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ARBITRATION SERVICE OF PORTLAND

NORTHWEST DIRECT TELESERVICES,  
INC., an Oregon corporation,

ASP No. 050511-1 (Case No. 1)

Claimant,

vs.

MAX ZWEIZIG, an individual,

Respondent.

Consolidated with:

ASP No. 060630 (Case No. 2)

MAX ZWEIZIG, an individual,

**DECLARATION OF STEVE  
WILLIAMS**

Claimant.

vs.

TIMOTHY ROTE, an individual,

Before, William B. Crow, Arbitrator

Respondent.

I, Steve Williams, declare:

1. I am a certified forensic computer examiner through the International Association of Computer Investigative Specialists (IACIS). I have acquired more than 440 hours of specialized training in the acquisition and analysis of computer evidence. That training was obtained through IACIS, the National White Collar Crime Center, Access Data Corporation, Guidance Software, Inc., The Federal Bureau of Investigation and the Defense Computer Investigation Training Program.

2. I was hired by Timothy C. Rote, President and CEO of Northwest Direct Teleservices, Inc. ("NDT") to conduct a series of forensic computer examinations for use

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PS*



1 in this case.

2 3. Mr. Rote provided me with his laptop computer, and asked me to examine  
3 an email on that computer entitled "Exit Time." He also provided me with a floppy disc  
4 and asked me to examine a document entitled "Max term.doc." The details of my  
5 examination are documented in a report attached to this declaration as Exhibit A. From  
6 my examination of the email "Exit Time," I concluded that it was created on Mr. Rote's  
7 computer on October 2, 2003 and was sent from Mr. Rote's computer to Mr. Zweizig's  
8 email address on that same date. My examination of the document entitled "Max  
9 term.doc" revealed that it was created and last modified on October 1, 2003.

10 4. Mr. Rote also provided me with a personal computer and 120 gigabyte  
11 hard drive that had been used by Max Zweizig while he was employed with NDT. The  
12 personal computer contained a 60 gigabyte hard drive. The 120 gigabyte hard drive was  
13 the original hard drive for the personal computer, but had been replaced by the 60  
14 gigabyte hard drive. I understand that Mr. Rote recovered the computer and separate  
15 hard drive from Mr. Zweizig on the day of November 13, 2003. Mr. Rote asked me to  
16 determine if there was evidence of files being deleted prior to the computer and hard  
17 drive being recovered by Mr. Rote. The details of this examination are documented in a  
18 report attached to this declaration as Exhibit B.

19 5. With respect to the personal computer, I found no email traffic dated  
20 earlier than December 26, 2003. I determined that the Microsoft Outlook .pst file was  
21 altered on November 13, 2003 at 1:27 a.m. On that date and time, a new Microsoft  
22 Outlook .pst account was created. One explanation for this would be the deletion of an  
23 older account and creation of a new one to replace it. I concluded that if Mr. Zweizig  
24 used the computer to send and receive Microsoft Outlook email prior to November 13,  
25 2003, then he deleted those email files before Mr. Rote recovered the computer on that  
26 date.

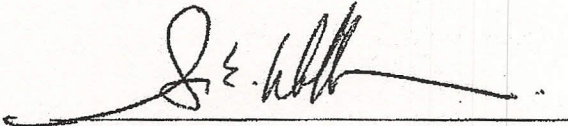
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1           6.       With respect to the separate hard drive, I concluded that it was reformatted  
2 on November 12, 2003 at between 11:26 a.m. and 12:31 p.m. To the average computer  
3 user, that action would cause the data on the computer to appear deleted. Reformatting  
4 renders data unreadable and unrecoverable to a computer user without specialized  
5 technical skills. Based upon the date and time on which the hard drive was reformatted, I  
6 concluded that Mr. Zweizig reformatted the hard drive approximately one day before  
7 returning it to Mr. Rote.

8           I HEREBY DECLARE THAT THE ABOVE STATEMENTS ARE TRUE TO  
9 THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT I UNDERSTAND IT  
10 IS MADE FOR USE AS EVIDENCE IN COURT AND IS SUBJECT TO PENALTY  
11 FOR PERJURY.

12  
13           DATED this 4<sup>th</sup> day of June, 2009.

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17           Steve Williams

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**MARKOWITZ, HERBOLD,  
GLADE & MEHLHAR, P.C.**  
SUITE 3000 PACWEST CENTER  
1211 SW FIFTH AVENUE  
PORTLAND, OREGON 97204-3730  
(503) 285-3085  
Fax: (503) 323-9105