

# EXHIBIT 13

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

MHL CUSTOM, INC.,

Plaintiff,

v.

WAYDOO USA, INC. AND SHENZHEN  
WAYDOO INTELLIGENCE  
TECHNOLOGY CO., LTD.,

Defendant.

C.A. No.: 21-CV-0091  
Judge Richard G. Andrews

**This declaration has been marked  
"Attorney's Eyes Only" because it  
references documents marked as such**

---

DECLARATION OF MARK LANTERMAN

1. My name is Mark Lanterman.<sup>1</sup> I am the Chief Technology Officer of Computer Forensic Services ("CFS") located in Minneapolis, Minnesota. I was retained by counsel for Defendants in this action on January 11, 2022.

2. I offer this declaration to discuss the electronic evidence related to a PDF document entitled "Slutrapport Evolo." ("Evol Report"). I understand that this document is a report about the Evolo project, a personal hydrofoil watercraft. (See Kutteneuler Decl. ¶ 4). In summary, and consistent with opinions supported in greater detail in this declaration, the Evolo report was created in 2009, was first published to the Internet no later than [REDACTED], remained publicly available on the Internet after that date, and was subsequently accessed on multiple occasions by Internet users.

---

<sup>1</sup> Exhibit 1 to this Declaration contains my curriculum vitae, including a list of cases in which I have testified in the last four years, as well as a list of articles I have written for a number of publications throughout the past 10 years. CFS is compensated at rates ranging from \$325 to \$625 per hour for my work, depending upon the requested task. CFS's compensation is not dependent upon the outcome of this case.

## I. Background

3. CFS specializes in the analysis of digital evidence in civil and criminal litigation. I have over 30 years of experience in computer forensics and cybersecurity. Prior to joining CFS, I was a sworn investigator for the United States Secret Service Electronic Crimes Task Force and acted as its senior computer forensic analyst.

4. I am certified by the United States Department of Homeland Security as a "Seized Computer Evidence Recovery Specialist," as well as certified in computer forensics by the National White-Collar Crime Center. Both federal and state court judges have appointed me as a neutral computer forensic analyst or special master.

5. I graduated from Upsala College with both a Bachelor of Science and a Master's degree in computer science. I completed my post graduate work in cyber security at Harvard University.

6. I am currently adjunct faculty of computer science for the University of Minnesota Technological Leadership Institute's Master of Science and Security Technologies program (MSST). I am faculty at Hamline University and a professor of cybersecurity at the University of St. Thomas School of Law. I am also faculty for the National Judicial College in Reno, Nevada and the Federal Judicial Center in Washington, D.C.

7. I have previously provided training or delivered keynote addresses for the United States Supreme Court; the Eleventh Circuit Federal Judicial Conference; the Eighth Circuit Federal Judicial Conference; the Southern District of Georgia; the Western District of Tennessee; and several state judicial conferences. I delivered the

keynote address at the Chief Justices' Conference in Newport, Rhode Island and at Georgetown Law School's advanced e-discovery conference.

8. I was appointed by the Minnesota Supreme Court to serve as a member of Minnesota's Lawyers Professional Responsibility Board ("LPRB"). I currently serve on the LPRB's Rules and Opinion Committee.

9. I am a co-author of the Minnesota State Bar's e-Discovery Deskbook, and I also write monthly articles for *Minnesota Bench & Bar* magazine.

10. CFS is the exclusive, contracted computer forensic service provider for the Hennepin County Sheriff's Office (the county that encompasses Minneapolis) and the Metropolitan Airports Commission, also known as the Minneapolis/Saint Paul International Airport. CFS is also partnered with the U.S. Secret Service to assist with its electronic investigations.

## **II. Materials provided**

11. I am familiar with the general factual and procedural history of this action. Defendants' counsel has provided the following documents to me, as they are germane to the public availability of the Evolo report:

- a. The original complaint, dated January 27, 2021;
- b. The URL, "[http://flygmac7.flyg.kth.se/cdio/old\\_projects/evolo/Evolo\\_slutrapport.pdf](http://flygmac7.flyg.kth.se/cdio/old_projects/evolo/Evolo_slutrapport.pdf)," and the PDF file to which it directs;
- c. The Declaration of Jakob Kutteneuler, dated December 3, 2021;
- d. Logs associated with the webserver that hosted the document ([http://flygmac7.flyg.kth.se/cdio/old\\_projects/evolo](http://flygmac7.flyg.kth.se/cdio/old_projects/evolo)). (See also Kutteneuler Decl. ¶ 10);
- e. A true and correct copy of responsive information provided by Google, Inc. (See Business Record Certification of Google, Inc., pursuant to Fed. R.

Evid. 902(11)). These documents disclose “[...] records pertaining to URL Crawl date and First Seen date for the following URLs:  
[http://flygmac7.flyg.kth.se/cdio/old\\_projects/evolo/](http://flygmac7.flyg.kth.se/cdio/old_projects/evolo/) and  
[http://flygmac7.flyg.kth.se/cdio/old\\_projects/evolo/  
Evolo\\_slutrappport.pdf](http://flygmac7.flyg.kth.se/cdio/old_projects/evolo/Evolo_slutrappport.pdf).”<sup>2</sup>

12. The above-listed documents are incorporated by reference. I respectfully reserve the right to supplement or amend this declaration if additional information is provided to me.

### **III. The Evolo Report was created in 2009.**

13. Electronic documents, like the Evolo Report, often contain embedded information that relates to or is about the file or its creation. In addition to the substantive content on the face of the document, there may be computer-generated information (metadata) related to the document that is not necessarily visible on the document’s face.

14. For example, metadata may include the dates associated with the file (*e.g.*, the date it was created, modified, and/or printed), the name of the individual who created the document, and the application or program that was used to create it. This information is embedded into the file itself.

15. In the case of PDF documents, metadata can be observed by reviewing the “Properties” of the file. Figure 1 below is a true and correct representation of the “Properties” (metadata of the Evolo Report).

---

<sup>2</sup> I note that these documents have been marked “Highly Confidential; Attorney’s Eyes Only.”

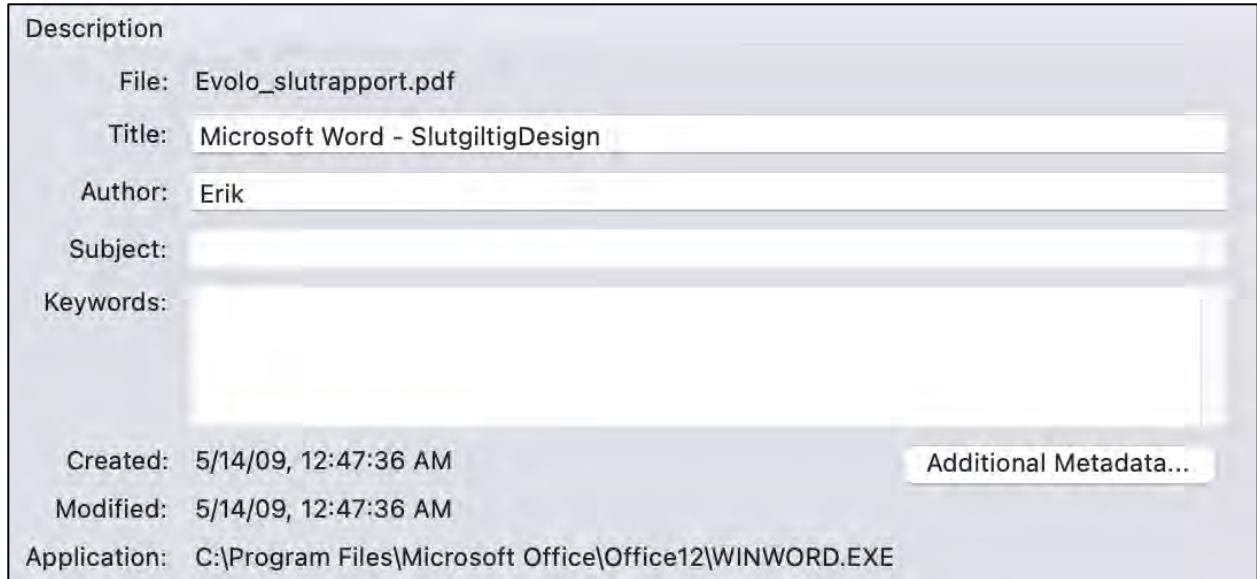


Figure 1

16. The “Author” field of a PDF is usually populated with the name of the computer user account (or the designated licensee name) that was used to create a PDF file. Here, the Evolo Report’s metadata discloses that “Erik” was designated as the Author (*See, generally*, Evolo Report referencing “Erik Jerilgård”).

17. The “created” time of a PDF is generally representative of the date that the file was generated. The “modified” time of a PDF is the last time that an alteration was made to the file. The Evolo Report’s metadata discloses that it was both created and last modified on May 14, 2009, at precisely the same time.

18. Moreover, the “Application” field discloses the path of the application or program that was used to generate the PDF file. The Evolo Report was generated using Microsoft Word.<sup>3</sup> I note that, specifically, the Evolo Report was generated using the

---

<sup>3</sup> This is further supported by the Evolo Report’s “Title” field (“Microsoft Word – SlutgiltigDesign”), which in most circumstances records the name of the original document from which the PDF document is derived.

twelfth version of Microsoft Office, which is also referred to as Microsoft Office 2007 and was available in 2009.

19. There is no information available within the Evolo Report to indicate that the file's properties were altered. The Evolo Report's metadata indicates that it was created on May 14, 2009, from a Microsoft Word document, by a user designated as "Erik," and that it has not been changed or modified since its creation. (See Kutteneuler Decl. ¶ 20, "The publicly available metadata for [...] the final Evolo report [has] not been modified since 2009."). The matching created and modified timestamps indicate that after the Evolo Report was created, it was not modified.

**IV. The Evolo Report was made publicly available on the Internet, shortly after it was created in 2009.**

20. Google maintains information about the websites it encounters and presents as Google search results.<sup>4</sup> I have reviewed information provided by Google related to the following web addresses:

- a. [http://flygmac7.flyg.kth.se/cdio/old\\_projects/evolo/](http://flygmac7.flyg.kth.se/cdio/old_projects/evolo/)
- b. [http://flygmac7.flyg.kth.se/cdio/old\\_projects/evolo/Evolo\\_slutrapport.pdf](http://flygmac7.flyg.kth.se/cdio/old_projects/evolo/Evolo_slutrapport.pdf).

21. For each of these web addresses, Google disclosed two (2) dates: 1) the date that that location was "first seen" and 2) the date that the webpage was "crawled". The "first seen" date represents when Google's services encountered the webpage on

---

<sup>4</sup> See "In-depth guide to how Google Search works", available at: <https://developers.google.com/search/docs/advanced/guidelines/how-search-works>, last accessed: August 3, 2022, "Google Search is a fully-automated search engine that uses software known as web crawlers that explore the web regularly to find pages to add to our index."

the Internet. In contrast, the first crawled date is generally used to refer to the date that the webpage's content was indexed. (See "In-depth guide to how Google Search works", available at: <https://developers.google.com/search/docs/advanced/guidelines/how-search-works>, last accessed: August 3, 2022, "There isn't a central registry of all web pages, so Google must constantly look for new and updated pages and add them to its list of known pages. This process is called "URL discovery" [first seen]. Once Google discovers a page's URL, it may visit (or "crawl") the page to find out what's on it.")

22. As an analogy, the "first seen" date is like the date that a letter is received. The "first crawled" date is when the letter is opened.

23. The webpage at the address [http://flygmac7.flyg.kth.se/cdio/old\\_projects/evolo/](http://flygmac7.flyg.kth.se/cdio/old_projects/evolo/) contains information about the Evolo project and contains a link to the Evolo Report. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

24. The Evolo Report, at the web address [http://flygmac7.flyg.kth.se/cdio/old\\_projects/evolo/ Evolo\\_slutrappport.pdf](http://flygmac7.flyg.kth.se/cdio/old_projects/evolo/Evolo_slutrappport.pdf), [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].



25. Therefore, information provided by Google about the service's interactions with the Evolo project webpage and the Evolo Report indicate that both were publicly available on the Internet no later than [REDACTED], respectively.

26. The Evolo Report would have been included in the results of an appropriate Google search no later than [REDACTED]. The Evolo project webpage would have been included in the results of an appropriate Google search no later than [REDACTED].

**V. Logs from the webserver where the Evolo Report was hosted further establish that the Evolo Report was publicly available on the Internet before October 2013, and was affirmatively accessed by Internet users.**

27. A webserver is a computer that is used to store a webpage and run software that makes the webpage available on the Internet. In most cases, web servers generate and maintain logs. The logs are used to record Internet users' interactions with the webpage, and the performance of the webserver, including any errors.

28. As noted above, I received the webserver logs that were collected by Professor Kutteneuler. (*See supra*. ¶ 11, *see also* Kutteneuler Decl. ¶ 10).

29. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED].

30. The log recorded activity with the webserver between [REDACTED]  
[REDACTED].

[REDACTED]

[REDACTED]

[REDACTED].

31. I observed successful activity between the webserver and Internet users on each calendar day from [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

32. In order to identify logged entries related to the Evolo Report, I used the location and filename of the Evolo Report. As an example, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Table 1

33. [REDACTED]

[REDACTED]

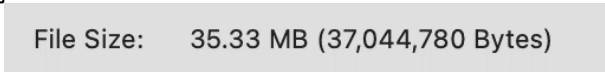
---

<sup>5</sup> A "GET" command is simply a request to obtain data from a server.

[REDACTED]

[REDACTED].

34. For each of the successful requests for the Evolo Report, the amount of data that was returned to the requestor was 37,044,780 bytes. This data volume, listed in the log, matches to-the-byte, the size of the Evolo Report PDF file. Figure 2 is a screenshot of the file size reported in the Evolo Report's properties. (*Compare with supra*. Table 1).



*Figure 2*

35. Because the size of the Evolo Report is the same, to-the-byte, as the volume of data returned in the webserver logs, it indicates the strong likelihood that the file has not been modified since it was made publicly available.

36. [REDACTED]

[REDACTED]

[REDACTED].

37. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

## VI. Summary

38. In summary, it is my opinion that:

- a. The Evolo Report was created in 2009;

- b. The Evolo Report was published to the Internet, and available to Internet users, shortly after its creation in 2009;
- c. The Evolo Report remained publicly available and was indeed accessed by users on the Internet through October 2013.

I declare under penalty of perjury under the law of the United States that the foregoing is true and correct.

Executed on: August 5, 2022 in Hennepin County, Minnesota.



---

Mark Lanterman

**EXHIBIT 1**



## Mark Lanterman Chief Technology Officer

Office  
800 Hennepin Avenue  
5<sup>th</sup> Floor  
Minneapolis, MN 55403

Phone  
(952) 924-9920

Fax  
(952)924-9921

Email  
mlanterman@compforensics.com

Web  
www.compforensics.com

### Professional Biography

Mark has over 25 years of experience in digital forensics, e-discovery, and has provided education and training to a variety of audiences. Prior to founding Computer Forensic Services in 1998, Mark was a sworn law enforcement investigator with the United States Secret Service Electronic Crimes Task Force. Both federal and state court judges have appointed Mark as a neutral computer forensic analyst.

Mark is a member of the Minnesota Lawyers Professional Responsibility Board and serves as Chairperson of its Opinion Committee.

Mark frequently provides training within the legal community, including presentations for the United States Supreme Court, Georgetown Law School, the 11<sup>th</sup> Circuit Federal Judicial Conference, the 8<sup>th</sup> Circuit Federal Judicial Conference, the American Bar Association, the Federal Bar Association, and the Department of Homeland Security, among others.

As a member of its faculty, Mark has presented to the entire Federal Judiciary through the Federal Judicial Center. Mark is faculty at the National Judicial College, Mitchell Hamline School of Law, and is an adjunct instructor in the University of Minnesota's MSci Security Technologies program. Mark is also a professor at the Saint Thomas School of Law.

Mark provides frequent commentary about cyber security issues for national print and broadcast media, including ABC, Bloomberg, BusinessWeek, CBS, Fox News, NBC, *The New York Times*, NPR, and the *Wall Street Journal*.

### Education and Certifications

Upsala College - B.S. Computer Science; M.S. Computer Science

Harvard University - Cybersecurity

Department of Homeland Security - Federal Law Enforcement Training Center  
Seized Computer Evidence Recovery Specialist

National White-Collar Crime Center - Advanced Computer Forensics

### Publications

Co-author of the *E-Discovery and Forensic Desk Book*

Regular columnist for *Bench & Bar* magazine



Previous Testimony List – Mark Lanterman

- *Jane Doe, et al. v. Independent School District 31*, 20-CV-00226, (U.S. Dist. Ct. Minn.)
- *Vision Industries Group, Inc. v. ACU Plasmold, Inc., et al.*, 2:18-CV-6296, (U.S. Dist. Ct. New Jersey)
- *Baxter Insurance Group of Agents, et al. v. Woitalla et al.*, 27-CV-20-16685, (Henn. Co. Minn.)
- *Sarah Hoops v. Solution Design Group, Inc.*, 27-CV-20-11207, (Henn. Co. Minn.)
- *Stephanie Ramos v. Lazy J Transport, et al.*, 2018CI21594, (Dist Ct. Bexar Co., Texas)
- *Schwan's Company, et al. v. Rongxuan Cai, et al.*, 0:20-SC-2157, (U.S. Dist. Ct. Minn.)
- *Michael D. Tewksbury, as Guardian ad Litem for Miles Chacha and Lulu Kerubo Simba v. PODS Enterprises, LLC, et al.*, 62-CV-20-4209, (Ramsey Co., Minn.)
- *RG Golf v. The Golf Warehouse*, 19-CV-00585 (U.S. Dist. Ct. Minn.)
- *Dunn v. PSD LLC, et al.*, 02-CV-20-4504, (Anoka Co., Minn.)
- *Chambers, et al. v. B&T Express, et al.*, 19-CI-00790, (Franklin Cir. Ct. Ky. 2d Div.)
- *Natco Pharma Ltd. V. John Doe*, 21-cv-00396-ECT-BRT, (U.S. Dist. Ct. Minn.)
- *Kimberly Clark, et al. v. Extrusion Group, et al.*, 1:18-cv-04754-SDG, (U.S. Dist. Ct. N.D. Ga.)
- *PalatiumCare Inc. v. Notify, LLC, et al.*, 2021-cv-000120, (Sheboygan Co., Wis.)
- *State of Nebraska v. Jeffrey Nelson*, CR21-19, (Saunders Co., Nebraska)
- *Lutzke v. Met Council*, 27-CV-19-14453, (Henn. Co. Minn.)
- *Rivera et al., v. Hydroline, et al.*, DC-19-143, (Dist. Ct. Duval Co, Texas).
- *Coleman & Hartman, et al. v. iAMg, et al.*, 16CV317, (Cir. Ct. Polk Co Wis.)
- *Mixon v. UPS, et al.*, 2019-CI-13752, (Dist Ct. Bexar Co., Texas)
- *Goodman v. Goodman*, 27-DA-FA-21-672, (Henn. Co. Minn.)
- *Shaka v. Solar Partnership*, 27-CV-20-12474, (Henn. Co. Minn.)

- *Patel Engineering Ltd. V. The Republic of Mozambique*, UNCITRAL PCA: 2020-21.
- *Estate of Rima Abbas v. ABDCO*, (19-CI-1315), (Fayerette Cir. Ct. Ky. 4th Div.)
- *State of Nebraska v. Jeffrey Nelson*, CR21-19, (Saunders Co., Nebraska)
- *Riccy Mabel Enriquez-Perdomo v. Richard A. Newman, et al.*, 3:18-CV-549, (U.S. W.D. Kentucky)
- *United States v. Alakom-Zed Crayne Pobre*, PX-19-348, (U.S. Dist. Maryland)
- *Lewis v. Northfield Savings Bank, et al.*, 295-5-19-WNCV, (Vermont, Sup. Ct., Washington Div.)
- *State of Minnesota v. Thomas James Crowson*, 13-CR-20-325, (Chisago Co., Minn.)
- *Vimala et al., v. Wells Fargo, et al.*, 3:19-CV-0513, (U.S. M.D. Tenn.)
- In re: Estate of Anthony Mesiti, 318-2017-ET-00340, N.H. 6th Cir. Probate Division.
- Ernie’s Empire, LLC, et al. v. Burrito & Burger, Inc., et al., 82-CV-20-28, (Wash. Co., Minn.)
- Sol Brandys v. Wildamere Capital Management LLC, Case No.: 27-CV-18-10822, (Henn. Co., Minn.)
- State of Minnesota v. Yildirim, Case No. 27-CR-19-7125, (Henn. Co., Minn.)
- Jabil v. Essentium, et al., Case No. 8:19-cv-1567-T-23SPF, (U.S. M.D. Fla.)
- Lifetouch National School Studios Inc. v. Walsworth Publishing Company, et al., (U.S. Dist. Conn.)
- Motion Tech Automation, LLC v. Frank Pinex, Case No.: 82-CV-18-5202, (Wash. Co., Minn.)
- Lundin v. Castillo, et al., Case No.: 2019-CV-000452, (Walworth Co., Wis.)
- Yun v. Szarejko-Gnoinska, et al., Case No.: 27-PA-FA-13-967, (Henn. Co., Minn.)
- Jonas Hans v. Belen Fleming, Case No.: 27-PA-FA-13-967, (Henn. Co., Minn.)
- Daniel Hall, et al. v. Harry Sargeant III, Case No.: 18-cv-80748, (U.S. Dist. Ct. S.D. Fl.)
- Miller v. Holbert, et al., Case No.: 48-CV-15-2178, (Mille Lacs Co., Minn.)
- Strohn, et al. v. Northern States Power Company, et al., Case No.: 18-cv-1826-DSD-KMM, (U.S. Dist. Ct. Minn.)
- Stamper, et al. v. Highlands Regional Medical Center, Case Nos.: 11-CI-1134 & 12-CI-00468, (Commonwealth of Kentucky, Floyd Cir. Co., Div. I).



- 
- Patterson Dental Supply, Inc. v. Daniele Pace, Case No.: 19-cv-01940-JNE-LIB, (U.S. Dist. Ct. Minn.)
  - Ryan Rock v. Jonathan Sargent and The Sargent Group, Inc. d/b/a Todd & Sargent, Inc., Case No. LACV050708, Dist. Ct. Story Co., Iowa.
  - Oscar Alpizar v. Eazy Trans, LLC, et al., Case No.: 2018CI00878, (Dist Ct. Bexar Co., Texas)
  - MatrixCare v. Netsmart, Case No.: 19-cv-1684, (D. Minn.)
  - State of Minnesota v. Nathan Roth, Case No.: 80-CR-18-1007, (Wadena Co., Minn.)
  - Parisi v. Wright, Case No.: 27-CV-18-5381, (Henn. Co., Minn.).
  - Lloyd C. Peeoples, III v. Carolina Container, LLC, U.S. N. Dist. Geor., Case No.: 4:19-cv-00021
  - Sandra Wolford, et al. v. Bayer Corp., et al., Action No. 16-CI-907, 17-CI-2299, Commonwealth of Kentucky, Pike Cir. Ct. Div. I. (2019)
  - BuildingReports.com, Inc. v. Honeywell International, Inc., Case No.: 1:17-cv-03140-SCJ, (U.S. Dist. Ct. N.D. Ga.)
  - Evan D. Robert and Dr. Kerry B. Ace v. Lake Street Cafeteria, LLC, et al., Case No: 27-CV-17-18040, (Henn. Co., Minn.)
  - State of Minnesota v. Andrew Seeley, Case No.: 14-CR-17-4658, (Clay Co., Minn)
  - McNutt & Company v. Focus Engineering, et al., Case No.: CV-2018-900432.00, Cir. Ct. Lee County, Alabama.
  - In re: City of Eden Prairie and Law Enforcement Labor Services Inc., BMS Case #19-PA-0530 (2019).
  - State of Minnesota v. Stephen Allwine, Case No.: 82-CR-17-242, (Wash. Co., Minn.)
  - PMT v. Wade Fredrickson, Case No.: 27-CV-18-4364, (Henn. Co., Minn.)
  - Stratasys, Inc. v. Christopher Krampitz, Case No.: 0:17-cv-05524-DSD-HB, (D. Minn.)
  - State of North Dakota v. Connor Brennan, (Court File No.: 17300214), (Grand Forks Co., ND)
  - U.S. v. Farber, Case No.: 1:2017-cr-00188-320735, (E.D. Cal.)
  - In re: the Marriage of: Amanda Jo Briggs and Kent Stewart Mitchell Briggs, Case No.: 27-FA-17-3414, (Henn. Co., Minn.)
  - Edgewell Personal Care Company v. Michael O'Malley, (Superior Court (Judicial District of Ansonia at Milford) No. AAN-CV-176025160-S)
  - East Coast Test Prep, L.L.C. d/b/a Achieve Test Prep and Mark Olynyk, v. Allnurses.com, Inc., and David R. Smits, as Administrator of the Estate of

---

Brian Short, ABC Companies 1-10 and John Does 1-10, Case No.: 0:15-cv-03705-JRT-SER (D. Minn.)

- DTN, LLC, v. Matthew Walsh, Case No. 0:17-cv-5206(SRN)(HB) (D. Minn.)
- In Re the Matter of: Wainaina Kamau and Ruth Marionya Kamau, Court File No: 27-DA-FA-18-5521 (Dist. Ct. Hennepin County, Minn.)
- Nagios Enterprises, LLC, vs. Mary Starr, et al. Court File No: 62-CV-16-3280, (Dist. Ct. Ramsey County, Minn.)
- Larry Novack v. David Rios and United Parcel Service, Inc. (TX Dist. CT., 57th Dist. (Bexar County, Texas) No. 2016-CI-12388)
- Mylan Pharmaceuticals Inc., Petitioner v. Sanofi-Aventis Deutschland GMBH Patent Owner (United States Patent and Trademark Office) U.S. Patent Nos. 7,476,652 and 7,713,930-IPR2017-01526/IPR2017-01528)
- Elisabeth Ostendorf v. Michigan State University and the Board of Trustees of Michigan State University, (State of Michigan (In the court of claims) No. 15-47-MZ)
- Elyse Puklich v. Blayne Puklich, (Burleigh Co., ND) No. 08-2014-CV-00029)
- Jeffrey Ketchum and Anniken Ketchum vs. Home-Owners Insurance; D & L Janitorial Supply, Inc. (MI 47th Circuit Court (Delta Co.) No. 15-22960-CB)
- Parsons Electric L.L.C vs. Integrated Building Solutions L.L.C., Paul Kelly, Kristopher Kelly, Troy Stanislawski, and Jack Tucker (MN Dist. CT., 10th Dist. (Anoka Co.) No. 02-CV-16-2644)
- State of Minnesota vs. Erin Marie Hennessey, (MN Dist. CT., 10th Dist. (Washington Co.) No. 82-CR-16-2208)
- The Hays Corporation vs. Barry Peters, et al. (In The Circuit for Montgomery Co., Maryland)
- International Chemtex Corporation vs. Jennifer Lassiter, John Hofstad, and Sustainable Water Treatment, LLC (United States Dist. Court (Dist. of MN)
- David Rubenzer and La La La, LLC vs. City of Burnsville (MN Dist. CT., 1st Dist. (Dakota Co.) No. 19HA-CV-15-3743)
- State of Minnesota vs. John Frederick Thorene, IV (MN Dist. Ct., 6th Dist. St. Louis Co.) No. 69DU-CR-15-3038)
- Nu-Look Exteriors, Inc. vs. Brett A. Looney, Mark A. Peare, Julie A. Young, f/k/a Julie A. Strot, Stephen B. Martin, and 4 Corner Architectural Sheet Medal, Inc. (MN Dist. CT., 1st Dist. (Dakota Co.) No. 19HA-CV-15-432)
- Brook Mallak v. Aitkin County, et al., (United States District Court of Minnesota, No. 13-CV-02119 DWF/LIB)

- Jonathan Scarborough v. Federated Mutual Insurance Company, (United States District Court (Dist. of MN) No: 0:15-cv-01633 -DWF/FLN)
- Future Motion, Inc. vs. Changzhou First International Trade Co., LTD, (United States District Court (Dist. of NV) No. 2:16-cv-00013-MMD-CWH)
- In re the Marriage of: Catherine Ann Ivey and John Raymond Ivey, (State of Minnesota (Hennepin Co.) No. 27-FA-15-7650)
- Bay Side Recycling Co., et al. v. SKB Environmental, Inc., Case No.: 14-CV-4550 (SRN/LIB), (U.S. Dist. Ct. Minn.).
- United States of America v. Khaalid Adam Abdulkadir, (United States District Court (Dist. of MN) No: 15-mj984 KES)
- Kimberly Kay Seidel and Trevor Carlton Seidel, (MN Dist. Ct., 10th Dist. (Anoka Co.) No. 02-FA-15-2022)
- Dexon Computer, Inc. v. Modern Enterprise Solutions, Inc., Timothy Durant, and Andrew Uzpen, (MN Dist. Ct., 4th Dist. (Hennepin Co.) No. 27-CV-15-17171)
- Golden Supply, Inc., a Minnesota Corporation v. Jeffrey Hunt and Ken Aronckes, (MN Dist. Ct. 4th Dist. (Hennepin Co.) No. 27-CV-15-1625)
- Jerry Wilkinson and Karen Wilkinson v. State Farm Fire and Casualty Company, (U.S. Dist. Ct. E.D. Wis.) Case No. 14 CV 1187)
- Greiner Construction, Inc. vs. Bert Westerman et al., (MN Dist. Ct., 4th Dist. (Hennepin Co.)
- Samantha Orduno, et. al. v. Richard Pietrzak, et al. (United States District Court (Dist. of MN) No. 0:14-cv-01393-ADM-JSM)
- Zimmer, Inc. v. Stryker Corporation; Howmedica Osteonics Corp. d/b/a Stryker Orthopedics; and Cody Stovall. (United States District Court (Northern District of Indiana of Indiana South Bend Division) Case No. 3:14-cv-00152-JD-Can)
- Robert Half International Inc., v. Donna Farrugia, et al. (Superior court of State of California (San Francisco Co.) No. CGC-14-539338)
- Emergent Systems Exchange, LLC, vs. Daniel Ray McGinnis, et al., (MN Dist. Ct., 4th Dist. (Hennepin Co.) No. 27-CV-147338)
- Tristan Connor Damron v. John E. Norris, et. al., (Ala. Circuit Court (Elmore Co.) No. CV11-900259.00)
- Curtis Trude, et al. v. Glenwood State Bank, et al. (MN Dist. Ct., 8th Dist. (Meeker Co.) No. 47-CV-12-176)
- Pioneer Home, Inc. v. American Federal Bank, (MN Dist. Ct., 7th Dist. (Hennepin Co.) No. 56-CV-13-3353)
- Prosthetic Laboratories of Rochester, Inc., v. Brandon Sampson, et al., (MN Dist. Ct. 3rd Dist. (Hennepin Co.) No. 55-CV-133625)

- Jenine Ellison v. Advanced Surgery Center of Palm Beach Count, LLC, (15th Circuit Court (Palm Beach County), Florida. No: 502011CA020861XXXXMB.)
- JIT Companies, Inc. v. Erik Edwin Swanson, (MN Dist. Ct., 3rd Dist. (Hennepin Co.) No. 66-CV-132532)



## Publications List – Mark Lanterman

### *Bench & Bar of Minnesota*

*How the American Choice and Innovation Online Act may affect cybersecurity,*  
July 2022

*Smishing attacks and the human element,* May/June 2022

*Still on the defensive, More on the Missouri website vulnerability investigation,*  
April 2022

*What we can already learn from the Cyber Safety Review Board,* March 2022

*The Log4j vulnerability is rocking the cybersecurity world. Here's why.,*  
January/February 2022

*On the defensive: Responding to security suggestions,* December 2021

*Go fish? Proportionality revisited,* November 2021

*Mailbag: Cybersecurity Q+A,* October 2021

*The NSA advisory on brute force attacks,* September 2021

*Security is a team game,* August 2021

*Improving national cybersecurity,* July 2021

*Apple's new iOS strikes a blow for data privacy,* May/June 2021

*Geofence warrants, The battle is just beginning,* April 2021

*Ransomware and federal sanctions,* March 2021

*The SolarWinds breach and third-party vendor security,* February 2021

*Considerations in cloud security*, January 2021

*Deciding when to use technology-assisted review*, December 2020

*How to avoid an old scam with a new twist*, November 2020

*Your back-to-school tech brush-up*, October 2020

*The Twitter breach and the dangers of social engineering*, September 2020

*Cyber risk: Is your data retention policy helping or hurting?*, August 2020

*Cyber riots and hacktivism*, July 2020

*Working from home and protecting client data*, May/June 2020

*Cybersecurity in pandemic times*, April 2020

*Business continuity and coronavirus planning*, March 2020

*Doxxing made easy: social media*, March 2020

*Taking responsibility for your cybersecurity*, February 2020

*Beyond compliance: Effective security training*, January 2020

*Doxxing redux: The trouble with opting out*, December 2019

*Proportionality and digital evidence*, November 2019

*AI and its impact on law firm cybersecurity*, October 2019

*Too secure? Encryption and law enforcement*, September 2019

*Security, convenience and medical devices*, August 2019

*Physical security should be part of your incident response plan*, July 2019

*"Papers and effects" in a digital age, pt II*, May/June 2019

*Security considerations for law firm data governance*, April 2019

*Third-party vendors and risk management*, March 2019

*The Marriott breach: four years?*, February 2019

*"Papers and effects" in a digital age*, co-authored with Judge (Ret.) Rosenbaum, January 2019 (Republished in *The Computer & Internet Lawyer*)

*The Chinese spy chip scandal and supply chain security*, December 2018 (Republished in *The Computer & Internet Lawyer*)

*Don't forget the inside threat*, November 2018

*Cyberattacks and the costs of reputational harm*, October 2018

*Fair elections and cybersecurity*, September 2018

*E-discovery vs. forensics: Analyzing digital evidence*, August 2018

*Social media and managing reputational risk*, July 2018

*Managing Cyber Risk: Is cyber liability insurance important for law firms?*, May/June 2018 (Republished in *The Computer & Internet Lawyer*)

*Social engineering: How cybercriminals capitalize on urgency*, April 2018

*Stephen Allwine: When crime tries to cover its digital tracks*, March 2018

*Is the Internet of Things spying on you?*, February 2018

*#UberFail*, January 2018

*Ransomware: To pay or not to pay?*, December 2017

*How digital evidence supported gerrymandering claims*, November 2017

*Facial recognition technology brings security & privacy concerns*, October 2017

---

*Putting communication and clients first in digital forensic analysis*, September 2017

*Digital evidence: New authentication standards coming*, August 2017

*Your Personal Data – Or is it? Doxxing and online information resellers pose threats to the legal community*, May/June 2017

*What You Don't Know Can Hurt You: Computer Security for Lawyers*, March 2014

### **Minnesota Lawyer**

*Phishing, vishing and smishing – oh, my!*, January 2018

*Equifax was unprepared for a data breach*, September 2017

*Cybersecurity and forensic application in cars*, July 2017

*Preventing 'spear-phishing' cyber attacks*, May 2017

*Opting out when private information goes public*, March 2017

*Are fingerprints keys or combinations?*, February 2017

*Digital Forensics and its role in data protection*, February 2017

*Acknowledge the security issues*, December 2016

*Modern life is driven by the internet of things*, November 2016

*Are medical devices vulnerable to hackers?*, October 2016

*Digital evidence as today's DNA*, September 2016

### **Colorado Lawyer**

*Is Emailing Confidential Information a Safe Practice for Attorneys?*, July 2018  
(Republished in The Journals & Law Reviews database on WESTLAW)



**International Risk Management Institute, Inc. (IRMI)**

*Evolving Threats? Assess and Update Security Measures*, June 2022

*Cyber Security and the Russian Invasion of Ukraine*, April 2022

*Thoughts on the FBI Email Compromise—and Lessons Learned*, January 2022

*Ransomware, National Cyber Security, and the Private Sector*, October 2021

*Standardization Matters in Establishing a Strong Security Posture*, June 2021

*Third-Party Vendor Risk Management*, March 2021

*The Importance of (Remote) Security Culture in Mitigating Risks*, December 2020

*Security from Home: Continuing to Work and Learn Amid COVID-19*, September 2020

*Operational Risk Revisited in the Wake of COVID-19*, June 2020

*Cyber Threats and Accounting for Operational Risk*, March 2020

*Human Aspect of Incident Response Investigations*, January 2020

*The Impact of Digital Incompetency on Cyber-Security Initiatives*, September 2019

*Communication in Responding to Cyber Attacks and Data Breaches*, June 2019

*Cyber Security and Resilience*, January 2019

*Leadership in Developing Cultures of Security*, September 2018

*Real-Life Consequences in a Digital World: The Role of Social Media*, July 2018

*Some Thoughts on the Dark Web—and How it Affects You*, March 2018

*Personal Information and Social Media: What Not to Post*, September 2017

---

*Managing Doxxing-Related Cyber Threats*, July 2017

*Understand the Layers of Cyber-Security and What Data Needs Protecting*,  
March 2017

*Learn about the Internet of Things: Connectivity, Data, and Privacy*, January 2017

*Assessing Risk and Cyber-Security*, September 2016

### **SCCE The Compliance & Ethics Blog**

*The Components of Strong Cybersecurity Plans: Parts 1-5*, 2017

*Prevention Is the Best Medicine*, August 2016

### **Lawyerist**

*Detection: The Middle Layer of Cybersecurity*, April 2017

*Don't Be Too Hasty! What to Do When an Email Prompts You to Act Quickly*,  
February 2017

*How to Avoid Spoofing, Spear Phishing, and Social Engineering Attacks*, October  
2016

### **Law Practice**

*The Dark Web, Cybersecurity and the Legal Community*, July/August 2020

### **Captive International**

*COVID-19 and the importance of the cyber captive*, April 2020

### **Attorney at Law Magazine**

*The Digital Challenges of COVID-19*, June 2020

### **E-Discovery Deskbook**

Chapter Thirteen “Forensic Experts—When and How to Leverage the Talent” co-authored with John M. Degan Briggs and Morgan, P.A.

**The Complete Compliance and Ethics Manual 2022**

*Cybervigilance in Establishing Security Cultures*