

**United States District Court
SOUTHERN DISTRICT OF INDIANA**

TO: Kristina Clair
4701 Pine St., Box 96
Philadelphia, PA 19143

**SUBPOENA TO TESTIFY
BEFORE GRAND JURY**

SUBPOENA FOR:
 PERSON DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE U.S. Courthouse 46 East Ohio Street, 4th Floor Indianapolis, IN 46204	ROOM 464
	DATE AND TIME February 24, 2009 9:30 a.m.

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):

SEE SUBPOENA ATTACHMENT

In lieu of actual appearance before the Grand Jury, you may voluntarily waive your right to personally present the records and request a Special Agent to take custody of the documents to present to the Grand Jury. If you elect to do so, please complete the enclosed Waiver and Certification and forward it and your response before the date of compliance to the attention of:

Task Force Officer Joel A. Arthur
Federal Bureau of Investigation
575 N. Pennsylvania Street, Room 679
Indianapolis, IN 46204
Telephone: 317-639-3301

You are not to disclose the existence of this request unless authorized by the Assistant U.S. Attorney. Any such disclosure would impede the investigation being conducted and thereby interfere with the enforcement of the law.

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK LAURA A. BRIGGS, CLERK	DATE January 23, 2009 Arthur/klb
(BY) DEPUTY CLERK 	

This subpoena is issued upon application of the United States of America
TIMOTHY M. MORRISON
United States Attorney
09-01-DLP-15-10

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY
Doris L. Pryor
Assistant United States Attorney
10 West Market Street, Suite 2100
Indianapolis, Indiana 46204-3048
(317) 226-6333

*If not applicable, enter "none."

Attachment to Subpoena Number: 09-01-DLP-15-10

Please provide the following information pursuant to Title 18, United States Code, Section 2703(c)(2):

All IP traffic to and from www.indymedia.us (65.23.159.255), June 25, 2008. Include IP addresses, times, and any other identifying information

___ 1. All customer or subscriber account information for any accounts registered to the following username or identification number:

___ 2. All customer or subscriber account information for any accounts registered to the following email address:

___ 3. All customer or subscriber account information for any accounts registered to the following IP address - date, time and time zone:

___ 4. All customer or subscriber account information for any accounts registered to the following name of the subscriber:

___ 5. All customer or subscriber account information for any accounts registered to the following specific physical address:

For each account, the information shall include:

- A. The subscriber's name;
- B. The subscriber's address;
- C. The subscriber's local and long distance telephone connection records, or records of session times and durations;
- D. length of service (including start date) and types of services utilized;
- E. telephone or instrument number or other subscriber number or identity, including, credit card number, social security number, drivers license number, date of birth, student identification, nicknames, e-mail addresses, temporary assigned network address or any other identifying information regarding the subscriber; and
- F. means and sources of payment for such service (including any credit card or bank account number).

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

IN THE MATTER OF THE)
FEBRUARY 2009)
REGULAR GRAND JURY)
Re: Subpoena Number 09-01-DLP-15-10)

**WAIVER OF APPEARANCE AND CERTIFICATION
PURSUANT TO RULES 803(6) AND 902(11) OF THE
FEDERAL RULES OF EVIDENCE AND 28 U.S.C. § 1746**

Pursuant to Rules 803(6) and 902(11) of the Federal Rules of Evidence and subject to the penalties for perjury under 28 U.S.C. § 1746, I hereby certify, to the best of my knowledge, information, and belief, that:

My name is _____ . I am a United States citizen and I am over eighteen years of age. I am a responsible official of the business named below, or I am otherwise qualified as a result of my position with the business named below to make this decision.

I received a United States District Court Grand Jury Subpoena numbered 09-01-DLP-15-10 requesting specified records of the business named below. Attached hereto are business records¹ responsive to the subpoena and in summary they include: _____

¹ 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, situation, association, profession, occupation, and calling of every kind, whether or not conducted for profit.

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 the regularly conducted business activity; and
- (3) were made by the regularly conducted business activity as a regular practice.

I am providing the records to the Special Agent listed on the subpoena to take custody of these documents and present them to the Grand Jury in lieu of an actual appearance by myself before the Grand Jury. I understand that this is voluntary on my part and I may appear before the Grand Jury with expenses paid as provided by the United States statutes.

I declare under penalty of perjury that the foregoing is true and correct. So executed this _____ day of _____, 2009.

(signature of declarant)

(print name of declarant)

(title of declarant)

(name of business)

(business address)

(city/state/zip)