

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

TRUE THE VOTE, INC.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 13-734 (RBW)
)	
INTERNAL REVENUE SERVICE, et al.,)	
)	
Defendants.)	

DECLARATION OF TODD O. EGAAS

- I am currently employed by the Internal Revenue Service in the Criminal Investigation Division (hereinafter "CID"). I have been employed by the Internal Revenue Service in a variety of positions of increasing responsibility since 2009.
- My current position in CID is Director of Technology Operations and Investigative Services, in which capacity I oversee, amongst other branches, the Electronic Crimes unit.
- In July of 2011 at the request of the User and Network Services branch of the Internal Revenue Service Information Technology business unit, a Senior Investigative Analyst in the CID Electronic Crimes Technology & Support Center (hereinafter "the Analyst") received a hard drive that had been removed from a laptop assigned to an IRS employee and attempted to recover data from the hard drive on July 22, 2011 and August 4, 2011.



4. The hard drive had been removed from a laptop assigned to Lois Lerner by an employee of the User and Network Services branch of the Internal Revenue Service Information Technology business unit before it was received by the Analyst.
5. All of the Analyst's attempts were unsuccessful in recovering any data from the hard drive at issue.
6. On August 5, 2011 the Analyst sent the hard drive back to the User and Network Services branch of the Internal Revenue Service Information Technology business unit via overnight delivery service.
7. The Analyst who attempted data recovery efforts has been employed by CID and has been conducting forensic data recovery efforts in support of CID investigations since 2003.
8. The Analyst has worked in the field of forensic data recovery for federal law enforcement agencies for the past 25 years.
9. The Analyst has appeared as a witness in both federal and state courts in at least 10 criminal trials and has been qualified as an expert witness in the field of digital forensics on at least four occasions.
10. Since joining CID in 2003 as a Senior Investigative Analyst, the Analyst has received more than 400 hours of training in Computer Forensic Imaging and Analysis, more than 120 hours of specialized Computer Forensics, and more than 900

hours in various fields related to computer forensics including data extraction from various computer systems and devices.

11. The Analyst is a member of the High Technology Crime Investigation Association (HTCIA), the U.S. Secret Service Washington Metro Electronic Crimes Task Force (WMECTF), and the National Institute Standards & Technology Computer Forensics Steering Committee.
12. The Analyst is a past member of the International Association of Computer Investigative Specialists, the Attorney General's Advisory Council on Computer Forensics, and the Scientific Working Group for Digital Evidence.
13. Details of the Analyst's qualifications, training, and expertise that is highlighted above are contained in the listing attached hereto as Exhibit A.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 18th day of July, 2014.

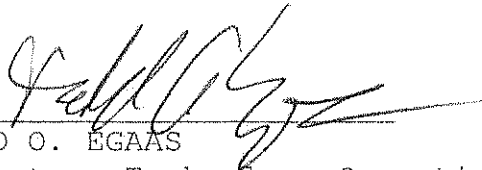

TODD O. EGAAS
Director, Technology Operations
and Investigative Services
Criminal Investigation Division
Internal Revenue Service
Washington, D.C.

EXHIBIT A to DECLARATION OF TODD O. EGAAS

Detailed Qualifications and Expertise of the Analyst:

IMAGING/ANALYSIS COMPUTER FORENSICS TRAINING:

Treasury Computer Forensics Program, ACERT, Apr 21 – May 3, 2014, DHS C3, Fairfax, VA, 80 hrs
AccessData FTK v3 customized training, IRS-CI ECP TSC, Jun 8-10, 2010
Guidance Software Inc., Field Intelligence Model (FIM), Sterling, VA, Sep 16-19, 2008 32 hrs
Guidance Software Inc., EnCase v6 Forensic, Alexandria, VA, IRS-CI ECP TSC, Jun 24-27, 2008 32 hrs
X-Ways Forensics, IRS-CI ECP TSC, Mar 18-20, 2008 24 hrs
Nat'l White Collar Crime Center (NW3C), Linux File System, Fairmont, WV, Jun 18-20 2007 24 hrs
ASR Data, SMART Advanced and Live Linux TTK, Austin, TX, Sep 18-21, 2006 32 hrs
Guidance Software Inc., EnCase Intermediate, Sterling, VA, June 2006 32 hrs
IRS-CI Train-the-Trainer (FTK & iLook), Alexandria, VA, IRS-CI ECP TSC, May 17-26, 2004 64 hrs
IACIS, Orlando, FL, Apr 26 - May 7, 2004 37 hrs
AccessData, Forensic Tool Kit, Alexandria, VA, IRS-CI ECP TSC, Jan 6-8, 2004 24 hrs
NW3C, Automated Forensic Tools (Evaluation Panel), Fairmont, WV, Nov 17-20 2003 32 hrs
Guidance Software Inc., EnCase Enterprise Response, Auditing and Discovery, Sterling, VA, 2003
Guidance Software Inc., EnCase Advanced, Leesburg, VA, 2002
Guidance Software Inc., EnCase Intermediate, Pasadena, CA, 1999
CIS2000 Advanced (ASCERS), USCS C3, Fairfax, VA, 2001 76 hrs
CIS2000 Advanced (ASCERS), USCS C3, 2001; FLETC, 1998 152 hrs
CIS2000 Seized Computer Evidence Recovery Specialist Training, FLETC; 1997
RCMP, Computer Crime Investigation Techniques Level 2, Canadian Police College; Ottawa, CAN, 1994
Seized Computer Training Program; Financial Fraud Institute, FLETC, 1993
Criminal Investigations in an Automated Environment; Financial Fraud Institute, FLETC, 1993

SPECIALIZED COMPUTER FORENSICS TRAINING:

Blackthorn, GPS Examinations, DHS C3, Reston, VA, March 5-7, 2013 24 hrs
Wiebetech Hotplug, Alexandria, VA, IRS-CI ECP TSC, Nov 15, 2007 8 hrs
IRS-CI RAID Reconstruction, Alexandria, VA, IRS-CI ECP TSC, Aug 28-31, 2006 32 hrs
AccessData, Internet Forensics, Alexandria, VA, IRS-CI ECP TSC, Apr 11-13, 2006
Innovations in Digital Forensic Practice, Sheraton Crystal City, VA, Mar 27-28, 2006 16 hrs
AccessData, Cryptography Sciences, Washington, DC, Sep 7-9 2005 24 hrs
IRS-CI ECP, Wireless Networks, Alexandria, VA, TSC, Jan 21-22, 2004 16 hrs
CISCO Routers Intro, Learning Tree International, Rockville, MD, 2003
Hands-On LAN Troubleshooting, Learning Tree International, Rockville, MD, 2003
Data Hiding, New Technologies, Inc., Gresham, OR, 2002
Advanced Internet Investigations, Search, Sacramento, CA; 1998
In-house training on evidence handling, preservation and record-keeping, ATF, Rockville, MD, 1992

TRAINING CONFERENCES ATTENDED:

Regional Computer Forensics Group, GMU Fairfax, VA, Aug 5-9, 2013 36 hrs
Open Source Digital Forensics Conference and Sleuth Kit, Oct 3, 2012, Chantilly, VA 8 hrs
TechnoForensics Conference, Myrtle Beach Oct 31 - Nov 1, 2011
Dell Spektor Digital Forensics Demonstration, Nov 4, 2009, Washington, DC 5 hrs
TechnoForensics Conference, NIST, Oct 25-26, 2010, Gaithersburg, MD 16 hrs
GovSec, Washington Convention Center, Washington, DC, Mar 23-24, 2010
TechnoForensics Conference, NIST, Gaithersburg, MD, Oct 26 - 28, 2009 24 hrs
IRS-CI AMAT/CPE 903 July 27-30, 2009, TSC, 24 hrs EnCase v6.14; 8 hrs imaging techniques
"The Computer Forensics Show", Washington, DC Feb 5-6 2008 16 hrs
ISS World Conference, Hilton Alexandria, VA, Dec 9-11, 2008 8 hrs
TechnoForensics Conference, NIST, Gaithersburg, MD, Oct 27-29, 2008 24 hrs
IRS-CI CPE, NAS Pensacola, FL, Mar 4-6, 2008 24 hrs
TechnoForensics Conference, NIST, Gaithersburg, MD, Aug 29-31, 2007 24 hrs
Regional Computer Forensics Group, GMU, Fairfax, VA, Aug 6-10, 2007 36 hrs
Regional Computer Forensics Group GMU, Fairfax, VA, Aug 2006 36 hrs
TechnoForensics Conference, NIST, Gaithersburg, MD, Nov 6-8, 2006 24 hrs
Regional Computer Forensics Group, GMU, Fairfax, VA, Aug 15-19, 2005 36 hrs
IRS-CI ECP CPE, Alexandria, VA, IRS-CI ECP TSC (iLook/FTK/PRTK), Aug 2-6, 2004 36 hrs
ATF CIS Training Conference, San Francisco, 2002; Baltimore, MD, 2001; Baltimore, MD 2000
HTCIA Training Conference, George Mason University, Fairfax, VA, 2001

CIS2000 CPE, Coronado, San Diego, CA, 2000; Newport, RI; 1999; Sacramento, CA
Forensic Association of Computer Technologists; 1996
Federal Computer Investigations Committee Conference; 1996, 1995, 1993
Computer Training Conference; Air Force Office of Special Investigations, Computer Crime, 1993

DATA-RECOVERY EXTRACTION TRAINING:

Salvation Data Demo Day, Freehold, NJ, May 18, 2010 8 hrs
DeepSpar Data Recovery, Methodology and Technology, April 26-30, 2010, Ottawa, Canada
Scott Moulton Hard Drive Recovery, Comfort Inn, Fairfax, VA, March 16-20, 2009 40 hrs
DeepSpar Data Recovery, PC3000/DDI Training, Alexandria, VA, IRS-CI ECP TSC, Mar 13, 2007 8 hrs
Advanced Data Recovery, American Institute, Herndon, VA, 1992

APPLE MACINTOSH FORENSICS TRAINING:

Blackbag Technologies, Blacklight/MacQuisition, Herndon, VA, Feb 5-6, 2014 16 hrs
Sumuri, Macintosh Forensics, TREAS_MAC-301, FLETC Apr 21 - May 3rd, 2013 76 hrs
Mastering Mac and iOS Forensics, Oct 29, 2012 - Nov 2, 2012, Forward Discovery/Katana, Alex., VA
ATC-NY, MacMarshal, Sept 15, 2011 Ft. Collins, CO 8 hrs
Blackbag Technologies, Advanced Refresher, June 2011
APPLE Computer, Products Update and Roadmap, Univ. of MD, Dec 11, 2007 7 hrs
Blackbag Technologies, Advanced, Santa Clara, CA, Oct 16-20, 2006 36 hrs
Blackbag Technologies, Mac Intermediate, Santa Clara, CA, Aug 21-25, 2006 36 hrs
Blackbag Technologies, Macintosh "Level 1", Santa Clara, CA, Apr 19-23, 2004 36 hrs
Apple Macintosh Forensics and OS X, Veridian, USCS C3, Fairfax, VA, 2001

OS/APPLICATION SOFTWARE TRAINING:

Red Hat Linux Enterprise, Red Hat, Tysons Corner, April 16, 2012 4 hrs
Unix and Linux Security, Learning Tree Intl., Reston, VA, 2003
Advanced PC Configuration & Troubleshooting, Learning Tree International, Rockville, MD, 2002; 1995
Microsoft Windows XP, Learning Tree International, Rockville, MD, 2002
Supporting Windows '95, Orange Systems, 1996
Macintosh MacOS 8.5 Operating System Training, MacAcademy; 1999
Linux Installation, Configuration and Support, Learning Tree International, Rockville, MD; 1999
Macintosh MacOS 8.5 Operating System Training, MacAcademy; March 5, 1999
Several courses in Novell Netware network administration

MOBILE DEVICE SPECIFIC TRAINING:

Mobile Forensics World/Techno Security, Myrtle Beach Jun 4-8, 2012 28 hrs
MSAB XRY Certification Course Aug 18-19, 2011, IRS-CI ECP TSC, Alexandria, VA 16 hrs
Cellibrite Certification Course Aug 15-17, 2011, IRS-CI ECP TSC, Alexandria, VA 24 hrs
MSAB XRY 1-Day Overview Jun 16, 2011, Kingstown, VA 8 hrs
Mobile Forensics World / TechnoSecurity June 5-8, 2011, Myrtle Beach, SC 24 hrs
Oxygen, Marriott O'Hare, Chicago, IL, May 5-8, 2010 32 hrs (included Mobile Forensics World)
Mobile Forensics Inc., Mobile Device Forensics, Boise, ID Sep 14-17, 2009 32 hrs
iPhone Forensics and BK Forensics Aug 31 - Sep 4, 2009, 32 hrs
Mobile Forensics Inc., Mobile Forensics Workshop 101, Orlando, FL, Jun 8-11, 2009 32 hrs
FAST Forensics Cell-Phone Briefing, TSWG, Arlington, VA, Nov 5, 2008 4 hrs
Leveraging Cell-Phone and Network Data (Criminal/Terrorism), Alexandria, VA, TSC, Oct 22, 2008 8 hrs

CURRENT PROFESSIONAL AFFILIATIONS:

High Technology Crime Investigation Association (HTCIA)
U.S. Secret Service Washington Metro Electronic Crimes Task Force (WMECTF)
National Institute Standards & Technology Computer Forensics Steering Committee
Several Law Enforcement Listserves pertaining to digital forensics

PAST PROFESSIONAL AFFILIATIONS:

International Association of Computer Investigative Specialists
Attorney General's Advisory Council on Computer Forensics
Scientific Working Group for Digital Evidence

PUBLICATIONS AND SPECIAL PROJECTS:

IRS-CI Equipment Refresh Task Force Facilitator; establish recommendations for purchase regarding suitable forensic field equipment and software; prepare specifications, quotes, justification and necessary accessibility requirements paperwork to initiate the procurement process, 2007 - present

Perlustro IXimager -- central testing and evaluation of new builds, provided formal instruction, field support; worked closely with developers from Perlustro, 2003-2008

Development and evaluation of basic acquisition methods using Apple Macintosh equipment; joint effort with NASA, 2002

ATF coordinator for CIS2000 installation and configuration of FLETC classroom forensic equipment, FLETC 2002

CIS2000 Training Curriculum Review and Program Evaluation Task Force (evaluator of equipment and methods), FLETC, 2001; USCS C3, 2001; Fairfax, VA, December, 2001; Fairfax, VA, January, 2001; Dallas, TX, 1997

Participant with Department of Justice Online Investigations Working Group responsible for creating the document, Online Investigative Principles for Federal Law Enforcement Agents, 1999

Contributed to Department of Justice Computer Crime Unit document, Federal Guidelines for Searching and Seizing Computers by drafting certain technical sections, 1994

Member of the CIS2000 Internet Training Course Development Team, 1998

Curriculum Review Conference for Special Agent Computer Training, FFI, FLETC, 1994

Team Leader for a committee that developed a computer generated evidence receipt for law enforcement agents who submit evidence to the ATF Forensic Laboratory

Former ATF Forensic Laboratory point-of-contact for Computer Forensics

Coordinated efforts to implement a custom computerized forensic case and exam tracking system (FACETS) for the ATF Forensic Laboratory

INSTRUCTION PROVIDED:

Numerous training sessions on specific practitioner issues and topics pertaining to digital forensics, IRS-CI Annual Mandatory Advanced Training conferences (AMAT), IRS-CI ECP TSC, 2003 to present

RCMP Ottawa Forensic Lab and Canada Revenue, Capabilities Overview, IRS-CI ECP TSC, Jan 2012

Hungarian Criminal Council and Tax Authority, Mobile Forensics Presentation, IRS-CI ECP TSC, May 8, 2012

Japanese Delegation, Capabilities Overview, IRS-CI ECP TSC, Oct 24, 2012

ATF primary instructor for specialized acquisition/analysis training; numerous ATF CIS's detailed to Sterling, VA, for training, review and evaluation

CIS2000 Basic Computer Evidence Recovery Training, Instructor, FLETC, Apr 26 - May 3, 2001

ATF CIS Conference, various forensic issues and topics, Baltimore, MD, Nov 26-30, 2001

Computer Search & Seizure Techniques and Technical Operations Branch Capabilities ATF Intelligence Officer Training Conference, Jun 23, 1999

Computer Search & Seizure Techniques and Laboratory Capabilities; New Haven State's Attorney's Office, Apr 15, 1997

Computer Search & Seizure Techniques and Laboratory Capabilities, ATF Audit Staff Conference, Chicago, IL, Jul 1995

Computer Search & Seizure Techniques and Laboratory Capabilities, ATF Audit Staff Conference, Williamsburg, VA, Sep 1992

Computer Search & Seizure Issues, Certified Fraud Examiners, Washington, D.C. Chapter

Provided several application software classes for ATF Forensic Science Laboratory staff, Rockville, MD