

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

IN RE GRAND JURY SUBPOENAS FGJ 07-103(WPB)  
DUCES TECUM NUMBERS  
OLY-63 and OLY-64

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**EX PARTE DECLARATION NUMBER TWO**  
**IN SUPPORT OF UNITED STATES' RESPONSE**  
**TO MOTION TO QUASH SUBPOENAS**  
**FILED UNDER SEAL**

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**IN SUPPORT OF UNITED STATES' RESPONSE**  
**TO MOTION TO QUASH SUBPOENAS**

I, [REDACTED], state that the following is true and correct to the best of my information and belief:

1. I am a duly appointed Deputy Sheriff for Palm Beach County, and have all the powers and duties of a law enforcement officer in and for Palm Beach County, Florida. I have been a Law Enforcement Officer since 1986, after completing training in the Law Enforcement Academy. From 1986 to 1989, I served with the Delray Beach Police Department as a Patrol Officer. From 1989 to present, I have been serving with the Palm Beach County Sheriff's Office. Since 2000, I have been working in the Computer Crimes Unit as a Detective, working as a computer forensic analyst and investigator. Most of my investigations involve child exploitation. I am an instructor for Guidance Software Inc., the creators of EnCase® computer forensic software, and am an EnCase® Certified Examiner (EnCE). I have instructed other law enforcement officers with the local, state and federal governments in the area of computer forensics as an instructor for Guidance Software.

2. I received a phone call from David Kleiman on the morning of July 25, 2007. Mr. Kleiman advised me that he was hired by attorney Roy Black to make three bit-stream copies and one EnCase® image for each of three computers. Mr. Kleiman asked me if he would be able to use one of the Sheriff's Office's hard drive duplication devices. It may be noted that Mr. Kleiman is former law enforcement and has assisted the Sheriff's Office in computer related examinations and seizures in the past. Mr. Kleiman further stated that he was told the job needed to be done as soon as possible. Mr.

Kleiman was meeting with a private investigator who worked with Mr. Black on July 26, 2007 in the morning at Mr. Kleiman's place of employment in Boca Raton. Mr. Kleiman described the investigator as an "old-time New York cop-type." Mr. Kleiman was told the computers had not been used since 2005 so he was trying to determine the size of the hard drives that were in the computers. Mr. Kleiman told me he was going to purchase several 120GB hard drives to do the job. I told Mr. Kleiman that the Logicube machine he wanted to use was not reliable. Mr. Kleiman made the decision to purchase a hard drive duplication device online from a company named Digital Intelligence and have it shipped overnight to his place of employment in Boca Raton. Mr. Kleiman was told someone would be standing by while the process was being completed. Mr. Kleiman advised the private investigator it would take at least 10 hours or more to complete the process.

3. I have not been involved in the investigation of Jeffrey Epstein, but have worked on other cases with Special Agent [REDACTED] Special Agent [REDACTED] and I had lunch together on July 25, 2007, and Roy Black's name came up during our conversation. At that time, I relayed to Special Agent [REDACTED] what Mr. Kleiman had told me.

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge and belief.

Executed this \_\_\_\_\_ day of July, 2007.

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Palm Beach County Sheriff's Office