

From: **Phil Hedlund** <phedlund@carpathiahost.com>

Date: Fri, Jun 25, 2010 at 12:06 PM

Subject: Search Warrant - Urgent

To: Mathias Ortmann <mo@uae.de>, Mathias Ortmann <mo@megaupload.com>, Kim <hq@megaupload.com>

Cc: Peter Weber <pweber@carpathiahost.com>, Sean Walsh <swalsh@carpathiahost.com>
Kim and Mathias,

Please find attached a Search Warrant received by Carpathia today. Over the past days (since our return from our visit to you); Carpathia has been negotiating with the Government to avoid receiving a search warrant that could result in a seizure or imaging of the servers Carpathia provides to Mega. Instead, we've managed to convince the Government to issue this sealed (meaning we cannot disclose to anybody) warrant with an exception to disclose to you. Please know that we attempted to convince the Government to work directly with Mega on this matter, but given the complex jurisdictional issues, they have been unwilling. Nonetheless, Carpathia feels as if we've achieved a small victory by preventing the Government from issuing a search warrant giving them power to seize or image the servers themselves. Kim, we were able to do this specifically because we relayed to the Government Mega's willingness to work with the Government for these types of requests – just as we discussed during the last day of our visit (boy, am I happy we discussed it).

Carpathia needs your help collecting the information sought in this warrant so Carpathia can hand the information over to the Government. We have no reason to believe the MegaUpload is the target of the investigation. Mega's assistance in providing this information is the path most likely to avoid any disruption of services.

We specifically need (please note: I'm summarizing the Search Warrant; please read and rely on the actual Search Warrant, not my summary in case I made a typo):

[REDACTED]

[REDACTED]

[REDACTED]



Given that the Government wants actual copies of the files themselves, I suspect that the easiest mechanism to consolidate this information would be to identify a specific 1.5Tb disk (or disks) on one of the Supermicro servers in Ashburn and move all the files to that disk (or disks). Once that is done, Carpathia can then remove those disks and give them to the Government. Of course, Carpathia will replace the removed disks with spares immediately. Because of the Government's seal on the warrant, please do not open EM7 tickets, but instead deal directly with Sean Walsh (swalsh@carpathiahost.com) to coordinate any assistance you need from Carpathia operations.

If you would please confirm as soon as possible that Mega will assist in collecting and providing this information, Carpathia will communicate that to the Government. Also, please let us know how long you think you may need to collect this data so we can set expectations with the Government, that would be helpful too.

Please do not hesitate to call me with any questions.

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