

FAX

To: May First Technology Collective
Company:
Fax: 815-6429756
Phone:

From: Rayneisha Booth
Fax:
Phone: 202-252-7220
E-mail: RBooth1@usa.doj.gov

NOTES:



U.S. Department of Justice

Ronald C. Machen Jr.
United States Attorney

District of Columbia

*Judiciary Center
555 Fourth St. N.W.
Washington, D.C. 20530*

August 19, 2014

VIA Facsimile

May First Technology Collective
a/k/a Media Jumpstart
237 Flatbush Avenue, 278
Brooklyn, NY 11217-5224
Fax: 815-642-9756

Re: Grand Jury Subpoena #GJ2014081924489
USAO #2014R00275

Dear Sir/Madam:

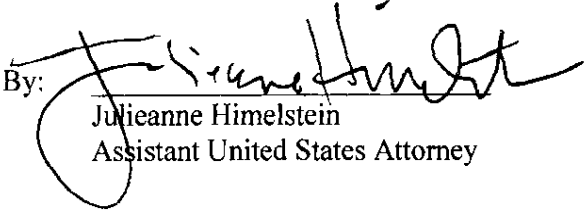
Pursuant to a criminal investigation being conducted by the United States Attorney's Office, it is required that you furnish the requested information as described in the attached subpoena. In lieu of appearance, you may comply with this subpoena by sending the requested documents to the undersigned Assistant United States Attorney (or the Agent if specified in the attachment). Also enclosed please find a blank "Declaration of Custodian of Records" form. It may save time and costs if an appropriate person at your business could complete the form and return it with the documents. A properly completed "Declaration of Custodian of Records" form will make it more likely that we could present the documents at trial without requiring you or another employee to come to court and testify.

You are requested not to disclose the existence of this subpoena. Any such disclosure could impede the investigation being conducted and thereby interfere with the enforcement of the law. Thank you for your cooperation in this matter.

Sincerely,

Ronald C. Machen Jr.
United States Attorney

By:


Julianne Himelstein
Assistant United States Attorney

AO 110 (Rev. 06/09) Subpoena to Testify Before a Grand Jury

UNITED STATES DISTRICT COURT

for the

District of Columbia

SUBPOENA TO TESTIFY BEFORE A GRAND JURY

To: May First Technology Collective
a/k/a Media Jumpstart
237 Flatbush Avenue, 278
Brooklyn, NY 11217-5224

YOU ARE COMMANDED to appear in this United States district court at the time, date, and place shown below to testify before the court's grand jury. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place: U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA
U.S. Courthouse, 3rd Floor Grand Jury # 13-1
333 Constitution Avenue, N.W.
Washington, D.C. 20001

Date and Time:
Thursday, September 4, 2014 at 9:00 AM

You must also bring with you the following documents, electronically stored information, or objects:

PLEASE SEE ATTACHMENT

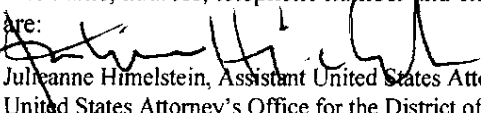
In lieu of personally appearing before the Grand Jury on the date indicated, you may comply with this subpoena by promptly providing the requested documents, preferably in non-proprietary electronic format via FedEx, UPS or DHL to the undersigned Assistant United States Attorney.

Date: August 19, 2014

ANGELA D. CAESAR, CLERK OF COURT

Signature of Clerk or Deputy Clerk

The name, address, telephone number and email of the Assistant United States Attorney, who requests this subpoena, are:


Julianne Himelstein, Assistant United States Attorney
United States Attorney's Office for the District of Columbia
555 4th Street, N.W., 11th Floor
Washington, DC 20530
Phone: 202-252-7726 Fax: 202-252-7792
Email: julianne.himelstein@usdoj.gov

Subpoena #GJ2014081924489
USAO #2014R00275
Preparer: RBOOTH

ATTACHMENT TO GRAND JURY SUBPOENA
USAO #2014R00275 Subpoena # GJ2014081924489

Note: Please read instructions below and provide electronic records when possible. Contact Special Agent Erich Wagner, FBI; PH: (571) 449-1027; E-mail: Erich.Wagner@ic.fbi.gov .

Issued to: May First Technology Collective
a/k/a Media Jumpstart
237 Flatbush Avenue, 278
Brooklyn, NY 11217-5224

Time period of documents requested: January 19, 2014 - present

Documents Requested: Our request is for subscriber information from MEDIA JUMPSTART regarding servers with the following IP addresses and associated domain names:

209.234.253.186 (pietri.mayfirst.org)
209.234.253.27 and 209.224.253.218 (Kwame.mayfirst.org)

DEFINITIONS AND INSTRUCTIONS:

This subpoena duces tecum requires the production of certain documents (described in Section II of this attachment below) in accordance with the following:

- A. "Documents" refers to all written or graphic matter, however produced or reproduced onto any other tangible record, including, but not limited to, all writings or recordings, whether set down in handwriting, typewriting, printing, photostating, photographing, magnetic impulse, computer media, mechanical or electronic recording, or other form of data compilation; as well as all drafts and all versions of such documents, including electronic documents that have been deleted but are retrievable;
- B. In referring to an entity, the subpoena refers to such entity irrespective of the names under which it has done business, as well as all of its predecessors, subsidiaries, affiliates, branches, divisions, groups, operations, units, parent organizations; and each of the present and former officers, directors, employees, agents, and representatives of such entity;
- C. The individual or entity hereby subpoenaed must submit all documents in its possession, or its custody, or under its control;
- D. Documents that "relate to" a given subject matter include all documents that constitute, contain, embody, comprise, reflect, identify, state, refer to, pertain to, respond to, comment on, describe, analyze, or are in any way relevant to that subject, regardless of whether they explicitly mention or name the subject matter.
- E. **Instructions for production of electronically stored records:**

ATTACHMENT TO GRAND JURY SUBPOENA

USAO #2014R00275 Subpoena # GJ2014081924489

General: Electronically stored records shall be produced in electronic form and shall include those records held (1) in your record retention systems; and/or (2) by your technology, data, or other service provider(s).

Text Data: Text data relating to transactions (e.g., core data, history file) shall be produced within a data file: (1) Using delimited ASCII text data format; or (2) within software that can export without loss of data to a non-proprietary file format; or (3) using commonly readable file format set by agreement. Text data files relating to transactions produced according to E.I.A. shall include field descriptions (e.g., account number, date/time, description, payee/payor, check number, item identifier, and amount).

Image Data: Image data shall be produced in graphic data files in a non-proprietary or commonly readable format with the highest image quality maintained. Image data of items associated with specific transactions (e.g., checks, deposits) shall be: (1) produced in individual graphic data files with any associated endorsements; and (2) linked to corresponding text data by a unique identifier.

Encryption/Authentication: Electronically stored records may be transmitted in an encrypted container. Decryption keys shall be produced separately at the time the data are produced. Authentication, such as hash coding, may be set by agreement.

INSTRUCTIONS FOR PRODUCTION OF RECORDS

I. General:

- a. Records existing as **Electronically Stored Information (ESI)** shall be produced in non-proprietary electronic form and shall include text data and image data held:
 - i. In your record retention systems; and/or
 - ii. By your technology, data, or other service provider(s).
- b. Records that do not exist as ESI may be produced in paper or other original format and may be converted to image or text data and provided as ESI, unless originals are required.

II. Text Data

- a. Text data relating to transactions shall be produced within a data file:
 - i. Using a delimited ASCII text data format; or
 - ii. Using software that can export to a commonly readable, non-proprietary file format without loss of data.
- b. Text data files relating to transactions shall include field descriptions (e.g., account number, date/time, description, payee/payor, check number, item identifier, and amount).

III. Image Data

- a. Image data shall be produced in graphic data files in a commonly readable, non-proprietary format with the highest image quality maintained.
- b. Image data of items associated with transactions (e.g., checks and deposit slips) shall be:
 - i. Produced in individual graphic data files with any associated endorsements; and
 - ii. Linked to corresponding text data by a unique identifier.

IV. Encryption/Authentication

- a. ESI may be transmitted in an encrypted container (*e.g. flash drive, CD/DVD*). Decryption keys and/or passwords shall be produced separately at the time the data are produced. *Please do not encrypt individual file contents if the container is encrypted.*
- b. Authentication, such as hash coding, may be set by agreement.
- c. Affidavits or certificates of authenticity may be included as part of the electronic production.

DECLARATION OF CUSTODIAN OF RECORDS

Pursuant to 28 U.S.C. §1746, I, the undersigned, hereby declare:

My name is _____
(name of declarant)

I am a United States citizen and I am over eighteen years of age. I am the custodian of records of the business named below, or I am otherwise qualified as a result of my position with the business named below to make this declaration. I have knowledge of the record keeping system used by this business; this includes how records are created and maintained.

I am in receipt of a United States District Court Subpoena #GJ2014081924489 dated August 19, 2014, signed by Assistant United States Attorney Julianne Himelstein, requesting specified records of the business named below.

Attached hereto are _____ pages of records regarding _____
(Brief description of type of documents being subpoenaed)
_____ responsive to the subpoena. I understand how these responsive documents were created. Pursuant to Rules 902(11) and 803(6) of the Federal Rules of Evidence, I hereby certify that the records attached hereto:

- (1) were made at or near the time of the occurrence of the matters set forth in the records, by, or from information transmitted by, a person with knowledge of those matters;
- (2) were kept in the course of regularly conducted business activity, in that the records were created and preserved pursuant to established procedures, and were relied upon by an employee or this business; and
- (3) were made as part of the regularly conducted business activity as a regular practice, in that the records were created and preserved as part of routine reflections of the normal operations of this business.

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

Executed on _____
(date)

(signature of declarant)

(name and title of declarant)

(name of business)

(business address)

(business address)

Definitions of terms used above:

As defined in Fed.R.Evid. 803(6), "record" includes a memorandum, report, record, or data compilation, in any form, of acts, events, conditions, opinions, or diagnoses. The term "business" as used in Fed.R.Evid. 803(6) and the above declaration includes business, institution, association, profession, occupation, and calling of every kind, whether or not conducted for profit.