

CAUSE NO. 219-86-05

WILLIAM A. BOOTHE, M.D., and
WILLIAM A. BOOTHE, M.D., P.A.,

Plaintiffs,

v.

BRENT HANSON,

Defendant.

§
§
§
§
§
§
§
§
§
§

IN THE DISTRICT COURT OF

COLLIN COUNTY, TEXAS

219th JUDICIAL DISTRICT

AFFIDAVIT OF BRYAN THORNTON

STATE OF TEXAS)
)
COUNTY OF COLLIN)

I, BRYAN THORNTON, do declare and state the following under penalty of perjury:

1. I am a Bryan F. Thornton, CISSP, EnCE, a Director with Net Reaction, LLC. We have been retained by Sidley Austin Brown & Wood LLP, counsel to Dr. William A. Boothe, M.D., and Dr. William A. Boothe, M.D., P.A. (collectively "Dr. Boothe") and Dr. Boothe, to assist in the investigation of www.LasikQuack.com, www.LasikQuack.net, www.LasikQuack.org, and similar websites that may appear in the future ("LasikQuack Websites").

2. As part of our investigation, I was asked to and conducted a forensic analysis of the LasikQuack Websites using industry standard methods and procedures and formulated an opinion regarding the ownership and control of the LasikQuack Websites. For

FILED
2005 MAY 10 PM 12:25
DISTRICT COURT
COLLIN COUNTY, TEXAS

purposes of this submission, copies of the websites and relevant data are attached to the Affidavit of Steve Malin, Esq. ("Malin Affidavit").

Credentials

3. I am a certified as a Certified Information Systems Security Professional ("CISSP"). The CISSP certification is an industry standard and reflects the qualifications of information systems security practitioners. The CISSP certification is attained by successful completion of an independent examination covering topics such as Access Control Systems, Cryptography, and Security Management Practices. The examination is administered by the International Information Systems Security Certification Consortium ("(ISC)²").

4. I am also an EnCase Certified Examiner ("EnCE"), which certifies both public and private sector professionals in the use of the industry standard EnCase computer forensic software. EnCE certification acknowledges that professionals have mastered computer investigation methodology as well as the use of EnCase during complex computer examinations. The EnCE certification is widely recognized by both the law enforcement and corporate communities as a symbol of in-depth computer forensics knowledge.

5. I am currently a Director at Net Reaction, LLC and lead computer forensics investigations professionally. Previously, I was employed as a Certified Information Systems Security Professional and a Senior Information Security Analyst with the Forensic and Litigation Consulting Division of Kroll Zolfo Cooper ("Kroll") since 2001.

6. I previously have been accepted as expert by courts and offered expert testimony in computer forensics, including by the United States District Court for the Eastern District of Virginia and by the Superior Court of New Jersey, Chancery Division. My complete



CV is appended to this Affidavit. This matter is billed on an hourly basis at my standard rate of \$250 per hour.

Forensic Analysis

7. In preparing this interim opinion, I reviewed and examined the LasikQuack Websites using standard computer forensic techniques and software used throughout the industry and have reviewed those documents attached to the Malin Affidavit.

8. This examination, viewed through my training and experience, has led me to conclude that Brent Hanson paid for, registered, provided content to, operated, and controls the LasikQuack Websites: www.LasikQuack.com, www.LasikQuack.net, and www.LasikQuack.org.

General Internet Background

9. My conclusions require some background on the Internet. Most people understand the "Internet" to mean the World Wide Web. Technically, the Internet encompasses more media, such as e-mail and the UseNet, but for present purposes the World Wide Web is most relevant. One can surf the Internet by using a web browser such as Internet Explorer or Netscape. To reach a specific website through the web browser, an Internet surfer must type in the uniform resource locator (URL) for the desired destination. For example, someone who wishes to reach a sports news website might type in the URLs www.espn.com or www.cnn.com.

10. Communications on the Internet proceed via packets of data, each of which is individually addressed to go a particular location on the Internet, in a particular sequence. Transmission Control Protocol/Internet Protocol ("TCP/IP") is the system for



addressing these Internet packets, and operating in addition to Domain Name Service (“DNS”), translates these alphanumeric human-friendly URLs (such as www.espn.com) into 32-bit machine-friendly IP addresses (such as 123.444.52.323) so they can be routed to their desired destination.

11. Every time a computer accesses the Internet, it is assigned a unique IP address. So, for example, if one were to access the Internet from a home computer that accesses the Internet via Comcast’s High Speed Broadband service, then that cable modem would be assigned a unique IP address from among the large group of IP addresses assigned to the Comcast company. Additionally, each time a computer creates, accesses, or edits a website, that website adds that computer’s IP address to its log. Thus, each website has a record of the IP addresses of all visitors. By matching a website’s logged IP addresses with a broadband service’s records of which subscriber used that IP address at the time in question, one can identify the individual computer that accessed a website. Because IP addresses can only be assigned to one computer at a time, IP addresses are unique identifiers regularly relied upon by experts in the field of computer forensics.

12. While there is little centralized control over the Internet, one can generally discover the identity of a website’s registrant by doing a “WhoIs” search. Such searches are available on the website www.networksolutions.com. To run a WhoIs search, one must merely type in the URL or IP address of the relevant website.

Analysis of LasikQuack Sites

13. The individual(s) who established and controlled the LasikQuack Websites (“Webmaster”) sites took elaborate and expensive steps to conceal their identity. First,



the websites were hosted by Katz Global Media (“Katz”), which advertises at www.katzglobal.com/hosting/hosting.html, that it

provides total Anonymous Hosting®, Anonymous Domain Trust® and Offshore Hosting solutions for clients who would prefer to keep their personal and business information to themselves. We keep you 100% anonymous because **We never ask for any of your personal information, therefore we can never give it out.**

Katz claims to run its websites from a variety of foreign countries, usually by renting space for overseas companies.

14. We also know that the Webmaster used an e-Gold account, as opposed to a credit card to pay for LasikQuack.com and LasikQuack.net. E-Gold, www.e-gold.com, is online currency service that allows individuals to trade electronic codes that entitle them to amounts of (what is claimed to be) actual gold held by E-Gold. This method allows people to avoid providing traceable credit card information, which can be tied to a valid address. Because it is a web-based currency that relies on a gold standard, it is a transactional method of choice for illegal activity.

15. We also know that the Webmaster used the Anonymizer e-mail service to communicate. Anonymizer assigns a random IP address to its subscribers. Thus, while websites’ logs might indicate access from IP addresses that belong to Anonymizer, those websites generally could not discover the identity of the individuals behind those Anonymizer IP addresses.

16. We know that e-Gold and Anonymizer were used by the Webmaster because the web hosting company, Katz, provided an extensive log of its records detailing each



upload of content to the LasikQuack Websites and the method of payment used for the sites and the communications with site. This information is contained at Malin Aff. Ex. 9 and is crucial.

17. These records from Katz indicate that payment for the registration of www.LasikQuack.com was made via e-Gold account # 1896602. E-Gold also produced the account records for e-Gold account # 1896602. These records are attached at Malin Aff. Ex. 11. The e-Gold records reveal that several key facts about the Webmaster. First, on April 20, 2005, after the www.LasikQuack.com site was removed from the Internet by Katz, this individual changed his account information to the transparently fictitious “Lasik Consumer Trust, 1234 Consumer Avenue, Lasik Drive, TX 75000.” Luckily, the e-Gold account retained the fact that it was originally opened by and is owned by “Brent Hanson, 1687 Whitehall Court, Wheeling, IL 60090.”

18. Second, the e-Gold account records contain their own access logs and demonstrate that it was accessed by 2005-02-07 at 16:37:48.000 via IP address 207.56.64.194 IP. This IP address corresponds to Verio, an Internet collocation company, which in turn maintains an IP address reassignment database. Querying this database indicated that this IP address corresponds to Endeavor Information Systems in Des Plaines, Illinois. I placed a call to Endeavor Information Systems voicemail system and found a voicemail box for an individual employed there named Brent Hanson. Thus, there can be no dispute that the e-Gold account in the name of Brent Hanson was accessed from the place of employment of Brent Hanson.

19. Third, this same e-Gold account was also used to pay for registration of www.LasikQuack.net. Thus the e-Gold account confirms that www.LasikQuack.com and www.LasikQuack.net are controlled by the same person.



20. The overlap in content and WhoIs queries confirm that the LasikQuack Website are controlled by the same individual. The websites www.LasikQuack.com and www.LasikQuack.org have virtually the same content and www.LasikQuack.net and www.LasikQuack.org have the same WhoIs information. Furthermore, the WhoIs query of www.LasikQuack.net, Malin Aff. Ex. 13, revealed that domain name is controlled by the e-mail address, lasikmalpractice@hushmail.com. The WhoIs query of www.LasikQuack.org, Malin Aff. Ex. 13, revealed that it is likewise controlled by the same e-mail address, lasikmalpractice@hushmail.com. Finally, those WhoIs queries also indicated that www.LasikQuack.org and www.LasikQuack.net have the same registrant ID.

21. Thus, based on the e-Gold and Katz records, I have no doubt whatsoever and it is my professional expert opinion that www.LasikQuack.com, www.LasikQuack.net, and www.LasikQuack.org were registered and continue to be controlled by the same person and that the identity of that person, the Webmaster, is Brent Hanson.

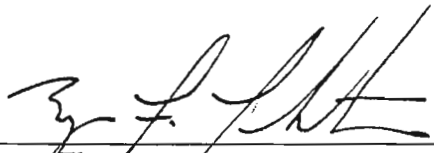
22. The Katz report further confirms this conclusion by indicating that www.LasikQuack.com was created by a computer at IP address, 67.167.50,69. During the relevant time period, this IP address was assigned to a subscriber of the Comcast network in the Chicago, Illinois area. Brent Hanson lives in the suburbs just north of Chicago.

23. My investigation is very much still ongoing and I understand that further records are still outstanding. Accordingly, I reserve the right to revise my opinion as further information comes to light.



24. Despite this ongoing investigation, I have no reasonable doubt, based on the evidence, my experience, and my expert analysis and opinion that the party responsible for the LasikQuack Websites is Brent Hanson.

I declare, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge.


Bryan Thornton

SWORN AND SUBSCRIBED TO before me this 9 day of May, 2005, to certify which witness my hand and official seal.


Notary Public

[seal]



MY COMMISSION EXPIRES
September 20, 2008



Net Reaction, LLC PROFESSIONAL PROFILE

Bryan F. Thornton, CISSP, EnCE

Bryan is a Certified Information Systems Security Professional as well as an EnCase Certified Examiner. Bryan has been highly involved in the areas of High Tech Investigations, Forensic Examinations, and Disaster Recovery and Business Continuity Planning. Bryan's specific area of expertise includes auditing the security of technology infrastructure and disaster recovery with an emphasis on post-mortem analysis and application. Bryan's experience has included very large IT security projects for several Fortune 1000 companies.

Cross Section of Experience

Law Firms:

- Torys, LLP
- Baker & McKenzie
- Ropes & Gray
- Macleod Dixon
- Goulsten & Storrs, P.C.
- Ellison, Nielsen, Knibbs, Zehe & Antas, P.C.
- Traub Eglin Lieberman Straus
- Weil, Gotthal & Manges LLP
- Godwin Gruber
- Sidley Austin Brown & Wood
- Baker Botts

Companies:

- ScotiaBank
- Microsoft
- Educational Testing Service
- The Port Authority of New York and New Jersey
- NEC America
- Raytheon Corporation
- Globespan Virata, Inc.
- Saudi Aramco
- Intel
- HypoVereinsbank America, Inc.
- Malden Mills Industries, Inc.
- International Specialty Products
- Tyco International, Inc.
- The United Nations Office of the High Commissioner, Bosnia
- Egghead.com
- Advo, Inc.
- Juniper Networks

Education

David Lipscomb University, B.S. (Engineering Science), May 1998

Professional Associations

International Information Systems Security Certification Consortium (ISC2)

