

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA,	X	
	:	
	:	
Plaintiff,	:	
	:	
	:	
v.	:	Crim. No 11-CR-10260-NMG
	:	
AARON SWARTZ,	:	
	:	
Defendant.	:	
	:	
	X	

DECLARATION OF JEREMY FEIGELSON

Jeremy Feigelson declares:

1. I am a member of the Bar of the State of New York and of Debevoise & Plimpton LLP, counsel to non-party Ithaca Harbors, Inc., the nonprofit organization that operates the digital library JSTOR (“JSTOR”). I submit this declaration on personal knowledge in support of JSTOR’s motion to intervene and its response to the motion to modify the protective order in this case. Both the United States Attorney’s Office and the Swartz estate have advised me that they consent to JSTOR’s intervention in this matter for purposes of being heard on the pending motion.

2. I am familiar with the document productions made by JSTOR in this case. All productions were made either in response to grand jury subpoenas or in response to a trial subpoena. Materials produced in response to trial subpoena were produced after the

entry of the protective order in this case, and were designated at the time of production as being confidential pursuant to that order.

[signature page follows]

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 29th day of March 2013 in Point Clear, Alabama.

/s/ Jeremy Feigelson

Jeremy Feigelson

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on March 29, 2013, and paper copies will be sent to those indicated as non-registered participants below on March 29, 2013.

Dated: March 29, 2013

/s/ Mark W. Pearlstein

Mark W. Pearlstein (BBO #542064)

Non-Registered Participant

Massachusetts Institute of Technology: Jonathan Kotlier
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