

March 28, 2017

VIA EMAIL

Viet D. Dinh, P.C.
Kirkland & Ellis LLP
655 Fifteenth Street NW
Washington, DC 20005
viet.dinh@kirkland.com

Re: Alfa Bank Notice to Preserve Evidence

Dear Mr. Dinh:

My co-counsel Marcia Hofmann of Zeitgeist Law PC and I represent L. Jean Camp, a security researcher and tenured professor in the School of Informatics & Computing at Indiana University.

We write in response to the March 17, 2017 letter you sent to Dr. Camp on behalf of your client Alfa Bank. Based on assertions published in a news article, your letter claims that Dr. Camp “disclosed certain computer data regarding Alfa Bank to the public last year and encouraged inquiries into supposed links to the Trump Organization,” and that Dr. Camp’s “activities continue to this day.”

Your letter goes on to insinuate that Alfa Bank may have some sort of cause of action, including under the Computer Fraud and Abuse Act, 18 U.S.C. § 1030, though it is unclear whom Alfa Bank believes those claims would be against. Notably, your letter does not suggest that Dr. Camp or anyone else has made statements about Alfa Bank that might rise to the level of defamation.

The letter concludes by demanding that Dr. Camp preserve all evidence “relating to this matter,” but does not say whether Alfa Bank considers Dr. Camp to be a potential defendant in litigation or merely a third-party witness.

We refer you to the actual “computer data” that Dr. Camp has published at <http://ljean.com/NetworkData.php>. This data consists of three categories of information, all of which are either publicly accessible or observable as a matter of basic internet functionality:

- DNS look-ups, which show the IP addresses of computers associated with a particular domain name;

- WHOIS records, which show information associated with the person or entity that has registered a domain name; and
- DNS logs, which show when one server looks up how to contact another server somewhere else on the internet.

Given the unrestricted nature of this information, we are perplexed by the suggestion that Dr. Camp or anyone else could have violated the Computer Fraud and Abuse Act by obtaining or posting it.

We ask that you please provide additional information to support your client's position and explain whether Dr. Camp is considered a potential party to litigation or a third-party witness. In the absence of more detail about the legal basis for your preservation demand, we have no choice but to conclude that your letter is an attempt to intimidate critics who have voiced opinions that your client doesn't like and infringe upon Dr. Camp's academic freedom.

Please note that this letter is provided to you without prejudice and does not purport to address all facts and issues related to this matter. Dr. Camp expressly reserves all rights, remedies, claims, and defenses available to her under the law.

Very truly yours,

DURIE TANGRI LLP

ZEITGEIST LAW PC

By: /s/ Mark A. Lemley
MARK A. LEMLEY

By: /s/ Marcia Hofmann
MARCIA HOFMANN

Attorney for L. Jean Camp

Attorney for L. Jean Camp

cc: Jennifer Adams, Indiana University, jeweadam@iu.edu