

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.) Case No. 11-10260-NMG
)
 AARON SWARTZ,)
)
 Defendant.)
)
)

AFFIDAVIT OF EMILY J. GRANNON

I, Emily J. Grannon, Esq., state on personal knowledge:

1. I am an attorney licensed to practice in the Commonwealth of Massachusetts and an associate with the law firm of Nutter, McClennen & Fish LLP, counsel of record for third party, the Massachusetts Institute of Technology (“MIT”).

2. This affidavit is based upon my personal review of publicly available records and my personal knowledge of the facts set forth below.

Documents Concerning Threats and Harassment to the MIT Community

3. Attached hereto as **Exhibit A** is a true and correct copy of the following letter from MIT President Rafael Reif to the MIT community: *President Reif writes to MIT community regarding Aaron Swartz*, MIT News (Jan. 13, 2013), <http://web.mit.edu/newsoffice/2013/letter-on-death-of-aaron-swartz.html>.

4. Attached hereto as **Exhibit B** is a true and correct copy of the following letter from MIT Executive VP and Treasurer Israel Ruiz to the MIT community: *Letter from Israel Ruiz, MIT Executive VP and Treasurer, about Saturday’s hoax incident*, The Tech Blogs (Feb.

27, 2013), <http://techblogs.mit.edu/news/2013/02/letter-from-israel-ruiz-mit-executive-vp-and-treasurer-about-saturdays-hoax-incident/>.

5. Attached hereto as **Exhibit C** is a true and correct copy of the following MIT student newspaper article: Joanna Kao, *Saturday report of a gunman on campus a hoax*, The Tech (Feb. 26, 2013), <http://tech.mit.edu/V133/N7/hoax.html>.

6. Attached hereto as **Exhibit D** is a true and correct copy of the following letter from MIT President Rafael Reif to the MIT community: *President Reif writes to MIT community regarding release of documents related to Aaron Swartz case*, MIT News (Mar. 19, 2013), <http://web.mit.edu/newsoffice/2013/reif-letter-swartz-documents-0319.html>.

7. Attached hereto as **Exhibit E** is a true and correct copy of the following Huffington Post online article: Gerald Smith, *MIT Officials Subject to 'Pattern of Harassment and Personal Threats' Since Aaron Swartz's Death*, Huffington Post (Mar. 19, 2013, 10:47 am), http://www.huffingtonpost.com/2013/03/19/mit-aaron-swartz_n_2906968.html.

8. Attached hereto as **Exhibit F** is a collection of excerpted online comments that were posted on the Huffington Post website in response to, and within the first 24 hours of the publication of, the article attached as **Exhibit E**. I personally downloaded these comments from the Huffington Post website on March 20, 2013. All identifying information concerning the commenters has been removed.

9. Attached hereto as **Exhibit G** is a true and correct copy of the following online Boston Globe article: *Swartz case protest at Boston US Attorney's home*, Boston Globe (Mar. 12, 2013), <http://www.boston.com/news/local/massachusetts/2013/03/12/swartz-case-protest-boston-attorney-home/saJzuEYKIrjoF0MM2Sxi9M/story.html>.

10. Attached hereto as **Exhibit H** is a sampling of emails received by the MIT News

Office since Aaron Swartz's death on January 11, 2013. All identifying information concerning the senders has been removed.

Documents Concerning MIT Computer Network Breaches

11. Attached hereto as **Exhibit I** is a true and correct copy of the following online Washington Post article: Hayley Tsukayama, *Anonymous hacks MIT sites to post Aaron Swartz tribute, call to arms*, Washington Post (Jan. 14, 2013), http://articles.washingtonpost.com/2013-01-14/business/36323094_1_jstor-aaron-swartz-legal-battle.

12. Attached hereto as **Exhibit J** is a true and correct copy of the following MIT student newspaper article: Joanna Kao & Ethan Solomon, *Anonymous Hacks MIT*, The Tech (Jan. 16, 2013), <http://tech.mit.edu/V132/N62/anonymous.html>.

13. Attached hereto as **Exhibit K** is a true and correct copy of the following MIT student newspaper article: Joanna Kao, *MIT DNS hacked; traffic redirected*, The Tech (Jan. 23, 2013), <http://tech.mit.edu/V132/N63/hack.html>.

14. Attached hereto as **Exhibit L** is a true and correct copy of the following online statement issued by the MIT Information Services & Technology Department: *IS&T addresses concerns about MIT's network*, MIT News (Feb. 5, 2013), <http://web.mit.edu/newsoffice/2013/isat-addresses-concerns-about-mits-network.html>.

15. Attached hereto as **Exhibit M** is a true and correct copy of the following online Boston Globe article: Katherine Landergan, *Following Aaron Swartz's suicide, MIT network attacked three times*, Boston Globe (Feb. 7, 2013, 12:47 PM), http://www.boston.com/yourcampus/news/harvard/.2013/02/following_aaron_swartzs_suicide_mit_network_attacked_three_times.html.

Documents Concerning the House Committee on Oversight and Government Reform

16. Attached hereto as **Exhibit N** is a true and correct copy of the Letter from

Chairman Darrell Issa and Ranking Member Elijah Cummings to Attorney General Eric Holder, dated January 28, 2013.

17. Attached hereto as **Exhibit O** is a true and correct copy of the Letter from Reginald J. Brown, Esq. to Chairman Darrell Issa and Ranking Member Elijah Cummings, dated March 25, 2013.

Signed under the penalties of perjury this 29th day of March 2013.

/s/ Emily J. Grannon
Emily J. Grannon