

**UNITED STATES DISTRICT COURT**

WESTERN DISTRICT OF MICHIGAN, SOUTHERN DIVISION

*In the Matter of the Search of*  
*(Name, address or brief description of person or property to be searched)*

**SEARCH WARRANT**

ONE BLUE AND GRAY I-MAC COMPUTER  
AT 4679 HART STREET, CINCINNATI, OHIO

CASE NUMBER: 1:08-MJ-607

TO: Special Agents of Federal Bureau of Investigation  
and any Authorized Officer of the United States

Affidavit(s) having been made before me by Special Agent James Shearer who has reason to believe  
that     on the person of or X on the premises known as *(name, description and/or location)*

ONE BLUE AND GRAY I-MAC COMPUTER AT 4679 HART STREET, CINCINNATI, OHIO

*in the Southern District of Ohio, there is now concealed a certain person or property, namely*  
*(describe the person or property)*

*See Attachment A*

*I am satisfied that the affidavits(s) and any recorded testimony establish probable cause to believe that the person  
or property so described is now concealed on the person or premises above-described and establish grounds for  
the issuance of this warrant.*

YOU ARE HEREBY COMMANDED to search on or before March 17, 2008  
*(not to exceed 10 days) the person or place named above for the person or property specified, serving this  
warrant and making the search (in the daytime - 6:00 A.M. to 10:00 P.M.) (at any time in the day or night as  
I find reasonable cause has been established) and if the person or property be found there to seize same, leaving  
a copy of this warrant and receipt for the person or property taken, and prepare a written inventory of the person  
or property seized and promptly return this warrant to the Honorable Ellen S. Carmody, U.S. Magistrate Judge,  
as required by law.*

March 7, 2008 4:59 pm  
*Date/Time Issued*

at Grand Rapids, Michigan

Honorable ELLEN S. CARMODY  
*Magistrate Judge*

Ellen S. Carmody  
U.S. Magistrate Judge  
*Signature of Judicial Officer*

## ATTACHMENT "A" to Search Warrant

### Digital Storage Media

1. The Government may search computer hard drives, CDs, backup tapes, etc. to search for digital evidence that the Internet was used to access web-sites maintained by the ALF and/or ELF, that information regarding "direct actions" and construction of incendiary devices was obtained from these web-sites, that Frank Ambrose and/or Marie Mason communicated with ELF or EarthFirst! regarding direct actions, and that Frank Ambrose or Marie Mason authored EF! or ELF communiques. First, assuming the setting and circumstances are appropriate, the FBI forensic specialist will attempt to make a duplicate image and possibly a logical copy of any hard drives on the premises to be searched.

2. If that occurs and the copying is successful, the searching agents will discuss with the owner of the seized media the question of who keeps the copy and who keeps the original media. If such discussion determines that the owner requires the logical copy for some reason, and the Government does not suspect that such a logical copy or duplicate image contains contraband, the Government will provide such a logical copy or duplicate image to the owner of the seized media.

3. If the on-site imaging process is successful, and discussion with the owner of the seized media reveals that the owner requires the original media for some reason, the Government will seek a stipulation from the target of the investigation and the owner of the seized media that the duplicate image is an accurate copy of the original. If the owner of the seized media and the target of the investigation will so stipulate, the original media will be returned to the owner. If not, the Government may remove the media for examination.

4. With respect to hard drives, if removal is necessary the Government may remove any hard-drives found on the premises from the location to search for purposes of imaging, and to have the images examined in a controlled environment by trained personnel using special software and hardware. With respect to other digital media such as CDs, floppy disks, and "thumb" or "jump" drives, because the Government does not at present have reasonably available resources to image those media on-site, it may seize and remove those media for imaging in a controlled environment.

5. Whether the storage media are seized or not, the Government may search that media for evidence of the offenses in areas such as stored word processing documents, digital images, stored e-mail, address books containing lists of contacts, web bookmarks, temporary internet files, Internet histories, chat bookmarks and chat logs, deleted files, unallocated clusters, slack space, and the registry.

6. Within a reasonable time after its seizure, the Government shall make available for pick-up by the owner all storage media found not to contain any contraband or material to be seized pursuant to the warrant, and all hardware and software which is no longer needed for examination purposes. In conducting the search, the forensic agent will examine files regardless

of their name because such names can be altered to conceal their actual content. Because of the volume of data to be searched and the need to complete the examination in a reasonable time, the forensic agent will also use computer techniques such as keyword searches which may display irrelevant material.

7. The Government will file a return within seven (7) days of the search that will include a list of digital media that were seized, and an estimate of the time required to image and perform a preliminary search of that media. The purpose of such a preliminary search is to determine if the seized media contains any evidence, so that media without evidentiary value can be returned.

# UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF MICHIGAN, SOUTHERN DIVISION

*In the Matter of the Search of*  
*(Name, address or brief description of person or property to be searched)*

ONE BLUE AND GRAY I-MAC COMPUTER  
AT 4679 HART STREET, CINCINNATI, OHIO

## APPLICATION AND AFFIDAVIT FOR SEARCH WARRANT

CASE NUMBER: 1:08-MJ-607

I James Shearer being duly sworn depose and say:

I am a(n) Special Agent of the Federal Bureau of Investigation and have reason to believe

that     on the person of or X on the property or premises known as *(name, description and or location)*

ONE BLUE AND GRAY I-MAC COMPUTER AT 4679 HART STREET, CINCINNATI, OHIO

*in the Southern District of Ohio, there is now concealed a certain person or property, namely*  
*(describe the person or property to be seized)*

*See Attachment A*

which is *(state one or more bases for search and seizure set forth under Rule 41(b) of the Federal Rules of Criminal Procedure)* evidence of the

commission of a federal crime concerning a violation of Title 18 United States Code, Section(s) 844.

The facts to support a finding of Probable Cause are as follows:

*See attached Affidavit - continued on the attached sheet and made a part hereof.*

Certified as a true copy  
Ronald C. Weston, Jr., Clerk

By [Signature]  
Deputy Clerk  
U.S. District Court  
Western Dist. of Michigan  
Date 3/7/08

[Signature]  
Signature of Affiant JAMES SHEARER

Sworn to before me, and subscribed in my presence

March 7, 2008

Date

at Grand Rapids, Michigan

Ellen S. Carmody  
U.S. Magistrate Judge

Honorable ELLEN S. CARMODY  
Magistrate Judge

Signature of Judicial Officer

## ATTACHMENT "A" to Search Warrant Application

### Digital Storage Media

1. As stated in the Affidavit, there is probable cause to believe that records and documents subject to seizure will exist in digital storage media such as computer hard drives, CDs, backup tapes etc. Specifically, there is probable cause to believe that examination of these media will disclose that the Internet was used to access web-sites maintained by the ALF and/or ELF, that information regarding "direct actions" and construction of incendiary devices was obtained from these web-sites, that Frank Ambrose and/or Marie Mason communicated with ELF or EarthFirst! regarding direct actions, and that Frank Ambrose or Marie Mason authored EF! or ELF communiques. When the persons controlling such media are suspected of being involved in the criminal activity, the forensic examination of that digital storage media has two steps. First, an exact copy must be made of the original data. This process is known as "imaging" and will be referred to hereafter as a "duplicate image." Second, the data on the duplicate image must be analyzed for information pertinent to the case. Both of these steps require special equipment, trained personnel, and time. The imaging step is likely to take more than half a day, and the analysis step can take several days or even weeks. Also, the equipment and personnel to perform these steps are subject to competing claims in other matters, which may delay the performance of these tasks. The ideal is to perform these steps under controlled conditions, such as government facility equipped for the examination of digital evidence. This warrant seeks the authority to remove the seized digital media to such a facility for imaging and analysis.

2. Because Affiant anticipates that any seized digital media may simply be containers of evidence rather than instrumentalities of the offense, the Government anticipates that the search team will include a trained FBI computer forensic specialist. This person will have the ability to make a duplicate image and he or she will have equipment to make a duplicate image of a routine computer. This forensic specialist will also be able to make a non-forensic or "logical" copy of the seized media. Such a logical copy contains all the files deliberately stored by users, but not the deleted files or the data stored by the operating system without the user's knowledge. Assuming the setting and circumstances are appropriate, this forensic specialist will attempt to make a duplicate image and possibly a logical copy on the premises to be searched.

3. If that occurs and copying is successful, the searching agents will discuss with the owner of the seized media the question of who keeps the copy and who keeps the original media. If such discussion reveals that the owners requires the logical copy for some reason, and the Government does not suspect that such a logical copy or duplicate image contains contraband, the Government will provide such a logical copy or duplicate image to the owner of the seized media.

4. If the onsite imaging process is successful, and discussion with the owner of the seized media reveals that the owner requires the original media for some reason, the Government will seek a stipulation from the target of the investigation and the owner of the seized media that the duplicate image is an accurate copy of the original. This is done to preserve the evidentiary value of the duplicate image. If the owner of the seized media and the target of the investigation

will so stipulate, the original media will be returned to the owner. If not, the Government seeks authority to remove the media for examination in a government facility as described above.

5. If removal is necessary, the Government seeks authority to remove all digital storage media such as hard drives, CDs, floppy disk, and "thumb drives" from the location to be searched for purposes of imaging, and to have the images examined in a controlled environment by trained personnel using special software and hardware. To enable the storage media, particularly a hard drive, to function, it is necessary to take not only the media itself, but also all software and hardware used with that media. Since the software or hardware may turn out to be unfamiliar, or may be protected by such computer security devices such a passwords, it is also necessary to seize all manuals, notes, and other material for use in bypassing those computer security devices or otherwise enable the hardware and software to function.

6. Therefore, this warrant seeks permission to: a) seize the digital storage media together with hardware, software, and computer security devices including notes which may contain passwords that are found at the location to be searched and are believed to be necessary to read the seized digital storage medial; b)image the digital storage media; and c) search the image(s) for evidence of the offense in areas such as stored word processing documents, digital images, stored email, address books containing lists of contacts, web bookmarks, temporary internet files, Internet histories, chat bookmarks and chat logs, deleted files, unallocated clusters, slack space, and the registry.

7. The time period required for the examination is uncertain, but the Government will make available to the owner for pick-up within a reasonable time all storage media found not to contain any contraband or materials to be seized pursuant to the warrant and all hardware and software which is no longer needed for examination purposes. In conducting the search, the forensic agent will examine files regardless of their name because such names can be altered to conceal their actual content. Because of the volume of data to be searched and the need to complete the examination in a reasonable time, the forensic agent will also use computer techniques such as keyword searches which may display irrelevant material.

8. The Government will file a return within seven (7) days of the search that will include a list of digital storage media that were seized, and an estimate of the time required to image and perform a preliminary search of that media. The purpose of such a preliminary search is to determine if the seized media contains any evidence, so that media without evidentiary value can be returned.

## AFFIDAVIT

Your affiant, James K. Shearer, having been duly sworn, state the following:

1. I am a Special Agent with the Federal Bureau of Investigations (FBI) and am assigned to the Detroit Field Division, Grand Rapids Resident Agency, Grand Rapids, Michigan. I have been a Special Agent with the FBI for three years. Prior to joining the FBI, I was a police officer with the Wilmington Police Department in Wilmington, North Carolina for over five years. Since my assignment to the Detroit Field Division, Grand Rapids Resident Agency, I have worked primarily counter-terrorism matters, specifically domestic terrorism. The information contained herein is based upon my personal knowledge and knowledge gained by, through, and from other federal, local or state law enforcement officials, and witnesses who provided information I deem reliable.

2. This affidavit is being submitted in support of an application for a search warrant authorizing the search of a blue and gray IMAC desktop computer located in a residential property located at 4679 Hart Street (1st Floor), Cincinnati, Ohio 45223, in the Southern District of Ohio. Affiant is advised by the U.S. Attorney's Office for the Western District of Michigan that, pursuant to Fed. R. Crim. P. 41(b)(3), a magistrate judge of this Court has the authority to issue a search warrant for property outside this district in this investigation because this is an investigation of domestic terrorism, as that term is defined in 18 U.S.C. § 2331(5), that occurred in this district.

3. The residence is a two-story structure duplex with white over light blue aluminum siding with two separate residences established on each floor of the structure. The residence to be searched is the first floor unit of the structure. A covered porch area is located on the right side of the front of the residence, accessed by a set of concrete stairs. The entrance to the first floor unit is accessible via a common hallway which is accessed through the front door to the residence. A concrete driveway runs along the left side of the structure to a white detached garage located behind the primary structure.

4. Based upon the information provided within this affidavit, Affiant submits that there is probable cause to believe that a search of the property will discover digital evidence of crimes including violation of 18 U.S.C. §§ 844(f), (i) and (n) [arson of an institution receiving Federal funding and effecting interstate commerce, and conspiracy to commit same] and 18 U.S.C. §§ 2332a(a)(2)(D) and (c)(2)(A) [conspiracy and attempt to use a destructive device affecting interstate commerce], including arsons committed in the Western District of Michigan in 2000 and 2003. Affiant submits also that there is probable cause to seize and search any digital media, as more fully set forth in Attachment "A" to the Search Warrant Application.

### Background Information

5. On April 6, 2007, your affiant submitted an Application and Affidavit for a federal search warrant in the Western District of Michigan requesting authorization to search a residence in the Eastern District of Michigan in furtherance of an FBI investigation related to acts

of domestic terrorism committed on behalf of the Earth Liberation Front (ELF). Upon review of the affidavit, the Honorable Ellen S. Carmody, United States Magistrate Judge, found probable cause and issued the requested search warrant.

6. The FBI executed the warrant on April 10, 2007. The search resulted in the discovery of relevant evidence. The search also led to the development of a confidential source (CS-1) with first-hand knowledge of criminal acts committed by ELF adherents. CS-1 agreed to actively cooperate in the ongoing investigation of not only the Ice Mountain attempted arson, but of other ELF "direct actions" as well.

### **ELF and Environmental Terrorism Generally**

7. Based upon my training and experience, I am aware that ELF is an international radical environmental-rights organization dedicated to ending, by both legal and illegal means, activities it considers harmful to the environment. ELF has no formal leadership or official membership rosters, but is comprised of individuals who form into small groups called "cells" for the purpose of committing illegal acts, referred to as "direct actions." These direct actions are designed to intimidate commercial entities the organization identifies as constituting a threat to the natural environment into ceasing their offending activities. These direct actions typically consist of trespassing upon the premises of commercial organizations in order to commit violent acts of property destruction, i.e. vandalism, arson, bombings, etc.. ELF grew out of the "Earth First!" (EF!) organization. EF! is a radical group formed in 1980 that has a history of engaging in lawful protest, civil disobedience, and more serious criminal acts such as "tree spiking."<sup>1</sup> In the early 1990's, the more radical elements of EF! broke off to form the ELF and began to commit, and to encourage its adherents to commit, more serious criminal activity in support of the shared EF!/ELF agenda. Although not all EF! members are involved with ELF, EF! is the gateway into ELF for many ELF adherents, that is, direct action participants are typically recruited from the memberships of EF! chapters. Put another way, ELF members by night are typically EF! members by day.

8. Based on my training and experience, I know that the "Animal Liberation Front" (ALF) is a radical organization that is closely aligned with ELF. ALF is an organization dedicated to animal rights issues that also pursues its goals through both legal and illegal means and is very supportive of ELF. The "Animal Liberation Primer" is the ALF handbook and it provides instructions for conducting "hits" on targets of interest. These instructions include using tactics such as dealing with law enforcement, the construction of incendiary devices, security measures, and instructions on carrying out basic and advanced operations against targets of interest.

9. The "Animal Liberation Primer" is not distributed by ALF in a tangible, hard-copy form, but is available over the Internet on ALF's website at [[www.animalliberationfront.com](http://www.animalliberationfront.com)].

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<sup>1</sup>Tree spiking involves driving large metal or ceramic spikes into trees that are slated for lumbering. This is done in order to create a physical danger to loggers and/or lumber-mill workers in the event of a chain-saw or a lumber-mill circular saw striking the spike.

ALF's website also provides links to various ELF publications and acknowledges similarities between both organizations and their operating tactics. Due to its easy accessibility, the ALF handbook is utilized by both members of ALF and ELF as a source of guidance and instruction in conducting direct actions against targets of interest.

### Recent Investigative Developments

10. In August 2007, your affiant and FBI Joint Terrorism Task Force (JTTF) Task Force Officer Steven K. Beard interviewed CS-1, and he/she provided information to authorities as part of a proffer statement. At the time of the interview, CS-1 was a first-time cooperating source whose information had to be fully vetted in order to determine his/her veracity. During the course of the investigation, as detailed herein, CS-1's information has proven to be reliable and credible. CS-1 has since participated in consensually recorded conversations with multiple targets of this investigation, to include Marie Mason.

11. During the interview, CS-1 reported that Frank Ambrose and his now estranged wife, Marie Jeanette Mason, were primary participants in many criminal conspiracies and substantive criminal acts of environmental terrorism ranging from vandalism and tree spiking to arson that occurred throughout Indiana and Michigan from 1998 through 2003. The majority of these incidents were claimed through press releases made by the ELF and occurred in the areas of Bloomington, Indiana; East Lansing, and Detroit, Michigan. Further, an abundance of these "direct actions" were committed within near proximity to the couple's residences in both states.

12. CS-1's proffer statement provided intricate details on Ambrose and Mason's direct involvement in over 20 acts of animal rights terrorism and eco-terrorism. These acts were committed within the states of Indiana, Michigan, and Virginia during the aforementioned time frame. CS-1 reported the majority of the incidents were "officially" claimed by utilizing anonymous e-mail and/or letter communications through the ELF's press office. In addition to providing details regarding his/her knowledge and/or involvement in these direct actions, CS-1 identified an additional 15 ELF adherents who assisted in the commission and/or planning of these events.

13. To summarize information provided by CS-1, he/she reported the December 31, 1999, arson of Agriculture Hall at Michigan State University (MSU) in East Lansing, Michigan was committed by Ambrose and Mason.<sup>2</sup> CS-1 reported Mason and Ambrose enlisted three other individuals to assist in the commission of the MSU direct action: Aren Bernard Burthwick, Jesse William Waters, and Stephanie Lynne Fultz, *nee* Dzagulones, during a weekend trip to Empire, Michigan, over New Year's Eve. However, CS-1 reported that, after agreeing to participate in a direct action against a genetic research target, the three individuals

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<sup>2</sup> On December 31, 1999, the administrative offices of Dr. Catherine Ives, located on the campus of Michigan State University in the Agriculture Hall building, were destroyed by fire. The fire caused property damage in excess of \$1.1 million dollars. Dr. Ives was in charge of a (then) 10-year-long genetic plant research program that was funded by the U.S. Agency for International Development (USAID) at \$2 million dollars per year. The arson was later claimed as an official ELF direct action on January 21, 2000, on ELF's website.

refused to carry out their part in the arson when informed of the plan's specifics. Ambrose and Mason carried out their part, however, and the other three waited for their return. When Ambrose and Mason returned from MSU and told the others that the action was a success, the three expressed their approval. When Ambrose and Mason told the three that there had been an explosion, they expressed concern that Ambrose or Mason may have been injured. Once it was confirmed that the two were uninjured, Dzagulones agreed to cut Mason's shoulder-length hair very short because it had been burned during the fire.

14. CS-1 reported that Ambrose, Mason, Waters, Dzagulones, and Burthwick were responsible for the arson of logging equipment in Mesick, Michigan, on January 1, 2000, the day after the MSU fire. The equipment, a John Deere hydro-Axe Shear valued at approximately \$18,000 was totally destroyed and the incident was claimed as an ELF direct action. CS-1 stated that Ambrose and Mason were concerned that the others constituted a security risk because they had refused to go along on the MSU trip after they had agreed to participate and had been informed of the specifics, and that Ambrose and Mason wanted them to fully participate in an arson so that they would be afraid to talk about MSU.

15. Pursuant to execution of the April 2007 search warrant, a forensic examiner from the FBI's Detroit Division Computer Analysis Response Team (CART) secured images of a hard drive and removable digital media devices located at the referenced residence in paragraphs 5 and 6 of this Affidavit. Your affiant reviewed the imaged digital media and discovered that some of the recovered documents were directly related to EarthFirst! (EF!) campaigns that took place in Bloomington, Indiana between 1999 and 2001. These EF! campaigns coincided with subsequent underground ELF direct actions that took place in support of the same objectives. CS-1 confirmed these EF! campaigns were led by Ambrose, Mason and the other ELF adherents in the Bloomington area. CS-1 further stated these individuals were responsible for the commission and/or planning of the ELF acts that were committed in support of those identified EF! campaigns.

16. [REDACTED]

17. During December 2007, CS-1 participated in a consensually recorded telephone call with Mason. Mason disclosed she was starting an EarthFirst! (EF!) group "soon" to implement "campaigns" against two developments in the Cincinnati, Ohio area. Mason identified the campaigns as a proposed construction site for a new Wal-Mart department store and a residential development currently in the planning stages near her neighborhood.

18. CS-1 stated that, based on his significant experience with Mason, he was sure that she intended to use the Cincinnati EF! group to recruit radical extremists for future involvement in civil and/or underground direct actions to be committed on behalf of the ELF or ALF. CS-1 reported Mason previously utilized this strategy in at least two other U.S. cities, organizing the Massassagua EF! and Buffalo Trace EF! Chapters in Detroit, Michigan and Bloomington, Indiana, respectively. In each of these previous instances, Mason developed these EF! groups in order to camouflage her intention to commit underground actions, that is, to develop facts that would enable her to challenge any law enforcement action against her as an attempt to retaliate against her for engaging in First Amendment protected speech. In each instance, however, she drew accomplices for ELF direct actions from the EF! organizations she founded.

19. During February 2008, CS-1 participated in a consensually recorded telephone call with Mason. Mason expressed interest in attending the upcoming EF! Organizers' Conference in Florida. Mason spoke openly about the current status of her newly-formed EF! chapter in Cincinnati, complaining that the group was moving "slow."

20. Later in February 2008, CS-1 participated in a consensually recorded telephone call with Mason. Mason again spoke about her desire to attend the upcoming EF! Organizers Conference in West Palm Beach, Florida. Mason again complained about the reluctance of the membership of her new EF! Chapter to "get involved," and described the group as "slow to go." CS-1 stated that, based on his significant experience with Mason, he is sure she was referring to the entire spectrum of activity from civil disobedience to direct action.

21. Later in February 2008, CS-1 participated in a consensually recorded telephone call with Marie Mason. Mason indicated that she had been attempting to retrieve from her computer EF! documents she had authored using that computer. Mason stated that the computer that contained electronic copies of these documents was now inoperable and that she was unable to retrieve them at this time. Mason indicated she wanted to forward these materials on to members of an EF! chapter in Indiana that is involved in a current campaign against the I-69 construction project. CS-1 advised Mason and Ambrose had previously led a similar campaign protesting the I-69 project in Bloomington, Indiana which culminated in the commission of an ELF direct action by Ambrose and Mason on April 30, 2000.<sup>3</sup> This occurred a few months after the MSU arson.

22. CS-1 advised Mason owns a blue and gray I-MAC desktop computer which should contain various press releases and materials related to the activities and agendas for the Buffalo Trace EF! Chapter dating back to 2000, the year Ambrose bought it. CS-1 reported that the majority of the underground direct actions that took place between 1999 and 2001 in Bloomington, Indiana, committed on behalf of the ELF, were directly derived from EF! campaigns established by Mason and Ambrose.

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<sup>3</sup>On April 30, 2000, construction equipment owned by Crider & Crider Construction Company was destroyed by fire that was claimed by ELF direct action. Gas lines were cut, sand was poured into gas tanks, and one piece of equipment was set on fire. Damage was estimated at \$75,000.00.

23. CS-1 is confident the materials contained on Mason's hard drive would allow for the identification of those incidents Mason and Ambrose are responsible for committing and/or planning on behalf of ELF. CS-1 further reported that a review of Mason's hard drive would likely recover a copy of the EF! press release Mason authored following the attempted fire bombing of the Ice Mountain pump station in Stanwood, Michigan in September 2003. CS-1 advised the statement supported the actions of those responsible for the attempted direct action and stated something to the effect of "better luck next time."

24. [REDACTED]

25. [REDACTED]

26. [REDACTED]

27. On February 28, 2008, a Grand Jury for the Western District of Michigan returned a multi-count indictment charging Marie Mason, Frank Ambrose, Stephanie Dzagulones, and Aren Burthwick for the MSU and Mesick arsons. The indictment and arrest warrants remain under seal.

28. Based on the aforementioned, Affiant submits that there is probable cause to believe that Frank Brian Ambrose and Marie Jeanette Mason were directly involved in the commission of multiple acts of eco-terrorism, and that they did so as members and/or at the encouragement of the Earth Liberation Front, a radical and violent environmental activist organization that seeks to intimidate or coerce private businesses and the public into abandoning activities that the organization deems harmful to the environment.

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4 [REDACTED]

29. Affiant also submits that there is probable cause to believe that digital evidence of Mason's EF! and ELF activities, as described in Attachment "A" to the Search Warrant Application, are present on the computer to be searched.

JS  
JAMES K. SHEARER  
Special Agent  
Federal Bureau of Investigation

Subscribed and sworn before  
me this 7 of March, 2008.

Ellen S. Carmody  
U.S. Magistrate Judge  
HON. ELLEN S. CARMODY  
United States Magistrate Judge