

Honorable Denise L. Cote,  
U.S.D.J. United States District Court  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, Courtroom 11B New York, NY 10007-1312

February 17, 2011

Dear Judge Cote!

I am writing this letter to tell you about my son, Sergey Aleynikov. Prior to immigrating to the United States at the age of 20 he studied Applied Mathematics in the Moscow Institute of Railway Transport Engineering. He moved to America to search for better education and work experience in computer science. At the age of 20 years he became independent and learned to count on himself in a foreign country without knowing the language, no money. In four months after arriving to America, he got his first job in a Medical Center as a computer operator and worked hard in order to pay rent and save money for education.

In his childhood Serge had very bad food and seasonal allergies, and couldn't live without sprays and anti-allergic medicine in the spring season. Upon coming to America the allergies continued but he chose to live a very healthy lifestyle and became vegetarian. He's been vegetarian now for almost 20 years.

In 1991 he got admitted to Rutgers as a transfer student and graduated with Honors. He continued his graduate studies in the same school majoring in Biomedical Engineering, where he authored some scientific papers. He was a very strong programmer and soon he found a job at a telecommunications company, where he was a hands-on manager and built a friendly hard-working team. He openly consulted people helping them find solutions to tough technological challenges, and made many friends among colleagues. People working with Serge always treated him with respect, and many of them support him to date. In 2003 Serge got married and one after another three girls were born. Serge was very fond of his family and was very devoted to them. Due to high demands at work Serge frequently worked at home while working in the telecom and later in the financial sector. This included late night hours and sometimes weekends. At the same time he was a very much caring father for his children.

While working at Goldman Sachs his skills were in high demand and people also liked working with him because he would always share with them his views on modern technology and teach them many best programming practices. A possibility to work in a startup opened, an opportunity where Serge was able to explore new ideas in a very agile environment compared to working in a large bank.

Serge has always been a sensitive, caring, considerate, grandson, son, nephew and a good friend, caring for sick old grandmother and grandfather. He was always responsive to people. He was my only son and also the only son in my older sister's family, who couldn't have children. When he left to America, he bought his aunt and uncle a puppy for smoothing their pain of separation. In 1996 while on vacation in Moscow, he took care of the terminally ill cancer uncle. My husband was ill with cancer and Serge was looking for alternative healing and would send him medical drugs.

Once, I remember, we were driving cross-country during one of Serge's vacations when he came to visit us in Moscow, and he saw a car with a driver stuck by the curb in a ditch. Serge, together with his stepfather, helped the driver pulled the car back on the road, whereas other drivers were all passing by without stopping to help. Serge keeps in touch with some of his high-school friends, and they all regard him as the man of rare generosity, sensitivity and talent. He helped a number of friends to get a job.

An unfortunate foolish decision that my son made upon leaving Goldman Sachs, turned our whole lives. Serge lost everything that he worked so hard to create: dear family, his home, ability to see his little daughters daily, his career. He suffered a lot of financial stress on the family and eventually it fell apart - his wife abandoned him during his preparation for the trial.

His children's lives changed - the three daughters of 7.5, 5.6, 2.5 years old had to face unfortunate direct consequences of Serge's tragedy. After the arrest Serge was vigorously looking for work, but despite successfully passing technical interviews, the Human Resources at all firms advised against hiring him while the allegations were pending. Our family suffered a shock and great depression. His wife used to take care of kids with help of a babysitter, but had to get employed in a local high school as a teacher, so that it would bring them some income. The stable cancer condition of my husband began worsening, and only within half a year he couldn't stand up from bed. In April 2010 Serge got a permission to attend the funeral of his stepfather in Moscow. At that time he already felt insecurity of his wife, yet, being a responsible person he came back to his family in the US and to fight allegations against him.

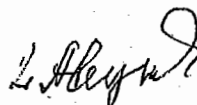
Serge is a wonderful father. I'm staying with him now in order to provide him moral support and we see the three of my granddaughters every week. Every other weekend Serge picks them up for an overnight stay. He truly loves them, he plays with them, teaches science and cares about them - it's not easy with three little girls. And they in turn idolize him. Every time Serge takes the girls back to his ex-wife, his middle daughter V [REDACTED] is hugging him by the neck, with tears begging to stay with her always close by, saying that she's so fond of him, misses him and simply cannot live without him. It's very hard to witness these moments without tears. Just before the trial Victoria asked him: "Daddy, take me with you, I tell them that you are a very good father and that you didn't steal anything!" What will happen to them if Serge is incarcerated? They will lose their right of bonding with their father at the time in their childhood when they need it the most. Dear Judge Cote, please be merciful and consider that Serge has already gone through a great deal of suffering that affected our entire family!

I understand that the jury found him guilty of theft of trade secrets. However, this foolish act doesn't go in line with his whole life, with the way how we raised him to be an honest and hard-working person. Everyone can make mistakes, and he did already have severe punishment - losing his job, destroying his career, shame and humiliation of publicity, losing a family... How much more does a person have to suffer? I was born in 1946. Serge is the only son of mine and of my elderly sister's. We both need him to be able to support us in Russia, where life is very difficult for elderly people. I lost my husband to cancer, who loved Serge and was worrying for him so much that because of stress his condition worsened and he passed away in half a year after Serge was arrested. Following his death my health condition worsened and I went through two surgeries.

Dear Judge Cote, as Serge's mother, with all love and care, I am asking you to show mercy and leniency in deciding Serge's fate. You will be making a sentencing decision that affects much more than his own life, but our lives and the lives of his daughters. Now his fate is in your hands and in light of this letter I hope you will be able to be mercifull

Respectfully,

Serge Aleynikov's mother - Liya Aleynikova

A handwritten signature in black ink, appearing to read "Liya Aleynikova". The signature is written in a cursive style with a large, stylized initial "L".



**St. John House for The  
Homeless,  
Russian Orthodox  
Church of The Mother  
of God "Inexhaustible  
Cup"**

46 Brighton 1<sup>st</sup>. Lane  
Brooklyn, NY 11235  
Tel. 917-337-5514  
<http://StHouse.org>

Honorable Denise L. Cote, U.S.D.J.  
United States District Court  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, Courtroom 11B  
New York, NY 10007-1312

February 2nd, 2011

Dear Judge Cote,

I write to tell you about Sergey Aleynikov, whom I met for the first time in 1992 and whom I know very well, and to share with you my thoughts about him.

Both myself and my wife are very grateful to the Lord that we met Sergey on our life journey. From him we have learned how to be better people and better Christians, even though Sergey himself was never baptized and never considered himself a Christian.

Myself, my spouse Nina, and Sergey were students at Rutgers University. This was before I had become a priest - at the time I hadn't yet found my faith.

We met in a wrestling club and soon became real friends. Many years later we laughed recalling the circumstances under which we met, as if in order to secure real friendship it were necessary to bang each other's heads against a wall right after shaking hands in introduction.

Sergey had come to this country not long before we did but to us he seemed to be a real old hand: he helped us with everything, drove us to stores, helped us adapt to communicating in English, explained to us the functioning of administrative agencies in this country and at the University.

We were quickly captivated by a number of his unique traits: his openness, readiness to help, extraordinary intellectual giftedness, reliability. Everything that Sergey ever tried his hand at he was able to do at a very high level. He is the founder and was the first president of the University's first ever Ballroom Dancing Club. He competed as a dancer and led others with his example. He quickly completed his BS in Computer Science, was admitted into an MS program in Biomedical Engineering and graduated from the program top of the class. I still remember the thesis he defended under guidance of Professor Evangelia Micheli-Tzanakou. I was not familiar with the topic he was working on, but it was incredibly interesting to be present at his research breakthrough. He made a contribution to the development of Artificial Intelligence.

At this time I was going through a personal tragedy - I lost my position as a Teaching Assistant at the University and with much difficulty got hired as a tractor driver by the University farm. I felt isolated. At exactly that time Sergey visited me on the farm. He didn't try to console me with heartless banalities that only make one feel worse; instead, he took me to a store, picked out a pair of roller skates and we spent the day skating together until the first stars; we forgot all our misery and skated like two happy boys. Upon graduating from the University our friendship didn't wither, which happens so often, but blossomed. I had opportunity to witness how eagerly

Sergey was helping anyone who would come to him seeking help with information technology. If a problem was within his field, which was very large because of Sergey's versatility, he would put everything else aside and would spend hours and even days generously helping others.

Many years later I became a programmer myself and went to him with a number of technical questions. I was ready for a 15 second long explanation and a referral to an appropriate textbook to read more about it. I was really touched when Sergey stopped what he was doing and over several weeks explained to me the difficult aspects of coding correct queries for databases, at the expense of his own needs.

This readiness for unselfish sacrifice is the best lesson for all of us Christians on how one should live in this world. It is all the more precious to me because these lessons come from a person who is not a Christian himself.

I am certainly not surprised that throughout the years that I've known him, Sergey never forgot to donate money and things to various charitable organizations that provide assistance to the needy. He became a sponsor of St. John House for the Homeless, which I head at the moment. He never bragged about his charitable works and I only found out that he was a donor of St. John House from the accounting reports of the organization.

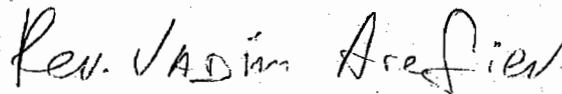
I know that Sergey has been found guilty of stealing Goldman Sachs computer code as he prepared to leave the firm. I don't question the jury's verdict. But I promise you this exercise of bad judgment is not indicative of the character of Sergey Aleynikov. Russian Orthodox Church prayers sing out: **"For there is no man that liveth and sinneth not!"** The punishment that has already befallen not only Sergey himself, but also on all of his family, is so enormous that not every person would be able to bear. The world media has been relentless in reporting on Sergey's case. Even in remote villages of Russia, where residents have never heard of programming, people have read of his offense.

I urge you, dear Judge Cote, to choose a punishment milder than a prison sentence for Sergey! Sergey, the human being that he is, does not deserve a punishment harsher than the one that he has already been dealt in the last year and a half: his family fell apart, he wasn't able to say the last good-byes to his beloved step dad before his passing away, he was forced to sell his house to cover legal expenses, it has been impossible to find permanent work...

I respectfully ask you to show clemency towards Sergey. You are the only person deciding his fate. Please be merciful.

Please give me a call for any details at 917-337-5514.

With deep appreciation for the time you spent reading my letter,



Rev. Vadim Arefiev,  
Chairman of the Board of St. John House for The Homeless;  
Rector of the Russian Orthodox Church of The Mother of God.

February 6, 2011

Honorable Denise L. Cote, U.S.D.J.  
United States District Court  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, Courtroom 11B  
New York, NY 10007-1312

Dear Judge Cote:

I am writing to ask for lenience in sentencing Mr Sergey Aleynikov.

I first met Sergey before his wedding to my sister in March 2003 and got to know him better after my move to Boston in early 2005.

I was struck by Sergey's dedication to his work. During our weekend visits he would often disappear into the office and get back to work. He told me of academic research that he had found and was able to incorporate into his code in order to make the trading system faster. He never stopped thinking of ways to improve his applications and was tremendously proud of the progress he had achieved.

He was also proud of the contributions he was making to the open-source community, particularly to the Erlang group.

I think it is fair to say Sergey lived and breathed computer software, which is why his arrest and subsequent job loss have been devastating. Moreover, after his computers were taken away to be examined by the investigators, he was completely separated from the world of software development. I remember his relief when he told me he was finally able to get his hands on a computer in January 2010 (to date, four of his PCs are still in custody). He immediately went back to researching new algorithms.

Sergey is also a loving and active father. My daughter still remembers the trampoline he had put up in his backyard at Little Falls.

In conclusion, by March 2011 Sergey will have suffered 20 months of devastation to his professional life. Further punishment will be harsh not just on Sergey but on his three young daughters, other family members, and friends.

Respectfully,

*David Barts*

David Barts, Ph.D.  
[REDACTED]  
Newton, MA

Ilya Belenkiy

Redmond, WA

February 10, 2011

To: Honorable Denise L. Cote, U.S.D.J.

Dear Judge Cote:

I know Serge through his wife, Elina, my friend from college. I was at their wedding. Serge and I had many interesting conversations, and over time, I came to regard Serge as much as a friend as Elina. Serge is very intelligent and probably knows a lot more than me in most areas that we talked about, but he always talks to me on equal terms and really listens to what I have to say. He offers his insight without authority, letting his ideas stand on their own merit. I understand that he has been convicted of stealing Goldman Sach's computer code. I want you to know that this is very unusual conduct for Serge; I have always found him to be a very honest person.

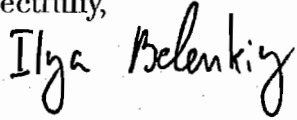
Serge is a very knowledgeable programmer and has a very strong work ethic. After he lost his job offer due to the indictment, he has been looking for a new job non-stop. He also takes time each day to educate himself about his field to stay fresh and current. From what I heard from Elina, every firm he talked with wanted to hire him; however, the human resources department always overruled the hiring manager due to the criminal case. As a result, his family faced great financial hardship even before he was tried. I feel really badly for Serge, and I also think that it's very unfortunate that his talent is not being used. He has accomplished so much, and he could do so much more!

I was in shock when learned that Elina left Serge. She was very supportive when he was arrested despite the disappointment and embarrassment it must have caused. Unfortunately, because Serge couldn't find a job, Elina suddenly had much more on her shoulders than what she was used to. Their financial and emotional hardship must have been too much for her. If Serge goes to prison, due to his difficult family circumstances, I worry about whether he will get an opportunity to maintain any relationship with his children.

I know Serge made a mistake but Serge has already suffered a great deal for that mistake. His wife left him, his relationship with his kids became much

more complicated, he has to sell his house, and the bad publicity may permanently cripple his career and not let him ever reach his full potential. When you sentence Serge, I ask you to please consider the punishment he has already suffered for downloading Goldman Sachs's source code.

Respectfully,

A handwritten signature in black ink that reads "Ilya Belenkiy". The signature is written in a cursive, slightly slanted style.

Ilya Belenkiy



**Character reference for Sergey Aleynikov**

Honorable Denise L. Cote, U.S.D.J.  
United States District Court  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, Courtroom 11B  
New York, NY 10007-1312

Dear Judge Cote,

I am writing this letter to show my support for Sergey Aleynikov and try to show you a side of a person which probably the court has not seen. I want to use this moment to show Her highness that a decision on her behalf has a very significant effect not only on life of a very intelligent and capable man but also on the lives of his three beautiful daughters who deeply love and cherish their father. I also want to mention that being a naturalized citizen, my English is not very refined and at no time my passion be taken as a disrespect for you or the court. Any mistakes in this letter are solely mine and I apologize in advance for that.

A few words about me and why I feel so compelled to write this letter. I am an interventional cardiologist practicing for the last 4 years in various hospitals in and around Newark. I legally immigrated to the U.S. from Pakistan 12 years ago with a medical degree and \$300 in my pocket and a vision to lead an honest and respectable life in a society which rewards hard work. I moved in my new house last year and was lucky to have Serge as my neighbor.

There are many similarities and differences in me and Serge. First, he came from Russia and I am from Pakistan. His English is not that refined and neither is mine. He is Jewish by faith and I am a practicing Muslim. His field is in computer science and I specialize in medicine. His hobbies are playing musical instruments and ball room dancing and I bear no such skills. I am a strong Patriots football fan and he des not even own a TV in his house! I eat halal Muslim food and he is a strict vegetarian. In fact the

more I think about it, there are more differences than similarities between us. But there are also some traits which brought me close to him from the beginning. First, he is an immigrant just like me from very humble origins and had the same vision of making a living by hard work and determination. He was persistent despite all odds and up until recently, had a wonderful family life and a respectable position in society solely by his hard work. We both strongly believe in devoting ourselves for our family and want to develop strong relationships with our children. His weakest point is also his strongest quality that he cannot say no to anyone anywhere whether its fixing my lawn sprinklers or helping me set up my new laser printer. My first encounter with him was when my lawn sprinkler burst due to freezing temperatures and the water was overflowing. Serge, noticing this, as he picked his child up from the bus stop, came to my wife's rescue and even showed her how to stop the leak and offered to call the repair guy. All this from someone who doesn't even know my first name! He was there when we had 2 feet of snow and no snow blower and volunteered to clean my driveway. He has the same attitude towards all his neighbors even though some avoid him now like the plague. He dresses very simply and believes in living within his means. His daughters are his weakness. He prefers reading stories and doing math questions with them over anything. Over the last year, despite the impending trial, he made sure his children got his full attention and tried to give them a normal life. Serge and his wife suffered a lot of embarrassment over the last 2 years but they tried their best to preserve a normal living for their children.

I am not going to comment on the trial and his conviction for two reasons. First, the accusation and trial was beyond my understanding and secondly it would be rude to comment on your understanding of law but I do want to draw the attention of your honor how his sentencing will affect more than one person. Serge has never intentionally hurt anyone neither will he ever try to do it. Incarcerating a fine intelligent gentleman will only remove love from his daughters and not make society feel any safer. Spending the weekend with his kids is the only thing which keeps him going now days. His daughters see him as a father, friend, teacher and are deeply in love with him. I wish you could keep this relationship going which will help in their development and have a sense of normalcy in their life. Your honor, I can humbly request to consider keeping his sentencing to house arrest until he gets a chance in the appellate court. He is not a violent man and has deep roots in the city. There is no flight risk and as a matter of fact when he went

to his fathers funeral to Moscow last year, he came back as promised. Keeping him behind bars not only puts an unnecessary burden on the state prison system, it is, in my opinion, the wrong form of punishment for this particular case. Prisons are built for criminals to safeguard society against them and I can assure you he does not have an evil bone in his body.

Even with house arrest, I know he wont be able to play tennis with me or go on hiking or do fun stuff in summer which he likes. He put his house on sale and his wife has filed for divorce. With his conviction he has no future left in financial world. I know he is till keeping his head high and will do anything to prove his innocence but the last year events have taken a toll on his health and mind. As I mention he is simple man with minimum needs and his time and love for his kids is keeping him alive. Taking that away will do more injustice than the crime he is convicted off.

Your honor, I don't know if it is appropriate but if you ever request to see or talk to me in person about his character than I would be glad to make myself available.

Respectfully yours

Asad cheema, MD  
Diplomate American board of Internal Medicine  
Diplomate American board of Cardiology  
Diplomare American board of Cardiac Electrophysiology  
NASPE testamuir

Honorable Denise L. Cote, U.S.D.J.  
United States District Court  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, Courtroom 11B  
New York, NY 10007-1312

Dear Judge Cote:

I have met Serge Aleynikov through mutual friends a few years ago. Our children are close in age and have always enjoyed spending time together, which gave us an opportunity to get to know each other better. Serge shares many of the values related to child rearing that we feel are very important. Every time we would visit, he and his family would always plan very interesting, educational, and exciting activities for children: from musical performances to science experiments. Our daughter really liked performing (singing and dancing) together with Serge's daughters and participating in various activities they would plan for the kids, which we don't see too often in other households of our friends. Prior to Serge's legal issue, we were planning to go camping together in the summer to teach kids about nature, hosting educational "seminars" to teach our elementary school age children about science in the wilderness. Serge is very thoughtful and creative in educating his children and their friends, utilizing his exceptional intelligence to challenge and teach them in unique ways. I have learned a lot from him as a parent.

To just qualify Serge as a "nice" person would not do him justice. He is an exceptional father who is very attentive to his daughters. I have never seen him be anything but a loving family man, dedicated to providing a nice life for his children.

The past months since his arrest in the summer of 2009 have been really terrible for Serge. To go through the public humiliation, with people associating his name with whatever the media chose to write about, certainly had a tremendous impact on him. He has had a lot of trouble finding work to provide for his family and I am very concerned about his state. No one would wish what Serge had to go through on anyone!

I understand that he is being accused of committing an unlawful act of downloading proprietary information and the severe repercussions that have taken place as a result of his actions. However, in sentencing him, please remember that he is an outstanding father to his three little girls who need him very much and who will suffer tremendously if he is taken away from them. The separation and imprisonment of their father may subject them to ridicule in school and may impact them later in life. Lack of his support and involvement in their life is undeniably going to be detrimental to their development and self-esteem. Separation from a father who is very close to his daughters will undoubtedly leave its mark on their innocent lives. Three little girls need their father very much – please consider that as you make your sentencing decision. Your sentence for Serge will not just affect him, but have a lasting effect on his daughters and all those around him!

Respectfully yours,



Julia Eisenberg

From:

Marina Evenstein,

Stamford, CT

Dear Judge Cote:

Me and my family had a pleasure of knowing Serge Aleynikov for several years now since 2007. We have been friends as members of a Russian community and parents of kids of approximately the same age. Serge Aleynikov has been a great father to his daughters and a very generous decent human being.

We have participated in many kids camps, birthdays and other activities where Serge used to volunteer to have kids classes in astronomy, math, chess and other areas of interest. The kids really loved him as his calm and patient demeanors are invaluable.

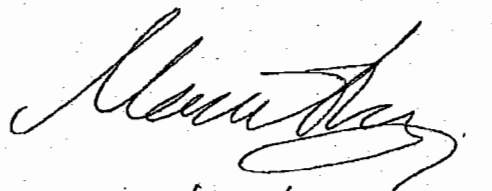
On March 13, 2010 we got into a car accident along I-80 on the way to Serge and Elina's house. Our car was taken away by tow truck, and we needed help since we were still on the highway and it was raining like cats and dogs. We asked Serge for help and he came right away to pick us up and tried to make us feel taken care of and safe. He was caring, kind and attentive

Serge came to the United States a long time ago and had to work very hard to get an education and earn a living. He built a successful career, and he built a family and raised his daughters to the best of his abilities. He is a hardworking, smart and intelligent person with a good heart and morale. He often put long hours and a lot of effort into his job. He is very intelligent and smart person. Although I don't know him professionally I've talked to a lot of people who know him from his professional side and everyone is highly impressed with his skills and abilities.

Ever since his arrest in July 2009 he and his family was put through the public humiliation. Since then he was unable to earn a living and to support his family and daughters as he was previously used to. Some media portrayed him as a spy and a villain. This is absolutely not the way I see Serge Aleynikov. Yes, the theft of trade secret is a crime. But is jail sentence so necessary? He could contribute to this society greatly by working and producing software instead of being incarcerated. Jail sentence will be a horrific thing for his daughters and him. He is very devoted and caring father and his three little daughters benefit greatly from his presence in their lives. There are a lot of broken families and kids living without fathers already. Please do not let this happen.

Respectfully yours,

Marina Evenstein, Serge's friend.



2/28/2011

January 29, 2011

**Honorable Denise L. Cote, U.S.D.J.**

United States District Court

Daniel Patrick Moynihan U.S. Courthouse

500 Pearl Street, Courtroom 11B

New York, NY 10007-1312

Dear Judge Cote:

I am writing to you on behalf of Serge Aleynikov. I have known Serge for close to 10 years. He was a technical peer of mine in a different development organization, working on complex software systems that my division would ultimately use. In later years, he architected another system that my people would need to use.

Serge has always been the kind of technician that everyone wanted to work with. He is a true "geek" in the most positive of meanings. He loves technology and putting technology to use in ways that can help the business. Despite his accent, he can communicate on various levels through an organization.

I and everyone that worked for me knew that Serge could be counted on as a colleague and more important, as a friend. He would always be available to help, went to great lengths to understand what had to be done, and would give an honest assessment of what it would take to accomplish.

Serge frequently used and contributed to the open source community, a community that has since matured and become the foundation of numerous mission critical computer systems worldwide. Serge and I had a professional difference here, but in hindsight, he was correct. Open Source is something to be embraced, not feared.

Serge is a kind and good person. Perhaps his main fault could be naivete, as he would never see the "bad" in anyone, or see that contributing to open source could be taken out of context. I know the jury convicted him of copying Goldman Sachs's source code when he was leaving the firm. I don't question the jury. Obviously Serge made a foolish mistake and did something he absolutely did not have to do to succeed. I know he is very sorry for his mistake, and he has suffered greatly as a result of it.

In whatever decision you make, I urge you to be lenient. He is **not** one of the bad guys.

Respectfully,



Michael Iacovelli

Former SVP, Engineering & Operations, IDT Corporation

**To:** Honorable Denise L. Cote, U.S.D.J.  
United States District Court  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, Courtroom 11B  
New York, NY 10007-1312

**From:** Elaine and Vladimir Itkin  
[REDACTED]  
Fair Lawn, NJ [REDACTED]

**Subject:** Support for Sergey Aleynikov

Dear Judge Cote:

Our family came to know Serge about 4 years ago when we joined the email Yahoo! Group called 'RussianParents'. We started interacting on the subjects of raising kids, challenges, and activities for kids. Our email group interactions grew into our families becoming good friends and our kids running towards each other with laughter. Since our initial interaction, our families were meeting for family events, birthday parties, science experiments, chess tournaments, home style musical concerts, New Years, and other events on a monthly basis.

Over the years of close interactions with Serge, I was able to learn about him both from the perspective of what his friends and family thought of him and from my personal point of view. Everything that Serge has achieved was not just luck but through hard work and sweat. His career started with studying by day and working different jobs at night – from what I can recall both full time. Step by step, Serge was working and studying and advancing himself to be able to establish his career.

I have not observed Serge at work. However, I had seen him working tirelessly during weekends and late nights from home. He also talked passionately about his work, the industry and the markets. When he freed up from his day job, this is the person I have seen: friendly, warm, dedicated, honest, family oriented – he spent all his free time with his girls and his family. He is trustworthy, strong, intelligent, educated, understanding, compassionate, but most importantly a person with a deep soul. I even checked and questioned myself many times since I had always thought that this particular characteristic in people is slowly disappearing now maybe partly because people don't have enough time to really learn about others or because our society is rushing us to reach other important 'heights'. But every time I returned to Serge's home, every interaction and conversation proved the same – this person has a special gold soul. Simple examples were seen the way he respected and treated his kids' nanny who worked in their house. He offered her the seat at the family table and the food before anyone else. During big family gatherings, he would check up on the nanny to see if she is tired and need a rest in addition to his close involvement with the kids. He is the type of a person who never did and wouldn't do anything to others that he didn't want done to himself.

One example of his kindness, care, attention, and his great approach to kids has really stuck in my mind. It was time when my then 3 year old daughter got lots of small wooden splinters in

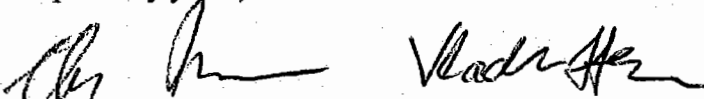
her hand. She was crying and since there were lots of tiny pieces, we thought we should rush to the pediatrician or to the Emergency Room. Serge said not to worry and came back in a couple of minutes with all the equipment at hand to remove them. He calmed down our daughter who was crying her lungs out, got all the splinters out and taught us how to do it in the future. The next time our daughter got a splinter, she ran to him and insisted that only Serge could remove it for her.

Before the events of Serge's arrest, you could say that he was living the American Dream. His whole case had a disastrous effect on him and his family. When his wife called me to share his arrest with me, I was absolutely stunned. This was the last thing I'd expect to happen to him.

Through the course of this case, I have seen the destruction of Serge and his family. He appears very strong but the emotional and the professional devastation can't be hidden. The family was worried about the girls entering school and being picked on. His wife was desperate in trying to take care of the kids and finding a job on her own. Serge had spent weeks and months in futile attempts trying to re-establish himself in the new career path. He knocked on all the doors and he searched for new opportunities only to find out dead walls in front of him. His inability to support and provide for the family have left him feeling miserable since supporting his family is what he has always done.

Even though we know Serge was convicted of taking Goldman Sach's trade secrets, the Itkin family has fully supported and will continue to support Serge and his family. Serge and his family have already survived and suffered a tremendous number of punishments. We ask you to please be merciful when you pass judgment on him.

Respectfully yours,

The image shows two handwritten signatures in black ink. The first signature on the left is a cursive signature that appears to be 'Elaine Itkin'. The second signature on the right is a more stylized cursive signature that appears to be 'Vladimir Itkin'.

Elaine Itkin and Vladimir Itkin



Honorable Denise L. Cote, U.S.D.J. United States District Court  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, Courtroom 11B New York, NY 10007-1312

From Maria Leder

████████████████████  
Brooklyn NY ██████████

Dear Judge Cote,

I am writing to you regarding the sentencing of Sergey Aleynikov.

First of all, I should say that I was present at the court room during his trial at several occasions and was impressed by a level of general knowledge (which gradually transfers to wisdom, I think) a judge has to possess in order to make decisions that would most probably affect the rest of defendants' lives. So I want to acknowledge you for that; thank you for being ready and willing to make those decisions, not many people would.

This being said, I want to turn to the case of Mr. Aleynikov. I have been the friend of his family for 5 years. We met through the social network of Russian-speaking parents raising kids in the US that my husband started when our son was born 7 years ago.

As one of the events inside this social network, Serge and his wife invited us for a New Year's celebration with kids, where Santa Claus (played by my husband) was bringing presents to little kids and playing games with them. I remember how generous and welcoming Serge and Elina were and how happy the kids looked. On several occasions I have also visited their residence when they organized and held musical concerts for community members. Their generosity in hosting those events allowed musicians to be acknowledged for their passion.

I always refer to Sergey as a human being I want my children to grow like. Always impeccable in the way he dresses and composes himself, always patient with kids no matter how out of hand the situation is, always a stand for his loved ones, always interesting to talk to and deeply knowledgeable in his area of expertise.

Last summer Sergey came to my summer cabin with his daughters, and I could observe him as a dad - he brought bags full of produce and was cooking for his girls, preparing salads and making sure they eat nutritious food. He would go to the woods with his daughters and my son and tell them about how plants grow, and make carved figures out of wood, and pick berries.

I organize summer camps for kids where friends of family come camping for about a week, and parents serve as teachers for kids, having outdoor classes in math, biology, art, sports and other activities. One summer Sergey was a math teacher in our camp, and it was amazing to watch him teach - he had not only kids, but adults totally spellbound by interesting quizzes and math puzzles he prepared for his outdoor camping classes.

Then everything changed. Either because Sergey was not being able to work and provide for his family while being under the investigation, or due to some other reasons, but his wife left him. She took his three daughters and moved to her parents. He was bewildered by what happened and even asked me weather I heard anything from her that would explain this decision that was not previously discussed.

Now kids get to visit him once or twice a week. Sergey loves those days and puts aside everything else in order to be fully present and engaged in their games and time they spend together. I am sure now those rare hours are much more precious to him.

His daughters were over at Sergey's residence yesterday, February 6th. It was Sergey's birthday, and me and my family also came to celebrate. Kids played together, and Sergey organized a science club for them with various games and experiments that included making lemonade, then he played guitar and kids sang and danced. Kids were so excited and had such a good time together that girls made it back to their mom a bit later. Even though Sergey called in advance to let his wife know they were running late, nevertheless when he dropped the girls by her house, he got to be called "bastard" in front of his three daughters on his birthday.

Currently his wife is proposing a last name change for their daughters "to save her daughters the embarrassment of being associated with him".

Now he has his reputation destroyed by media. The family he believed in and loved is now ruined, and his daughters are manipulated against him. He is selling his house to pay off his debts.

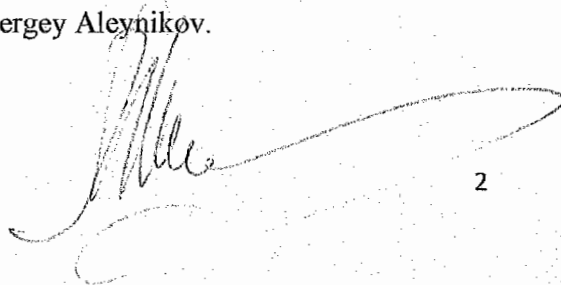
And, I am asking myself, weather whatever this person did, with him being already punished for it in all those ways, how much more does one deserve to be punished?

Dear Judge Cote, I ask you very much to consider this letter when making your final decision.

Respectfully yours,

Maria Leder,

Friend of Sergey Aleynikov.

A handwritten signature in cursive script, appearing to read 'M Leder', with a long, sweeping horizontal flourish extending to the right.



February 6th, 2011. Sergey organized a science club for kids with various games and experiments.

**To:** Honorable Denise L. Cote, U.S.D.J.  
United States District Court  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, Courtroom 11B  
New York, NY 10007-1312

**From:** Tatyana and Yevgeniy Levin  
[REDACTED]  
Scotch Plains, NJ [REDACTED]

**Regarding:** A letter of support on behalf of Sergey Aleynikov

Dear Judge Cote:

We came to know Serge and his family through our mutual friends a couple of year ago when we met at a birthday party. Serge's kindness, open personality and sincere smile made us feel at ease with him.

We have several mutual friends with Serge and his family and have spent time with his family several times during kids' birthday parties. By talking to Serge, we understood that he had a very demanding job. He has made an impression on us as a very hard-working person, being very enthusiastic and proud about his job. At the same time, we always saw him joining his wife and his daughters at children's events. Serge participated in activities with them and has been a wonderful father. When visiting Serge's house, we were also amazed by his intellectual ability when he played chess with 2 people at the same time and kept winning.

Serge has three wonderful daughters, and whenever we saw him, he was a gentle and loving father, always dedicated to family. I remember when one of his daughters got upset, he gently picked her up and held her in his hands until she came down.

When we learned about Serge's prosecution in the news – accusation of the theft of trade secrets and interstate transportation of stolen property - we just could not believe it. It was a shock, as it could not fit with our impression of Serge's character. We felt pain for Serge and his family – wife Elina, daughters D [REDACTED] V [REDACTED] A [REDACTED] his mother – about all the publicity and shame that they must have experienced at that time and for the year and a half since the accusation. We immediately called Serge and his wife to offer our support.

We could not believe how much negative publicity Serge and his family have endured. Although, he continued to hold his composure, we could see how this stress affected his daily life. Serge has been without a job since July 2008, which has been a tremendous financial hardship for him and his family, who just bought a new house at that time and

had a newborn daughter A [REDACTED] They could not afford health insurance for their young daughters, could not afford babysitter's help.

In spite of his outward calmness, it also became apparent to us that deep inside Serge felt depressed and devastated because of his inability to work due to this prosecution. To him, this has been the greatest punishment.

We know the jury found that Serge took computer lines that belong to Goldman Sachs. This is not typical behavior for him. We continue to support Serge, despite his conviction, as we believe in his integrity and honesty. Serge and his family have had tremendous amount of suffering. We respectfully say it would be unjust to punish Serge still further by putting him in prison.

Please take our letter into consideration when deciding on Serge's fate and the fate of his three daughters.

Respectfully,

*Tatyana Levin*

*Yevgeniy Levin*

Tatyana and Yevgeniy Levin

Alexey Lipatov

Eagle Bridge, NY

February 18, 2011

Honorable Denise L. Cote, U.S.D.J.  
United States District Court  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, Courtroom 11B  
New York, NY 10007-1312

Dear Judge Cote:

I came to know Sergey Aleynikov in 1985 when we ended up in the same class in high school in Moscow. I cannot tell that we were close friends at the time, but we definitely were on friendly terms. I remember Sergey as a popular kid, well-liked by fellow students and teachers. The best word I can find to describe him at the time is "wholesome". Sergey and I participated in some extra-curricular activities, I have some fond memories of being in a comedy musical performance with him, and our winter sledding party in 1986.

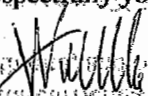
Then, some 20+ years later, I met Sergey again, through a Russian social networking site. We started exchanging e-mails, and in December 2007 Sergey invited us to a children's Christmas party at his house. There were so many people at that party! I told myself at the time "Wow, how many friends he has!". There was a moment I would like to tell you about - Santa was invited, and parents were expected to bring a toy, which the Santa would then give out to their children, but we didn't know about this and didn't bring any toy for our son. Sergey and his wife did not want our child to be upset and disappointed, so they arranged for Santa to give one of their new toys to our son. I was very touched by this small gesture.

I also remember very well their hospitality and invitation to stay at their place whenever we needed if we passed through the area.

When I had learned about Sergey's arrest in July 2009, I was in shock. My knowledge about the facts of the case comes only from the media. While I do not question the jury's verdict, I will tell you this is so much out of character for Sergey.

It also fills me with great sadness to think what effect his possible incarceration would have on his family, as he has three little daughters. I would plead with you to consider this when sentencing him, as it is not only him who will be punished, but these children as well.

Respectfully yours,

  
Alexey Lipatov

Honorable Denise L. Cote, U.S.D.J.  
United States District Court  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, Courtroom 11B  
New York, NY 10007-1312

Dear Judge Cote,

I am writing to you on behalf of my long time friend and colleague Sergey Aleynikov. I first met Serge in September 2001, when we worked together with IDT Corporation in Newark, New Jersey. It was there that we collaborated on several important information technology projects, including some cutting edge telecom switching applications. I was impressed by Sergey with his brilliant intellect, soft spoken manner, and cheerful approach to life. We became friends, and my entire family was honored to attend his wedding, where we watched Serge and his lovely bride take their vows and dance like professional dancers. I learned then that dancing was one of Serge's great passions, along with a love of science and computer engineering. In 2005 my family and I relocated to California, where I continue to work as a technical consultant.

Sergey and I kept in touch during the past few years, sharing family pictures (Serge's new daughters), birth announcements, news about our family milestones, the joys of fatherhood, and future dreams. Sergey is a thoughtful and caring friend and has always shown a sincere interest in me and my family over these past 9 years. Besides sending each other greetings and sharing milestones in our family's lives, he has always given me career advice and contacted me about new opportunities and discoveries in the technical engineering field. I have always looked up to Sergey because of his impressive intellect combined with a humble attitude.

Serge and I spent many late nights working together in the IDT office. During our breaks we frequently discussed our personal philosophies of life and shared how we felt blessed to have found the wonderful women in our lives and experienced the challenges and blessings of fatherhood. Serge expressed heartfelt beliefs to me about doing the best work he could in order to benefit his employer and setting a

good moral example for others. I considered Sergey a man of his word and included him in my professional circle of trust.

When I first learned of Sergey's legal problems I was stunned. I couldn't imagine how he could have become involved in anything illegal. Surely, I thought, this must be a mistake. Now that the jury has spoken, I respect its verdict. I accept that my friend made a poor judgment by copying Goldman Sachs's computer code as he prepared to leave there for a new job. But as someone who knows the real Sergey Aleynikov, I am certain this one misstep does not begin to tell the story of this truly decent, good man. And I can tell your Honor, even knowing and accepting the facts found by the jury, I continue to trust and revere Sergey. We all make mistakes, and he made a big one. That makes me sad, but it does not change my view of him. Sergey Aleynikov was a good man before he made this foolish choice, and he is a good man today.

I was sad to see the impact this has had on Sergey's life. Although he put a good face on it, I knew how painful it was for him to share the news of his arrest and indictment. He was humiliated and in great emotional pain. His marriage deteriorated, he lost his sparkle and cheery attitude and he became subdued and downcast. Now his wife has abandoned him, he is on house arrest, and he sees his children only at scheduled times. He cannot find a steady job and he has been forced to sell his home.

Despite all of these consequences of his mistake, Sergey has continued to express hope that things will work out for the best. Despite recent hard times this positive attitude and hope for the best is typical of Sergey during our time together in New Jersey and it gives me hope that he will keep his life together, no matter what. My impression is that he is terrified about losing the close relationship he has with his three little daughters more than anything else. His relationship with them is clearly the most important thing in his life, and always has been.

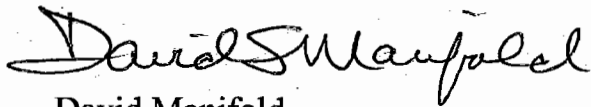
During the time we worked together at IDT, Sergey spent his time helping me to understand and overcome some pretty tough programming challenges. I was really impressed by his kindness and lack of ego; in my opinion he is a programming genius, and a thought leader. He was able to develop technical solutions to some really difficult business challenges. I know IDT benefited greatly from his work,



not to mention the mentoring and encouragement he gave to the entire development team. I was better off personally and professionally from knowing Sergey.

I am a regular guy with a family and only a few close friends, and Sergey is one of those friends, and will remain so despite the outcome of this trial. Please consider how much his life has already been turned upside down by his mistake. In sentencing Sergey Aleynikov, please be merciful as you are just.

Respectfully Yours,

A handwritten signature in black ink that reads "David Manifold". The signature is written in a cursive style with a large, sweeping initial "D".

David Manifold

Honorable Denise L. Cote, U.S.D.J.  
United States District Court  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, Courtroom 11B  
New York, NY 10007-1312

February 13, 2011

Dear Judge Cote,

Sergey Aleynikov came to the United States at the age of 20, in 1990. He wanted to pursue a career of a computer scientist. I still keep his letters and audio recording tapes that he narrated for us and mailed to Russia, telling us about difficulties he had to overcome while working his hard way to a successful carrier. In four months after coming to America he managed to get a job as a computer operator in a medical center, and was spending lots of extra time to master English language. He got admitted to Rutgers, where he successfully earned a Bachelor's Degree with High Honors and later his Masters in Biomedical Engineering focusing his research on medical applications of Neural Networks.

He's always been helping and consulting people on computer-related problems who frequently approached him with questions. Between 2007 and 2009 he worked at Goldman Sachs. He really enjoyed that work, and people at that company, shared with them many aspects of his personal life, and made some friends.

He visited us in Moscow during his vacation almost every year. When coming to Moscow, he would always visit his former high school to see his old teachers who he respected very much. In 2006 my husband (his uncle) was ill with cancer and Serge came to Moscow to help me take care of him. Similarly he wanted to come to Moscow in 2009 to help his mother take care of her husband – his step-father but couldn't get permission due to a post-arrest travel restriction and only managed to get permission when his step-father passed away. He was very sad that he was unable to come and personally farewell his step-father, but was providing great moral help to his mother during this difficult time. His step-father's condition was

quite stable before Serge's arrest, but shortly after July 2009, the cancer started progressing. His mother also got sick under the stress of his arrest and indictment and went through two surgeries. Serge was a single child raised by his mother (my sister), myself and my husband – we couldn't have children and raised him like a son.

Serge has seasonal and food allergies, and in order to have a better control his health condition, he became vegetarian since 1992.

In the early part of 2009 he had a rather difficult period – raising three little girls 6 and 4 y/o, and one infant, construction of a new house, late work hours, lots of overtime work from home and on weekends – I understand that all of this led to his losing control over confidential boundaries of information that he is accused of stealing. Though I accept the fact that jury found him guilty, by knowing him as a son, and father of his kids, I am absolutely sure that whatever it is he did he didn't need any of that information in order to succeed at his new job – he demonstrated in school and at every place of employment his unique abilities to solve challenging problems on his own, and he's been raised as an honest man open to helping others.

Dear Judge Cote, his mother and I are elderly people, who need his care and support, as well as his young daughters, who would suffer irreparable harm if Serge is incarcerated. Serge has suffered beyond any imaginable limits from the negative publicity and inability to find full-time work despite his excellent qualification. He's gone through a great deal of humiliation, and it would be unjust to punish him even more. Please be merciful in deciding his fate!

Respectfully yours,

Tatyana M. Nakaryakova (Serge's aunt, born 1940)

██████████ Moscow, Russia ██████████



Handwritten signature: *Tatyana M. Nakaryakova* (Russian: *Татьяна М. Накарякова*)

Honorable Denise L. Cote, U.S.D.J.  
United States District Court  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, Courtroom 11B  
New York, NY 10007-1312

February 21, 2011

Dear Judge Cote,

I am writing to you in hope of offering you a glimpse of Sergey Aleynikov as person, as I have had the great pleasure of knowing him as a nephew. I have known him since he was a little boy and proud of the man, son, and father he has grown to become.

Serge grew up surrounded by love and kindness from his family and others around him. It is this upbringing that molded him into the kind, caring person he is today. I remember asking him on one of his trips to Russia visit his family, what I would need for my immigration to USA, and was surprised that all you need is a desire to learn and grow professionally. Having come here with nothing but a desire to better himself and the world around him, he has succeeded in living the American dream and becoming a pioneer of new technology in his field.

In addition to his creative abilities, he has an amazing ability to bring warmth and comfort to his family, both a husband, and as a loving father. I remember when visited his home a few years ago. He had just returned from work and looked very pale and tired. As his daughters ran up to hug him, I saw his face change. As he picked them up, his face lit up with joy and his exhaustion seemed to melt away. From what I've seen of their time together, his daughters are as much a vital part of his life as he is of theirs.

I was at many of his daughter's birthdays, and each time I saw the care and attention he took in planning and creating a day they would always cherish. The last time I was at his house was several weeks ago when his two youngest daughters came for a visit. I was amazed at how much they idolized him. I watched as he played tennis with a foam ball in the living room with V■■ and marveled at their levity as he helped with her serve. It was as though everything in their lives outside of that moment didn't matter and they were a normal family. When he told them that their time was up for the day, I could see the sadness build in their faces as they got ready for the car ride back to their mother's house.

The melancholy brought on by a simple car ride is nothing compared to the heartache that I and the rest of Sergey's family and friends will face if he is not in our lives. If this is the burden we face it pales in comparison to the one he has lived through. After he was accused, Sergey's life took tailspin for the worst. His wife left him and is currently filing for divorce. His stepfather, who fought with cancer for several years, began to deteriorate and passed away after he learned of his son's plight. He bore witness as all the hard work he did to provide for him family and any future hopes of a career were destroyed. He has been publicly humiliated both in the United States and back home in Russia. I do not dispute what Sergey did, I merely request that you see that he has already been punished so severely for his actions as you pass your judgment upon him.

Respectfully,

Lyudmila Nesis

Lina Podles, MLS

[REDACTED]  
Fair Lawn, NJ [REDACTED]

Honorable Denise L. Cote, U.S.D.J.  
United States District Court  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, Courtroom 11B  
New York, NY 10007-1312

February 15, 2011

Dear Judge Cote,

I am writing you this letter with a hope that you will find it in your heart to read it, because I truly believe that it will help you get to know my dear friend, Sergey Aleynikov, the way I know him, and to see him through my eyes. I am writing to you as a friend, a mother, a grandmother, a former teacher and a librarian.

I know Sergey since he was 20 years old. I first met him through my husband, who invited Sergey to our home after attended together an ESL class. Sergey was in this country alone and we extended him our friendship. We frequently welcomed him to our small family gatherings and conversed endlessly about our future life in this new country, reminiscing of the life we left behind, and dreaming of a new start. We collectively desired to find a strong fit with the new culture and to live an honorable life.

I want to tell you that both my husband and I were highly impressed with young Sergey. Very often, when people are taken out of their familiar environment and are faced with adversities, they turn to find someone to blame for their misfortunes. They may complain, or moreover, share their misery with the entire world. In the face of such challenge and with no family support, Sergey never once complained. We were fully surprised to find a good natured, determined young man who always took responsibility for his actions and never shifted any blame on to others. He never looked for anyone to either take responsibility or blame for lack of whatever others might have had for granted. He had rather showed a great degree of good judgment and willingness to work hard and to be responsible for himself. Sergey found a job, and then went to continue his studies in computer science. He worked to support himself and studied simultaneously. This was to become his lifestyle for many years. He then received his BS degree and then proceeded to advanced studies.

I should tell you that computers have always been his great passion. He had spent hours studying, finding out more about his field, and constantly self-educating himself, taking it far beyond any formal studies. I remember him and my husband spending many hours, in person, and over the phone, learning, discussing current trends in computer programming, computer languages, and general best practices. The Sergey that I know has always been very gracious about his knowledge and skills, sharing his experience and also never hesitating to help anyone who would ask him, whether it was in professional setting or just purely in simple "life-situational" needs. There were many times when we turned to him for assistance. Sergey had been in our house helping my husband fix a hot water faucet (back when we only had one bath in the entire house). He was also the one we called when our tire burst in the middle of the road. His answer was always "I will be there right away."

I had the privilege to see Sergey grow-up and was present at all of his graduations, his wedding, his children's birthdays and I had always admired his kindness, his patience and good nature. Sergey is a very good father. He is very close with his daughters. I am horrified to even think of the devastation these children will feel if their father is not able to see them or to spend time with them on regular basis.

You might already know that Sergey is separated from his wife and I believe this is the price he paid as a result of all the negative publicity, humiliation and financial misfortunes this case has brought on to the family. Sergey has lost his job, ruined his career, and now faces separation from his daughters and his own mother, who just recently lost her husband to cancer. I hope you find it in your heart to take all these facts into consideration when you are deciding his fate.

If he is incarcerated, he will leave behind three little girls who are not even old enough to be explained why their father, who is such an integral part of their life, has suddenly left them behind. This will also leave Sergey's mother, who has just struggled with her own husband's battle with cancer in parallel with the public humiliation brought on by Sergey's case. In a very short period of time her husband died, and now she will be left completely alone. I believe I know Sergey well enough. The law has judged him differently and we all have to respect that. I can only plead for your understanding and compassion. I hope that you can take into consideration Sergey's good character qualities, his family circumstances and the high price he has already paid with what is most dear to his heart - his family, his good name, and considerable financial misfortunes that has now infected his daily life. Indeed he has paid a high price for his mistakes.

Thank you for reading my letter.

Respectfully,



Lina Podles

Igor Portnoy

██████████  
East Brunswick, New Jersey ██████████

February 9, 2011

Honorable Denise L. Cote, U.S.D.J.  
United States District Court  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, Courtroom 11B  
New York, NY 10007-1312

Dear Judge Cote:

I have known Serge Aleynikov both as a colleague and as a fellow member of a parenting group. I have interacted with Serge regularly from 2007, when Serge joined Goldman Sachs, where I was working at the time, until February 2009, when I left the firm.

Your Honor, I will describe Serge Aleynikov as I know him. I hope that you consider this reference in your sentencing decision.

One exceptional quality that I observed in Serge is unlimited enthusiasm and trust towards everyone. He automatically assumes good intentions of all the people he interacts with. He expects everybody else to assume the same about him. This optimistic attitude seems naïve at times in the hyper-competitive environment of a Wall Street firm. Yet, this quality was essential when Serge was introducing new ideas for the success of the firm.

For example, when Serge started at Goldman Sachs, he encountered a difficult situation. Some of the developers of the trading system that Serge was to support were not around; others showed no interest in the work. Serge took on the challenge; he discovered and worked with the better side of the people involved. Not only did he perform outstanding work, but he also revived interest and promoted innovation in this area of the system. He educated colleagues on the latest developments in the field. He spent his lunch time teaching us a new open source programming language. Serge's efforts overcame stumbling points in his immediate projects. His contribution was beneficial to the wider team, who was grateful for Serge's enthusiasm.

Serge is driven by a desire to make things right. I could agree or disagree on technological elements proposed by Serge, but I have never observed a fault in his intention. He challenged the techniques we used. He taught us latest programming developments. In every such case Serge presented a way to do something better, outperforming competition in an honest, fair manner.

Honorable Denise L. Cote, U.S.D.J.

February 9, 2011

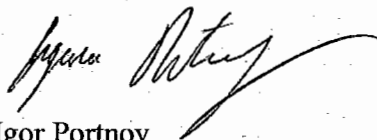
Page 2

I would like to turn your attention to another quality of Serge: openness. Serge shared with his co-workers a great deal of his personal thoughts and life experiences: his happiness about his daughters, his experience in selling a house, his latest dancing performance. This openness probably increased the harm brought on him and his family by all the accusations and nasty publicity about his case. Yet, this openness is important in understanding that one of Serge's overpowering qualities is inherent honesty.

Serge is a caring father, proud of his daughters and dedicated to their happiness and well-being. The impact of this case on Serge and his family to this day is already a substantial punishment. Your Honor, please consider that any time of Serge's imprisonment will have a devastating effect on his daughters, all of whom are at a very tender age.

I kindly ask Your Honor to focus on the good side of Serge Aleynikov, to consider the hardships he has already endured in this case, and to show leniency in determining a sentence for Mr. Aleynikov.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Igor Portnoy", with a long, sweeping flourish extending to the right.

Igor Portnoy



Honorable Denise L. Cote, U.S.D.J.  
United States District Court  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, Courtroom 11B  
New York, NY 10007-1312

Dear Judge Cote:

I write this letter of support on behalf of Sergey Aleynikov, who I understand has been convicted of theft of trade secrets and interstate transportation of stolen property by downloading source code for portions of Goldman Sachs's high-frequency trading system to a foreign server. The purpose of this letter is to share my personal knowledge of him and with hope that your Honor will consider his personal qualities and his dramatic circumstances when making the sentencing decision.

I first met Sergey in 1987 in Soviet Union, where we attended the Moscow Institute of Railway Transport Engineers together. The way higher education was structured there at the time was different from the system in the US: Sergey and I would attend school every day of the week, going to same classes at the same time, participating in the same social activities, and even going to the same obligatory summer work practice – helping local farmers pick potatoes. In other words, we studied, worked and in some instances even lived under the same roof from the moment we met until Sergey immigrated to the United States. During these years we became close friends, met each other's parents and family and became involved in each other's lives. Sergey immigrated to the US a couple of years before myself, but we managed to stay in close contact until this day. Last time I saw Sergey in November 2010 when I visited him at his home in New Jersey.

Knowing Sergey for such a long time puts me in a position of being a decent judge of his character. I think Sergey is one of the most responsible and caring people I met. Sergey has always been an example for me, putting the needs of those close to him first, being strong for them and carrying the weight with dignity, making it look like there is no effort on his part. He lives for his daughters. Your Honor, please, consider what their fate would be if Sergey were to be incarcerated. Right now he is providing for them financially -despite of the difficulties with employment in his current circumstance - as well as supporting them emotionally and spiritually. He spends a lot of time with them, giving them his guidance through this difficult time of criminal trial and divorce with patience, and grace, and understanding. Sergey supports his mother, who lost her husband recently. After he was arrested, despite of the difficult situation with the case, Sergey managed to travel to Russia to help his mother attending to her dying husband. Sergey demonstrated, once again, how strong his character is, how much his family means to him and what his priorities in life are.

The accusation has practically ruined Sergey's life, both personally and professionally. His wife left him as a result of financial devastation at the same time as his criminal charges case was in progress. His reputation was damaged and his future is uncertain, therefore, he is unable to get a proper job according to his qualifications. It is also uncertain whether he will ever be able to recover.

Sergey always cared about his friends, as well. I remember how passionate he was about my friend and I smoking as teenagers. He would always do everything in his power to prevent us from harming our health. It was silly at times and his behavior really irritated us, two teenaged girls, being lectured every time he would see us smoking. He would even hide our cigarettes, and we really hated him for that at times, but he had our interest first – before his image of a potentially un-cool boy. There were other numerous episodes when Sergey offered his help, guidance and advise to my friends and me and every time he would act from his heart, with honesty and sincerity that are so characteristic of him.

I hope your Honor finds it possible to avoid a harsh sentence for Mr. Aleynikov and give him a lesser punishment, since he has been punished enough for his wrongdoing by the family drama, professional ruin and bad publicity.

Respectfully yours,

Marina Ratina

A handwritten signature in black ink, appearing to read 'Marina Ratina', written over a horizontal line.

Honorable Denise L. Cote, U.S.D.J.  
United States District Court  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, Courtroom 11B  
New York, NY 10007-1312

Dear Judge Cote:

I met Sergey Aleynikov for the first time about 8 years ago completely by chance when my wife and I were invited to his wife's birthday party. There is a proverb saying "First impressions are the most lasting", which was completely true about my experience with Serge. I met a nice looking, smiling, friendly person with a good sense of humor, who was well-read and had a wide experience and knowledge in many areas, starting from philosophical topics of ancient civilizations and finishing with modern technical equipment and ideas. Since I also work in the computer programming area, I was able to appraise his knowledge in this regard and found him very advanced in his professional field – an observation proven true when he was hired by Goldman Sachs. Soon after the first time we met, I considered Serge a friend that I can rely on. Later on, beside his intellectual and educational values, I discovered many of his talents in several sports such as tennis, biking, skiing and many others.

I never happened to work with Serge professionally, but have some first-hand experience working with him in a different area. It was related to a rather funny story of assembling a children play ground on the back yard of his house. It was a sizeable, heavy construction without clear instructions from the manufacturer, which presented a big puzzle with weighty parts. It took prolong time, exhaustive logic practice, patience and a good laugh before the job was done. The funny part is that not that long after successful accomplishment of the first mission, Sergey and his wife bought another house and same "soldiers" were invited to disassemble, move and put back together the heaviest (after Egypt's pyramids, of course) puzzle in the world.

I also got to know Sergey as a patient father loving his daughters. Serge is a very thorough, careful and kind father willing to spend (and actually spending) his time with kids. Since my daughter and his oldest child are close in age, we spent some family time together on multiple occasions where I got to know Serge better in this role. Having good construction building skills, Serge personally built a play room for his daughters in his previous house; it was later filled with great amount of educational and developing games and materials. It is a normal occurrence to see one of his kids hanging on him for extensive time while he is home. He spent lots of time with his daughters educating them and teaching them different sports. In my opinion Sergey and his daughters are much attached and close to each other.

After the indictment in July 2009, Sergey went through a series of dramatic events starting from indictment itself and ending with the inability to find any job in his field due to ongoing litigation. These difficult events pushed Sergey to the edge morally and financially and caused the vanishing of his iconic smile from his face. However, despite all the drama, he is still a loving father and works hard to spend all possible time with his daughters without compromising the quality of their relations. I am sure that if Sergey went to prison it would make a huge impact on his three daughters leaving a dramatic effect on their minds. I know the jury found Sergey took computer code lines from Goldman Sachs. That behavior was very unusual for the man I know. When you give his sentence, please remember all the good he has done to balance out this mistake. Imprisoning him will put away a good friend, a decent person and a loving father. Ironically, all the events that he already went through were already a big punishment themselves even before the official jury's decision in his case. My firm opinion is that locking him away will not do any good and prevent all possible positive influence from him to his family, friends and society. However, letting him try to put his life back together instead of imprisoning will not do harm to anyone.

Thank you for considering this letter.

Respectfully,  
Stas Rirak

February 12, 2011

A handwritten signature in black ink, appearing to read 'Stas Rirak', written in a cursive style.

Honorable Denise L. Cote, U.S.D.J.  
United States District Court  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, Courtroom 11B,  
New York, NY 10007-1312

Re: Sergey Aleynikov

Date:02/15/2011

Dear Judge Cote,

My name is Elena Shats, I'm a U. S. citizen that immigrated from the former U.S.S.R in 1992, currently residing with my family in Staten Island, NY, my occupation: Sr. Application Developer with the McGraw-Hill Companies.

I'm writing this letter to speak to you on behalf of my friend, Sergey Aleynikov, who is scheduled to be sentenced on March 2011. I had become acquainted with Sergey in 2001 through the Russian community where we became friends. Unfortunately we were separated through circumstance and were not in contact for many years, and met again only last year, thanks to the professional network, where I learned that Sergey has been convicted of a serious offense. I would like to support Sergey, because I believe him to be a decent, honorable, hard working, and family oriented person who deserves freedom.

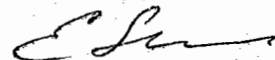
Sergey made a mistake, and he has already been punished severely, from being a respectful citizen and high-end professional to losing his job/reputation and being placed under home arrest. I truly believe that he learned a lot, and deserves a second chance. Serge is a loyal citizen and devoted father of 3 young girls, who need his guidance through their lives. I had talked to Serge in regards to his kids, and learned how much he loves, and cares for them, and participates in their lives. He has a great relationship and a deep connection with his kids. His daughters are very young and his role, as a beloved parent, and mentor is very important in this stage of their lives. As a parent of 2 kids I truly believe in a full family, and cannot underestimate a Father role, especially when the father is as involved as Sergey. Even the National Center for Health Statistics shares my point of view: "Fatherless children are at a dramatically greater risk of drug and alcohol abuse, mental illness, suicide, poor educational performance, teen pregnancy, and criminality. **Source:** U.S. Department of Health and Human Services, National Center for Health Statistics, Survey on Child Health, Washington, DC, 1993."

<http://www.lifecoaches.org/Web/Research.asp>

Your honor, I think Sergey will serve our country better as a free person, and as a great professional in his field (otherwise he would not be hired by Goldman Sachs to lead a very important trade system). What Sergey did was wrong, he should not have taken his employers property. But Serge is not a danger to American society. He is a decent, intelligent, hard working man, who learned his lesson. If you can only give him a second chance, he will use his education and intellect to better serve our country.

Thank you for reading my letter and giving me a chance to share my feelings.

Respectfully yours,



Elena Shats

To: Honorable Denise L. Cote, U.S.D.J.  
United States District Court  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, Courtroom 11B  
New York, NY 10007-1312

From: Olga Sherman

[REDACTED]  
Northbrook, IL [REDACTED]

REF: Sergey Aleynikov's case

February 13, 2011

Dear Judge Cote:

I, Olga Sherman (maiden: Vinogradova), respectfully write this letter to you hoping that you take my opinion in consideration when deciding future destiny of Sergey Aleynikov. I plead you to look at Sergey as a decent person, a wonderful father, and a most reliable friend.

I have known Serge personally and professionally for at least 18 years, and I can certainly certify that he is a very honest, open, and generous man. Although I do not question the jury's ruling, I have absolutely no doubts that circumstances turned against him in a very unfortunate way, and hope you can see the truth, and feel for him in the midst of many official papers.

Sergey and I have known each other since 1992. I have come to live in New York from Moscow with my family, and a mutual friend introduced us. All six years of my life in NY, until I moved to Chicago in 1999, Sergey and I have been in touch pretty often. We had at least three groups of mutual friends in common. We often saw each other on birthday and other parties, outdoor trips, and simply stopped by to say hello when in town. Sergey lived in New Brunswick with his friends-roommates, and their house has always been so inviting for their many friends. Sergey has been very friendly, attentive to people, and ready to offer his help. Just to give one example, in 1996 I have been working on my Master Thesis for NYU Science Education program. I asked Sergey if he could help me to illustrate how cutting edge science connects with every day life. He readily spent several hours demonstrating and explaining me the details of his research on neural networks that he had been very interested in at that time. Also, Sergey often invited me and other friends to the dance events, where everybody, even novice, could practice. He has always enjoyed sharing his knowledge in dancing, computer science, or any other.

The reason I am telling all this because I want you to know that Serge is an open person, who, in my opinion, enjoys life more than money, and people more than

social status. He is a very decent person. I have always known I could rely on him when in need.

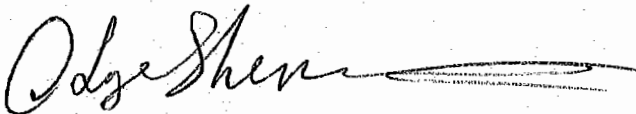
During the last 12 years I have mostly known about Sergey's family and growing daughters from his wife, Elina. We both belong to a "Russian Parents" online forum where over 600 people discuss the needs of our kids, how to educate them best, give them our cultural heritage, and other questions. From all I learned on that forum, Aleynikovs' family liked to keep doors of their warm house open to community, hosted musical and other children parties, and have been actively organizing other community events.

We also kept in professional touch with Sergey through the LinkedIn network. I have been following Sergey's career with great interest, knowing that he has started from the very bottom, like many of us. When he came to the US he had no money, no English, and no network connections. Everything he has achieved – education, experience, and writing most complex code for one of the top US companies – has been due to his intelligence, persistence, and a huge amount of hard work.

I have no way to know what really happened between Sergey Aleynikov and Goldman Sachs. I am sure he made a mistake in what he did. However, my strong belief is that Sergey simply didn't give the circumstances at that point a good thought. It is really not like him to ever do harm to anyone. For the last almost two years as this case has been going on, Sergey and his family have already been punished much for his mistake – by tremendous publicity, embarrassment, and public humiliation. In addition, Sergey lost his privilege to work and to earn living for his family.

Please consider my letter when you are deciding how to sentence Sergey.  
Thank you very much.

Respectfully yours,

A handwritten signature in cursive script that reads "Olga Sherman". The signature is written in black ink and includes a long, horizontal flourish at the end.

Olga Sherman

February 15, 2011

Honorable Denise L. Cote, U.S.D.J.  
United States District Court  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, Courtroom 11B  
New York, NY 10007-1312

Dear Judge Cote:

I have known Serge for over 10 years. I met Serge when our families attended our mutual friend's family events, and soon we became close friends. I miss the times that our families shared, and I genuinely regret that Serge's family was impacted to such a horrifying degree. Therefore, I am totally and completely stand by Serge, and hope that the punishment that he has endured to date will not compounded by punishing Serge still further.

Serge is a devoted family man who is extremely dedicated to his three young beautiful daughters. Serge's and my families have often attended each other's family gatherings, and we have frequently arranged our kids' play dates because our children are close in age. Every single time we looked forward to our families' time together, and we always enjoyed each other's company. I have always known Serge as a cheerful person that loves his wife and daughters. I recollect countless examples of happy moments; many have been just ordinary life snapshots – Serge teaching his daughters to rollerblade, our kids laughing while bouncing on the trampoline in Serge's back yard, our kids playing in the Lego play area at a local mall. But what stands out most, is how much Serge's daughters love their father – I vividly recollect that while his youngest daughter was an infant, it wasn't uncommon for Serge to carry his two older daughters because each wanted their Papa more.

I very much identify with Serge because I also love my family above all else. My wife and I are still deeply in love after 11 years together. My two children literally run to me every evening I step into our house when I come back from work. Spending the rest of the day with my family is the brightest joy of my day. I was genuinely shocked when recently, the stress of Serge's ordeal has taken a toll on his family, and his wife left him and took their children. This is the most horrible punishment of all. I cannot even start to imagine the effect of the punishment caused by the embarrassment of Serge's situation and most of all by losing his family.



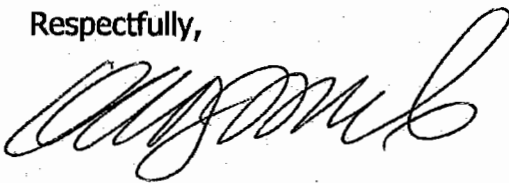
● Page 2

February 15, 2011

I also am stunned at the swiftness and the degree of the news of Serge's terrible predicament fanned out to wider and wider circles. I have overheard conversation by people (that do not personally know Serge) on more than half dozen occasions about Serge's situation; some sympathetic, and some poisonously malicious and bitter. Even recently, while on vacation to the Dominican Republic, vacationers got off to the topic of Serge's situation. I know that Serge continues to assert his innocence, and yet there are individuals out there that, for whatever reason hope for the worst. I feel that Serge was already dealt the most awful punishment – both through personal embarrassment and by losing his family, and I truly hope that you will find in your heart that further punishment is not necessary.

My family will continue to stand by Serge throughout this difficult time.

Respectfully,

A handwritten signature in black ink, appearing to read 'Oleg Trigub', written in a cursive style.

Oleg Trigub



Honorable Denise L. Cote, U.S.D.J.  
United States District Court  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, Courtroom 11B  
New York, NY 10007-1312

January 31, 2011

Dear Judge Cote:

I am writing this letter to tell about a man, who, through years of honest hard work, determination and perseverance built what can be considered a successful life by any measure, only to see it come unraveling because of an unfortunate lapse of judgment.

I have known Sergey Aleynikov for 23 years. I knew him when, as teenagers, we were full of idealistic dreams of building a life in a country where unlike post-Soviet Russia, law reigns supreme. I knew him during the first teeth-grinding years of immigration. I knew him during the times of first professional successes and personal tragedies. Through all these years Sergey remained the same: kind, generous, always willing to extend a helping hand, and most of all - honest.

I met Sergey in Moscow in 1989 at a community organizers' meeting. We were a group of young people who responded to an appeal to get together to change life for the better for those, whom life dealt a heavy blow. We volunteered at Moscow's overcrowded and understaffed orphanages and helped restore monasteries that had fallen into disrepair through the years of state-imposed atheism; we couldn't do much, but we wanted to help. Then was a time of great upheaval and of great hope in the history of Russia. It was also a time of lawlessness, when achieving success was synonymous with crossing the boundary between good and evil, with breaking the law, with shoving aside one's own moral code for attaining material goods. I remember many conversations Sergey and I had at the time about emigrating to the United States, which we saw as the land of opportunity. Most importantly, for us America was the country where one could live a decent life without ever having to do anything illegal, without sacrificing the sense of right and wrong.

When two years later my exhausted family landed in JFK, Sergey greeted us at the airport, a toy elephant for my baby sister in one hand and a balloon that read Welcome Home in the other. Sergey had made the same journey a year earlier with \$300 to launch him in his new life and he knew from his own experience the overwhelming difficulty of adjusting to living in a different country: long days doing any kind of menial work for any pay; long nights to cover living expenses while going to Rutgers; consistently getting excellent grades on two hours of sleep; moving on to graduate school. He did not cheat. He did not take shortcuts. He did not settle for a low-hanging fruit. He paid his dues through hard work and determination.

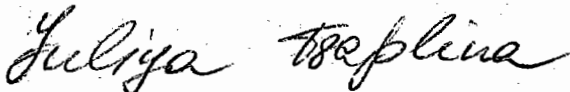
Through these early years of immigration despite his overwhelmingly busy schedule (two jobs and part-time school), Sergey remained an invaluable source of support for my whole family. Sergey, who lived in NJ, would come to Brooklyn whenever we needed help - be it to drive my diabetic baby sister to see a doctor or help me prepare for my first job interview. He advised me against seeking employment at an escort service (I had thought it involved greeting new immigrants at the airport) and walked me through the confusing process of applying for college. Through those early years Sergey was my family's guardian angel, always ready to help. He was also a source of optimism and inspiration, showing through his example that honest hard work in our new homeland can indeed pay off and make our dreams come true.

With great angst and dismay I learned that Sergey's wife Elina abandoned him in August. Sergey suffered deeply from losing her. But the biggest blow for Sergey is that now his time with his daughters is very limited. It pains him to have so few opportunities to spend time with his three girls, and fears that if he were incarcerated for an extended period of time, the precious father - daughter connection would suffer irreparable damage. His daughters are still very young: D [REDACTED] is 7, V [REDACTED] is 5 and A [REDACTED] only 2, and they need their father. I have a two year old daughter myself, and I feel Sergey's pain at the thought that he is in danger of losing his little girls.

Throughout his 1.5 year ordeal Sergey maintained composure and hope that justice will prevail. I kept regular contact with him and not once did he complain or rage against his fate. He is a deeply spiritual person. Although not a part of organized religion, he is guided by a spiritual understanding of higher order in all of his affairs. I believe it is the spirituality that allows him to maintain magnanimous attitude in the face of adversity and seek meaning in everything that happens. Some six months after his arraignment Sergey was telling me about the difficulty he encounters in finding any kind of work - for the first since his arrival in this country - and having ends meet. He was also telling me how much he appreciates the opportunity to spend time with his daughters, now that he no longer is working 80-hour weeks.

I do not doubt the facts found by the jury, that Sergey broke the law by taking source code that belonged to Goldman Sachs. However, from my 20+ year friendship with Sergey I am certain that our world needs more people like Sergey who are blessed with both intelligence and kindness, whose readiness to help goes hand in hand with an ability to do so. If Sergey is allowed to remain a productive member of society, an integral part of his community, the world would be a better place. I beseech you to do what is in your power to let Sergey remain amongst us and to allow Sergey's three young daughters have their father.

Respectfully yours,



Yuliya Tsaplina

[REDACTED]  
Porter Ranch, CA [REDACTED]

February 9, 2011

Honorable Denise L. Cote, U.S.D.J.  
United States District Court  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, Courtroom 11B  
New York, NY 10007-1312

Dear Judge Cote,

I write this letter in support of a very dear and long-time friend of mine, Sergey Aleynikov. I respectfully ask that, as Sergey undergoes sentencing, you take into consideration the many positive qualities I have observed about him.

Sergey and I met each other in 1993 while both of us were graduate students at Rutgers University in Piscataway, NJ. He was studying for his Master's degree in computer science and I was a Ph.D. candidate in chemical engineering. Our friendship developed over several years, stemming from our pursuit of a common extracurricular interest in ballroom dancing. We met while taking our first dance class together on campus and eventually became regular dance partners for collegiate level ballroom dance competitions. This common hobby brought us to know each other via repetitive dance lessons and practice sessions and, eventually working together in starting and leading the very first Ballroom Dance Club and Competitive Team at Rutgers. Sergey was instrumental in starting the organization and served as the first president of the club. I served as the vice president. With a shy, quiet demeanor, he also demonstrated leadership qualities. I was able to observe his dedication and focus and incredible talent demonstrated not only in ballroom dance, but also in instructing a beginner dance class to college students in a language he was only beginning to learn. He would assist those students who needed extra help without reward or remuneration. Sergey derived satisfaction from teaching those students about his new passion. We attended several dance socials together, and Sergey always conducted himself with an air of gentlemanly grace and civility.

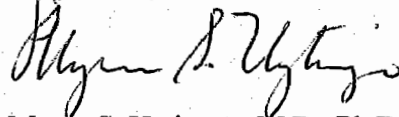
Although we have never taken any academic classes together, I am well-aware of his extreme, innate intelligence. Being trained as a physician and engineer and encountering many academically intelligent people, I still consider Sergey to be one of the most intelligent and creative people that I know. He is confident yet humble. His career has been impressive, and the value he brings to an organization is readily obvious. I find it most impressive that he has achieved so much in such a short period, and at the same time, learning and adapting to the American language and culture.

After graduate school, our contact waned due to distance and time constraints, however, we did manage to keep in touch and embarked on a 7-day cruise to the Caribbean together in 2002. Sergey's easy-going personality and *joie de vivre* was easily evident to me during this time. By far, it has been one of the best and most relaxing vacations in my life, in large part due to Sergey's fun-loving nature. He has a boyish, almost naïve nature. He could be a "ham," maybe sometimes to a fault. (He made many friends on the ship with his talent for dance and by winning the "male sexy leg contest" in the category of "Flamingo legs!") I've never observed him to have any malicious intent toward anyone. He worked hard but also played hard, enjoying life. I don't feel he would intentionally compromise the many freedoms and successes he has worked so diligently to attain.

What saddens me most about the conviction of Sergey is the recent breakup of his marriage and family. I unknowingly brought Sergey and Elina together by inviting him to a ballroom dance event. I later attended their wedding and was able to meet two of his three daughters over the years. A prison sentence would not only be unfruitful but unnecessary. He has already endured the punishment of severe public humiliation, marring of his professional reputation, financial loss, and, worst of all, the breakup of his family. Imprisonment would only serve to punish his young, innocent children, who rely on his loving presence and guidance.

I respectfully ask that you grant Sergey leniency in his sentencing and consider not only his positive qualities, but also take into account the significant losses he has already endured during this trying time.

Respectfully,



Myrna S. Uyttingco, M.D., Ph.D.