

MARK LANTERMAN, being first duly sworn, deposes and says on oath as follows:

1. My name is Mark Lanterman. I am the Chief Technology Officer for Computer Forensic Services, Inc. located in Minnetonka, Minnesota. Our firm specializes in the forensic examination of computer data in conjunction with law enforcement officials for investigative purposes, as well as law firms for litigation purposes. Prior to joining CFS, I was a criminal investigator with over eleven years of law enforcement experience. During my last three years in law enforcement I was assigned to the United States Secret Service Electronic Crimes Task Force as its senior computer forensic analyst.

2. In connection with my current and former employment, I have supervised or participated in dozens of search warrant executions for digitally stored (computerized) records and evidence. I am certified by the United States Department of Homeland Security as a "Seized Computer Evidence Recovery Specialist", as well as being certified in computer forensics by the National White Collar Crime Center. I have conducted seminars and training for the Minnesota State Bar Association, the International Association of Chiefs of Police, the Federal Bureau of Investigation, the New York State Bar and the Minnesota Institute for Legal Education. I am currently retained by the Honorable District Court Judge Patricia Kerr-Karasov as a neutral computer forensic analyst.

3. I have read the Affidavit of Todd Lunsford, dated November 28, 2006. I have also read the transcript of Todd Lunsford's deposition, dated February 8, 2005.

4. Several of the assertions made by Mr. Lunsford in his affidavit are incorrect.

5. I have received specialized computer forensic training from the Department of Homeland Security on the techniques needed to recover deleted e-mail data from Microsoft Exchange e-mail servers.

6. Mr. Lunsford's affidavit states that it is necessary to create separate server "environments" for each of the different versions of Microsoft Exchange used by Quicken Loans during the relevant time period.

7. It is not necessary to create a Microsoft Exchange environment to recover and review data created and/or stored in Microsoft Exchange 5.5, Microsoft Exchange 2000 or Microsoft Exchange 2003 format(s). I have personally recovered e-mail from Microsoft Exchange servers in over 50 criminal investigations and over 300 civil matters. Not once was it necessary for me to restore or create a Microsoft Exchange server environment. As such, Mr. Lunsford's cost estimates of \$426,000 (Paragraph 3(j)) and \$860,000 (Paragraph 4(c)) are grossly exaggerated.

8. It is apparent from his affidavit that Mr. Lunsford has neither the training nor the experience necessary to render a meaningful opinion on the topic of Microsoft Exchange e-mail recovery.

9. Based upon my experience and training, this restoration and recovery project should cost significantly less than Mr. Lunsford believes

10. It is important to understand that in addition to the production of the 'hard copy' of a document or file, there may be computer generated information (metadata) relating to the document which is not produced in the 'hard copy.'" For example, there

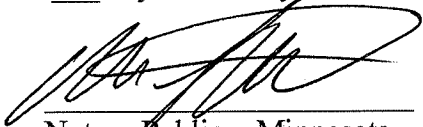
may be hidden text from earlier drafts in the computer file that does not appear in the printed paper version. Computer files also have system information that is not disclosed on the printed version, such as dates when documents were created, accessed or modified. Email may have file names, comments, distribution lists, date and times that only appear in the detail of the "header".

11. It is also important to understand that when a user "deletes" files, or e-mails, the data are not necessarily unrecoverable. Until the data are "overwritten" by another file or data, the "deleted" file/data is/are still subject to recovery. As such, it is essential to preserve all involved computer hard drives as soon as possible as deleted, but relevant, data may be overwritten and destroyed.

12. Should any hard drive imaging be completed by someone not trained in digital evidence preservation, there is the risk of further spoliation.

13. As explained above, it is extremely important that forensically sound images of the requested media be made immediately.

Subscribed and sworn to before me
this 16th day of January 2007.



Notary Public – Minnesota
My Commission Expires: 1/31/2011



Mark Lanterman

