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DEPUTY
HENN CO. DISTRICT
COURT ADMINISTRATOR

STATE OF MINNESOTA

COUNTY OF HENNEPIN

DISTRICT COURT

FOURTH JUDICIAL DISTRICT

CASE TYPE: OTHER CIVIL

TELLURIDE ASSET MANAGEMENT, LLC, a Delaware Limited Liability Company,

Plaintiff,

vs.

STANLEY ZHENG,

Defendant.

Court File No.: 04-17921

AFFIDAVIT OF JEREMY WUNSCH IN SUPPORT OF PLAINTIFF'S MOTION FOR A TEMPORARY INJUNCTION, OR IN THE ALTERNATIVE, A TEMPORARY RESTRAINING ORDER

STATE OF MINNESOTA)
) SS.
COUNTY OF HENNEPIN)

I, Jeremy D. Wunsch, being first duly sworn on oath, deposes and states as follows:

1. I am the President and Director of Data Forensics, LuciData LLC "LuciData"). LuciData, among other things, provides data forensic services to its clients who are concerned that intellectual property and other electronic data has been stolen or misappropriated by employees. Data forensic investigations are thorough, tightly controlled and fully documented examinations of computer hard drives and other types of storage media for electronic data. This type of service involves an in-depth understanding of computer operating systems, programs, data structure, and computer analysis techniques.

2. I have been involved in data forensics for approximately 8 years and a copy of my Curriculum Vitae is attached hereto and incorporated herein as Exhibit. A.

3. On November 17, 2004, LuciData was retained by Telluride Asset Management, LLC ("Telluride") for the purpose of determining whether one of its former employees, Stanley Zheng ("Zheng"), had removed any computer data, such as Excel spreadsheets and other files, from two computers that had been provided to him by Telluride. LuciData was also retained to determine whether Mr. Zheng had deleted any computer files or data from his computer just prior to the conclusion of his employment. It is my understanding that Mr. Zheng's employment with Telluride ended on or about November 16, 2004.

4. After being retained by Telluride, LuciData retrieved two computers used by Mr. Zehng at Telluride. Following a chain of custody procedure, we brought the computers back to the LuciData lab and removed the hard drives from the computer cases. Once the drives were removed, LuciData then proceeded to make a forensic image of the hard drives, using Encase and write-blocking hardware to preserve the integrity of the original data.

5. Using various specialized and proven hardware and software tools, including Encase, FTK and NetAnalysis, I then began to examine the forensic images of the two hard drives to determine whether electronic data had been deleted or removed by Mr. Zehng while he was employed at Telluride.

6. My forensic analysis of the two hard-drives determined that various electronic file copies had been removed from Telluride through the use of Yahoo electronic mail on the two computers used by Mr. Zheng. For instance, on Saturday,

November 13, 2004 alone, approximately 43 computer files, including 32 spreadsheet and database files, comprising of almost 37 megabytes of data were sent from Mr. Zheng's computers to a Yahoo e-mail address of utzheng@yahoo.com. This means that Mr. Zheng was logging onto his Yahoo account and sent these files to the exact same account, in essence he was sending the files to himself. In addition, I was able to determine that a total of 128 files were sent from Mr. Zheng's computers to the utzheng@yahoo.com e-mail address on October 26, 2004, November 2, 2004, November 4, 2004, and November 7-9, 2004.

7. The forensic analysis determined on October 4th, 2004 a recruiter contacted Mr. Zheng and asked for permission to send his resume over to Millennium in New York, as well as a few other investment firms.

FURTHER AFFIANT SAYETH NOT.

Dated: December 6, 2004

Jeremy Wunsch

Subscribed and sworn to before me
this 6th day of December, 2004

Notary Public

KATHRYN MURPHY
NOTARY PUBLIC - MINNESOTA
RAMSEY COUNTY
My Commission Expires Jan. 31, 2008

LuciData

Computer Forensic Curriculum Vitae

Jeremy D. Wunsch
President / Director of Data Forensics, LuciData LLC

Education:

University of Iowa, Iowa City, IA.
Bachelors of Science Degree, Computer Science
Bachelors of Business Administration Degree, Marketing

Specialized Training:

Guidance Software – "Computer & Enterprise Investigations"
E-Mail Examinations
Distributed File Sharing Investigations
NTFS File Structures and Examinations

AccessData – "Advanced Windows Forensics"
Registry Viewer – MRU, Hidden Entries, Protected Data
Exploring and Cracking EFS
Advanced Metadata, including INFO2 Database
Advanced FTK Functions, including Data Carving

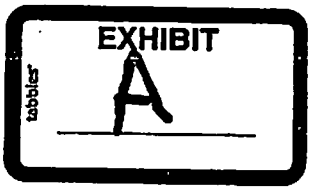
SANS Institute – System Forensics, Investigation and Response
Forensic and Investigative Essentials
Forensic Principles with Linux
The Coroner's Toolkit, TASK, and Autopsy
Windows 2000/XP Forensics
Frameworks and Best Practices: Legal Issues
Advanced Forensics

T3i University – CIFI Training
Information Forensics

AccessData – "Access Data Forensic Boot Camp"
Forensic Tool Kit (FTK)
Password Recovery Tool Kit (PRTK)
Distributed Network Attack (DNA)
Wipe Drive

Microsoft Official Curriculum – Microsoft Certified Professional (MCP)
Microsoft Windows NT 4.0 Server and Windows NT 4.0 Workstation
Supporting Microsoft Windows NT 3.51
Supporting Microsoft Windows NT Server 3.51
System Administration for Microsoft SQL Server 6.5
Supporting Microsoft Windows 95
Microsoft TCP/IP on Microsoft Windows NT 4.0
Supporting Microsoft Windows NT 4.0 Enterprise Technologies

Forensic Association of Computer Technologists
Internal Intrusions
Tracking E-mail Headers
Windows 95 Registry



Ontrack Data International
Computer Forensic Analysis, Windows9x & Windows NT
E-mail Recovery and Forensic Analysis
Data Recovery and Reconstruction

Published:

How to Protect Your Company with Electronic Evidence,
Employee Benefits Planner, September 2002
Protect Your Company with Electronic Evidence,
Success Matters, March 2002

Quoted:

High Tech Versus Crimes Against Children,
Information Week, March 14, 2003
Voom Technologies tool aids investigators, protects evidence,
Minneapolis/St Paul Business Journal, February 13, 2004
Some Seriously Serious Computer Forensics Tools,
Law Journal – Legal Tech Newsletter, February 2004

Speaking:

Keynote Speaker: The Symposium on Computer Forensics 2004
Sponsored by Minnesota State Colleges and Universities
Other speaking engagements:
Introduction to Computer Forensics
Employee Network Monitoring
Insurance CLE – "Who's Watching?"
Forensic tools for fraud identification – IIA Roundtable
Forensic Readiness - ISACA

Professional Associations:

Information Systems Forensics Association (ISFA)
Co-Founder and President – Minneapolis Chapter
Forensic Association of Computer Technologists (FACT)
High Tech Cybercop (HTCC)
Certified Information Forensics Investigator (CIFI)
Examinations Committee Member

Experienced Media Types:

Hard Drives
Desktop
Laptop
Server – including RAID
USB Thumb Drives
Floppy Disks (5 ¼ and 3 ½)
CD ROM
DVD
Zip Disks
Jaz Disks
Tapes

Work Details:
Mr. Wunsch started as a Data Recovery Engineer at Ontrack Data International in Eden Prairie, MN. His initial responsibility was rebuilding damaged and corrupt data structures on DOS based (Windows 3.x, Windows 95, and Windows NT 3.x & 4 FAT) hard drives. This work included rebuilding boot records (MBR) and File Allocation Tables (FAT) as well as other types of manual structure repair. The computer failures he dealt with were the result of viruses, formatting, "crashed heads", bad boards, and other miscellaneous situations.

When Mr. Wunsch mastered FAT based recoveries, he then advanced within Ontrack to a dedicated NT team. It was in this department that he became skilled at the recovery of data stored in NTFS format. These recoveries included all different RAID levels, mirroring, striping, and striping w/ parity. He traveled around the country with the responsibility for emergency onsite recoveries of large RAID systems. Mr. Wunsch also trained other Ontrack employees around the world on how to perform NTFS recoveries.

Ontrack then requested Mr. Wunsch to help start a new computer forensics department within Ontrack. This included setting up the forensic lab with secure NT servers and desktops that were running on their own private network. Mr. Wunsch worked on computer forensic cases from all Microsoft based computers. Most cases were dealing with criminal investigation or civil discovery. These included, but were not limited to, software piracy, porriography, child pornography, sexual harassment, and drug deal tracking / records. At times, Mr. Wunsch would have to leave the security of the lab and work onsite around the country when the legal system would not allow the media to be sent to the Ontrack computer forensics lab.

Mr. Wunsch helped shape and define the legal forensic procedures at Ontrack. He trained other forensic engineers and preformed expert testimony when needed.

After Ontrack, Mr. Wunsch worked as a Network Consultant with Fortune 500 companies and local small organizations. This gave him added depth as he learned more about the internal infrastructure of a company's network. This knowledge allowed him to better understand where there could be issues inside companies that needed Digital Forensic Examination.

Having both the forensic and networking experience, Mr. Wunsch was approached to be involved in a small consulting firm and start a computer forensic division. At this time, he got experience with "over the counter" forensic products, like Encase and AccessData FTK products. He worked on cases involving fraud and embezzlement, as well as pornography related issues.

Mr. Wunsch then started his own Data Forensic and Recovery firm, LuciData LLC, based in Minneapolis, MN. He is President and Lead Computer Forensic Analyst. The lab is setup with current court approved technology and procedures. His vast knowledge of data storage coupled with the tools that LuciData uses such as Encase, FTK, ISO Buster, Autopsy, and NetAnalysis, has positioned LuciData as one of the highest quality Data Forensic and Recovery Firms.

Since the inception of LuciData, Mr. Wunsch has worked on many types of cases including Fraud, Theft of Proprietary Information, and Pornography as well as work for Non-Profits such as the Missing Children of MN.

Mr. Wunsch also Co-Founded and is the President of the Minneapolis Chapter of ISFA, a forensic organization that is tailored for digital forensic issues inside corporations. He is also on the CIFI testing committee, an international software independent computer forensic certification.