-302 of \_\_\_\_\_, On 02/14/2006, Page 2

Injunction against Dennis Montgomery, filed January 19, 2006.

Declaration of Sloan Venables in support of eTrepid Technologies, LLC, Ex-Parte Application for a Temporary Restraining Order and Order to show cause RE Preliminary Injunction against Dennis Montgomery, filed January 19, 2006.

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DEFS002324

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 02/23/2006

On February 22, 2006, Warren Trepp, Chief Executive Officer, eTreppid Technologies, LLC, 775 Trademark Drive, Reno, Nevada, provided Special Agent Michael A. West with the attached copy of a Consent to Search Agreement between eTreppid Technologies, LLC, and Special Agent Paul Haraldsen, Air Force Office of Special Investigation.

Trepp provided a signed copy of this agreement to SA Haraldsen.

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Investigation on 02/22/2006 at Reno, Nevada

File # 295A-LV-39368

Date dictated 02/23/2006

by SA Michael A. West:maw

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I, WARREN TREPP, Chief Executive Officer, eTreppid Technologies, LLC, whose address is 775 Trademark Drive, Reno, N V, state that, PAUL HARALDSEN was identified to me as a Special Agent of the Air Force Office of Special Investigations. Mr. Haraldsen informed me that his office and the Federal Bureau of Investigations are conducting an investigation into the alleged theft and deletion of eTreppid's intellectual property, including proprietary source code (the "Investigation").

I agree to provide SA Haraldsen, the Air Force Office of Special Investigations, the Department of Defense Computer Forensic Laboratory, the FBI and third parties SA Haraldsen or his supervisors designate, all of which shall be bound by this instrument to the extent permitted by law, from time to time, the revocable authority to receive, possess and analyze eTreppid's computer media under my control, subject to the following: in any case where such possession and analysis would involve individuals other than members or employees of the Department of Defense or the Department of Justice (including the FBI), such access will be subject to my prior written approval of such third parties; all access granted to the subject computer media granted by this instrument shall be solely in connection with the Investigation and for no other purpose and may be revoked by me at any time, in which event all such computer media provided shall be promptly returned to eTreppid unless retention by the government is otherwise authorized by law; it is understood that eTreppid is exclusively maintaining all its rights to its intellectual property and proprietary source code and all other computer media provided as well as all derivative rights to all work product of any analysis or recovery efforts performed by means of this instrument ("Work Product"); it is also understood that the Department of Defense will, upon eTreppid's request, provide eTreppid with a copy of the Work Product; ~~it is also understood that all persons obtaining access to eTreppid's intellectual property by means of this instrument will be informed of the terms of this instrument and will be bound to maintain the confidentiality of, and not disclose to any~~ other person or entity not covered by this instrument eTreppid's intellectual property, including proprietary source code or other "computer media" and the Work Product, without eTreppid's prior written consent, unless required by operation of law.

Additionally, with my prior consent, the investigators, may take copies of letters, papers, materials, articles, or other property they identify and consider to be evidence of the aforementioned offense, for use as evidence in any criminal prosecution of Dennis Montgomery, and for no other purpose unless otherwise authorized by law.

I am giving my consent voluntarily and of my own free will, without having been subjected to any coercion, unlawful influence or unlawful inducement and without any promise of reward, benefit, or immunity having been made to me.

(Completed and signed on the following page)



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Except as expressly provided herein, neither Warren Trepp nor eTrepid Technologies, LLC are waiving any rights of any nature.

Acknowledged and agreed to the \_\_ day of February, 2006, at Reno, Nevada.

eTREPPID TECHNOLOGIES, LLC.  
a Nevada limited liability company

By: \_\_\_\_\_  
Warren Trepp, Chairman

AIR FORCE OFFICE OF SPECIAL  
INVESTIGATIONS

By: \_\_\_\_\_  
Paul Haraldsen

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 03/13/2006

Warren Trepp, Chief Executive Officer, eTreppid Technology, LLC., 755 Trademark Drive, Reno, Nevada, telephone (775) 337-6771, provided the attached copy of a Defense Security Services (DSS) Incident Report for Dennis Lee Montgomery.

Trepp advised that DSS was made aware of security violations relating to Montgomery on January 20, 2006.

Trepp reviewed information contained in Montgomery's original Standard Form 86 discovered that Montgomery failed to list employment at 3Net Systems, Inc. Trepp located a court case on the Internet in which Montgomery was named in court documents filed in Superior Court of Sacramento County, No. CV536169 as an employee of 3Net Systems in 1993.

Trepp further advised that DSS suspended Montgomery's access to classified information on January 20, 2006.

Investigation on 03/01/2006 at Reno, Nevada

File # 295A-LV-39368 Date dictated 03/13/2006

by SA Michael A. West:maw

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Sept. 11' 06

295A-LV-39368-31

? Incident Report

MONTGOMERY, DENNIS LEE

Open Investigation: N/A

Incident Report: 2006 01 20

Polygraph: N/A

Foreign Relation: N/A

Place of Birth: Arkansas  
Citizenship: U.S. Citizen

Marital Status: N/A

PSQ Sent Date: N/A

\* D.S.S. CONTACT - JAY DIXON  
602-674-9066

Select An Existing Incident: 2006 01 20, Follow-up

\*Incident Status:  Initial  Follow-up  Final

\*Date of Incident: 2006 01 20

Action:  Suspend Access

Suspension Start Date: 2006 01 20

\*Select CAF: DISCO

\*Incident Criteria:

- Allegiance to the United States
- Financial Considerations
- Security Violations
- Foreign Influence
- Alcohol Consumption
- Outside Activities
- Foreign Preference
- Drug Involvement
- Misuse of Information Technology Systems
- Sexual Behavior
- Emotional, Mental and Personality Disorders
- Personal Conduct
- Criminal Conduct

Incident Report

Status	Date	Description
Initial	2006 01 20	Dennis Montgomery's employment with eTreppid Technologies, LLC has been terminated effective 20 Jan 2006. The reason for said termination are these actions alleged to have been taken by Dennis Montgomery: 1) deleting the company's proprietary computer source code from the company's computers systems, 2) removing backups of such source code from the company premises, and 3) removing company computer hardware containing said backups from the company premises. Mr. Montgomery no longer has access to the company premises. Alarm codes and keys have been changed.
Follow-up	2006 02 28	1) Dennis Montgomery did not report full-time employment on SF86 application. He worked for 3Net Systems in the early 90's and concealed this by saying he worked for Pacific Consulting during this time period. 2) Dennis Montgomery is suspected of giving classified material (computer video files) to one or more foreign nationals who work for eTreppid. 3) emails on Dennis Montgomery's computer reveal that he had elicit sexual activities with high priced prostitutes in Las Vegas. 4) further searches reveal more sexual misconduct in that Dennis Montgomery was involved in a sexual harrasment lawsuit against him when he worked for 3Net Systems: <a href="http://online.ceb.com/calcases/CA4/31CA41206.htm">http://online.ceb.com/calcases/CA4/31CA41206.htm</a>

\*Unclassified Description of Incident: (Only required for Initial and Follow-up Incident Status)

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 03/09/2006

Sloan Sterling Venables, Director of Research and Development and Facility Security Officer, eTreppid Technology, LLC, 755 Trademark Drive, Reno, Nevada, telephone number (775) 337-6771, was interviewed by Special Agent (SA) Michael A. West regarding items or names used at eTreppid Technologies, LLC.

Venables advised that Dennis Lee Montgomery used the letters "XYZ" on everything related to a "Special Access" program operated by another government agency.

Venables recalled seeing the letters "DEO" as a folder name on the RAID Unit maintained by Montgomery that is now missing. Venables advised that Montgomery never told him what "DEO" stood for or what was in the folder.

Venables was not certain of the letters "DSU" but believed they stood for Driver Software Utilities.

Venables advised that "Gianna" was a former employee of eTreppid and girlfriend of Montgomery. "Michael" was a former employee who left eTreppid in 2001.

Venables advised that he never knew Montgomery to purchase computer hardware with his own money and eTreppid maintains records of hardware purchases.

Investigation on 03/02/2006 at Reno, Nevada

File # 295A-LV-39368

Date dictated 03/09/2006

by SA Michael A. West:maw

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 03/09/2006

Sloan Sterling Venables, Director of Research and Development and Facility Security Officer, eTreppid Technology, LLC, 755 Trademark Drive, Reno, Nevada, telephone number (775) 337-6771, provided the following information to Special Agent (SA) Michael A. West:

Venables advised that during the week of February 27, 2006, he was instructed by Jay Dixon, Defense Security Service, Phoenix, Arizona, to search every computer at eTreppid Technologies, LLC, for classified data.

Venables advised that he conducted the search with input from another DSS technical employee (not further identified) and located what appeared to be classified data on computer workstations used by Yung Mai and Zheng Sun. Venables advised that DSS technical employee who instructed Venables to delete the information.

Venables advised that neither Mai or Sun knew the data was on their hard drives and the data was located deep in sub folder.

Venables subsequently contacted Dixon who advised that deleting the information was a mistake and instructed to secure the two hard drives in a GSA approved container.

Venables removed the two hard drives and placed them in a safe with other classified material.

Investigation on 03/02/2006 at Reno, Nevada

File # 295A-LV-39368

Date dictated 03/09/2006

by SA Michael A. West:maw

00074

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DEFS002331

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 03/09/2006

Sloan Sterling Venables, Director of Research and Development and Facility Security Officer, eTreppid Technology, LLC, 755 Trademark Drive, Reno, Nevada, telephone number (775) 337-6771, was interviewed by Special Agent (SA) Michael A. West regarding items or names used at eTreppid Technologies, LLC.

Venables advised the name "DEVSERVER" is the name of the server used at eTreppid Technologies to maintain all software used by programmers at eTreppid Technologies to develop Source Code.

Investigation on 03/03/2006 at Reno, Nevada

File # 295A-LV-39368

Date dictated 03/09/2006

by SA Michael A. West:maw

00075

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 03/13/2006

Gerald Gedrimas (Protect Identity), Manager, Double R Self-Storage, 888 Maestro Drive, Reno, Nevada, telephone number (775) 853-4466, was interviewed by Special Agent Michael A. West regarding storage units rented by Dennis Lee Montgomery.

Gedrimas advised that Dennis Montgomery rents storage unit numbers 136, 140, 141, 142, and 143.

Gedrimas advised that Montgomery is given a passcode which opens the access gate and disarms the alarm to each unit that Montgomery has access. Gedrimas further advised that the access control system records the date and time of the customer enters the facility and the date and time they open and close each of their units.

Gedrimas provided reports generated by the access control system for storage unit number 136, 140, 141, 142, and 143, which are attached to and considered a part of this report.

Gedrimas further advised that on March 2, 2006, Montgomery paid the rental fee on storage unit number 132 which was rented by Istvan Burgyan. Gedrimas provided a report generated by the access control system for storage unit number 132 which is also attached to and considered a part of this report.

Investigation on 03/03/2006 at Reno, Nevada

File # 295A-LV-39368

Date dictated 03/13/2006

by SA Michael A. West:maw

00076

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DEFS002333

Preferred Technology, Inc.

8271 E. Gelding Dr. Scottsdale, AZ 85260

(480) 991-1259

**Unit Activity By Unit Number - 0132**

Time	Remote #	Description	Data	Tenant
<i>Friday, March 03, 2006</i>				
8:01:00 AM	2-	Exit Area	0132	ISTVAN BURGYN
7:55:00 AM	16-	Door Close	0132	ISTVAN BURGYN
7:53:00 AM	16-	Door Open	0132	ISTVAN BURGYN
7:49:00 AM	1-	Enter Area	0132	ISTVAN BURGYN
<i>Sunday, February 26, 2006</i>				
8:22:00 PM	2-	Exit Area	0132	ISTVAN BURGYN
8:21:00 PM	16-	Door Close	0132	ISTVAN BURGYN
8:10:00 PM	18-	Door Open	0132	ISTVAN BURGYN
8:08:00 PM	1-	Enter Area	0132	ISTVAN BURGYN
<i>Saturday, February 11, 2006</i>				
12:41:00 PM	2-	Exit Area	0132	ISTVAN BURGYN
12:39:00 PM	18-	Door Close	0132	ISTVAN BURGYN
12:35:00 PM	16-	Door Open	0132	ISTVAN BURGYN
12:34:00 PM	1-	Enter Area	0132	ISTVAN BURGYN
<i>Monday, January 30, 2006</i>				
9:03:00 AM	2-	Exit Area	0132	ISTVAN BURGYN
9:02:00 AM	16-	Door Close	0132	ISTVAN BURGYN
9:01:00 AM	16-	Door Open	0132	ISTVAN BURGYN
9:00:00 AM	1-	Enter Area	0132	ISTVAN BURGYN
8:50:00 AM	2-	Exit Area	0132	ISTVAN BURGYN
8:49:00 AM	16-	Door Close	0132	ISTVAN BURGYN
8:48:00 AM	16-	Door Open	0132	ISTVAN BURGYN
8:45:00 AM	1-	Enter Area	0132	ISTVAN BURGYN
<i>Tuesday, January 24, 2006</i>				
8:36:00 PM	2-	Exit Area	0132	ISTVAN BURGYN
8:35:00 PM	18-	Door Close	0132	ISTVAN BURGYN
8:29:00 PM	16-	Door Open	0132	ISTVAN BURGYN
8:28:00 PM	1-	Enter Area	0132	ISTVAN BURGYN
3:16:00 PM	2-	Exit Area	0132	ISTVAN BURGYN
3:14:00 PM	18-	Door Close	0132	ISTVAN BURGYN
2:23:00 PM	18-	Door Open	0132	ISTVAN BURGYN
2:22:00 PM	1-	Enter Area	0132	ISTVAN BURGYN
2:07:00 PM	2-	Exit Area	0132	ISTVAN BURGYN
2:04:00 PM	16-	Door Close	0132	ISTVAN BURGYN
1:52:00 PM	16-	Door Open	0132	ISTVAN BURGYN
1:51:00 PM	1-	Enter Area	0132	ISTVAN BURGYN
12:40:00 PM	2-	Exit Area	0132	ISTVAN BURGYN
12:39:00 PM	18-	Door Close	0132	ISTVAN BURGYN
12:29:00 PM	16-	Door Open	0132	ISTVAN BURGYN
12:18:00 PM	1-	Enter Area	0132	ISTVAN BURGYN
11:13:00 AM	2-	Exit Area	0132	ISTVAN BURGYN
11:11:00 AM	18-	Door Close	0132	ISTVAN BURGYN
11:11:00 AM	18-	Door Open	0132	ISTVAN BURGYN
11:10:00 AM	1-	Enter Area	0132	ISTVAN BURGYN

Friday, March 03, 2006

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Preferred Technology, Inc.

8271 E. Gelding Dr. Scottsdale, AZ 85260

(480) 991-1259

**Unit Activity By Unit Number - 0132**

Time	Remote #	Description	Data	Tenant
<i>Sunday, January 22, 2006</i>				
7:02:00 PM	2-	Exit Area	0132	ISTVAN BURGYAN
7:01:00 PM	16-	Door Close	0132	ISTVAN BURGYAN
6:58:00 PM	16-	Door Open	0132	ISTVAN BURGYAN
6:58:00 PM	1-	Enter Area	0132	ISTVAN BURGYAN
12:32:00 PM	2-	Exit Area	0132	ISTVAN BURGYAN
12:31:00 PM	16-	Door Close	0132	ISTVAN BURGYAN
12:29:00 PM	16-	Door Open	0132	ISTVAN BURGYAN
12:29:00 PM	1-	Enter Area	0132	ISTVAN BURGYAN
<i>Saturday, January 21, 2006</i>				
7:02:00 PM	2-	Exit Area	0132	ISTVAN BURGYAN
7:01:00 PM	16-	Door Close	0132	ISTVAN BURGYAN
7:00:00 PM	16-	Door Open	0132	ISTVAN BURGYAN
6:59:00 PM	1-	Enter Area	0132	ISTVAN BURGYAN
3:47:00 PM	2-	Exit Area	0132	ISTVAN BURGYAN
3:46:00 PM	16-	Door Close	0132	ISTVAN BURGYAN
3:38:00 PM	16-	Door Open	0132	ISTVAN BURGYAN
3:38:00 PM	1-	Enter Area	0132	ISTVAN BURGYAN
1:13:00 PM	2-	Exit Area	0132	ISTVAN BURGYAN
1:12:00 PM	16-	Door Close	0132	ISTVAN BURGYAN
1:06:00 PM	16-	Door Open	0132	ISTVAN BURGYAN
1:04:00 PM	1-	Enter Area	0132	ISTVAN BURGYAN
8:02:00 AM	2-	Exit Area	0132	ISTVAN BURGYAN
8:00:00 AM	16-	Door Close	0132	ISTVAN BURGYAN
7:59:00 AM	16-	Door Open	0132	ISTVAN BURGYAN
7:58:00 AM	1-	Enter Area	0132	ISTVAN BURGYAN
<i>Friday, January 20, 2006</i>				
10:30:00 AM	2-	Exit Area	0132	ISTVAN BURGYAN
10:28:00 AM	16-	Door Close	0132	ISTVAN BURGYAN
10:25:00 AM	16-	Door Open	0132	ISTVAN BURGYAN
10:24:00 AM	1-	Enter Area	0132	ISTVAN BURGYAN
<i>Thursday, January 19, 2006</i>				
11:06:00 AM	2-	Exit Area	0132	ISTVAN BURGYAN
11:04:00 AM	16-	Door Close	0132	ISTVAN BURGYAN
11:03:00 AM	16-	Door Open	0132	ISTVAN BURGYAN
11:02:00 AM	1-	Enter Area	0132	ISTVAN BURGYAN
<i>Wednesday, January 18, 2006</i>				
12:05:00 PM	2-	Exit Area	0132	ISTVAN BURGYAN
12:04:00 PM	16-	Door Close	0132	ISTVAN BURGYAN
12:02:00 PM	16-	Door Open	0132	ISTVAN BURGYAN
12:02:00 PM	1-	Enter Area	0132	ISTVAN BURGYAN

Friday, March 03, 2006

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VENABLES confirmed he and SUBJECT were the only employees with the administrator password necessary to access the SRCSERVER and ISASERVER, therefore they were the only two employees who could have deleted the Source Code. VENABLES denied deleting the Source Code.

VENABLES said that only the individual programmers and SUBJECT had the passwords necessary to delete the Source Code from the individual workstations. VENABLES further said the passwords on the workstations were established and set by SUBJECT. VENABLES said he established his own password on his workstation; therefore his information was not deleted. Additionally, SUBJECT had the building alarm codes for all of the company employees. VENABLES said SUBJECT possessed the necessary accesses and passwords to access the surveillance cameras within the facility and could have deleted the last four months worth of video recordings.

VENABLES said he would attempt to obtain the workstation motherboard and RAID controller serial numbers for the equipment SUBJECT took home.

VENABLES was aware SUBJECT had several storage units around the Reno, NV area. He believed that SUBJECT often used different storage unit locations. He was unaware of the specific locations of these storage units.

VENABLES provided a copy of SUBJECT's signed CLASSIFIED INFORMATION DNONDISCLOSURE AGREEEMNET (Attachment 20), Standard Form 312, and signed by SUBJECT on 16 Sep 2003.

I. (U) Interview of: GRAY  
Date/Place: eTrepid/24 JAN 2006  
Asst Interviewer: SA Smith  
Associated Exhibit Numbers:

GRAY stated that she has been employed by eTrepid for approximately three years and four months. She indicated that she has known SUBJECT for a little more than six years; three of those years were prior to employment with ETREPPID, as she had done some work with eTrepid when she was employed by INTEL CORPORATION. GRAY stated that she came to work for eTrepid because she believed that she could help bring its products to the marketplace.

GRAY stated eTrepid was awarded a contract from US Special Operations Command, Fort Bragg, NC, to develop Automatic Target Recognition. The contract was awarded on 12 March 2003 and required the company to have access to SECRET material at other contractor and government locations.

On 1 August 2005, US SOCOM amended the Department of Defense Contract Security Classification Specification, DD Form 254, permitting eTrepid to have storage and Automated Information System processing at the facility.

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During the period of 9-18 Nov 2005, GRAY recorded SECRET predator video images onto nine eTreppid hard drives. The video images were recorded at the predator operations center, Nellis AFB, NV. Upon completion of the recordings, GRAY was instructed by contractor personnel (NFI) to mark the hard drives with a SECRET sticker, which she did. GRAY subsequently mailed the hard drives to eTreppid. The hard drives were stored at eTreppid in a GSA approved safe in a room secured by a cipher lock.

GRAY related that on 06 Dec 2005 she discovered that the nine SECRET hard drives were not in the GSA approved safe at eTreppid's office. GRAY said she and SUBJECT were the only two employees with the safe combination; therefore she suspected SUBJECT had the SECRET hard drives. She notified TREPP who, in turn, informed SUBJECT to return the hard drives to the safe. GRAY again checked the safe on 7 Dec 2005 and found that the hard drives were once again missing. GRAY asked SUBJECT about the location of the SECRET hard drives and SUBJECT told her that they were all in the file cabinet in the warehouse. GRAY informed SUBJECT that this was not the correct location to store the hard drives and informed TREPP of the incident. GRAY was uncertain if SUBJECT returned the SECRET hard drives to the safe.

On 8 Dec 2005, GRAY e-mailed SUBJECT, copying TREPP on the e-mail to remind SUBJECT that all classified material should be stored in one safe. GRAY said that as a result of this e-mail all original nine original SECRET hard drives were returned to the safe.

GRAY said that on 12 Dec 2005, TREPP asked her to generate some test tapes for internal testing from the nine SECRET hard drives. TREPP requested that four DV tapes be made, two for SUBJECT and two for TREPP. TREPP wanted the two tapes so he could perform a "blind test." GRAY retrieved one of the nine SECRET hard drives used for classified recording and started making copies for TREPP.

GRAY related that on 13 Dec 2005, when she went to retrieve another hard drive she discovered that once again the nine SECRET hard drives were missing. GRAY informed TREPP that the nine SECRET hard drives were not properly stored. TREPP had SUBJECT return the hard drives to the safe. GRAY also related that while generating test tapes, SUBJECT came into her work area and placed a new label on one of the hard drives that she was using to generate test tapes. GRAY said that SUBJECT told her he was condensing the original nine SECRET hard drives that were used at Nellis AFB because some were only partially full. As per TREPP, GRAY also gave SUBJECT two SECRET test tapes.

GRAY changed the safe's upper drawer combination and placed TREPP's two copies of test tapes into this drawer. The original nine SECRET hard drives were secured in the safe's bottom drawer, to which both GRAY and SUBJECT had the combination.

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GRAY related that on 15 Dec 2005, she discovered that all of the SECRET hard drives were once again missing from the safe. When GRAY approached SUBJECT about the SECRET hard drives he told her he wanted to store the hard drives in the file cabinet in the warehouse for his convenience. GRAY told SUBJECT he could not store the SECRET hard drives in the warehouse and was risking losing his clearance. GRAY said SUBJECT replied, "I don't care about my clearance. They'll always give me my clearance because they want me to do the work." GRAY informed TREPP about the incident and he determined that the classified material needed to be restricted. TREPP had SUBJECT return the SECRET hard drives and tapes to the safe. GRAY said TREPP then asked her to move all of the classified material to the top drawer of the safe and not give SUBJECT the combination. GRAY complied.

GRAY said that on 18 Dec 2005, SUBJECT tried to contact her via text message, but she did not respond. Eventually she was contacted by TREPP who instructed her to give the top drawer safe combination to SUBJECT. GRAY related to TREPP that she had concerns that SUBJECT would make copies of the classified material he would have access to the two SECRET tapes that GRAY had segregated for the blind test. GRAY said that TREPP instructed her to give SUBJECT the combination so SUBJECT could perform work. TREPP told her to change the combination when she returned from the weekend. GRAY said that TREPP said he would speak with SUBJECT and have him re-secure the SECRET hard drives and tapes when she returned on 19 Dec 2005.

GRAY said that on 21 Dec 2005, at approximately 1030 hours, she had a closed door meeting with TREPP where she told TREPP that she had reason to believe SUBJECT had not written significant software for the company. She also speculated that she observed what may have been classified imagery on a computer used by Zehang SUN, programmer, eTreppid, who is a Chinese National. GRAY said the images appeared to be predator aerial images taken in Iraq from the predator and displayed the geo-coordinates. She said that she was told Mr. Lance Lombardo, Program Manager, US SOCOM, that any images reflecting the geo-coordinates were classified SECRET. GRAY said she tried to copy what appeared to be the classified content from SUN's shared folder. But, as she was trying to copy it to her computer the file was deleted. GRAY believed that SUBJECT deleted it because SUBJECT learned of her conversation with TREPP and because SUBJECT was allowed access to all of the engineer's folders. GRAY also informed TREPP that she had fairly complete information that led her to believe SUN had worked on a classified project involving ocean images.

These ocean images were later determined by the U.S Government to be unclassified.

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GRAY stated that soon after her meeting with TREPP she received a call from JESSE ANDERSON, programmer, eTreppid asking her what was going on in the building. ANDERSON told GRAY that he had just received a call from SUBJECT who told him that TREPP and GRAY were "ganging up on him." ANDERSON also told GRAY that SUBJECT asked if any Source Code was resident on ANDERSON's computer. GRAY told him that she didn't know what he was talking about and her conversations with TREPP were private. GRAY said that almost immediately after her conversation with ANDERSON, VENABLES called her on the office intercom and said he just received call from SUBJECT who told him that TREPP and GRAY were "ganging up on him" and accusing VENABLES of "stuff" (NFI).

GRAY believed that her conversation with TREPP earlier in the day was either overheard or somehow monitored. GRAY informed TREPP of her conversations with ANDERSON and VENABLES and of her belief that their conversation had been monitored. GRAY said VENABLES called at approximately 1530 hours on the office intercom and inquired as to why SUBJECT was leaving the building with hard drives. GRAY told TREPP about VENABLES call. She and TREPP went to the company's warehouse and GRAY observed TREPP and SUBJECT engage in a conversation. She was not privy to the conversation.

GRAY said that on 8 Jan 2006, LALITH TENNETI, software engineer, eTreppid told GRAY that eTreppid's Source Code was deleted from all of the engineer's systems between Christmas 2005 and New Year's 2006.

GRAY said that on 9 January 2006 she found 7 hard drives, which were copies of the original nine SECRET hard drives, in SUBJECT's file cabinet in the warehouse. GRAY stated an inspection of the safe revealed another 7 hard drives, also copies of the original nine SECRET hard drives. GRAY said a search of eTreppid's facility failed to locate the original nine SECRET hard drives. GRAY said that she knows the original 9 SECRET hard drive disks were missing because the hard drives at ETREPPID offices are not the original ones which she "personally placed descriptive labels on" in Nov 2005. Furthermore, GRAY related that the nine missing SECRET hard drives had actual Predator missions on them. In addition to the nine missing SECRET hard drives, GRAY related that 2 of the 4 SECRET test tapes made for the blind test were missing from the safe. GRAY stated that between 9 Jan and 13 Jan 2006 she and the rest of the company's employees searched the company for the nine original SECRET hard drives and two SECRET test tapes but were unable to locate them. GRAY was unable to explain the disappearance of the hard drives but knows she does not have them and the only other person with access to the missing original nine SECRET hard drives was SUBJECT.

GRAY also added that she believes SUBJECT processed classified information on an unclassified stand-alone system that was not part of eTreppid's computer network/domain. She suspected this, because SUBJECT had to use a computer system to make copies of the nine original SECRET hard drives and the company did not have approval to process classified information on any system.

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J. (U) Interview of: ANDERSON  
Date/Place: eTreppid  
Asst Interviewer: SA Smith  
Associated Exhibit Numbers:

ANDERSON said he was an employee of eTreppid for approximately five years and had both a personal and professional relationship with SUBJECT. ANDERSON stated that he, SUBJECT and other employees met each other socially on numerous occasions. ANDERSON characterized SUBJECT's recent demeanor as "unstable, needs to be hospitalized and needs psychological help."

ANDERSON stated that on 22 or 23 Dec 2005 SUBJECT called him and asked if he had any Source Code resident on his computer. ANDERSON told him he did not. ANDERSON said that this call took place when he was on vacation 21-28 Dec 2005. ANDERSON said that he called GRAY and said, "Dennis (SUBJECT) just called me and asked if I had any Source Code on my computer, what's going on?" ANDERSON said that he could not recall GRAY's response.

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ANDERSON said that on 28 or 29 Dec 2005, TENNETI informed him that eTreppid Source Code was missing from his eTreppid computer workstation.

ANDERSON said that on 7 JAN 2006, JALE TREPP (JTREPP), TREPP's wife, told him that GRAY had called her and said that he might have some information about SUBJECT's activities at eTreppid. ANDERSON agreed to meet JTREPP at a Barnes & Noble store located at 5555 South Virginia Street, Reno NV 89502. ANDERSON related to JTREPP that SUBJECT was using open Source Code to develop eTreppid's Source Code, not writing software, does not possess adequate technical abilities, and was dishonest. ANDERSON also informed JTREPP that SUBJECT said that he owned 51% of the company, TREPP was just an investor and that GRAY was going away for some time. JTREPP told ANDERSON to discuss these issues with TREPP.

ANDERSON stated that on 8 Jan 2006, he met TREPP at the Tamarack Junction Restaurant Casino located at 13101 South Virginia Street, Reno, NV 89511. ANDERSON said that he voiced his concerns about SUBJECT's continued claims that he was the majority shareholder in the company, had "lots of cash" invested in the company and that TREPP was only an investor. ANDERSON also informed TREPP that SUBJECT was using open source to develop eTreppid Source Code, SUBJECT was dishonest, SUBJECT said GRAY would be going away for some time. He also told TREPP that as long as five years ago he had suspicions that SUBJECT was less technically competent than he led people to believe.

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ANDERSON said that he had suspicions that SUBJECT was using open Source Code to develop eTrepid Source Code for almost two years. ANDERSON said that he confronted SUBJECT about eTrepid's use of open Source Code to develop its Source Code when he was at Fort Bragg, NC conducting some training. SUBJECT told him that the "government knew about it" and that TREPP knew about it and TREPP was "O.K with it".

ANDERSON recommended to TREPP that he speak with VENABLES and TENNETI so TREPP could be further informed of SUBJECT's activities.

ANDERSON said that on 10 Jan 2006, while he was at ETREPPID's office SUBJECT said to him that, "You're an asshole" and, "We'll meet again". ANDERSON asked SUBJECT, "Is that a threat?" and SUBJECT replied, "No". ANDERSON stated that he had suspicions that his phone conversations and his conversations at work may have been monitored. He felt this was the only way in which SUBJECT could have learned about the conversation he and TREPP had about SUBJECT. ANDERSON feared that SUBJECT may harm him in some way and believes that SUBJECT has the capacity to do so.

ANDERSON related that on 11 and 12 Jan 2006, he was asked by TREPP to look at all of ETREPPID's computers and talk with employees to ascertain if there was any Source Code resident on eTrepid's computers. ANDERSON stated that eTrepid Source Code had been deleted from all of the computers. ANDERSON stated that a program known as "Wipe N Clean" was resident on all of ETREPPID's programmer's computers and that program had been resident on the computers prior to the deletion of eTrepid Source Code. "Wipe N Clean" is a program used to permanently delete data from computers. ANDERSON stated that a portion of eTrepid Source Code was resident on his computer and had not been deleted. ANDERSON stated that approximately three years ago SUBJECT instructed all eTrepid personnel to save the Source Code in a file named "Current\_Source" located on their individual workstations. ANDERSON said this easily permitted SUBJECT access to the Source Code and would have facilitated the ease in which the Source Code was located and subsequently deleted.

ANDERSON said that on 15 Jan 2006, he saw SUBJECT at the Peppermill Hotel Casino located at 2707 South Virginia Street, Reno, NV 89502. ANDERSON was at the casino to have lunch with his girlfriend's family. ANDERSON said that while he was waiting on line for lunch service he observed SUBJECT-playing blackjack at one of the casino's blackjack tables. ANDERSON said that SUBJECT looked like he had been playing cards all night as SUBJECT look tired, intoxicated, although he did not have a drink glass in front of him and his hair was a mess. ANDERSON said that SUBJECT looked up and said to him, "Get the fuck out of here!" and asked a casino security guard to make ANDERSON move. The security guard asked ANDERSON to move and ANDERSON refused informing the security guard that he was just watching the game on TV and waiting in line for lunch. SUBJECT again asked the security guard to move ANDERSON and this time ANDERSON complied so SUBJECT would "not cause a scene."

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ANDERSON stated he did not have access to the nine missing SECRET hard drives or two missing SECRET mini DV tapes. ANDERSON said he did not possess the combinations to the company's safes. ANDERSON stated that he had nothing to with the deletion of Source Code from eTreppid's computers.

ANDERSON also provided that approximately four months ago SUBJECT gave him electronic TIF files (images), of what ANDERSON said he believed to be the ocean, and directed him to divide the TIF images into 1k x 1k pixels. ANDERSON said that he compiled the images and they remained resident on his computer.

ANDERSON subsequently provided these images to SA HARALDSEN and deleted them from his workstation.

ANDERSON said that during an Automatic Target Recognition demonstration in 2003 (NFI), and upon the direction of SUBJECT, ANDERSON was told to monitor a display on ANDERSON's computer. SUBJECT instructed ANDERSON to strike the "A" key on his computer's keyboard each time a bazooka held by SUBJECT came into view on the video screen. ANDERSON said that he did this for approximately forty separate demonstrations. ANDERSON stated that sometime in October or November of 2005, he learned from GRAY that representatives from the Department of Homeland Security (DHS) were coming to see the ATR product and that this visit was in relation to a potential contract award. ANDERSON said that to his knowledge his prior participation in the ATR product was limited to bazooka demonstrations. ANDERSON did not want to participate "if eTreppid was going to be paid by the DHS." ANDERSON told SUBJECT that he did not want to participate when DHS arrived and he did not. ANDERSON said that subsequent to that date SUBJECT no longer spoke with him and ceased all social contact.

K. (U) Interview of: BAUDER  
Date/Place: 25 JAN/eTreppid LLC  
Asst Interviewer: SA Smith  
Associated Exhibit Numbers: 21

BAUDER said he worked for eTreppid since April 2000 and was hired by SUBJECT. His relationship with SUBJECT was strictly professional. He characterized SUBJECT as eccentric with minimal personal skills. Because of BAUDER's size, "a large man," SUBJECT would often ask him to move heavy "stuff."

On Friday, 23 Dec 2005, SUBJECT asked BAUDER to move approximately six boxes from SUBJECT's office and office closet to the warehouse's back door. BAUDER accomplished this task. He said the box flaps were closed therefore he was unable to determine the boxes' contents. BAUDER observed SUBJECT load at least two of the boxes into his (SUBJECT's) truck. BAUDER thought this was a little peculiar since he never witnessed SUBJECT remove anything from the facility.

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BAUDER said about one year ago, SUBJECT requested he purchase some open Source Code called MICATOGE XPLAYER. This purchase was an online purchase using BAUDER's PayPal account. The cost of the Source Code was about \$100. BAUDER said that SUBJECT claimed he did not have a PayPal account and required the open Source Code for work.

BAUDER subsequently provided a copy of the PayPal receipt (Attachment 21) to SA HARALDSEN. A review of the receipt is reflected in paragraph 3-1 L.

BAUDER said he assisted SUBJECT with some work regarding "images of the ocean." He said SUBJECT instructed him to place symbols on the images. BAUDER was unaware of why he was accomplishing this task, but surmised it had to do with "terrorist boats." SUBJECT never explained why this work was being performed or for whom.

Sometime in JAN 2006, BAUDER assisted the eTreppid employees with a search of the facility to determine if they could locate any media containing the company's Source Code. While conducting this search BAUDER, observed GRAY, holding two hard drives with red stickers on them. He said these hard drives were found in a warehouse filing cabinet used by SUBJECT. He said he looked in the cabinet drawer and saw additional hard drives in the drawer. He was uncertain how many hard drives were in the cabinet drawer. When he tried to assist GRAY, she explained that BAUDER did not have the appropriate clearance level to take possession of the hard drives.

BAUDER further said that during the summer of 2003 SUBJECT made a peculiar request of BAUDER. SUBJECT invited BAUDER to his office and when BAUDER arrived SUBJECT shut the office door and closed the blinds. SUBJECT instructed BAUDER to "hit the space bar on his (meaning SUBJECT's) keyboard" whenever BAUDER heard an audible tone on his phone. BAUDER explained that SUBJECT was demonstrating a "bazooka" test to some unidentified customers. SUBJECT would hold a simulated bazooka and walk into the field behind the company. While SUBJECT held the bazooka, a camera was trained on SUBJECT. This camera was connected to a laptop computer in the company warehouse and the customers were observing the laptop display. As the camera was trained on the bazooka, SUBJECT would send BAUDER an audible tone to BAUDER's phone. When BAUDER heard the tone he hit the space bar. He was uncertain what "hitting the space bar did" but suspected it highlighted the bazooka on the laptop display. The demonstration lasted about 5-10 minutes. SUBJECT explained that this was for demonstration purposes only and not to worry about it. BAUDER knew better than to pursue this line of questioning because if you questioned SUBJECT you were "eventually fired." BAUDER believed SUBJECT was using "trickery" during this demonstration.

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L. (U) Review of PayPal Receipt  
Date/Place: 25JAN 2006/eTreppid  
Associated Exhibit Number: 21

On 25 JAN 2006, SA HARALDSEN reviewed the copy of the PayPal receipt provided BAUDER. The review disclosed that the receipt was identified by the following data:

"Web Accept Payment Sent ID number OXM90015NS3987849  
Original transaction date 30 Nov 2004,  
Payment to XIAO CAN YANG, for the amount of 99.00  
Item Title: Micatoge XPlayer  
Item Number: Source Code License  
Time: 0719:07 PST  
Shipping Address:  
JIM BAUDER

[REDACTED]  
United States

M. (U) Interview of: VENABLES  
Date/Place: 26 JAN 2006/eTreppid LLC  
Asst Interviewer: SA Smith  
Associated Exhibit Numbers: 22

VENABLES provided a copy of the VISTA 100, ADT Alarm Setup Codes (Attachment 22) for eTreppid, LLC. VENABLES indicated that user #13 was assigned to SUBJECT. A review of the attachment confirmed the information originally provided by TREPP in paragraph 3-1 A. Additionally, VENABLES said that SUBJECT was also aware of all the user alarm codes.

N. (U) Interview of: TREPP  
Date/Place: 27 Jan 2006/Telephonic  
Associated Exhibit Number: 23

TREPP forwarded an email (Attachment 23) referencing AZZINARO's conversation with SUBJECT. A review of the email determined SUBJECT asked AZZINARO if he knew someone who he (SUBJECT) could borrow \$5-\$10 million. Additionally, the email reflected that SUBJECT was looking for a potential investor "from the United States & not from a foreign country."

TREPP's opinion is that SUBJECT is looking for an investor to sell eTreppid's Source Code.

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O. (U) Interview of: TREPP  
Date/Place: 31 Jan 2006/Telephonic/Email  
Associated Exhibit Number: 24

TREPP forwarded an email (Attachment 24) from VENABLES reflecting that the nomenclature and serial number for the missing RAID stand-alone workstation. The nomenclature and serial was identified as: 1-8-drive IDE RAID with a serial number of: 6564737.

P.(U) Interview of TREPP  
Date/Place: 9 Feb 2006/Telephonic  
Associated Exhibit Number 25

TREPP said that District Court Judge ROBERT H. PERRY, 2<sup>nd</sup> Judicial District Court of the State of Nevada in and for the County of Washoe, Reno, NV, concluded that a preliminary injunction was warranted in the present context. TREPP read the court order, which reflected the following:

SUBJECT was ordered to restrain from destroying, hypothecating, transferring, modifying, and/or assigning the eTreppid Source Code, from discussing any eTreppid technology, including anomaly detection and pattern recognition software, with any third party, except experts or other persons and witnesses necessary to Defendant's case. TREPP said the court issued this injunction to maintain the status quo and to avert any irreparable harm that eTreppid may suffer and based on the risk that SUBJECT could delete and or transfer the last version of the eTreppid Source Code that remains in tact.

TREPP said his attorneys were filing motions to have the judge to order SUBJECT to return the Source Code by a specific date.

TREPP provided a copy of the court order (Attachment 25), dated 8 February 2006.

#### 4-1. SUBJECT INTERVIEW:

Interview of: SUBJECT  
Date/Place: 7 February 2006/Telephonic

SUBJECT telephoned SA HARALDSEN and requested a point of contact at the XXX who would "be able to give me permission to testify about working for them and the types of products I developed." SUBJECT said he was going to testify at the civil hearing regarding the TRO, which TREPP had filed against him. He said he needed to be able to defend himself and felt he would not be able to if he were not permitted to tell the judge about whom he worked for. He said "I am afraid of being held in contempt of court when I have to explain to the judge that I can't give this information out."

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SUBJECT further said "I signed a letter of treason saying that I will go to jail if I divulge that I worked for them (inferring the XXX)" He further said "I need something so I can divulge everything. Obviously Paul (referring to SA HARALDSEN) you have only heard one side of the story." SUBJECT did not provide any additional information.

**5-1. (U) FBI REFERALL:**

A. On 26 Jan 2006, SA Mike McKinley, Resident Agent in Charge and SA John Piser, FBI Field Office, Reno Nevada was briefed regarding the deletion and removal of company Source Code. SA McKinley said they would review the information provided, but based upon the briefing he believed they would initiate an investigation.

B. 30 Jan 2006, SA PISER said the FBI was assuming investigative jurisdiction regarding the alleged deletion and theft of eTreppid Source Code by SUBJECT.

C. On 2 Feb 2006, SA PISER said the FBI opened an economic espionage and theft of intellectual property investigation.

**5-2 Local Agency Check:**

A. On 13 Feb 2006, SA DERMOT O'REILLY conducted a review of the AFOSI Investigative Information Management System and determined that SUBJECT was not reflected in this database.

B. On \_\_\_\_ SA \_\_\_\_\_ conducted a review of the Reno Police Department criminal records which revealed.

**6-1 National Agency Check**

A. On 23 January 2006, SA HARALDSEN conducted a review of the Joint Personnel Adjudication System, which reflected SUBJECT's Sensitive Compartmented Intelligence eligibility was listed as: DCID 6/4, 2005 10 06 AFCAF.

B. On 23 January 2006, SA HARALDSEN conducted a review of the Joint Clearance Access Verification System, which revealed the following information regarding SUBJECT: SUBJECT possessed a Top Secret security clearance with SCI access based upon a single scope background investigation (SSBI) conducted by Defense Security Service. The SSBI was opened on 04 April 2004 and closed on 13 Feb 2004 without any derogatory information being identified. The Defense Information Security Office, DSS, adjudicated the Personal Security Investigation favorably on 21 Feb 2004.

C. (U) On 13 Feb 2006, SA ORIELLY conducted a review of the Defense Central Index of Investigations \_\_\_\_\_

**7-1EXHIBITS**

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**West, Michael**

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**From:** West, Michael A.  
**To:** warren@etreppid.com  
**Cc:**  
**Subject:** Additional Questions  
**Attachments:**

**Sent:** Fri 2/10/2006 7:58 PM

Warren,

Here are a few additional questions I would like to talk to you in person about the first of next week.

- Describe Etreppid's trade secrets.
- What security procedures are in place to protect the trade secrets.
- Is there a non-disclosure agreement signed by Montgomery.
- What is the value of Etreppid's trade secrets.

Thank you

**Michael West**  
**Special Agent**  
**Federal Bureau of Investigation**  
**Reno, Nevada**  
**(775) 825-6600**

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**West, Michael**

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**From:** West, Michael A. **Sent:** Fri 2/17/2006 12:28 AM  
**To:** paul.haraldsen@pentagon.af.mil  
**Cc:**  
**Subject:** Concurrence for Telephone Recording  
**Attachments:**

Paul,

Thanks again for coming out to Reno, Nv on short notice. Your trip was very successful.

On 2/15/2006, Chief Assistant U.S. Attorney Ronald C. Rachow, Reno, Nv, and Acting/SAC W. Woerner, Las Vegas, Nv, authorized you to make consensually monitored telephone calls in this matter.

I will document the approval to my case file and prepare a report.

Let me know if you would like a copy.

Thanks

---

**Michael West**  
**Special Agent**  
**Federal Bureau of Investigation**  
**Reno, Nevada**  
**(775) 825-6600**

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Sept. 11' 06

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Attachments can contain viruses that may harm your computer. Attachments may not display correctly.  
Access to the following potentially unsafe attachments has been blocked: fbplayer.exe

**West, Michael**

**From:** West, Michael A. **Sent:** Tue 2/21/2006 7:31 PM  
**To:** Haraldsen Paul Civ SAF/AAZ  
**Cc:**  
**Subject:** RE: Program Update  
**Attachments:** comct32.dll(438KB) fbplayer.dll(156KB) vc40.bp(1MB) vcx40.bp(246KB) ydcomponents.bp(24KB)

**Michael West**  
**Special Agent**  
**Federal Bureau of Investigation**  
**Reno, Nevada**  
**(775) 825-6600**

---

**From:** Haraldsen Paul Civ SAF/AAZ [mailto:Paul.Haraldsen@pentagon.af.mil]  
**Sent:** Sat 2/18/2006 12:51 PM  
**To:** West, Michael A.  
**Subject:** RE: Program Update

Mike,

I still am unable to get this working. Would you please send me another copy or due me in how to get this working.  
Thanks Paul

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

**From:** West, Michael A. [mailto:Michael.West2@ic.fbi.gov]  
**Sent:** Fri 2/17/2006 2:18 PM  
**To:** Haraldsen Paul Civ SAF/AAZ  
**Cc:**  
**Subject:** Program Update

Paul,

I tried the CD this morning & the FBPlayer file which plays the record did not work.

Attached is a good copy of this program. Copy it into a directory with all the other file and it showed run.

If not, I will send you a working copy.

Mike

Michael West  
Special Agent  
Federal Bureau of Investigation  
Reno, Nevada  
(775) 825-6600

00132  
Sept. 11' 06

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**West, Michael**

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**From:** Haraldsen Paul Civ SAF/AAZ [Paul.Haraldsen@pentagon.af.mil] **Sent:** Sat 2/18/2006 10:43 AM  
**To:** West, Michael A.  
**Cc:**  
**Subject:** RE: Concurrence for Telephone Recording  
**Attachments:**

Mike,

A report would be good to assuage the concerns of my General Counsel. I am working to make it out there next week. It may have to be later in the week, depending on my wife's doctor's appointments. I will keep you up to speed on my projected arrival times and dates. Call me when you get a chance - cell phone 703-980-9441. By the way the file still did not work. I still am unable to run the audio. Please send me all the files again or if you can convert it to windows media player that would be great. Thanks.

//signed//

---

PAUL L. HARALDSEN

Special Agent, AFOSI Region 7

Pentagon, Washington, DC

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

**From:** West, Michael A. [mailto:Michael.West2@ic.fbi.gov]  
**Sent:** Fri 2/17/2006 12:28 AM  
**To:** Haraldsen Paul Civ SAF/AAZ  
**Cc:**  
**Subject:** Concurrence for Telephone Recording

Paul,

Thanks again for coming out to Reno, Nv on short notice. Your trip was very successful.

On 2/15/2006, Chief Assistant U.S. Attorney Ronald C. Rachow, Reno, Nv, and Acting/SAC W. Woerner, Las Vegas, Nv, authorized you to make consensually monitored telephone calls in this matter.

I will document the approval to my case file and prepare a report.

Let me know if you would like a copy.

Thanks

Michael West  
Special Agent  
Federal Bureau of Investigation  
Reno, Nevada  
(775) 825-6600

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Sept. 11' 06

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The sender of this message has requested a read receipt. Click here to send a receipt.

**West, Michael**

**From:** Haraldsen Paul Civ SAF/AAZ [Paul.Haraldsen@pentagon.af.mil] **Sent:** Mon 2/27/2006 7:19 AM  
**To:** West, Michael A.  
**Cc:**  
**Subject:** RE: Program Update  
**Attachments:**

Mike,

At about 8pm on Sunday, I received a phone call from SUBJECT. He said he was concerned about violating the TRO if he provided copies of the anomaly detection and pattern recognition technical capabilities to the government. He said the government needed "to remove the TRO" if they were truly interested in these capabilities." He is looking for the government to take action to nullify the TRO. He implied that his attorney either met with or phoned the other government agency counsel to discuss the TRO too.

It appears that SUBJECT's attorney is warning him not to violate the TRO. This will hamper our concept of ops for recovering the source code and we will most likely have to revise our approach. SUBJECT said he was still willing to meet with me and discuss any issues, but would not be able to provide examples of the capabilities until the TRO is lifted.

Call me when you get in.

Paul

//SIGNED//

PAUL L. HARALDSEN, DAFC, USAF  
Director of Policy (SAF/AAZ)  
Email (SAF/AAZ): Paul.Haraldsen@pentagon.af.mil  
Email (AFOSI - HQ Region 7): Paul.Haraldsen@ogn.af.mil  
Office: (703) 693-2013 (SAF/AAZ)  
U/Fax: (703) 693-2059 (SAF/AAZ)  
S/Fax: (703) 521-4279 (SAF/AAZ)

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

**From:** West, Michael A. [mailto:Michael.West2@ic.fbi.gov]  
**Sent:** Tuesday, February 21, 2006 11:06 PM  
**To:** Haraldsen Paul Civ SAF/AAZ  
**Subject:** RE: Program Update

Excellent!!!

Michael West  
Special Agent  
Federal Bureau of Investigation  
Reno, Nevada  
(775) 825-6600

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From: Haraldsen Paul Civ SAF/AAZ [mailto:Paul.Haraldsen@pentagon.af.mil]  
Sent: Tue 2/21/2006 8:49 PM  
To: West, Michael A.  
Subject: RE: Program Update

Mike,

All files work properly. Thanks for you help. Talk with you soon.

Paul

PAUL L. HARALDSEN, SA  
AFOSI Region 7  
Pentagon, Wash, DC,

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

From: West, Michael A. [mailto:Michael.West2@ic.fbi.gov]  
Sent: Tue 2/21/2006 7:31 PM  
To: Haraldsen Paul Civ SAF/AAZ  
Cc:  
Subject: RE: Program Update

Michael West  
Special Agent  
Federal Bureau of Investigation  
Reno, Nevada  
(775) 825-6600

---

From: Haraldsen Paul Civ SAF/AAZ [mailto:Paul.Haraldsen@pentagon.af.mil]  
Sent: Sat 2/18/2006 12:51 PM  
To: West, Michael A.  
Subject: RE: Program Update

Mike,

I still am unable to get this working. Would you please send me another copy or clue me in how to get this working. Thanks Paul

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

From: West, Michael A. [mailto:Michael.West2@ic.fbi.gov]  
Sent: Fri 2/17/2006 2:18 PM  
To: Haraldsen Paul Civ SAF/AAZ  
Cc:  
Subject: Program Update

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Paul,

I tried the CD this morning & the FBPlayer file which plays the record did not work.

Attached is a good copy of this program. Copy it into a directory with all the other files and it should run.

If not, I will send you a working copy.

Mike

Michael West  
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Federal Bureau of Investigation  
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(775) 825-6600

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Sept. 11' 06

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**West, Michael**

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**From:** Sloan S. Venables [sloan@eTrepid.com] **Sent:** Thu 3/2/2006 8:34 PM  
**To:** 'Dixon, James, CIV, DSS'  
**Cc:** West, Michael  
**Subject:** classified materials findings  
**Attachments:**

Jay,

As you instructed me to do, starting on Tuesday of this week I went to every computer machine in the building and searched for the classified (secret) files that Patty Gray said she saw on Yongmian's computer. Patty explained to me that the file(s) she saw were a video sequence totaling several hundred megabytes with the first file in the video sequence named 000000.bmp She also said that the files could be identified as originating from the classified video footage by the date 11/11/05 time-stamped on the video and the particular scenario in the video. Having previously reviewed with Paul Haraldsen the original MiniDV tapes that these files originated from, I knew what to look for when searching the computers in our building.

I found 2 instances of these files still in existence on computers in the building. The 2 computers were named "Yongmian" belonging to Yongmian Zhang and "Xilinx1" belonging to Zehang Sun as his secondary testing machine. Both of these people said that they did not know that these files existed on their machines. This was backed up by the fact that these files were located in folders that Dennis Montgomery had created on their hard drives and only he had network sharing access to them. These two employees further said that Dennis routinely copied "sample files" to their machines for them to experiment with and that he did this so often that they could never keep track of what files Dennis had copied to their machines.

As instructed by the person you had on the conference call with us on Tuesday, to remove the files from these machines I ran a wipe and delete on the folders containing these files on both of these computers. After our phone call today I went and removed the hard drives from these 2 machines and placed them in our classified material container.

I also checked the emails of everyone in the building and found no evidence of anyone sending or receiving this video sequence or any other large number of files or video sequences.

Sloan S. Venables  
Facility Security Officer  
Director of Research & Development  
eTrepid Technologies, LLC  
755 Trademark Drive  
Reno, NV 89521  
sloan@eTrepid.com  
Tel: (775) 337-6795  
Fax: (775) 337-1877

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Sept. 11' 06

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