

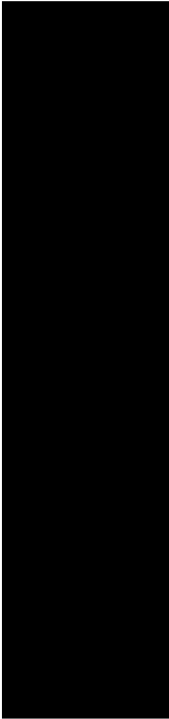
June 17, 2011

ITHAKA helps the academic community use digital technologies to preserve the scholarly record and to advance research and teaching in sustainable ways.

AUSA Stephen P. Heymann  
United States Attorney's Office



BOARD OF TRUSTEES



Dear Mr. Heymann:

This is in response to your subpoena dated June 14, 2011, which requests:

“All records of expenditures of time and money by employees and contractors to respond to actual and attempted excessive downloads from JSTOR originating from the MIT class A domain 18.xxx.xxx.xxx between September 25, 2010 and January 6, 2011.”

Please note that while staff dedicated significant time to respond to the abuse, this was part of individuals' jobs. Thus, there were no added costs for staff to respond to this.

We have hired the law firm Debevoise & Plimpton to assist in our responding to this matter; Phil and Company, a PR firm to help us manage aspects of this matter; Stroz-Friedberg to review our security and help us make improvements; and Attributor, a service that scans the Web for pirated content and issues “take down” notices. We are providing you with invoices for these services; arguably, however, costs associated with Attributor (potentially Stroz Friedberg as well), while incurred in response to the Swartz incident, are part of the natural evolution of our business and reflect actions the organization needs to undertake as a general matter to protect content. The documents provided reflect costs invoiced thus far.

Please let me know if you have further questions.

Sincerely,

