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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

J. D. Quattlebaum, Special Referee

Appellate Case No. 2012-213453

2012-CP-23-0314

Jeff Yelton, ...Appellant,

v.

ScanSource, Inc., ...Respondent.

Record on Appeal

Volume 3 of 3

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STATE OF SOUTH CAROLINA	)	
	)	IN THE COURT OF COMMON PLEAS
COUNTY OF GREENVILLE	)	THIRTEENTH JUDICIAL CIRCUIT
Jeff Yelton,	)	Civil Action No. 2012-CP-23-0314
	)	
Plaintiff,	)	
	)	<u>DEFENDANT SCANSOURCE'S</u>
vs.	)	<u>PETITION FOR A RULE TO SHOW</u>
	)	<u>CAUSE FOR CIVIL CONTEMPT BY</u>
ScanSource, Inc.,	)	<u>PLAINTIFF JEFF YELTON</u>
	)	<u>AND MOTION TO COMPEL AND</u>
Defendant.	)	<u>FOR SANCTIONS PURSUANT TO</u>
	)	<u>RULE 37, SCRPC</u>
	)	PRIORITY MATTER

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Willful disobedience of an order of the court is contempt of court.

Submitting false and misleading testimony is likewise grounds for contempt of court.

Plaintiff Jeff Yelton has done both, and must be sanctioned by the Court.

Plaintiff Yelton ("Yelton") has failed to comply with the February 8, 2012 Temporary Restraining Order's directive for him to return to ScanSource, Inc. ("ScanSource" or the "Company") any Confidential Information in his possession, custody, or control, as shown by evidence resulting from the electronic forensic investigation of Yelton's devices. Specifically, Yelton has willfully failed to return no fewer than five electronic storage devices that contain ScanSource's confidential and proprietary information in direct violation of this Court's order to return all such devices.

The circumstances surrounding Yelton's failure to comply leave no doubt that his misconduct is deliberate. Given the intense focus in this action on the return of ScanSource's confidential and proprietary information, including months of effort by the Court and counsel to develop a protocol devoted to the return of all storage devices that

could even *potentially* contain such information, Yelton's failure to return these devices is inexcusable.

Compounding this intentional misconduct, Yelton also made several unequivocally false and misleading sworn statements in his January 26, 2012 affidavit filed in opposition to ScanSource's Motion for Temporary Restraining Order and Preliminary Injunction. ScanSource would show the Court as follows:

- 1) Contradicting his sworn statement that he "did not remove company documents or electronic files when he left," (Affidavit of Jeff Yelton at ¶ 12, attached as Exhibit A), Yelton did the following:
 - a. Requested and received, on external thumb drives, confidential and proprietary Quarterly Business Reports for Motorola, Intermec, and Honeywell on December 13 and 14, 2011;
 - b. Uploaded 863 files to his Dropbox account from his ScanSource Laptop on December 15, 2011, the day before his last day of work; and
 - c. Accessed and edited confidential and proprietary ScanSource files through his Dropbox account on January 4, 2012.
- 2) Contradicting his sworn statement that his Dropbox account "was tied to my ScanSource e-mail account," (Yelton Affidavit at ¶ 23), Yelton's account proved to be tied to his AOL.com account.
- 3) Contradicting his sworn statement that he "did not remove from company premises hard copies of ScanSource reports and records or an external hard drive as claimed by ScanSource," (Yelton Affidavit at ¶ 12), Yelton took everything out of his office, including ScanSource confidential and proprietary information.
- 4) Contradicting his sworn statement that, "[t]o the best of my knowledge, I did not destroy or discard any documents that are not stored at ScanSource but only notes I had that would not be of any use to anyone else or paper copies of documents that are stored electronically," (Yelton Affidavit at ¶ 10), Yelton ran a program named KillDisk on his ScanSource computer on December 16, 2011, at 7:41 AM, erasing three partitions of data from the Company's laptop and irreparably disabling the laptop.¹

¹ The import of Yelton's attempt to destroy the evidence of his misappropriation of

Yelton's acts constitute both civil and criminal contempt under South Carolina law. Accordingly, pursuant to S.C. Code Ann. § 14-5-320 and the South Carolina Rules of Civil Procedure, ScanSource petitions the Court for an Order: (1) compelling Yelton to appear and show cause as to why he should not be held in civil and criminal contempt for his deliberate disobedience of this Court's Temporary Restraining Order and for knowingly making false and misleading statements in his sworn affidavit; (2) directing Yelton to return the Confidential Information that he has continued to withhold, and providing that any electronic devices on which the information resides shall be subject to a forensic inspection and any necessary actions to return ScanSource's Confidential Information, all at Yelton's expense; (3) dismissing Plaintiff's Complaint with prejudice; (4) granting ScanSource's motion for preliminary and permanent injunctive relief; (5) granting ScanSource the relief it seeks in its counterclaims; (6) awarding ScanSource all costs, fees, and expenses associated with this petition; and (7) imposing fines against Yelton that this Court determines are an appropriate penalty.

In addition, Yelton's failure to identify and produce the five devices also constitutes a failure to respond to interrogatories and requests for production served by ScanSource, and therefore, pursuant to Rule 37, SCRPC, ScanSource moves for an order compelling production of the devices and electronic information and for sanctions for failure to respond to discovery.

ScanSource proprietary data in this fashion cannot be overstated. Yelton was trying to prevent the discovery of his misconduct, and his mistaken belief that he had succeeded in covering his tracks may explain (but not excuse) his failure to return the devices in question.

FACTS SHOWING CONTEMPT OF COURT

I. Yelton's Termination and Actions Before Leaving ScanSource

Yelton resigned from ScanSource effective December 31, 2011, after a meeting with Scott Benbenek on December 9, 2011, in which Mr. Benbenek informed him of the Company's decision to terminate his employment. (Affidavit of Scott Benbenek at ¶ 4 ("Benbenek Affidavit"), attached as Exhibit B.²) While coordinating with Mr. Benbenek and ScanSource's in-house counsel, John Ellsworth, about how he would announce his resignation, Yelton posted a status on his Facebook account that led people to believe he was leaving. (*Id.* at ¶ 5.) After some disparaging comments by Yelton were reported to management, the Company elected to accelerate Yelton's departure, and his last day of work was December 15, 2011. (*Id.* at ¶ 10-11.)

After the December 9, 2011 meeting, Yelton undertook numerous actions which directly contradict sworn testimony in Yelton's January 26, 2012 affidavit that was presented to the Court in opposition to ScanSource's motion for Temporary Restraining Order and Preliminary Injunction.

First, on December 13 and 14, 2011, after he knew he was leaving but before he had announced his resignation (and before his subordinates were aware of his impending departure), Yelton requested and received confidential and proprietary information from ScanSource employees, including Quarterly Business Reports ("QBRs"), by asking the employees to load the information onto a thumb drive. (*See* Benbenek Affidavit at ¶ 12; Affidavit of Chris Spearman at ¶¶ 4-5, attached as Exhibit C;

² ScanSource attached several affidavits to its Motion for Temporary Restraining Order, and those Affidavits are attached again here for reference: Affidavits of Jeanne Aiken, Exhibit E; Scott Benbenek, Exhibit B; Robbie Cox, Exhibit D; Amy Pharr, Exhibit G; and Chris Spearman, Exhibit C.

Affidavit of Robbie Cox at ¶ 5, attached as Exhibit D.) Yelton also requested, but did not receive, other confidential ScanSource information. (See Affidavit of Jeanne Aiken at ¶ 5, attached as Exhibit E.) Taking this information contradicts Yelton's sworn statement: "I did not remove company documents or electronic files when I left." (Yelton Affidavit at ¶ 12.)

Second, on December 15, 2011, at 12:06 PM, Yelton moved 863 files from his ScanSource laptop into his Dropbox account.³ (See Affidavit of Dean Gaida of FTI at Part II.A, ¶ 9, attached as Exhibit F.) By uploading these files to his Dropbox account, Yelton immediately could access the files from any other device he had synced to Dropbox. (*Id.* at Part II.A; ¶¶ 2-4.) Yelton had at least three devices connected to Dropbox, including his home laptop, which was last connected to Dropbox on February 13, 2012. (*Id.* at ¶ Part II.A, ¶ 8(a).) Of the 863 files added on December 15, 2011, and viewable at the top file level of the Dropbox activity record, BD2005 Resource Funding.xls, among many others, is ScanSource's confidential and proprietary information. (*Id.* at Ex. C.)

Additionally, Yelton accessed *and edited* at least three confidential and proprietary ScanSource files in his Dropbox account *after* December 15, 2011: General Two Tier Distribution Pres.ppt, edited on January 3, 2012; Bottom 1000 Catalog Reciepients.xls, edited on January 4, 2012; and BU 01 Forecasting Worksheet 04-2011 (2).xls, edited on January 4, 2012. (*Id.* at Part II.B, ¶ 12.) Accessing and editing these

³ Dropbox is an online external cloud storage service that allows a user to add documents to a Dropbox folder on his computer. Dropbox then will sync the folders so that the user can access the documents on all devices the user has connected to Dropbox. See Dropbox, How do I add or upload files to my Dropbox?, *available at* <https://www.dropbox.com/help/90/en>.

ScanSource documents in his Dropbox account after his last day of work directly contradicts Yelton's sworn statement described above—"I did not remove company documents or electronic files when I left." (Yelton Affidavit at ¶ 12.)

Even though he professed to have not removed any company documents or electronic files, Yelton also deleted or moved ScanSource files from Dropbox *after* December 15, 2011. When files indicate they are "Deleted" on Dropbox, they could be actually deleted or they simply could have been moved to another location, either on the same device or a different device. (See Gaida Affidavit at Part II.B, ¶ 12.) Yelton "deleted"—or moved; it is impossible to determine which—numerous ScanSource confidential and proprietary files after his departure, including but not limited to the following: 2011_Future_Path Jeff.ppt; Coal fire pres.pptx; Capital Project – Key Injection ...s Warehouse.xls; Datalogic Terms Letter.doc; Fujitsu Channel Presentation 1.pptx; and Q1 Vendor Perf Report USA.pdf. (Gaida Affidavit at Ex. C.) That Yelton even had to delete or move these files means that he had access to them after his departure from ScanSource.

Further, Yelton's Dropbox account was linked to his jyelton215@aol.com account. (See Exhibit C to Gaida Affidavit, Dropbox screenshots.) This evidence contradicts his sworn statement: "The DropBox account in use when I was employed with ScanSource was tied to my ScanSource e-mail account." (Yelton Affidavit at ¶ 23.)

Third, on December 15, 2011, apparently while misappropriating the ScanSource files through Dropbox, Yelton packed up his office and emptied it of its entire contents. (Affidavit of Amy Pharr at ¶ 5.) On February 14, 2012, Yelton provided ScanSource with access to the boxes of materials taken from his ScanSource office,

which included confidential and proprietary ScanSource information, which ScanSource collected and later produced as Yelton00614 to Yelton01264. Indeed, a VDC Research memorandum regarding NFC Payments and an Erwin-Penland report named ScanSource Online Community Strategy were labeled “Confidential,” obviously signifying that this information was confidential to ScanSource. (Yelton00746, Yelton00754, attached as Exhibit H (redacted confidential material pursuant to Confidentiality Protective Order).) Amy Pharr met with Yelton on the morning of December 16, 2011, to process his departure, and she noted that the office was emptied. (Affidavit of Amy Pharr at ¶ 5.) Whether or not the documents were confidential, removing these ScanSource documents from his office contradicts Yelton’s sworn statement: “I did not remove from company premises hard copies of ScanSource reports and records or an external hard drive as claimed by ScanSource.” (Yelton Affidavit at ¶ 12.) In addition, all of these acts of removing information from ScanSource contradict Yelton’s sworn statement: “Defendant’s suggestion that I took any documents is false.” (Yelton Affidavit at ¶ 5.)

Fourth, on December 16, 2011 at 7:41 AM, his last hours in the office, Yelton installed and ran a program named “KillDisk” on his ScanSource laptop, disabling the laptop and erasing portions of the laptop’s data. (Gaida Affidavit at Part III.) Using KillDisk, Yelton erased the “System Reserve partition,” which is necessary for Windows 7 to boot up a computer. (*Id.* at Part III, ¶ 7.) Thus, Yelton deleted critical system data and rendered the computer incapable of ever being booted and used again. Amy Pharr attempted to shut down Yelton’s machine when he left, but was unable to do so due to the KillDisk program damage to the machine. (Pharr Affidavit at ¶ 7.)

Yelton apparently chose KillDisk after his December 15, 2011 internet research into other programs named “Darik’s Boot and Nuke,” also known as dban, and “White Canyon,” both of which are designed to destroy data and erase hard drives. (Gaida Affidavit at Part III, ¶ 4.) He methodically identified a program that “allows you to destroy all data on hard disks, USB drives and floppy disks completely, excluding any possibility of future recovery of deleted files and folders.” (*Id.* at Part III, ¶ 5 (quoting www.killdisk.com).) These actions contradict Yelton’s sworn statement: “To the best of my knowledge, I did not destroy or discard any documents that are not stored at ScanSource but only notes I had that would not be of any use to anyone else or paper copies of documents that are stored electronically.” (Yelton Affidavit at ¶ 10.) Yelton’s careful statement belies that he rendered his ScanSource computer unusable with KillDisk, preventing a lay user from knowing what he had done on the computer before his departure. Only with the help of a forensics technician were his misdeeds uncovered. In light of Yelton’s deliberate use of a program he downloaded from the internet to destroy evidence of his misconduct immediately before his departure, this false statement cannot be characterized as accidental.

These actions by Yelton after he learned of his termination on December 9, 2011, were intentional and malicious and breached his Employment Agreement and Release, along with various ScanSource policies. However, ScanSource only gradually began to recognize Yelton’s misdeeds when several Merchandising Directors met with Scott Benbenek on December 30, 2011, and explained to him that Yelton had requested the confidential and proprietary QBRs and other data after Yelton knew he was leaving

but before any of them were aware. (See Benbenek Affidavit at ¶ 12; Aiken Affidavit at ¶ 5; Cox Affidavit at ¶ 5; Spearman Affidavit at ¶¶ 4-6.)

II. ScanSource Demands Yelton Return Its Confidential Information

On January 16, 2012, ScanSource's in-counsel John Ellsworth emailed a letter to Yelton describing what ScanSource had learned of his activities as of that date and asking Yelton to remedy the Company's concerns or ScanSource would be forced to take legal action. On January 18, 2012, Yelton filed a Complaint against ScanSource in state court in Greenville County.

On January 24, 2012, ScanSource answered, asserting counterclaims, and moved for a Temporary Restraining Order and Preliminary Injunction for the following relief:

- 1) Preventing Yelton from directly or indirectly soliciting or encouraging any person employed by ScanSource to provide him with Confidential Information or Trade Secrets;
- 2) Preventing Yelton from directly or indirectly soliciting or encouraging any customer or supplier of ScanSource to provide him with Confidential Information or Trade Secrets;
- 3) Requiring Yelton to return any and all property or information rightfully belonging to, or wrongfully taken from, ScanSource, including any and all documents, materials, or electronic media (computers, hard drives, computer discs, PDAs, USB drives, etc.) containing information regarding ScanSource, its products, customers, or suppliers, including all copies

thereof, and eliminating any and all access to same via Dropbox or other personal accounts with cloud based servers; and

- 4) Requiring Yelton to submit to a computer examination and inspection of all of his computer systems and data, including third party-operated personal accounts containing any company information, such as Dropbox or other personal accounts with cloud based servers, to ensure none of the information unlawfully transmitted or destroyed by Plaintiff from ScanSource's protected computer remained in Plaintiff's possession, custody, or control.

In response to ScanSource's motion, Yelton filed the affidavit described above dated January 26, 2012, in which he offered his sworn testimony about ScanSource Confidential Information and his actions. (See Yelton Affidavit, Exhibit A.) Although ScanSource was not yet aware of the extent of his disloyalties, Yelton *knew* then that he had moved the 863 files to Dropbox and then edited, restored, and moved them. He *knew* then that he had taken everything from his office, including ScanSource confidential and proprietary information. He *knew* then that he had used KillDisk to erase data and irreparably damage his ScanSource laptop. Yelton knew of these actions on January 26, 2012, when he executed the affidavit, so he knew that the testimony in the affidavit was not true.

III. The Temporary Restraining Order Requires Yelton to Return ScanSource's Confidential Information

At the January 27, 2012 hearing, Judge Hill orally granted the Temporary Restraining Order and directed ScanSource to prepare a proposed order. However, Yelton immediately objected to any specific requirements in the draft order regarding

how he must return the electronic confidential information subject to the order. For over a week, the parties attempted to negotiate the terms of the order, with Judge Hill ultimately issuing an order on February 8, 2012. (Temporary Restraining Order, attached as Exhibit I.) The TRO specifically required the following:

1. Plaintiff is prohibited from directly or indirectly contacting ScanSource's employees for the purpose of obtaining Confidential Information.
2. Plaintiff must return to ScanSource any Confidential Information in his possession, custody, or control within the time period set by the Special Referee. Any disputes concerning the identity of Confidential Information or the form of its return shall be decided by the Special Referee.
3. Confidential Information or Trade Secrets ("Confidential Information") include but are not limited to information described in Plaintiff's Employment Agreement (attached as Exhibit A to ScanSource's Answer and Counterclaims), ScanSource's Business Ethics and Code of Conduct (attached as Exhibit D to ScanSource's Answer and Counterclaims), the S.C. Trade Secrets Act, and South Carolina law.

(TRO at 2.) The TRO also required ScanSource to post a \$5,000 bond and to keep personally identifiable or financial information about third parties confidential. (*Id.*)

Yelton began the negotiations to return information days after the TRO hearing, when he described 14 devices that he used while employed at ScanSource and that he possessed:

The hardware that we have identified that Jeff used during the time of his employment and that he possesses consists of: (1) the HP laptop he has used regularly for the past 18 months or so (this is the one that had Dropbox); (2) an older HP laptop that he has started using again; (3) an even older Dell Inspiron 9100 laptop; (4) a desktop computer at home used for his photography hobby; (5) a black WD external hard drive (the one that backed up the Dropbox files we put on the flash drives you have); (6) a silver WD external hard drive that I understand backs up the photography computer; (7) the Cisco flash drive you have; (8) the Accubanker flash drive you have; (8) [sic] Three silver Epson/ScanSource

flashdrives; (9) a Microsoft flashdrive; (10) a BMW flashdrive; and (11) an iPad 1.

(Email from Brian Murphy to Corky Harper, RE: Brad – are you in your office? (Jan. 28, 2012), attached as Exhibit J.) Yelton identified this list of devices 42 days after his last day in the office at ScanSource on December 16, 2011, and 12 days after he received the January 16, 2012 letter from ScanSource demanding the return of ScanSource's information.

Of these 14 devices, Yelton turned over to ScanSource's counsel at the TRO hearing items (7), the Cisco flash drive, and (8), the Accubanker flash drive, and ScanSource's counsel sent those hard drives to FTL. (Gaida Affidavit at Part II.A, ¶ 10.)

To effect Yelton's return of ScanSource's Confidential Information as required by the TRO, the parties agreed to negotiate a protocol for the return of the information. On February 14, 2012, the parties met with the Special Referee to discuss the Preliminary Injunction and how to return ScanSource's Confidential Information, including the information on the remaining 12 devices. Yelton brought boxes of documents that he had removed from his office on December 15 and 16, 2011, and ScanSource's counsel examined the documents to identify ScanSource's information, as explained above.

Yelton also produced 11 devices that were turned over to the Special Referee's custody in a sealed box with a label describing the contents of the box as the following: "(1) A hard drive from an HP laptop; (2) another HP laptop; (3) a Dell Inspiron 9100 laptop; (4) a black WD external hard drive; (5) a silver WD external hard drive; (6) three silver Epson/ScanSource flashdrives; (7) a Microsoft flashdrive; (8) a BMW flashdrive; and (9) an iPad 1." (Consent Order on Protocol for Conducting

Discovery as to Certain Hardware Produced by Plaintiff at 1 ("Protocol"), attached as Exhibit K.) Yelton agreed to produce his home desktop computer for examination at a later time. (*Id.* at 1-2.)

Thus, by February 14, 2012, of the devices Yelton identified just after the TRO hearing, when he was ordered to return all ScanSource Confidential Information, Yelton had produced 13 of the 14 electronic devices and had promised to produce the fourteenth. Due to Yelton's objections to the proposed process for returning ScanSource's Confidential Information, ScanSource did not have access to the 12 devices Yelton had turned over or promised to turn over until the parties could agree to a protocol for examination and investigation of the devices.

IV. Yelton Turns Over Some Devices, But Not All

After seven weeks of negotiations and several presentations to the Special Referee, the parties agreed to the Consent Protocol, which was entered on April 9, 2012. The Protocol applied to the 11 devices produced by Yelton to the Special Referee on February 14, 2012, and the home desktop that Yelton promised to produce at a later time. (Protocol at 1.) Pursuant to the Protocol, the 11 devices were hand-delivered to John Akerman of Rosen Litigation Technology Consulting, Inc., on April 20, 2012. (Affidavit of John Akerman at ¶ 2, attached as Exhibit L.)

Akerman imaged the 11 devices, creating forensically sound exact copies of the contents of each device except the Dell laptop, for which no complete image could be obtained. (Akerman Affidavit at ¶¶ 2-3.) He also collected the serial numbers of each of the 11 devices. (*Id.* at ¶ 2, ¶ 4.) Beginning on June 27, 2012, Akerman imaged Yelton's home desktop computer that Yelton had promised to produce at a later time.

(*Id.* at ¶¶ 6-7.) Separately from Akerman's work, FTI also identified the serial numbers of the two USB drives that Yelton had turned over at the TRO hearing. (Gaida Affidavit at Part II.A, ¶ 10.)

In a separate analysis, FTI determined the USB devices that had been connected to the ScanSource Laptop ("USB Analysis"). (Gaida Affidavit at Part II.A, ¶ 8.) The USB Analysis shows that five external storage devices were connected to Yelton's ScanSource Laptop in the period from December 9, 2011, the day Yelton met with Scott Benbenek about his resignation, to December 16, 2011, the last day Yelton physically was in his ScanSource office and used the ScanSource Laptop. (*Id.*) The five devices that FTI identified as having been connected during that timeframe are *not* among the 14 devices that Yelton has produced. A summary of the results of the various analyses demonstrates clearly that Yelton did not produce the five devices:

Devices Produced by Yelton		
Serial Number	Description	Source
1. 0000000000001E41	BMW USB Flash Drive	Akerman Affidavit at ¶ 2.
2. 076A1314002F	Microsoft USB Flash Drive	Akerman Affidavit at ¶ 2.
3. 0743113F000C	Epson ScanSource USB Flash Drive	Akerman Affidavit at ¶ 2.
4. 07431132012B	Epson ScanSource USB Flash Drive	Akerman Affidavit at ¶ 2.
5. 0743113200D9	Epson ScanSource USB Flash Drive	Akerman Affidavit at ¶ 2.
6. 5VJIZEEG	Seagate Internal Drive	Akerman Affidavit at ¶ 2.
7. WCAL97994422	WD USB External Hard Drive (Silver)	Akerman Affidavit at ¶ 2.
8. WCAV55160650	WD USB External Hard Drive (Black)	Akerman Affidavit at ¶ 2.
9. S/T: 7BGQK51	Dell Laptop 160 GB	Akerman Affidavit at ¶ 2.
10. CND7040KN7	HP Laptop 80 GB	Akerman Affidavit at ¶ 2.
11. V503SXPKE TV	Apple 64 GB WiFi + 3G iPad	Akerman Affidavit at ¶ 2.
12. Not obtained because not a USB device	Yelton Personal Desktop	Akerman Affidavit at ¶ 6.
13. 106a640720333223	Lexar Flash Drive	Gaida Affidavit at Part I.A, ¶ 9.
14. 221507003ca8cf06	AccuBanker Flash Drive	Gaida Affidavit at Part I.A, ¶ 9.

Missing USB Devices Connected to ScanSource Laptop in Period Between December 9, 2011 to December 16, 2011		
Serial Number	Description	Source
15. 16145301AACCA911	CBM Flash Disk USB Device	Gaida Affidavit at Part I.A, ¶ 8.
16. 102002081627B702	Flash Disk USB Device	Gaida Affidavit at Part I.A, ¶ 8
17. J0904000000000017362	FLASH Drive AU_USB20 USB Device	Gaida Affidavit at Part I.A, ¶ 8
18. 201111062915535 40012117107	USB Flash Disk USB Device	Gaida Affidavit at Part I.A, ¶ 8
19. 2009092806133745384	USB2.0 Flash Disk USB Device	Gaida Affidavit at Part I.A, ¶ 8

Further, a Link File Analysis conducted by FTI shows that Yelton likely accessed confidential and proprietary ScanSource information from these missing devices during the critical timeframe of December 9, 2011 to December 16, 2011. (Gaida Affidavit at Part I.B & Exhibit G.) Without the devices, the only logical conclusion is that the files are on those devices. The confidential and proprietary files likely on those devices include the following:

1. New Distribution Model for Motorola.doc
2. Motorola_Public_Relations_Resources.zip⁴
3. New Distribution Model.doc
4. 2011-11 POS Barcode 6 Mos Comparative Income Statement.xls
5. POS Barcode – Sales by Product Line – Q1 FY12.xls
6. VDC SCSC 2012_Outlook_120611.pdf
7. SCSC_WAREHOUSE_TRENDS_110111.pdf

⁴ The first two of the files relate to Motorola, one of ScanSource's largest vendors. This information undoubtedly was useful to Yelton when he formed his own company on January 12, 2012, and decided to become a reseller of Motorola's two-way radios. See S.C. Secretary of State, Wired Fox Technologies, Inc., *available at* <http://www.sos.sc.gov/index.asp?n=18&p=4&s=18&corporateid=636006>, and Two Way Radio Center, About Us, *available at* <http://twowayradiocenter.com/about-us/>, both attached as Exhibit M.

8. Copy of Worldwide Solution Areas 2011 ScanSource (4).xlsx
9. ScanSource_111021.pptx
10. FuturePathPOS11 (2).ppt
11. SCORE NA POSBC Sept11.pdf
12. SCORE Definitions 1-27-10.doc
13. InvPresent MarketSize nov11.xlsx
14. Registrants_11 30 11_FINAL.xls
15. ALL POS analysis Q3 11.xls
16. OpenTechRhoElementsOverviewNov2011.pptx
17. Source Guide update 9-2011.xlsx

(Gaida Affidavit, Ex. G.) Each of these documents contains confidential and proprietary information of ScanSource. The TRO requires Yelton to return all Confidential Information; accordingly, these files must be returned.

Because they were connected to his ScanSource laptop and very likely contain ScanSource's confidential and proprietary information, the five missing devices are subject to the TRO and should have been identified and produced by Yelton pursuant to the order. He can present no viable explanation for why he did not produce them, especially given the short timeframe between when he left ScanSource—December 16, 2011—and when he knew ScanSource wanted him to return the information he took—January 16, 2012. He had even until April 9, 2012, when the Protocol was entered, to identify and produce any additional devices. His office was empty, save for personnel files, so they were not left in his ScanSource office. (Pharr Affidavit, at ¶ 5.) By not

producing these devices, Yelton has violated the TRO and should be ordered to show cause why he should not be held in contempt of court.

Furthermore, Yelton was obligated by the Protocol to identify “any online cloud-based server accounts or similar accounts where it is possible to transmit or store data or information, which may be subject to the TRO.” (Protocol at ¶ 20.) Yelton admitted in his affidavit that he opened a new Dropbox account, but states that “it would have no ability to sync with any ScanSource computer.” (Yelton Affidavit at ¶ 23 n.1.) Had Yelton turned over all of his devices, the new Dropbox account may not have been an issue. However, because devices remain missing and Yelton has already taken steps to conceal data taken from ScanSource, the new Dropbox account must be examined to detect any ScanSource confidential information, which must be removed.

Given the intense focus in this litigation on the return of any and all electronic storage devices that could contain ScanSource confidential and proprietary information, including months of effort in negotiating the Protocol addressing that very issue, for Yelton to have failed to return five devices connected to his computer and to have downloaded ScanSource information in the final days of his employment is simply shocking and utterly inexcusable. Indeed, it can only be viewed as intentional.

LAW

I. Contempt of Court

Contempt is a “willful disobedience of an order of the court.” *Miller v. Miller*, 375 S.C. 443, 454, 652 S.E.2d 754, 759 (Ct. App. 2007). Willful disobedience requires an act that is done “voluntarily and intentionally with the specific intent to do something the law forbids, or with the specific intent to fail to do something the law

requires to be done.” *Widman v. Widman*, 348 S.C. 97, 119, 557 S.E.2d 693, 705 (quoting *Spartanburg County Dep’t of Soc. Servs. v. Padgett*, 296 S.C. 79, 82-83, 270 S.E.2d 872, 874 (1988)). “It is within the trial court’s discretion to punish by fine or imprisonment all contempts of authority before the court.” *Brandt v. Gooding*, 368 S.C. 616, 618; 630 S.E.2d 259, 264 (2006) (citing S.C. Code Ann. § 14-5-320 (1976)). “In addition, courts have the inherent power to punish for offenses that are calculated to obstruct, degrade, and undermine the administration of justice.” *Id.* (citing *State ex rel. McLeod v. Hite*, 272 S.C. 303, 305, 251 S.E.2d 746, 747 (1979)).

Direct contempt is contemptuous conduct occurring in the presence of the court. *Miller*, 375 S.C. at 455, 652 S.E.2d at 760 (citation omitted). A person may be found guilty of direct contempt if the conduct interferes with judicial proceedings, exhibits disrespect for the court, or hampers the parties or witnesses. *Brandt*, 368 S.C. at 628, 630 S.E.2d at 264.

In contrast, constructive contempt is contemptuous conduct occurring outside the presence of the court. *Miller*, 375 S.C. at 455, 652 S.E.2d at 760 (citation omitted). A charge of constructive contempt is brought by a rule to show cause based on an affidavit or verified petition. *State v. Kennerly*, 331 S.C. 442, 451, 503 S.E.2d 214, 219 (Ct. App. 1998), *aff’d* 337 S.C. 617, 524 S.E.2d 837 (1999) (citing *Toyota of Florence, Inc. v. Lynch*, 314 S.C. 257, 442 S.E.2d 611 (1994)). Once the moving party has made a prima facie case for contempt, “the burden then shifts to the respondent to establish his or her defense and inability to comply with the order.” *Miller*, 375 S.C. at 454, 652 S.E.2d at 760 (quoting *Widman*, 348 S.C. at 120, 557 S.E.2d at 705).

Judicial sanctions in civil contempt cases are imposed to achieve either or both of the following two purposes: “to coerce the defendant into compliance with the court’s order, and to compensate the complainant for losses sustained.” *Cheap-O’s Truck Stop, Inc. v. Cloyd*, 350 S.C. 596, 607, 567 S.E.2d 514, 519 (Ct. App. 2002). In criminal contempt cases, judicial sanctions serve a punitive purpose. “The primary purposes for criminal contempt are to preserve the court’s authority and to punish for disobedience of its orders.” *Miller*, 375 S.C. at 456, 615 S.E.2d at 761. ScanSource’s underlying purposes for seeking this order of contempt are to bring Yelton in line with the TRO, to compensate ScanSource for the losses it has sustained in determining whether Yelton produced all of the devices with ScanSource’s Confidential Information, and to punish Yelton for the disrespect he has shown this Court in violating the TRO and submitting an untruthful affidavit. See *Brandt*, 368 S.C. at 630, 630 S.E.2d at 265 (holding it is appropriate to find civil and criminal contempt in one case).

Violating the TRO and submitting an untruthful affidavit to this Court constitute civil and criminal contempt, and ScanSource seeks the following relief:

- (a) **An order directing Yelton to show cause why he should not be held in contempt for violation of this Court’s Temporary Restraining Order.**

Based on the affidavits attached to this petition, ScanSource has established beyond a prima facie showing that Yelton has acted in contempt of court.

- (b) **A direction that Yelton return the Confidential Information that he has continued to withhold, and that any electronic devices on which the information resides shall be subject to a forensic inspection and any necessary actions be taken to return ScanSource’s Confidential Information, all at Yelton’s expense.**

One of ScanSource’s primary goals in this action is to secure the return of its Confidential Information. Based on the USB Analysis, Yelton has failed to return at

least five devices that likely contain ScanSource's Confidential Information. These devices, along with any other electronic device in Yelton's possession, custody, or control, should be submitted to a forensic inspection to determine whether they contain any ScanSource Confidential Information. Pursuant to the TRO, this information must be returned to ScanSource. Further, Yelton should be ordered to provide ScanSource with access to Yelton's new Dropbox account. Because Yelton's actions in contempt of court have necessitated these additional examinations, Yelton should be ordered to pay for the expense of the examination and return of the ScanSource information.

(c) Dismissal of Yelton's Complaint with prejudice.

Yelton's actions in violating the TRO and submitting a false affidavit warrant dismissal of his Complaint with prejudice, both as a remedy for ScanSource's losses associated with this petition and as a punishment for his blatant disregard for the TRO and for the administration of justice. He should not be entitled to rely on the judicial process for relief when he accords it no respect.

In addition to dismissal of Yelton's Complaint based on his actions in contempt of court, ScanSource moves this court pursuant to Rule 41(b), SCRPC, to strike Yelton's Complaint with prejudice as a further appropriate remedy for violating this Court's order and lying on a sworn affidavit. "Dismissal is a proper sanction against a complainant who submits fraudulent documents to the court." *Brandt*, 368 S.C. at 627, 630 S.E.2d at 264.

(d) An order granting ScanSource's motion for preliminary and permanent injunctive relief,

and

(e) An order granting ScanSource the relief it seeks in its counterclaims.

As punishment to Yelton and compensation to ScanSource, ScanSource's motion for preliminary and permanent injunctive relief and the relief sought in its counterclaims should be granted. The evidence presented in support of this petition only further strengthens the grounds supporting these requests for relief. Yelton's numerous actions against ScanSource's interests show that he acted willfully and in bad faith. He breached his Employment Agreement and Release, and as a result, he is not entitled to the severance which ScanSource agreed to provide as part of his resignation.

(f) An award of all costs, fees, and expenses associated with this petition.

As punishment for violating the TRO and in compensation to ScanSource, Yelton should be required to reimburse ScanSource for its costs, fees, and expenses associated with investigating, preparing, and presenting this petition to the Court. Consumption of these resources could have been avoided if Yelton had turned over the five devices or explained their whereabouts. He used them in the period from December 9, 2011 to December 16, 2011, and any statement that he forgot about them by January 16, 2012, when ScanSource demanded that he return its information, would be disingenuous.

(g) Imposition of fines that this Court determines are an appropriate penalty.

Yelton's actions in contempt of court are too many to repair and move forward. Returning ScanSource's Confidential Information, dismissing Yelton's claims

and granting ScanSource the relief it seeks, and reimbursing ScanSource's costs would not right the wrongs that Yelton has perpetrated. This Court should impose punitive fines against Yelton to reimburse and compensate the judicial system for his wrongs against it.

II. Failure to Respond to Discovery

In addition to being in contempt of court for failing to turn over at least the five devices and as otherwise described above, Yelton has failed to respond to ScanSource's discovery requests, thus violating Rule 33, SCRCP. Specifically, ScanSource asked and Yelton answered the following Interrogatory:

INTERROGATORIES

1. Identify each of the repositories of electronic or hard copy documents or information that Plaintiff used during the time of his employment with Defendant and to present, including the manufacturer and serial number, if any, and the current location of that repository.

RESPONSE: To the extent this is seeking information regarding the hardware Plaintiff used, he has identified all such devices of which he is currently aware.

(Excerpt from Plaintiff Yelton's Responses to Defendant ScanSource's Discovery, attached as Exhibit N.) Further, in response to ScanSource's Requests for Production to obtain the electronic information, Yelton answered as follows:

REQUESTS

1. Produce any and all documents and electronic information identified in the answers to Defendant's interrogatories.

RESPONSE: All such documents have been made available.

2. Produce any and all documents and electronic information in Plaintiff's possession, custody, or control that at any time were located or stored on ScanSource's property, including electronic devices or storage media.

RESPONSE: Plaintiff objects on the grounds that this would literally call for every document ever created by a ScanSource person, including a pay check, etc. Plaintiff has endeavored to find all non-privileged documents in his possession related to his employment with ScanSource and already made such documents available.

3. Produce any and all documents and electronic information in Plaintiff's possession, custody, or control that relate to Defendant.

RESPONSE: See response to RTP 2.

(Excerpt from Plaintiff Yelton's Responses to Defendant ScanSource's Discovery.) As shown above, Yelton has not produced at least five devices that he used between December 9, 2011 and December 16, 2011.

Rule 37(d), SCRPC provides that if a party fails to answer interrogatories or requests for production, the court may take any of the actions described in Rule 37(b)(2)(A), (B), or (C), which include issuing an order striking Plaintiff's Complaint. In another situation involving electronic evidence, when a party caused a computer's hard drive to be effectively erased, the Court of Appeals affirmed the trial court's finding that the party willfully violated a TRO and the trial court's order striking the party's answer. See *QZO, Inc. v. Moyer*, 358 S.C. 246, 257, 594 S.E.2d 541, 548 (Ct. App. 2004); see also *Griffin Grading & Clearing, Inc. v. Tire Serv. Equip. Mfg. Co.*, 334 S.C. 193, 511 S.E.2d 716 (Ct. App. 1999) (affirming trial court's striking defendant's answer as a

discovery sanction based on defendant's failure to comply with four prior orders compelling discovery).

ScanSource therefore moves for an order compelling Yelton to answer the interrogatory and requests for production. In addition, ScanSource moves for a sanction in striking Plaintiff's Complaint and for attorneys' fees and costs incurred in filing this motion.

CONCLUSION

Yelton's abuses of the judicial process cannot go unnoticed and unaddressed. He has violated this Court's TRO and submitted a false affidavit to the Court. As a remedy, compensation, and punishment, ScanSource seeks the following relief:

- (a) An order directing Yelton to show cause why he should not be held in contempt for violation of this Court's Temporary Restraining Order;
- (b) A direction that Yelton return the Confidential Information that he has continued to withhold, and that any electronic devices on which the information resides shall be subject to a forensic inspection and any necessary actions to return ScanSource's Confidential Information shall be taken, all at Yelton's expense;
- (c) Dismissal of Yelton's complaint with prejudice;
- (d) An order granting ScanSource's motion for preliminary and permanent injunctive relief;
- (e) An order granting ScanSource the relief it seeks in its counterclaims;
- (f) An award of all costs, fees, and expenses associated with this petition;

- (g) Imposition of fines that this Court determines are an appropriate penalty;
- (h) An order compelling answers to the interrogatories and requests for production;
- (i) Such other fines, penalties, and relief as this Court deems appropriate.

Pursuant to Rule 11, SCRCP, ScanSource's counsel certifies that he communicated with Plaintiff's counsel in a good faith attempt to resolve this motion.

The matter could not be resolved.

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July 17, 2012

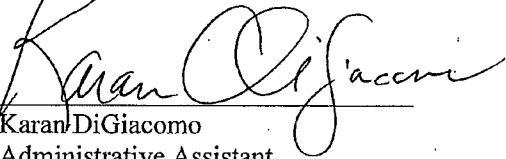
CERTIFICATE OF SERVICE

I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough, LLP, attorneys for ScanSource, Inc., do hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified by hand delivering a copy of the same to the following address(es):

Pleadings: DEFENDANT SCANSOURCE'S PETITION FOR A RULE TO SHOW CAUSE FOR CIVIL CONTEMPT BY PLAINTIFF JEFF YELTON AND MOTION TO COMPEL AND FOR SANCTIONS PURSUANT TO RULE 37, SCRCF

Counsel Served:

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Karan DiGiacomo
Administrative Assistant

2012 JUL 17 P 3:54

FILED CLERK OF COURT
GREENVILLE CO. S.C.
DELL B. WICKENSHIER

July 17, 2012

STATE OF SOUTH CAROLINA	)	
	)	IN THE COURT OF COMMON PLEAS
COUNTY OF GREENVILLE	)	THIRTEENTH JUDICIAL CIRCUIT
Jeff Yelton,	)	Civil Action No. 2012-CP-23-0314
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
ScanSource, Inc.,	)	
	)	
Defendant.	)	
_____	)	

EXHIBITS TO
DEFENDANT SCANSOURCE'S PETITION FOR A RULE TO SHOW CAUSE FOR
CIVIL CONTEMPT BY PLAINTIFF JEFF YELTON

AND MOTION TO COMPEL AND FOR SANCTIONS PURSUANT TO RULE 37,
SCRCP

PRIORITY MATTER

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Exhibit F

Affidavit of Dean Gaida

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

IN THE COURT OF COMMON PLEAS

THIRTEENTH JUDICIAL CIRCUIT

Jeff Yelton,

Civil Action No. 2012-CP-23-0314

Plaintiff,

vs.

AFFIDAVIT OF DEAN GAIDA

ScanSource, Inc.,

Defendant.

I, Dean Gaida, swear, upon penalties of perjury, as follows:

1. My name is Dean Gaida, I am above the age of 18, and I have personal knowledge of and am competent to testify about the matters addressed herein.

2. I am a Managing Director for FTI Consulting Technology LLC ("FTI") in the New York, NY office. I have worked for FTI since October 23, 2006. FTI is a provider of electronic discovery software and consulting services relating to all facets of electronic discovery. FTI's Technology practice offers electronic discovery and information management software services to companies, law firms, courts, and government agencies. FTI was founded in 1982 and has over 3,000 employees worldwide.

3. In my job as a Managing Director, my responsibilities range from examining and analyzing computer data to managing electronic document processing and reviews in cases and producing findings to support litigations and a variety of other legal matters. This includes hands-on examination and analysis of computer data as well as the day to day management of the forensics staff and the enforcement of policies and procedures. I have actively managed and

participated in the collection and the subsequent analysis and processing of electronic evidence for extremely complex, disparate and sensitive technology environments. I hold a Masters degree in Computer Science from Villanova University and have completed multiple industry-specific training courses over my career such as the EnCase Advance Computer Forensics and Computer Forensics II courses. I also lecture to the legal community and e-discovery communities on topics related to electronic discovery and computer forensics. I am licensed as an EnCase Certified Examiner.

4. I conducted and/or oversaw the investigation and analysis for which the results are described in this affidavit. This report has been prepared based on information currently available to me. I reserve the right to amend this report and/or submit a supplemental report as additional, relevant information becomes available to me. As such, my opinions may be subject to change.

5. FTI is retained by Nelson Mullins Riley & Scarborough LLP to provide forensic investigation services related to this case.

Summary of Key Findings

1. Five devices that were connected to Jeff Yelton's ScanSource laptop from December 9, 2011 to December 15, 2011, were not produced by Yelton.

2. On December 15, 2011 at about 12:06 PM EST, 863 files were added to Jeff Yelton's Dropbox account.

3. Dropbox shows that three files were edited in Jeff Yelton's Dropbox account on January 3 and 4, 2012.

4. Dropbox shows that several files were deleted or moved from Jeff Yelton's Dropbox account to another location on January 4, January 16, January 17, and January 25, 2012.

5. The jyelton user of the ScanSource laptop installed and ran a program called KillDisk on the ScanSource laptop on December 16, 2011 at 7:42 AM EST, erasing the System Reserve partition, thus permanently disabling the ScanSource laptop.

I. USB Devices Used Under the jyelton Profile Have Not Been Turned Over in This Litigation

1. On February 3, 2012, FTI received a laptop from ScanSource, Inc. (hereinafter "ScanSource") that was an HP ProBook6450b model with the serial number ("S/N") CNU04237B4 containing a Hitachi hard drive with Model# HTS725032A9A364 and S/N 101121PCKC04BPH74DAK, which had been identified as Jeff Yelton's laptop at ScanSource (hereinafter, "ScanSource Laptop"). The chain of custody form for the ScanSource Laptop is included in Exhibit A.

2. On February 3, 2012, FTI used Guidance Software's EnCase version 6.19.2 ("EnCase") in conjunction with a Tableau T35es write blocker to create a "forensic image" of the ScanSource Laptop's hard drive. EnCase generates a series of files that comprise a "forensic image", which represents a forensically sound bit-by-bit copy of the data from the original source hard drive. An MD5 hash value, or a unique identifier akin to a digital finger print, was created during the acquisition process of the ScanSource Laptop's hard drive, and one was created at the end from the content of the Image. FTI compared these hash values and found them to be identical. The analyses described below were conducted on the forensic image of the ScanSource Laptop hard drive (hereinafter "Image").

3. The ScanSource Laptop has 3 Universal Serial Bus ("USB") ports and 1 USB/ESATA combo port, which are used to connect external peripheral devices to the computer for a variety of purposes, including but not limited to external data storage.

4. The ScanSource Laptop utilized the Windows 7 Operating System, which typically will capture a USB device's information whenever a USB device is successfully plugged in. Certain information related to USB activity is recorded within the Windows Registry SYSTEM file and other system files listed below:

System Registry hive found at C:\Windows\System32\config\SYSTEM
Setupapi.dev.log found at C:\Windows\inf\setupapi.dev.log
NTUSER file found at C:\Users\jyelton\ NTUSER.dat

5. The SYSTEM file contains information about the standard hardware profile of the local computer system.¹ The setupapi.dev.log contains information about Plug and Play devices and driver installation.² The NTUSER.dat file contains the user profile's personalized settings for the majority of the software installed on the computer, including Windows itself.³

A. USB Analysis

6. FTI examined the Image to generate a report of the removable USB devices recorded by Windows that were utilized by the user profile jyelton and last connected within the time frame of December 9, 2011 to December 15, 2011. ScanSource had informed FTI that the jyelton user profile was assigned to Jeff Yelton.

7. The information about a USB device, including when it was first connected and when it was last connected, can be obtained by analyzing the system files listed above. The tools used for this analysis consisted of Access Data's Registry Viewer and EnCase. A complete list of

¹ [http://msdn.microsoft.com/en-us/library/windows/desktop/ms724836\(v=vs.85\).aspx](http://msdn.microsoft.com/en-us/library/windows/desktop/ms724836(v=vs.85).aspx).

² <http://support.microsoft.com/kb/927521>.

³ [http://msdn.microsoft.com/en-us/library/windows/desktop/bb776892\(v=vs.85\).aspx](http://msdn.microsoft.com/en-us/library/windows/desktop/bb776892(v=vs.85).aspx).

connected USB devices was identified within the System Registry hive's USBSTOR subkey. This file provides the device's friendly name, GUID, serial number, vendor/product/version numbers, and in some cases volume mapping. Using the NTUSER.Dat file we associate the usage of a specific device with a user profile, in this case jyelton. This file also contains the date/timestamp for last time connected. The first time connected is extracted from the setupapi.dev.log file. The result of this analysis is included in Exhibit B.

8. As shown in Exhibit B and listed below, five devices were connected to the ScanSource Laptop by USB during the period of December 9, 2011 to December 15, 2011, to drive letter E. Our analysis of the NTUSER.dat file demonstrates that the jyelton profile was associated with the last connection activity of these devices:

- a. CBM Flash Disk USB Device, Serial No. 16145301AACCA911
- b. Flash Disk USB Device, Serial No. 102002081627B702
- c. FLASH Drive AU_USB20 USB Device, Serial No.
J0904000000000017362
- d. USB Flash Disk USB Device, Serial No. 20111106291553540012117107
- e. USB2.0 Flash Disk USB Device, Serial No. 2009092806133745384

9. I have reviewed the affidavit of John Akerman that describes the method by which he recorded the identification information for each of the devices that were provided to him by the Plaintiff. I compared the serial numbers of the devices provided by Akerman to the serial numbers of the devices connected to the ScanSource Laptop.

None of the five devices that were connected to the ScanSource Laptop from December 9, 2011 to December 15, 2011, are included in the list of devices examined by John Akerman. In addition to the ScanSource laptop, FTI also received from ScanSource two USB drives. The

chain of custody form is included under Exhibit A. Using the same methodology as Akerman, protecting the USB device with a Tableau Forensic USB Bridge Model T8 and utilizing the MS DOS command DevCon, FTI identified the USB devices serial numbers and confirmed that they were not one of the five devices in question. These five devices were not produced by the Plaintiff.

a. Lexar Flash Drive SN: 106a640720333223

b. AccuBanker Flash Drive SN: 221507003ca8cf06

B. Link File Analysis

10. FTI reviewed the Image for link files created or modified during the above timeframe. A link file also is known as a “Shell link” or “shortcut” and is a data object that contains information that can be used to access another data object.⁴ “Applications can also create and use Shell links and shortcuts. For example, a word processing application might create a Shell link to implement a list of the most recently used documents.”⁵ Link files are created when a file is opened through the Windows operating system, and as such, a link file’s timestamp indicates the date and time that the related underlying file was accessed. These files also contain metadata that identifies the location from where the file was opened.

11. Exhibit G is a listing of these link files further narrowed to those containing metadata indicating the file was accessed from the drive letter E. Drive letter E is the same drive letter assigned to each of the five USB devices at the time of their last connection. Comparing the timing of the link file’s creation and the timing of when these external devices were connected to the PC, these files likely were accessed from one of the listed devices above.

That is, these files likely were on one of the listed devices.

⁴ [http://msdn.microsoft.com/en-us/library/dd891294\(v=prot.13\)](http://msdn.microsoft.com/en-us/library/dd891294(v=prot.13))

⁵ [http://msdn.microsoft.com/en-us/library/windows/desktop/bb776891\(v=vs.85\).aspx#Shelllink_Link_Files](http://msdn.microsoft.com/en-us/library/windows/desktop/bb776891(v=vs.85).aspx#Shelllink_Link_Files)

II. Yelton's Dropbox Account Analysis

1. Jeff Yelton had a Dropbox account, and his counsel provided the user credentials for Yelton's account to ScanSource.

2. Dropbox is a "cloud" storage platform. Storing data within the Dropbox cloud service provides a user the ability to propagate data from a single device to multiple devices. A service such as Dropbox is accessible from any computer connected to the internet provided that user has the proper login credentials to access the storage location. For example, a user could load files onto Dropbox from their office, and then at home, on a different computer, access those files uploaded to the site.

3. According to Dropbox, "Dropbox is a free service that lets you bring all your photos, docs, and videos anywhere. This means that any file you save to your Dropbox will automatically save to all your computers, phones and even the Dropbox website."⁶

4. Each device on which a user installs Dropbox generates a "Dropbox folder" on that device that the service uses to manage and synchronize the set of files maintained by Dropbox. The file activity that occurs within the Dropbox folder on one device is propagated to the Dropbox website and subsequently to the other connected devices at the time they are synchronized. The default setting when installing Dropbox is for synchronization to occur as long as the device has internet connectivity. According to Dropbox, "If you've already installed Dropbox, simply adding files to your Dropbox folder will automatically sync the file to your Dropbox, which means you can open it from any other computer, smartphone, or tablet that also has Dropbox installed."⁷ Thus, if a file is added or edited within the Dropbox folder, the updated

⁶ Dropbox, Tour, <https://www.dropbox.com/tour#!/tour/1>.

⁷ Dropbox, How Do I Sync Files Between Computers?, available at <https://www.dropbox.com/help/4/en>.

document will be accessible through Dropbox from the other devices. It is important to note that a user can change their settings to prevent synchronization until they explicitly request that particular device to synchronize. Further a user, regardless of the synchronization settings, can upload, edit, download, and delete content stored on Dropbox directly through the website as needed and these changes will only affect the Dropbox folder upon the next synchronization.

5. On February 20, 2012, FTI preserved a record of the activity in Yelton's Dropbox account by creating "screenshots" of the Events pages. See Exhibit C, Dropbox screenshots pages 5 to 11.

6. On February 21, 2012, with Yelton's authorization, FTI accessed Yelton's account and changed the password, so Yelton has not had the credentials to access the account from that date forward.

7. FTI created screenshots using TechSmith's Snagit software version 8 ("Snagit"). Snagit was used to create digital pictures of the webpage's content, which then was saved as a PDF file. The screenshots show the Events Tab, which logs "events" that occurred on Dropbox, such as when files were Added, Edited, Deleted, or Restored. FTI also captured the My Computers tab which indicates the computers and devices currently linked to the Dropbox account.

8. The screenshot on page 1 of Exhibit C shows that Yelton had four devices connected to Dropbox:

- a. Jeff's Home Laptop, for which the last activity was on February 13, 2012 at 9:30 PM EST;
- b. Jyelton-w7, for which the last activity was on December 15, 2011 at 8:40 AM EST;

- c. Jeff's Work Laptop, for which the last activity was on December 22, 2010 at 3:26 PM EST; and
- d. iPad, no connection information recorded.

The last activity timestamp indicates when Dropbox last synchronized with that machine. It also provides the version of Dropbox installed on the linked machine and the IP address associated with that synchronization.

A. Files Added to Yelton's Dropbox Account

9. The Dropbox Screenshots show that on December 15, 2011, at or about 12:06 PM EST, 863 files were added to Yelton's Dropbox account:

You edited the file BU 01 Forecasting Worksheet Q4-2011 (2).xls.	1/4/2012 4:19 PM
You edited the file Bottom 1000 catalog recipients.xls.	1/4/2012 4:11 PM
You edited the file Bottom 1000 catalog recipients.xls.	1/4/2012 4:10 PM
You edited the file General Two Tier Distribution Pres.opt.	1/3/2012 4:38 PM
You added BD2005 Resource Funding.xls and 862 more files.	12/15/2011 12:06 PM
You added Blog tools and 79 more folders.	12/15/2011 12:06 PM
You edited the file Financial Statements 101.opt.	11/27/2011 2:05 PM
You added the file Revised VSR Optimization Summit 11-3-11 (2)(1).opt.	11/2/2011 2:40 PM

Exhibit C at 11, excerpt (hereinafter "863-File Addition Event"). As described above, Dropbox shows two events occurring on 12:06 PM EST on December 15, 2011, but based on FTI's testing of Dropbox's functionality, the two events capture the same activity.⁸ Thus, the activity that occurred for the event described as "You added Blog tools and 79 more folders" is included

⁸ Both links when accessed point to the same URL and description of underlying activity associated with the event.

within the larger event, "You added BD2005 Resource Funding.xls and 862 more files" that occurred on the same day at the same time.

10. FTI expanded the 863-File Addition Event log to determine which files were added on December 15, 2011 at 12:06 PM EST, and those screenshots are represented on page 12 of Exhibit C. Dropbox provides limited information regarding the details of this event, and the screenshot provided shows the top level of individual documents and folders associated with the 863-File Addition Event. The same folders and file types and names identified through Dropbox related to the 863-File Addition Event also were located on the Image within the Dropbox folder.

11. The jyelton user account shows internet activity on the ScanSource laptop periodically throughout the day from 8:41 AM to 8:54 PM EST on December 15, 2011. Internet history was extracted from the index.dat file located under the jyelton profile. (see Exhibit D Internet History pages 1 to 37) This indicates the user was active on the computer throughout the day.

B. Edited Files Linked to Yelton's Dropbox

12. The Dropbox screenshots show that at least three files linked to Dropbox were edited after December 15, 2011:

- a. General Two Tier Distribution Pres.ppt, edited on January 3, 2012 at 4:38 PM EST.
- b. Bottom 1000 Catalog Reciepients.xls, edited on January 4, 2012 at 4:10 PM and 4:11 PM EST.
- c. BU 01 Forecasting Worksheet 04-2011 (2).xls, edited on January 4, 2012 at 4:19 PM EST.

Files with the same name and type were also identified within the Image's Dropbox folder.

C. Deleted or Moved Files Linked to Yelton's Dropbox

13. According to Dropbox, "Removing a file from your Dropbox is as simple as dragging and dropping it somewhere out of your Dropbox folder. If you'd like to delete it, drag the file folder [sic] or to your Windows Recycle Bin."⁹

14. Based on FTI's testing of Dropbox, when files are moved from the Dropbox folder on a device to another location on that device, Dropbox treats the file as deleted and shows that the file is "Deleted" in the Dropbox event history. Thus, while the Dropbox event history may describe a file as deleted, that file may have simply been moved from a device's Dropbox folder to another location. The other location could include a different folder on the device, another device, or the device's Recycle Bin.

15. According to Dropbox, files that are "deleted" may be restored: "Even if your computer has a meltdown, your stuff is always safe in Dropbox and can be restored in a snap. Dropbox is like a time machine that lets you undo mistakes and even undelete files you accidentally trash."¹⁰

16. The Dropbox screenshots show that on January 4, January 16, January 17, and January 25, 2012, files from the Yelton Dropbox account were deleted. As indicated before, deleting could be performed by clicking Delete or moving the files to another location. See pages 1 to 11 of Exhibit C.

17. Further, the Dropbox screenshots show that on January 4, 2012, several folders that had been either deleted or moved out of a Dropbox folder were restored on Yelton's account. See page 11 of Exhibit C.

⁹ Dropbox, How Do I Delete Files From Dropbox?, *available at* <https://www.dropbox.com/help/40/en>,

¹⁰ Dropbox, Tour, *available at* <https://www.dropbox.com/tour#!tour/4>.

III. Use of KillDisk on the ScanSource Laptop

1. FTI reviewed the programs installed on the ScanSource laptop, and identified that a program named KillDisk had been installed. Based on the creation date of the installation file this program was installed on December 16, 2011 at approximately 7:41 AM EST.

Name	LastAccessed	FileCreated	LogicalSize	FullPath
killdisk.exe	12/16/11 7:42 AM	12/16/11 7:42 AM	613,592	C:\Program Files\Soft Technologies\Active KillDisk\DOS\killdisk.exe
KILLDISK.exe	12/16/11 7:42 AM	12/16/11 7:42 AM	5,560,440	C:\Program Files\Soft Technologies\Active KillDisk\KILLDISK.exe
KillDiskSuiteFree-Setup.exe	12/16/11 7:41 AM	12/16/11 7:41 AM	19,052,576	C:\Users\jyelon\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.IE5\J6YPSVU\KillDiskSuiteFree-Setup.exe

The above table shows the location of the programs executable files and the temporary installation file used during setup. FTI confirmed that the jyelon account had accessed the KillDisk website at the above mentioned time (see Exhibit E page 1.).

2. This file activity above is consistent with downloading and installing the KillDisk application from the website www.killdisk.com and selecting run when prompted during the download process (see Exhibit H page 1 to 9). ScanSource informed FTI that the application is not an approved program and that they would not provide it to their users.

3. FTI observed that on December 15, 2011, the jyelon account user visited an article on www.pcworld.com which contains a video explaining ways to erase data. (Exhibit D page 16 and 25 (referring to <http://www.pcworld.com/article/157126/how-to-completely-erase-a-hard-drive.html>). A discussion thread with a post by the user name stealth694 referred readers to KillDisk: "Some of these are a bit extreme. But the best system

wipe I have used is Kill Disk, at Killdisk.com. This is a stepped down Govt HD wiper. It writes "0's" through the HD. Totally wipes it out, and This is a Shareware/Freeware Program so its definetly worth the money."¹¹

4. The PC World video refers to another software named dban that can be used to erase a hard drive. The jyelton account user visited www.dban.org on December 15, 2011 at 2:23 PM EST, after visiting the PC World page. (Exhibit D page 16.) The internet history also shows the jyelton account user visited www.whitecanyon.com on December 15, 2011 at 7:19 PM EST. (Exhibit D at page 37.) White Canyon is another product that can be used to erase a hard drive. (www.whitecanyon.com.)

5. According to the KillDisk web site accessed by the jyelton account, KillDisk is a "powerful and compact software that allows you to destroy all data on hard disks, USB drives and floppy disks completely, excluding any possibility of future recovery of deleted files and folders. It's a hard drive and partition eraser utility."¹²

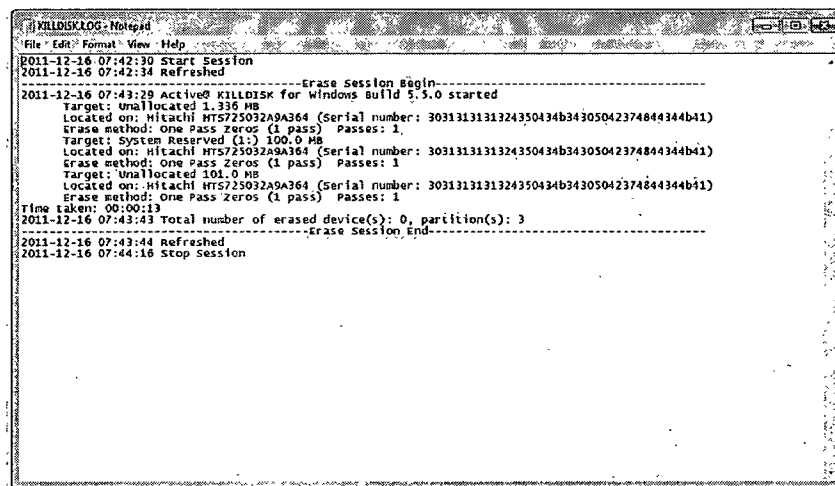
6. In summary, KillDisk works by overwriting data rather than simply marking it as free space. Typically when you delete a file by selecting it and pressing the Delete key, the file is redirected to the recycle bin. Over time as the recycle bin fills, older files will stop being tracked in this location to make room for the newly deleted files. At that time the location of space allocated to this file is marked as free space for use, but the data remains intact until it is overwritten. Keying Shift+Delete skips the process of redirecting the file to the recycle bin. In both scenarios this means that, eventually, other programs and file transfers may overwrite it completely or at least in part. Until then, the data is still recoverable, depending on these factors.

¹¹ PC World, How to Completely Erase a Hard Drive (Jan. 20, 2011 8:00 AM), *available at* http://www.pcworld.com/article/157126/how_to_completely_erase_a_hard_drive.html.

¹² Active Kill Disk, How to Erase a Hard Drive, *available at* www.killdisk.com (last visited June 24, 2012).

Overwriting data through the use of a wiping tool like KillDisk makes the data impossible to recover.

7. According to the KillDisk log acquired through the Image and created during the execution of the program, KillDisk was run on the ScanSource Laptop on December 16, 2011 at 7:42 AM. The log indicates that the tool erased the System Reserve partition which Windows 7 requires to boot the laptop. The log also indicates the model number of the drive it was run on and this matches the model number of the hard drive FTI Imaged:



```
KILLDISK LOG: Notepad
File Edit Format View Help
2011-12-16 07:42:30 Start Session
2011-12-16 07:42:34 Refreshed
-----Erase Session Begin-----
2011-12-16 07:43:29 Active@ KILLDISK for Windows Build 5.5.0 started
Target: Unallocated 1.336 MB
Located on: Hitachi HTS725032A9A364 (Serial number: 30313131324350434b34305042374844344b41)
Erase method: One Pass Zeros (1 pass) Passes: 1
Target: System Reserved (1:) 100.0 MB
Located on: Hitachi HTS725032A9A364 (Serial number: 30313131324350434b34305042374844344b41)
Erase method: One Pass Zeros (1 pass) Passes: 1
Target: Unallocated 101.0 MB
Located on: Hitachi HTS725032A9A364 (Serial number: 30313131324350434b34305042374844344b41)
Erase method: One Pass Zeros (1 pass) Passes: 1
Time taken: 00:00:13
2011-12-16 07:43:43 Total number of erased device(s): 0, partition(s): 3
-----Erase Session End-----
2011-12-16 07:44:16 Stop Session
```

8. FTI utilized the EnCase product, as described earlier, to create an image of the hard drive. This software does not rely on the boot partition in order to review the system files and data structures, so the image created with EnCase can still be analyzed in spite of KillDisk being run on the machine.

9. Using the forensic image, FTI tested the viability of booting Yelton's work laptop by restoring a mirror copy of the computer's data onto a clean hard drive on a test machine and initiating the boot process. FTI was unable to boot this test machine, which is consistent with our observation that the System Reserve was wiped as indicated in the log. FTI also tested KillDisk

using another test laptop running Windows 7 and used the program to erase the System Reserve. This process produced a similar log file (see Exhibit F page 1), and FTI was able to continue using the machine until the next attempt to re-boot, at which point the system failed.

[SIGNATURE PAGE ATTACHED]

FURTHER AFFIANT SAYETH NOT.

Dean Gaida
Dean Gaida

SWORN TO and subscribed before me this

17th day of July, 2012.

Maria V. Santoro
Notary Public for State of New York

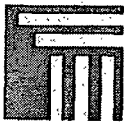
My Commission Expires: 8/17/13

MARIA V. SANTORO
Notary Public, State of New York
No. 01SA4901903
Qualified in Bronx County
Commission Expires Aug. 17, 2013

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EXHIBIT A



F T I

**ELECTRONIC EVIDENCE CONSULTING
CHAIN OF CUSTODY RECORD**Date: 2-2-2012FTI Matter: Scan SourceNumber: 013461.0001

The evidence described herein has been transferred on this date:

From: R.B. MURPHY
(Name)

Representing:

ScanSource, Inc
(Organization)To: Dean Gaida
(Name)

Representing:

FTI Consulting
(Organization)

DESCRIPTION OF EVIDENCE.

Identification (Serial No., etc)	Description
CNV0423784	HP ProBook Laptop Computer
Sim card No. 8901410424-3313617843	iPhone

R.B. Murphy
Signature (from)2-2-2012
DateDean Gaida
Signature (to)2-3-2012
Date



F T I

**ELECTRONIC EVIDENCE CONSULTING
CHAIN OF CUSTODY RECORD**

Date: 2/3/12

FTI Matter: Scan Source

Number: 013461.0001

The evidence described herein has been transferred on this date:

From: Carmen Thomas @ NelsonMullins
(Name)

Representing: ScanSource
(Organization)

To: Dean Galda

(Name)

Representing: FTI

(Organization)

DESCRIPTION OF EVIDENCE

Identification (Serial No., etc.)	Description
in sealed envelope	512 MB Flash Drive - AccuBanker USA
in sealed envelope	256 MB Lexor Flash Drive - Cisco

Carmen Thomas
Signature (from)

2/3/12
Date

Dean Galda
Signature (to)

2/6/12
Date

EXHIBIT B

Case Name	Device Name (USB Label)	Vendor/Product/Model	Serial #	Device GUID	User ID	Time/Time zone (UTC) (1st)	Time/Time zone (UTC) (Last)	Time/Time zone (UTC) (Last)	Time/Time zone (UTC) (Last)
Jeff Yelton	F01624-1-JL6-E002	USB Flash Disk USB Device	20111106291553540012117107&0	E: 76c06bd-1f44-11e1-bbd2-1cc1deb51e3f	Jyelton	12/14/11 8:44 AM	12/14/11 8:44 AM	12/14/11 8:44 AM	
Jeff Yelton	F01624-1-JL6-E002	USB2.0 Flash Disk USB Device	2009092806133745384&0	E: 76c06bd2d-1f44-11e1-bbd2-1cc1deb51e3f	Jyelton	12/13/11 9:33 AM	12/15/11 2:19 PM	12/15/11 1:21 PM	
Jeff Yelton	F01624-1-JL6-E002	FLASH Drive AU USB20 USB Device	10904000000000017362&0	E: 76c06bd01-1f44-11e1-bbd2-1cc1deb51e3f	Jyelton	12/12/11 3:04 PM	12/12/11 3:08 PM	12/12/11 3:08 PM	
Jeff Yelton	F01624-1-JL6-E002	Flash Disk USB Device	1020020816278702&0	E: 76c06ad0f-1f44-11e1-bbd2-1cc1deb51e3f	Jyelton	12/12/11 8:58 AM	12/12/11 11:51 AM	12/12/11 8:58 AM	
Jeff Yelton	F01624-1-JL6-E002	CBM Flash Disk USB Device	16145301AACA911&0	E: 76c069ff-1f44-11e1-bbd2-1cc1deb51e3f	Jyelton	12/9/11 8:33 AM	12/9/11 8:33 AM	12/9/11 8:33 AM	

EXHIBIT C



jeffton215@aol.com Account Upgrade Log out

Back to home

Account Info

Account Settings

My Computers

Referral Status

My Apps

My Computers

These are the computers and devices currently linked to your Dropbox.

Computer name	Last Activity	Actions	
Jeff's Home Laptop	12/13/2012 9:50 PM	Rename	Unlink
Jeffton-W7	12/15/2011 9:40 AM	Rename	Unlink
Jeff's Work Laptop	12/22/2010 5:26 PM	Rename	Unlink
iPad	N/A	Rename	Unlink

You have 1 iPad and 3 Windows computers linked to Dropbox. [Add a computer.](#)

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English

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hilton715@aol.com Account Log out

Back to home

Account Info Account Settings My Computers Referral Status My Apps

My Computers

These are the computers and devices currently linked to your Dropbox.

Computer	Last Activity	Action
Mac OS Version: 1.1.1 Last IP Address: 61.189.150.149	2/13/2011 8:33 PM 12/21/2011 8:42 AM 12/21/2011 5:28 PM N/A	Rename Remove Rename Remove

You have 1 Mac and 3 Windows computers linked to Dropbox. Add a computer.

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My Computers

These are the computers and devices currently linked to your Dropbox.

Computer name

Device	Version	Last IP Address
HTC	2.1.3.5	204.12.7.6
Paid		

Last Activity

2/12/2012 9:20 PM
12/15/2011 6:43 AM
12/12/2010 1:28 PM
N/A

Action

Remove	Unlink
Remove	Unlink
Remove	Unlink
Remove	Unlink

You have 1 iPad and 3 Windows computers linked to Dropbox. Add a computer

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For Developers
Developers

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<https://www.dropbox.com/account>

My Computers

These are the computers and devices currently linked to your Dropbox.

Computer name	Last Activity	Actions
Jerry's Home Laptop	2/13/2017 9:52 PM	Refresh Delete
Version: 0.7.110 Last IP Address: 204.53.76.8	2/21/2017 11:01 AM	Refresh Delete
	2/12/2017 9:26 PM	Refresh Delete
	N/A	Refresh Delete

You have 1 Mac and 3 Windows computers linked to Dropbox. Add a computer.



lyelton215@aol.com Account Upgrade Log out

Get Started Files Events Sharing Help

Show events for:

Dropbox

Recent events in 'Dropbox'

Jump to 2/20/2012

- You deleted the file SCSC pres perspective Tablets.docx 1/25/2012 1:35 PM
- You deleted the file SCSC - GLOBAL AND REGIONAL DATA - 112211.xlsx 1/25/2012 1:35 PM
- You deleted the file RSPA thumbdrive content.apex 1/25/2012 1:34 PM
- You deleted Making Money in 2020 - Combining Solutions.wpsort and 578 more files. 1/25/2012 1:32 PM
- You deleted Soap Dinner and 125 more folders. 1/25/2012 1:32 PM
- You deleted whos going to win the payments game.doc and 6 more files. 1/25/2012 1:31 PM
- You deleted the file Copy of Jeff's nings P4D rx.xls 1/25/2012 1:30 PM
- You deleted the file Pass Words.doc 1/25/2012 1:30 PM
- You deleted Vendor Tax Ltr 5-4-05.doc and 216 more files. 1/25/2012 1:30 PM
- You deleted the folder Mobile Study .Hl 2011_files. 1/25/2012 1:30 PM
- You deleted A Value added Technology Reseller.doc and 1 more files. 1/25/2012 1:29 PM
- You deleted Stock Rotation Audit Report Response 8-10-05.doc and 2 more files. 1/25/2012 1:29 PM
- You deleted Holidays email 2005.doc and 2 more files. 1/25/2012 1:29 PM
- You deleted the file SIBecativity Discount Distribution Program.doc 1/25/2012 1:29 PM
- You deleted the file 2005 Management Retreat Agenda Mktg.doc 1/25/2012 1:29 PM
- You deleted the file Scansource.xls 1/25/2012 1:28 PM
- You deleted the file PPO-Blue by Mobility Solutions LLC 06-06-01.doc 1/25/2012 1:28 PM
- You deleted the file Joint Purchase Order Instruction...ce 06-06-01.doc 1/25/2012 1:28 PM
- You deleted the file 2006 Vendor Order 71.xls 1/25/2012 1:28 PM
- You deleted the file AOP-Blue by Mobility Solutions, LLC 06-06-01.doc 1/25/2012 1:28 PM
- You deleted Welcome Letter for Memphis 08.doc and 2 more files. 1/25/2012 1:28 PM
- You deleted the file Neil Yelton-Welcome Letter - PROOF.doc 1/25/2012 1:27 PM
- You deleted the file ChatLog ScanSource 2010_04_08 17_09.txt 1/25/2012 1:27 PM
- You deleted the file ChatLog BlueBear Organic Value P_03_18 14_08.txt 1/25/2012 1:27 PM
- You deleted the file I am p Neil Averson director of...Source AIDC.doc 1/25/2012 1:27 PM
- You deleted the file Ending Fuel Surcharge Letter.doc 1/25/2012 1:26 PM
- You deleted the file Software Business Development Manager.doc 1/25/2012 1:26 PM
- You deleted the file 602005 Resource Funding.xls 1/25/2012 1:22 PM
- You deleted the file Demo Program Proposal - ScanSource Merch.doc 1/25/2012 1:22 PM
- You deleted the file ACE resource justification.xls 1/25/2012 1:22 PM

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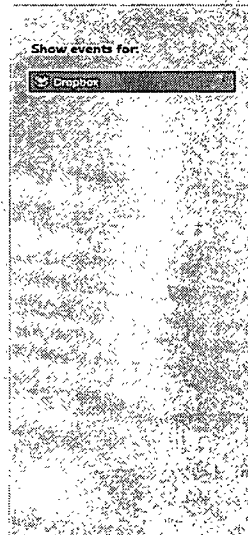
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Jump to: 1/20/2012

- You deleted the file Capital Project - Key Injection - Warehouse.xls 1/25/2012 1:21 PM
- You deleted the file VPGuestInvitationImpact08.doc 1/25/2012 1:21 PM
- You deleted the file Copy of Stock_Surplus_for_Excel SCS July 2011.xls 1/25/2012 1:21 PM
- You deleted the file Market Research.xls 1/25/2012 1:21 PM

You can't restore any files beyond this point. Learn more.

- You deleted the file New Rebate Side.ppt 1/17/2012 10:10 PM
- You deleted the file NDA-OCRA Canada Ltd 05-09-18.docx 1/17/2012 10:09 PM
- You deleted the file New Vendor Pres.ppt 1/17/2012 10:09 PM
- You deleted the file Partner Services Marketing Offering.doc 1/17/2012 10:09 PM
- You deleted the file Partner Conference 2007.doc 1/17/2012 10:09 PM
- You deleted the file Logic Controls Bus-Marketing Plan.doc 1/17/2012 10:09 PM
- You deleted the file June Company Meeting.ppt 1/17/2012 10:09 PM
- You deleted the file Anszey note on pay.xls 1/17/2012 10:08 PM
- You deleted the file AIDC Growth in Tier 2.doc 1/17/2012 10:08 PM
- You deleted the folder Personnel 1/17/2012 10:07 PM
- You deleted the folder Objectives 1/17/2012 10:06 PM
- You deleted the folder IBM Contract 1/17/2012 10:06 PM
- You deleted 2010 AIDC Opportunities with CNL with this.doc and 37 more files 1/17/2012 10:06 PM
- You deleted Supply Chain and 7 more folders 1/17/2012 10:06 PM
- You deleted the folder Company Meeting 1/17/2012 10:05 PM
- You deleted the file Zebra Camera.doc 1/16/2012 9:46 PM
- You deleted the file Yeton Intersec GSS SS Employee Reg FORM.doc 1/16/2012 9:46 PM
- You deleted the file VAD Model.doc 1/16/2012 9:46 PM
- You deleted the file Warehouse.JPG 1/16/2012 9:46 PM
- You deleted the file SYMBOL INV ANALYSIS Q3-Q5 TO Q3 06.xls 1/16/2012 9:45 PM
- You deleted the file SYMBOL TRENDS for OSP 10-25-05.xls 1/16/2012 9:45 PM
- You deleted SS POS BU Company Mtg 4-14-09.ppt and 3 more files 1/16/2012 9:45 PM
- You deleted ScanSource Rep Cover Letter Sept 12 2011.docx and 7 more files 1/16/2012 9:45 PM
- You deleted the file ScanSource Business Unit 2007 Q2 Analysis.doc 1/16/2012 9:44 PM

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Recent events in 'Dropbox'

Jump to 2/20/2012

You can't restore any files beyond this point. Learn more.

- You deleted the file Revolution 5 27 08.ppt. 1/16/2012 9:44 PM
- You deleted the file Ray Davenport Contractor Agreement-6 2 09) (3).doc. 1/16/2012 9:44 PM
- You deleted the file Q1 Vendor Performance Report USA.pdf. 1/16/2012 9:44 PM
- You deleted the file Q1 Vendor Perf Report USA.pdf. 1/16/2012 9:44 PM
- You deleted Motorola Presentation for ADC and MCD.ppt and 2 more files. 1/16/2012 9:43 PM
- You deleted Mike's migs mtp 11-10-06.ppt and 2 more files. 1/16/2012 9:43 PM
- You deleted the file Metrologic one sheet for Jeff and IV-kr (2).doc. 1/16/2012 9:42 PM
- You deleted the file Merchandising Director of Merchandising.doc. 1/16/2012 9:42 PM
- You deleted the file Marketing Funding Education Document.doc. 1/16/2012 9:42 PM
- You deleted the file Manager Technical Support.doc. 1/16/2012 9:42 PM
- You deleted Leadership Institute POS Barcodes May 2010.ppt and 2 more files. 1/16/2012 9:42 PM
- You deleted the file Intermet Specialty Distributor Discount.doc. 1/16/2012 9:42 PM
- You deleted the file Inventory Obj's and procedures.doc. 1/16/2012 9:42 PM
- You deleted the file IBM 7-29-05 Meeting.doc. 1/16/2012 9:41 PM
- You deleted the file FuturePath 2011.ppt. 1/16/2012 9:41 PM
- You deleted the file Futurepath Survey.rtf. 1/16/2012 9:41 PM
- You deleted the file Forecasting Worksheet SS Oct - Dec 06.xls. 1/16/2012 9:41 PM
- You deleted the file Fuel Surcharge Letter (2).doc. 1/16/2012 9:41 PM
- You deleted the file Fujitsu Channel Presentation 1.ppt. 1/16/2012 9:41 PM
- You deleted the file DataLogic Response 5-29-06.doc. 1/16/2012 9:40 PM
- You deleted the file DataLogic Terms Letter.doc. 1/16/2012 9:40 PM
- You deleted the file BU 01 Forecasting Worksheet 04-2011 (2).xls. 1/16/2012 9:40 PM
- You deleted the file Bottom 1000 catalog recipients.xls. 1/16/2012 9:39 PM
- You deleted the file A History of Distribution Channels - the Computer.pdf. 1/16/2012 9:39 PM
- You deleted the file 2010 Partner Conf JeM.pptx. 1/16/2012 9:39 PM
- You deleted the file 2008 Sept QBR-DRAFT.pptx. 1/16/2012 9:39 PM

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Recent events in "Dropbox"

Jump to: 2/10/2012

You can't restore any files beyond this point. [Learn more.](#)

- You deleted the file 2007 Sym Scanner rebate Nike.doc. 1/16/2012 9:39 PM
- You deleted the file 2007 ScanSource madman.doc. 1/16/2012 9:39 PM
- You deleted the file 2005 Projected F.Y.es. 1/16/2012 9:39 PM
- You deleted the file 2009 Tech Services Strategy.doc. 1/16/2012 9:38 PM
- You deleted the file TS Business Plan - TS Presen-Loops. 1/16/2012 9:38 PM
- You deleted 2004 vs 2005 partner select by partner 3-31-05.xls and 21 more files. 1/16/2012 9:37 PM
- You deleted Presentation_032003_Symool ppt and 7 more files. 1/16/2012 9:37 PM
- You deleted the file boyte American Man (Tosol) Summary.doc. 1/16/2012 9:36 PM
- You deleted the file Scan Source EUC Value Proposition ppt. 1/16/2012 9:36 PM
- You deleted REVISED Future Path 2006 Jetm.ppt and 10 more files. 1/16/2012 9:36 PM
- You deleted POS Apr. 29 Company Meeting.docx and 2 more files. 1/16/2012 9:35 PM
- You deleted Jeffs 2011 Presentation Final.docx and 6 more files. 1/16/2012 9:34 PM
- You deleted 2006 QY Fred Dotson Self Assesssals and 15 more files. 1/16/2012 9:34 PM
- You deleted the folder 2007 Director Appraisal's. 1/16/2012 9:34 PM
- You deleted the folder 2005 Director Appraisal's. 1/16/2012 9:34 PM
- You deleted ScanSourceBU Succession Plan - J9.ppt and 21 more files. 1/16/2012 9:33 PM
- You deleted the file SS Merch Strategy Brochure 3 (2).doc. 1/16/2012 9:32 PM
- You deleted the file 2005 SS Merch Strategic Plan.ppt. 1/16/2012 9:32 PM
- You deleted the file ScanSource 2002 Business Plan.doc. 1/16/2012 9:31 PM
- You deleted the file XPT2.ppt. 1/16/2012 9:31 PM
- You deleted the file ScanSource Rev 5-26-03.doc. 1/16/2012 9:29 PM
- You deleted the file Attachment - NQSEA - rev 5/23-03.doc. 1/16/2012 9:29 PM
- You deleted the file Interme 06 Business Marketing Plan.doc. 1/16/2012 9:28 PM
- You deleted ScS LA Temp Role of PM.ppt and 5 more files. 1/16/2012 6:57 PM
- You deleted Zebra Q2 2006 QFR Lpnt and 71 more files. 1/16/2012 6:57 PM
- You deleted Affm Presentat' central ppt and 6 more files. 1/16/2012 6:56 PM
- You deleted the file ScanSource Symbol F Rand's OSP 10-25-06.ppt. 1/16/2012 6:56 PM
- You deleted the file NASM2010 sales meeting.pptx. 1/16/2012 6:55 PM

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- You deleted the file NASVC210 Hkefna1CUT.ppt. 1/16/2012 6:55 PM
- You deleted the file Micra Presentation Left Yellon.pptx. 1/16/2012 6:55 PM
- You deleted the file LRP SS NA BU 11-3-10.pptx. 1/16/2012 6:55 PM
- You deleted the file Honeywell Distribution Two Tier Model.ppt. 1/16/2012 6:54 PM
- You deleted the file Epson Varian Analysis.ppt. 1/16/2012 6:54 PM
- You deleted the file Company Meeting Qtr June 11.pptx. 1/16/2012 6:54 PM
- You deleted the file Bubble Presentation.ppt. 1/16/2012 6:54 PM
- You deleted the file 2012 growth rate results.ppt. 1/16/2012 6:53 PM
- You deleted the file 2009 Partner Conference.ppt. 1/16/2012 6:53 PM
- You deleted the file 2009 Partner Conf Pres.ppt. 1/16/2012 6:53 PM
- You deleted the file 2009 NASM Pres.ppt. 1/16/2012 6:53 PM
- You deleted the file 2009 growth rate results.ppt. 1/16/2012 6:53 PM
- You deleted the file 2009 Dec QBR-FINAL.pptx. 1/16/2012 6:53 PM
- You deleted the file 2006 RFID-InitPlan.ppt. 1/16/2012 6:53 PM
- You deleted the file 2006 business plan presentation.docx. 1/16/2012 6:52 PM
- You deleted the file Clickbook New User Interface Overview 01-05.doc. 1/4/2012 10:00 PM
- You deleted the folder Clickbook. 1/4/2012 10:00 PM

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<https://dl-web.dropbox.com/get/Powerpoints/2009%20growth%20rate%20results.ppt?w=16912851>



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Jump to: 2/20/2012

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- You deleted the file Symbol DMAR Program.doc 1/4/2012 9:54 PM
- You deleted the file symbol rg.xls 1/4/2012 9:54 PM
- You deleted the file Yelton Q3 Staff.ppt 1/4/2012 9:53 PM
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You can't restore any files beyond this point. Learn more.

- You restored the file Managing Bad and Doubtful Debts_QC.docx. 1/4/2012 5:26 PM
- You restored the folder A Var's guide to Finance. 1/4/2012 5:28 PM
- You restored AdobeStockPhotos and 3 more folders. 1/4/2012 5:28 PM
- You restored 2007PartnerProgramStatusReport.docx and 15 more files. 1/4/2012 5:27 PM
- You restored the folder Art det. 1/4/2012 5:27 PM
- You restored the folder Economics. 1/4/2012 5:27 PM
- You restored the folder Audio File of Emily. 1/4/2012 5:27 PM
- You deleted SC07272 Spandor, ADR's, ADR's of 2012 and 15 more files. 1/4/2012 5:23 PM
- You deleted Audio File of Emily and 6 more folders. 1/4/2012 5:23 PM
- You deleted the file Key Account Management Overview.docx. 1/4/2012 5:23 PM
- You deleted the file Managing Bad and Doubtful Debts_QC.docx. 1/4/2012 5:23 PM
- You deleted the folder Account Planning. 1/4/2012 5:23 PM
- You deleted the folder A Var's guide to Finance. 1/4/2012 5:23 PM
- You edited the file BU 01 Forecasting Worksheet 04-2012 (2).xls. 1/4/2012 4:19 PM
- You edited the file Bottom 1000 catalog rec ep entries.xls. 1/4/2012 4:11 PM
- You edited the file Bottom 1000 catalog rec ep entries. 1/4/2012 4:10 PM
- You edited the file General Two Tier Distribution Pre-empt. 1/3/2012 4:38 PM
- You added BD2002 Resource Fundings and 862 more files. 12/15/2011 12:06 PM
- You added 9 log tools and 79 more folders. 12/15/2011 12:06 PM
- You edited the file Financial Statements 101.docx. 11/27/2011 2:05 PM
- You added the file Revised VSR Optimization Summit 11-3-11 (2)(1).ppt. 11/2/2011 3:40 PM
- You added the file Spandor Version 11 Finance Bookload. 10/21/2011 1:36 PM
- You moved the file Legal Book Pina. 10/18/2011 3:53 PM
- You added the folder Legal Book Pina. Version. 10/18/2011 3:51 PM
- You deleted the folder New folder (4). 10/18/2011 3:51 PM
- You added the folder New folder (4). 10/18/2011 3:51 PM

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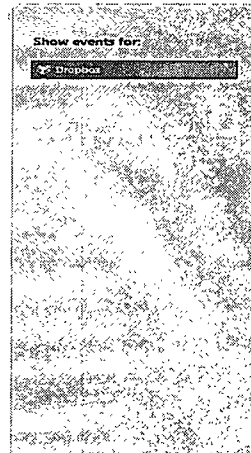
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- You moved the file Finance Final.pdf. 10/18/2011 3:51 PM
- You moved the file Finance_ebook_Final 11-12-11.docx. 10/18/2011 3:50 PM
- You added the folder Finance Book Final Versions. 10/18/2011 3:49 PM
- You deleted the folder New folder (4). 10/18/2011 3:49 PM
- You added the folder New folder (4). 10/18/2011 3:48 PM
- You moved 10 Things to Think About When Ch...rinner With.doc and 2 more files. 10/18/2011 3:41 PM
- You moved the file Accelerated Deprecation Vm to Paper.docx. 10/18/2011 3:40 PM
- You added Chapter 1.mht.docx and 21 more files. 10/18/2011 3:38 PM
- You became a Dropbox Guru and earned 250MB of bonus space! 10/18/2011 3:15 PM
- Your quota was increased to 2.25GB! 10/18/2011 3:15 PM
- You added AIDC Growth in Tier 2.docx and 43 more files. 10/18/2011 3:14 PM
- You added the folder A Var's guide to France. 10/18/2011 3:14 PM
- The computer jettin-w7 was linked to your account. 12/22/2010 2:11 PM
- You added Media/Dan and 9 more files. 12/12/2010 10:52 PM
- You added New to dan and 35 more folders. 12/12/2010 10:52 PM
- You added the file My Book (X) - Shortcut.nk. 12/12/2010 10:36 PM
- You restored the folder Personal. 11/18/2010 12:01 AM
- You added the file Internet Social Media.opnx. 10/15/2010 11:10 AM
- You added IS PCI the Lawstor and 8 more files. 10/11/2010 5:19 PM
- You added the folder Blogs. 10/11/2010 5:19 PM
- You added Proforma Revenue.xls and 3 more files. 10/11/2010 5:17 PM
- You added the file Cash Flow Statement 01 Draft(1).docx. 10/11/2010 5:13 PM
- The computer Jeff's Home Laptop was linked to your account. 10/11/2010 5:00 PM
- You added wissacres.pdf and 4 more files. 10/11/2010 4:39 PM
- You added the folder My eBooks. 10/11/2010 4:39 PM
- You deleted SS POS NA Exec dayplan-Jeff Ye ton 2009-1.xls and 46 more files. 10/11/2010 4:36 PM
- You deleted the folder Pay Calculator. 10/11/2010 4:36 PM
- You deleted the folder Personal. 10/11/2010 4:36 PM
- You added closing_cost.xls and 46 more files. 10/11/2010 4:35 PM
- You added the folder Personal. 10/11/2010 4:35 PM
- You added the folder Pay Calculator. 10/11/2010 4:35 PM
- You added Profitable Channel Management- Wustions Show.pdf and 15 more files. 10/11/2010 4:34 PM
- You added the folder Articles. 10/11/2010 4:34 PM
- You added the folder Economics. 10/11/2010 4:34 PM
- You added 2006 business plan presentation.ppt and 184 more files. 10/11/2010 4:26 PM
- You added Powerpoints and 15 more folders. 10/11/2010 4:26 PM

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- You added Sample "Financial Statements.xlsx" and 17 more files. 10/11/2010 3:00 PM
- You added the folder Book. 10/11/2010 3:00 PM
- The computer *Jeff's Work Laptop* was linked to your account. 10/11/2010 12:41 PM
- You joined Dropbox. 10/11/2010 12:41 PM
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Event Details

Name	Event	Size
Blog Book	Added	
FBI	Added	
Bus Dev	Added	
File 5	Added	
File 10	Added	
Clapnet	Added	
HRA Act.doc	Added	
IBM Contract	Added	
George Hudson	Added	
Business Plan	Added	
Finance Survey	Added	
Economic Report	Added	
Marketing Strategy	Added	
Business Information	Added	
Business Paper Template	Added	
Business Information.doc	Added	
Archived - Media Services	Added	
Archived - Resource Management	Added	
File 10 - Change Amounts.doc	Added	15.5KB
1ADP Blue Sky Monthly Sal. 06-06-11.doc	Added	24KB
Attachment of Minutes - 06-06-11.doc	Added	20KB
1ADP Blue Sky Monthly Sal. 06-06-11.doc	Added	37.5KB
1ADP Blue Sky Monthly Sal. 06-06-11.doc	Added	43.5KB
1ADP Blue Sky Monthly Sal. 06-06-11.doc	Added	40KB
1ADP Blue Sky Monthly Sal. 06-06-11.doc	Added	50KB
Common-Agency-Minutes	Added	1.22KB
1ADP Blue Sky Monthly Sal. 06-06-11.doc	Added	43.2KB
1ADP Blue Sky Monthly Sal. 06-06-11.doc	Added	44.1KB
Data	Added	
Personal Contact Pages	Added	
SURVEY	Added	
2011 Scores	Added	
Policy and Technical Support	Added	2.3KB
Comprehensive Progress	Added	22.5KB
Human Resources	Added	24KB
1ADP Blue Sky Monthly Sal. 06-06-11.doc	Added	24.5KB
General Demographic Information	Added	21KB
Balance Sheet	Added	25.5KB
Financial Statement	Added	26.5KB
Cash Flows	Added	2.0KB
Sales Forecast	Added	35KB
Profit and Loss Projections	Added	35KB
1ADP Blue Sky Monthly Sal. 06-06-11.doc	Added	43.8KB
1ADP Blue Sky Monthly Sal. 06-06-11.doc	Added	43.5KB
ACCOUNT SOLUTIONS - MEDIA.doc	Added	43.5KB

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Last Visited	User	Internet History	Hostname
12/15/11 8:41 AM	JYelton	Host: scadsync	scadsync
12/15/11 8:41 AM	JYelton	https://www.elance.com/php/landing/main/login.php?crypted=cGVyc2lzaWQ9MzY3NjA4OTM1	www.elance.com
12/15/11 8:41 AM	JYelton	Host: www.elance.com	www.elance.com
12/15/11 8:41 AM	JYelton	https://www.elance.com/php/myelance/main/index.php?redirect=https%3A%2F%2Fwww.elance.com%2Fhome%3F	www.elance.com
12/15/11 9:06 AM	JYelton	Host: plus.google.com	plus.google.com
12/15/11 9:06 AM	JYelton	https://plus.google.com/110981030061712822816/posts/AaygmbzVeRq	plus.google.com
12/15/11 9:31 AM	JYelton	http://www.linkedin.com/inbox/invitations/pending?mbxItemGID=I3287488619_2&senderID=722170&authToken=cwlf&report%2Esuccess=7IDWCRsFD8f-2FOFXUzQtIPpxv-44o7AEtCeHeZZWbqdfvk9TqJhJcmKb8-clBTFXC YHXIZPRB-ps4kfOCCMH2ZITTuXJ	www.linkedin.com
12/15/11 9:31 AM	JYelton	Host: www.linkedin.com	www.linkedin.com
12/15/11 11:37 AM	JYelton	http://dominoflow/intra/rebateUS.nsf/\$defaultView/F229F46B080C38EF852579650073A142?editdocument	dominoflow
12/15/11 11:37 AM	JYelton	Host: dominoflow	dominoflow
12/15/11 11:37 AM	JYelton	http://dominoflow/intra/rebateUS.nsf/\$defaultView/f229f46b080c38ef852579650073a142?EditDocument&Seq=1	dominoflow
12/15/11 11:47 AM	JYelton	http://scadsync/ipagesv2.nsf/ispages/ap?OpenDocument	scadsync
12/15/11 11:48 AM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/views/purchaseorder_views.xsp	workflow.apps.scansource.com
12/15/11 11:48 AM	JYelton	Host: workflow.apps.scansource.com	workflow.apps.scansource.com
12/15/11 11:48 AM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/views/search_results.xsp?Query=Mustang&submit=Submit	workflow.apps.scansource.com
12/15/11 11:48 AM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/purchaseorderInitiated.xsp?action=opendocument&database=purchaseorder&id=4988e52035&autoedit=true&reload=false	workflow.apps.scansource.com
12/15/11 11:48 AM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/purchaseorder.xsp?action=opendocument&database=purchaseorder&id=4988e52035&autoedit=true	workflow.apps.scansource.com
12/15/11 11:49 AM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/purchaseorder.xsp?action=opendocument&database=purchaseorder&id=4b26681b21de8&autoedit=true	workflow.apps.scansource.com
12/15/11 11:49 AM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/purchaseorderInitiated.xsp?action=opendocument&database=purchaseorder&id=4b26681b21de8&autoedit=true&reload=false	workflow.apps.scansource.com
12/15/11 11:49 AM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/purchaseorder.xsp?action=opendocument&database=purchaseorder&id=4b320df9abe72&autoedit=true	workflow.apps.scansource.com
12/15/11 11:49 AM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/purchaseorderInitiated.xsp?action=opendocument&database=purchaseorder&id=4b320df9abe72&autoedit=true&reload=false	workflow.apps.scansource.com
12/15/11 11:49 AM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/purchaseorder.xsp?action=opendocument&database=purchaseorder&id=41802a5c8ae97&autoedit=true	workflow.apps.scansource.com
12/15/11 1:19 PM	JYelton	http://scadsync/database/intranet/jobpost.nsf/\$defaultView/682A4D65A30480E285257967005959CE?opendocument	scadsync
12/15/11 1:19 PM	JYelton	http://scadsync/database/intranet/jobpost.nsf/0/682a4d65a30480e285257967005959ce?EditDocument	scadsync
12/15/11 1:19 PM	JYelton	http://scadsync/database/intranet/jobpost.nsf/0/682a4d65a30480e285257967005959ce?EditDocument&Seq=1	scadsync
12/15/11 1:20 PM	JYelton	http://dominoflow/intra/rebateUS.nsf/\$defaultView/90DE814E6F4FCB51852579660066DCF9?editdocument	dominoflow
12/15/11 1:20 PM	JYelton	http://dominoflow/intra/rebateUS.nsf/\$defaultView/90de814e6f4fcb51852579660066dcf9?EditDocument&Seq=1	dominoflow
12/15/11 1:21 PM	JYelton	file:///E:/OpenTechRhoElementsOverviewNov2011.pptx	Localhost
12/15/11 1:21 PM	JYelton	Host: Computer	Computer
12/15/11 1:40 PM	JYelton	http://image.enevs.scansource.com/lib/feff1674766007/i/1/3574ac3d-0.gif	image.enevs.scansource.com
12/15/11 1:40 PM	JYelton	http://image.enevs.scansource.com/lib/feff1674766007/i/2/87f4f0cc-3.gif	image.enevs.scansource.com
12/15/11 1:40 PM	JYelton	http://image.enevs.scansource.com/lib/feff1674766007/i/2/c790ae77-3.gif	image.enevs.scansource.com
12/15/11 1:40 PM	JYelton	http://image.enevs.scansource.com/lib/feff1674766007/i/2/71e29aec-4.gif	image.enevs.scansource.com
12/15/11 1:40 PM	JYelton	http://image.enevs.scansource.com/lib/feff1674766007/i/2/1a69060a-7.gif	image.enevs.scansource.com
12/15/11 1:40 PM	JYelton	http://image.enevs.scansource.com/lib/feff1674766007/i/2/ed5db729-a.jpg	image.enevs.scansource.com
12/15/11 1:40 PM	JYelton	http://image.enevs.scansource.com/lib/feff1674766007/i/2/41e7a859-9.gif	image.enevs.scansource.com

Last Visited	User	Internet History	Hostname
12/15/11 1:40 PM	JYelton	http://click.eneews.scansource.com/open.aspx?ffcb10-fe64167874600d7f7414-%25%25ex2;listid%25%25-%25%25ex2;SubscriberID%25%25	click.eneews.scansource.com
12/15/11 1:40 PM	JYelton	http://newsletter.adsonar.com/nwrss/ings/nwr_1274066_1847223_209052_664763_158614_4_2.PNG?placementId=1274066&plid=209052&pid=664763&ps=1847223&topicid=158614&rotation=4&type=2&zv=336&zh=320&v=5&url=NA&nwrdr=1323956442419_6.821776495795851E8	newsletter.adsonar.com
12/15/11 1:40 PM	JYelton	Cookie: jyelton[atdmt.com/	atdmt.com
12/15/11 1:41 PM	JYelton	https://www.elance.com/media/images/4.0/landing/google-apps-button.gif	www.elance.com
12/15/11 1:41 PM	JYelton	https://www.elance.com/media/images/4.0/login/login-welcome-new.jpg	www.elance.com
12/15/11 1:41 PM	JYelton	https://www.elance.com/styles/login.css?ver=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:41 PM	JYelton	https://www.elance.com/login?crypted=cGVyc2lzaWQ9MzY3NjA4OTM1	www.elance.com
12/15/11 1:41 PM	JYelton	https://www.elance.com/	www.elance.com
12/15/11 1:41 PM	JYelton	https://www.elance.com/login?crypted=cGVyc2lzaWQ9MzY3NjA4OTM1	www.elance.com
12/15/11 1:41 PM	JYelton	https://www.elance.com/home	www.elance.com
12/15/11 1:41 PM	JYelton	https://www.elance.com/home	www.elance.com
12/15/11 1:41 PM	JYelton	https://www.elance.com/	www.elance.com
12/15/11 1:41 PM	JYelton	https://www.elance.com/php/landing/main/login.php?crypted=cGVyc2lzaWQ9MzY3NjA4OTM1	www.elance.com
12/15/11 1:41 PM	JYelton	https://www.facebook.com/dialog/oauth?api_key=176985602337900&app_id=176985602337900&channel_url=https%3A%2F%2Fstatic.ak.fbcdn.net%2Fconnect%2Fxd_proxy.php%3Fversion%3D3%23cb%3Df2301dd0ned35%26origin%3Dhttps%253A%252F%2Fwww.elance.com%252Ff19920cb90faf52%26relation%3Dparent%26transport%3Dpostmessage&client_id=176985602337900&display=none&local_e=en_US&origin=1&redirect_uri=https%3A%2F%2Fstatic.ak.fbcdn.net%2Fconnect%2Fxd_proxy.php%3Fversion%3D3%23cb%3Df2301dd0ned35%26origin%3Dhttps%253A%252F%2Fwww.elance.com%252Ff19920cb90faf52%26relation%3Dparent%26transport%3Dpostmessage%26frame%3Df2de5fc38963fd&response_type=token%2Csigned_request%2CCode&sdk=joey	www.facebook.com
12/15/11 1:41 PM	JYelton	https://www.elance.com/php/landing/main/login.php?crypted=cGVyc2lzaWQ9MzY3NjA4OTM1	www.elance.com
12/15/11 1:41 PM	JYelton	https://www.elance.com/scripts/referral/fbReferral.js?ver=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:41 PM	JYelton	https://www.elance.com/scripts/landing/login.js?ver=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:41 PM	JYelton	https://www.elance.com/media/images/4.0/nav/nav-visitor-bg.png?v=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:41 PM	JYelton	https://www.elance.com/media/images/4.0/nav/navsprite-visitor.png?v=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:41 PM	JYelton	https://www.elance.com/media/images/4.0/buttons/btn-large-sprite.png?v=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:41 PM	JYelton	https://connect.facebook.net/rsr.php/v1/yD/r/GL74y29Am1r.swf	connect.facebook.net
12/15/11 1:41 PM	JYelton	https://s-static.ak.facebook.com/rsr.php/v1/yL/r/FGFbc80dUKj.png	s-static.ak.facebook.com
12/15/11 1:41 PM	JYelton	https://www.elance.com/media/images/4.0/sprites/sprite-login.png?v=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:41 PM	JYelton	https://www.elance.com/php/landing/main/login.php?crypted=cGVyc2lzaWQ9MzY3NjA4OTM1	www.elance.com
12/15/11 1:41 PM	JYelton	https://www.elance.com/scripts/util/AC_OETags.js?ver=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:41 PM	JYelton	https://www.elance.com/php/myelance/main/index.php?redirect=https%3A%2F%2Fwww.elance.com%2Fhome%3F	www.elance.com
12/15/11 1:41 PM	JYelton	https://www.elance.com/php/myelance/main/index.php?redirect=https%3A%2F%2Fwww.elance.com%2Fhome%3F	www.elance.com
12/15/11 1:41 PM	JYelton	https://ws.elance.com/media/flasht/fe.swf	ws.elance.com
12/15/11 1:41 PM	JYelton	https://www.elance.com/php/myelance/main/index.php?redirect=https%3A%2F%2Fwww.elance.com%2Fhome%3F	www.elance.com
12/15/11 1:41 PM	JYelton	https://www.elance.com/crossdomain.xml	www.elance.com
12/15/11 1:41 PM	JYelton	https://www.elance.com/scripts/lib/mootools/calendar/datepicker_elance/datepicker_elance.css?ver=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:41 PM	JYelton	https://www.elance.com/media/images/4.0/dialogs/close-x.gif	www.elance.com
12/15/11 1:41 PM	JYelton	https://www.elance.com/media/images/4.0/buttons/plus-sign-btn.gif	www.elance.com
12/15/11 1:41 PM	JYelton	https://www.elance.com/media/images/4.0/delete-x-circle.gif	www.elance.com
12/15/11 1:41 PM	JYelton	https://www.elance.com/home?	www.elance.com
12/15/11 1:41 PM	JYelton	https://collab.elance.com/web/static/xdomain_listener.html?i=XDomainListener_CClient_1323956519946	collab.elance.com

Last Visited	User	Internet History	Hostname
12/15/11 1:41 PM	JYelton	https://www.elance.com/home?	www.elance.com
12/15/11 1:41 PM	jyelton	https://www.elance.com/styles/clocks.css?ver=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:41 PM	jyelton	https://www.elance.com/styles/sprites/spr-controls.css,myelance/dashboard.css,myelance/tagging.css,myelance/jobpanel.css,search/searchSpr.css,widget/textboxlist.css,widget/TextboxList.AutoComplete.css?ver=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:41 PM	jyelton	https://www.elance.com/scripts/lib/mootools/calendar/Locale.en-US.DatePicker.js,lib/mootools/calendar/Picker.js,lib/mootools/calendar/Picker.Attach.js,lib/mootools/calendar/Picker.Date.js?ver=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:41 PM	jyelton	https://www.elance.com/scripts/clocks/clockwidget.js?ver=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:41 PM	jyelton	https://www.elance.com/styles/tabview.css,promo.css,bid/proposalList.css,uploadv2icons.css,profile/snapshotDialog.css,post_upsell.css?ver=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:41 PM	jyelton	https://www.elance.com/scripts/lib/mootools/autocomplete/Meio.AutoComplete.js?ver=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:41 PM	jyelton	https://www.elance.com/scripts/framework/form.js/project/project.js/project/workroom.js/myelance/dashboard.js/myelance/tagging.js/bid/popup.js?ver=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:41 PM	jyelton	https://www.elance.com/media/images/4.0/dialogs/close_tooltip.gif?v=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:41 PM	jyelton	https://www.elance.com/media/images/4.0/sprites/spr-search.png?v=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:41 PM	jyelton	https://www.elance.com/media/images/4.0/sprites/sprite-controls.png?v=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:41 PM	jyelton	https://www.elance.com/media/images/4.0/arrow-down-blue.gif?v=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:41 PM	jyelton	https://www.elance.com/media/images/4.0/nav/nav_rounded_corners.gif?v=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:41 PM	jyelton	https://www.elance.com/media/images/4.0/myelance/spr-job-panel-bg.png?v=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:41 PM	jyelton	https://www.elance.com/media/images/4.0/ajax-loader.gif?v=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:41 PM	jyelton	https://www.elance.com/media/images/4.0/myelance/jobinfo_close.png?v=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:41 PM	jyelton	https://www.elance.com/media/images/4.0/proposal-averages-tooltip-tail.gif	www.elance.com
12/15/11 1:41 PM	jyelton	https://www.elance.com/media/images/4.0/buttons/tag-icon.png	www.elance.com
12/15/11 1:41 PM	jyelton	https://www.elance.com/media/images/4.0/proposal-averages-tooltip-box.gif?v=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:42 PM	jyelton	https://www.elance.com/media/images/4.0/myelance/tools?v=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:42 PM	jyelton	https://www.elance.com/media/images/4.0/buttons/tag-icon-blue.png?v=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:42 PM	jyelton	https://www.elance.com/media/images/4.0/buttons/tag-icon.png?v=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:42 PM	jyelton	https://www.elance.com/media/images/4.0/nav/alerts-sprite.gif?v=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:42 PM	jyelton	https://www.elance.com/php/myelance/main/dashboardAHR.php?userid=3286788&mode=GetTeamContent&type=all	www.elance.com
12/15/11 1:42 PM	jyelton	https://collab.elance.com/web/static/xdomain_listener.html?i=XDomainListener_CClient_1323956519946	collab.elance.com
12/15/11 1:42 PM	jyelton	https://ws.elance.com/file/Masks.jpg?encrypted=Y3R4JTNEc2VhemNoX3RodW1ibmFpbCUyNmZpZCUzRDMxNDk3OTQwJTl2cmkxJTNELTEIMjZwaWQIM0QxNTM1NTUz	ws.elance.com
12/15/11 1:42 PM	jyelton	https://ws.elance.com/file/2.jpg?encrypted=Y3R4JTNEc2VhemNoX3RodW1ibmFpbCUyNmZpZCUzRDMxNDk3OTQwJTl2cmkxJTNELTEIMjZwaWQIM0QxNTM1NTUz	ws.elance.com
12/15/11 1:42 PM	jyelton	https://ws.elance.com/file/pic.jpg?encrypted=Y3R4JTNEc2VhemNoX3RodW1ibmFpbCUyNmZpZCUzRDEMDQ2NTQxJTl2cmkxJTNELTEIMjZwaWQIM0QxNTM1NTUz	ws.elance.com
12/15/11 1:42 PM	jyelton	https://www.elance.com/media/images/4.0/myelance/tools/BYOC-contractors-icon.png	www.elance.com
12/15/11 1:42 PM	jyelton	https://secure.elance.com/web/static/xdomain_listener.html?i=XDomainListener_JClient_1323956521027	secure.elance.com
12/15/11 1:42 PM	jyelton	https://www.elance.com/web/static/xdomain_listener.html?i=XDomainListener_JClient_1323956521027	www.elance.com
12/15/11 1:42 PM	JYelton	https://secure.elance.com/web/static/xdomain_listener.html?i=XDomainListener_JClient_1323956521027	secure.elance.com
12/15/11 1:42 PM	jyelton	https://www.elance.com/media/images/4.0/buttons/blue-arrow-right-btn.gif?v=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:42 PM	jyelton	https://www.elance.com/scripts/lib/uservoice/userVoice.js	www.elance.com
12/15/11 1:42 PM	jyelton	https://www.elance.com/media/images/4.0/buttons/mark-unread-read-delete-btn-standard-special.gif	www.elance.com
12/15/11 1:42 PM	jyelton	https://www.elance.com/media/images/4.0/arrow-down-blue-small.gif	www.elance.com

Last Visited	User	Internet History	Hostname
12/15/11 1:42 PM	jyeltan	https://www.elance.com/media/images/4.0/ajax-loader.gif	www.elance.com
12/15/11 1:42 PM	jyeltan	https://cdn.uservoice.com/javascripts/widgets/tab.js	cdn.uservoice.com
12/15/11 1:42 PM	JYeltan	https://www.elance.com/inbox	www.elance.com
12/15/11 1:42 PM	jyeltan	https://www.elance.com/php/myelance/main/messageListHTML.php?context=&sort=&filter=&filterValue=&bidid=&page=1&t=1323956525538	www.elance.com
12/15/11 1:42 PM	jyeltan	https://www.elance.com/styles/messages.css?ver=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:42 PM	jyeltan	https://www.elance.com/scripts/myelance/messages.js.partner/partner.js?ver=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:42 PM	jyeltan	https://www.elance.com/php/collab/main/jclient.php?mode=G	www.elance.com
12/15/11 1:42 PM	jyeltan	https://www.elance.com/media/images/4.0/nav/nav_rounded.gif	www.elance.com
12/15/11 1:42 PM	jyeltan	https://www.elance.com/media/images/4.0/buttons/btn-small-sprite.png?v=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:42 PM	jyeltan	https://www.elance.com/scripts/util/xdomain.js.collab/collabutil.js?ver=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:42 PM	jyeltan	https://www.elance.com/media/images/4.0/nav/navsprite-icons.png?v=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:42 PM	jyeltan	Cookie:jyeltan@uservoice.com/	uservoice.com
12/15/11 1:42 PM	jyeltan	https://www.elance.com/media/images/4.0/nav/navsprite-member.png?v=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:42 PM	jyeltan	https://cdn.uservoice.com/images/widgets/en/feedback_tab_white.png	cdn.uservoice.com
12/15/11 1:42 PM	jyeltan	https://collab.elance.com/web/static/jclient.html?version=11.12.1.1-12-14-2011-20-31	collab.elance.com
12/15/11 1:42 PM	jyeltan	https://collab.elance.com/web/static/xdomain_listener.html?i=XDomainListener_CClient_1323956526140	collab.elance.com
12/15/11 1:42 PM	jyeltan	https://secure.elance.com/web/static/xdomain_listener.html?i=XDomainListener_JClient_1323956526155	secure.elance.com
12/15/11 1:42 PM	jyeltan	https://www.elance.com/web/static/xdomain_listener.html?i=XDomainListener_JClient_1323956526155	www.elance.com
12/15/11 1:42 PM	jyeltan	https://collab.elance.com/web/scripts/collab/jsjac.js?version=11.12.1.1-12-14-2011-20-31	collab.elance.com
12/15/11 1:42 PM	jyeltan	https://collab.elance.com/web/scripts/collab/jclient.js?version=11.12.1.1-12-14-2011-20-31	collab.elance.com
12/15/11 1:42 PM	jyeltan	https://www.elance.com/web/scripts/util/xdomain_listener.js?ver=9.4	www.elance.com
12/15/11 1:42 PM	jyeltan	https://collab.elance.com/web/scripts/collab/jclientcfg.js?version=11.12.1.1-12-14-2011-20-31	collab.elance.com
12/15/11 1:42 PM	jyeltan	https://collab.elance.com/web/scripts/util/xdomain.js?version=11.12.1.1-12-14-2011-20-31	collab.elance.com
12/15/11 1:42 PM	JYeltan	https://collab.elance.com/web/static/xdomain_listener.html?i=XDomainListener_CClient_1323956526140	collab.elance.com
12/15/11 1:42 PM	JYeltan	https://secure.elance.com/web/static/xdomain_listener.html?i=XDomainListener_JClient_1323956526155	secure.elance.com
12/15/11 1:42 PM	JYeltan	https://collab.elance.com/web/static/jclient.html?version=11.12.1.1-12-14-2011-20-31	collab.elance.com
12/15/11 1:42 PM	jyeltan	https://collab.elance.com/web/scripts/util/xdomain_listener.js?ver=9.4	collab.elance.com
12/15/11 1:42 PM	JYeltan	https://www.elance.com/php/collab/main/collab.php?bidid=27295136&mode=M	www.elance.com
12/15/11 1:42 PM	jyeltan	https://www.elance.com/media/images/4.0/ml-gradient.png	www.elance.com
12/15/11 1:42 PM	jyeltan	https://www.elance.com/media/images/4.0/ml-close.png	www.elance.com
12/15/11 1:42 PM	jyeltan	https://www.elance.com/styles/widget.css?ver=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:42 PM	jyeltan	https://www.elance.com/scripts/lib/mootools/1.3/mootools-1.3.js.util/ElanceUtil-jar.js?ver=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:42 PM	jyeltan	https://www.elance.com/styles/elancecommon.css.eolblocks.css?ver=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:42 PM	jyeltan	https://www.elance.com/styles/uploadv2icons.css	www.elance.com
12/15/11 1:42 PM	jyeltan	https://www.elance.com/scripts/lib/mootools/calendar/Locale.en-US.DatePicker.js.lib/mootools/calendar/Picker.js.lib/mootools/calendar/Picker.Attach.js.lib/mootools/calendar/Picker.Date.js	www.elance.com
12/15/11 1:42 PM	jyeltan	https://www.elance.com/media/images/4.0/workroom/message-bubbles-icon.gif	www.elance.com
12/15/11 1:42 PM	jyeltan	https://www.elance.com/media/images/4.0/dotted_h.gif	www.elance.com
12/15/11 1:42 PM	jyeltan	https://www.elance.com/media/images/4.0/icons/sprite-file-type-icons-16x16.png?v=11.10.1.3	www.elance.com
12/15/11 1:42 PM	jyeltan	https://www.elance.com/media/images/4.0/collab/mag-glass-filter-small.gif?v=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:42 PM	jyeltan	https://www.elance.com/media/images/4.0/collab/messages-sprite.jpg?v=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:42 PM	jyeltan	https://www.elance.com/media/images/4.0/collab/presence-loading.gif?v=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:42 PM	jyeltan	https://www.elance.com/media/images/4.0/sprites/spr-collab.png?v=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:42 PM	jyeltan	https://connect.facebook.net/en_US/all.js	connect.facebook.net

Last Visited	User	Internet History	Hostname
12/15/11 1:42 PM	jyelton	https://www.elance.com/scripts/referral/share.js?ver=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:42 PM	jyelton	https://www.elance.com/scripts/promo/googleplus.js?ver=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:42 PM	jyelton	https://www.elance.com/styles/collab.css,widget.css,dispute.css,share.css?ver=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:42 PM	jyelton	https://www.elance.com/scripts/upload/uploadv3/uploadW.js?ver=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:42 PM	jyelton	https://www.elance.com/scripts/project/workroom.js?ver=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:42 PM	jyelton	https://www.elance.com/scripts/lib/yui/calendar/assets/calendar.css?ver=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:42 PM	jyelton	https://www.elance.com/scripts/collab/collab.js?ver=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:42 PM	jyelton	https://www.elance.com/scripts/feedback/request.js?ver=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:42 PM	jyelton	https://www.elance.com/scripts/util/flowUtil.js,util/jsonmin.js,framework/form.js,usermanagement/userManagement.js?ver=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:42 PM	jyelton	https://www.elance.com/media/images/spacer.gif	www.elance.com
12/15/11 1:42 PM	jyelton	https://www.elance.com/media/images/4.0/buttons/filter-messages-btn-standard.gif	www.elance.com
12/15/11 1:42 PM	jyelton	https://www.elance.com/media/images/4.0/buttons/minus-sign.png	www.elance.com
12/15/11 1:42 PM	jyelton	https://www.elance.com/media/images/4.0/buttons/plus-minus.png	www.elance.com
12/15/11 1:42 PM	jyelton	https://www.elance.com/media/images/4.0/collab/message-entry-background-bubble-sprite.gif	www.elance.com
12/15/11 1:42 PM	jyelton	https://www.elance.com/media/images/4.0/calendar-icon.gif	www.elance.com
12/15/11 1:42 PM	jyelton	https://www.elance.com/media/images/4.0/buttons/plus-sign.png	www.elance.com
12/15/11 1:42 PM	jyelton	https://www.elance.com/media/images/4.0/collab/messages-sprite.jpg?v=VERSION	www.elance.com
12/15/11 1:42 PM	jyelton	https://www.elance.com/media/images/4.0/arrow-down-blue-small.gif?v=VERSION	www.elance.com
12/15/11 1:42 PM	jyelton	https://www.elance.com/scripts/lib/mootools/calendar/datepicker_elance.css	www.elance.com
12/15/11 1:42 PM	jyelton	https://www.elance.com/media/images/4.0/icons/error-icon.gif?v=11.12.1.1-12-14-2011-20-31	www.elance.com
12/15/11 1:42 PM	jyelton	https://www.elance.com/media/images/4.0/collab/550px-dotted-rule-line.gif	www.elance.com
12/15/11 1:43 PM	jyelton	https://www.elance.com/php/myelance/main/inmessageListHTML.php?context=&sort=&filter=&filterValue=&bidid=&page=1&f=1323956602841	www.elance.com
12/15/11 1:43 PM	JYelton	https://ws.elance.com/php/files/main/download.php?crypted=Y3R4JTNEcG1iJT12ZmlkJTNEZg0NTE2NDEIMjZyaWQIM0QIMSUyNnBpZCUzRD13MjkIMTM2	ws.elance.com
12/15/11 1:43 PM	JYelton	https://www.elance.com/inbox	www.elance.com
12/15/11 1:57 PM	jyelton	Cookie:jyelton@elance.com/	elance.com
12/15/11 1:58 PM	jyelton	http://toolbar.google.com/buttons/feeds/topbuttons/?hl=en&sd=com	toolbar.google.com
12/15/11 2:05 PM	jyelton	Cookie:jyelton@gateway.zscaler.net/	gateway.zscaler.net
12/15/11 2:05 PM	JYelton	http://mail.google.com/mail/?_sm_au=iVVn5JmFFVjFmHtP	mail.google.com
12/15/11 2:05 PM	JYelton	https://gateway.zscaler.net/auD?origurl=http%3A%2F%2Fmail%2Egoogle%2Ecom%2Fmail%2F	gateway.zscaler.net
12/15/11 2:05 PM	JYelton	http://mail.google.com/mail/	mail.google.com
12/15/11 2:05 PM	JYelton	http://mail.google.com/mail/	mail.google.com
12/15/11 2:05 PM	JYelton	https://gateway.zscaler.net/auD?origurl=http%3A%2F%2Fmail%2Egoogle%2Ecom%2Fmail%2F	gateway.zscaler.net
12/15/11 2:05 PM	JYelton	http://mail.google.com/mail/?_sm_au=iVVn5JmFFVjFmHtP	mail.google.com
12/15/11 2:05 PM	jyelton	http://gmail.com/	gmail.com
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Last Visited	User	Internet History	Hostname
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Last Visited	User	Internet History	Hostname
12/15/11 3:00 PM	JYelton	https://b.mail.google.com/mail/u/0/channel/bind?VER=8&at=AF6bupNuLh2kN8pN47FsU9L5gUJoLfiN5w&it=3231451&RID=rpc&SID=33660B8F64C9EF48&CI=0&AID=158&TYPE=html&zx=qf6k6jmmnoys&DOMAIN=mail.google.com&t=1	b.mail.google.com
12/15/11 3:04 PM	JYelton	https://b.mail.google.com/mail/u/0/channel/bind?VER=8&at=AF6bupNuLh2kN8pN47FsU9L5gUJoLfiN5w&it=3458270&RID=rpc&SID=33660B8F64C9EF48&CI=0&AID=169&TYPE=html&zx=pzhag0m7115w&DOMAIN=mail.google.com&t=1	b.mail.google.com
12/15/11 3:05 PM	JYelton	http://scadsync/ipagesv2.nsf?opendatabase&login	scadsync
12/15/11 3:05 PM	JYelton	http://scadsync/ipagesv2.nsf/\$SearchEmp?OpenForm&Seq=1	scadsync
12/15/11 3:05 PM	JYelton	http://scadsync/database/company/EmplList.nsf/EmpExtv2?SearchView&Query=((Empname%20CONTAINS%20Tommy Eddy)OR[ADPName%20CONTAINS%20Tommy Eddy]OR[LName%20CONTAINS%20Tommy Eddy]&SearchFuzzy=True)	scadsync
12/15/11 3:05 PM	JYelton	http://scadsync/ipagesv2.nsf/\$SearchEmp?OpenForm	scadsync
12/15/11 3:07 PM	JYelton	https://b.mail.google.com/mail/u/0/channel/bind?VER=8&at=AF6bupNuLh2kN8pN47FsU9L5gUJoLfiN5w&it=3666342&RID=rpc&SID=33660B8F64C9EF48&CI=0&AID=178&TYPE=html&zx=72apvx53h5u&DOMAIN=mail.google.com&t=1	b.mail.google.com
12/15/11 3:11 PM	JYelton	https://b.mail.google.com/mail/u/0/channel/bind?VER=8&at=AF6bupNuLh2kN8pN47FsU9L5gUJoLfiN5w&it=3883644&RID=rpc&SID=33660B8F64C9EF48&CI=0&AID=187&TYPE=html&zx=97wygfvzidie&DOMAIN=mail.google.com&t=1	b.mail.google.com
12/15/11 3:15 PM	JYelton	https://b.mail.google.com/mail/u/0/channel/bind?VER=8&at=AF6bupNuLh2kN8pN47FsU9L5gUJoLfiN5w&it=4128080&RID=rpc&SID=33660B8F64C9EF48&CI=0&AID=197&TYPE=html&zx=gfwuh1oskuds&DOMAIN=mail.google.com&t=1	b.mail.google.com
12/15/11 3:19 PM	JYelton	https://b.mail.google.com/mail/u/0/channel/bind?VER=8&at=AF6bupNuLh2kN8pN47FsU9L5gUJoLfiN5w&it=4380470&RID=rpc&SID=33660B8F64C9EF48&CI=0&AID=207&TYPE=html&zx=yfs4bhzfuy0&DOMAIN=mail.google.com&t=1	b.mail.google.com
12/15/11 3:22 PM	JYelton	https://b.mail.google.com/mail/u/0/channel/bind?VER=8&at=AF6bupNuLh2kN8pN47FsU9L5gUJoLfiN5w&it=4584858&RID=rpc&SID=33660B8F64C9EF48&CI=0&AID=214&TYPE=html&zx=aeoyvylue50&DOMAIN=mail.google.com&t=2	b.mail.google.com
12/15/11 3:26 PM	JYelton	https://b.mail.google.com/mail/u/0/channel/bind?VER=8&at=AF6bupNuLh2kN8pN47FsU9L5gUJoLfiN5w&it=4806342&RID=rpc&SID=33660B8F64C9EF48&CI=0&AID=224&TYPE=html&zx=yvu8lvje45zq&DOMAIN=mail.google.com&t=1	b.mail.google.com
12/15/11 3:30 PM	JYelton	https://b.mail.google.com/mail/u/0/channel/bind?VER=8&at=AF6bupNuLh2kN8pN47FsU9L5gUJoLfiN5w&it=5042253&RID=rpc&SID=33660B8F64C9EF48&CI=0&AID=234&TYPE=html&zx=bpejk6m3ziim&DOMAIN=mail.google.com&t=1	b.mail.google.com
12/15/11 3:33 PM	JYelton	http://click.eneews.scansource.com/open.aspx?ffcb10-fe54167874600d7b701c-%25%25ex2;listsubid%25%25-fe541672776300-%25%25ex2;listid%25%25-%25%25ex2;SubscriberID%25%25	click.eneews.scansource.com
12/15/11 3:33 PM	JYelton	http://image.eneews.scansource.com/lib/feff1674766007/i/2/24bffe9-9.jpg	image.eneews.scansource.com
12/15/11 3:34 PM	JYelton	https://b.mail.google.com/mail/u/0/channel/bind?VER=8&at=AF6bupNuLh2kN8pN47FsU9L5gUJoLfiN5w&it=5282633&RID=rpc&SID=33660B8F64C9EF48&CI=0&AID=244&TYPE=html&zx=ft5b645srgp9&DOMAIN=mail.google.com&t=1	b.mail.google.com
12/15/11 3:38 PM	JYelton	https://b.mail.google.com/mail/u/0/channel/bind?VER=8&at=AF6bupNuLh2kN8pN47FsU9L5gUJoLfiN5w&it=5523135&RID=rpc&SID=33660B8F64C9EF48&CI=0&AID=254&TYPE=html&zx=qtmxn22cvr7f&DOMAIN=mail.google.com&t=1	b.mail.google.com
12/15/11 3:42 PM	JYelton	https://b.mail.google.com/mail/u/0/channel/bind?VER=8&at=AF6bupNuLh2kN8pN47FsU9L5gUJoLfiN5w&it=5745979&RID=rpc&SID=33660B8F64C9EF48&CI=0&AID=263&TYPE=html&zx=q0w41vg531tu&DOMAIN=mail.google.com&t=1	b.mail.google.com
12/15/11 3:45 PM	JYelton	https://b.mail.google.com/mail/u/0/channel/bind?VER=8&at=AF6bupNuLh2kN8pN47FsU9L5gUJoLfiN5w&it=5969003&RID=rpc&SID=33660B8F64C9EF48&CI=0&AID=272&TYPE=html&zx=4kqpem4qgj&DOMAIN=mail.google.com&t=1	b.mail.google.com
12/15/11 3:49 PM	JYelton	https://b.mail.google.com/mail/u/0/channel/bind?VER=8&at=AF6bupNuLh2kN8pN47FsU9L5gUJoLfiN5w&it=6209446&RID=rpc&SID=33660B8F64C9EF48&CI=0&AID=282&TYPE=html&zx=r5yyea1e5fa&DOMAIN=mail.google.com&t=1	b.mail.google.com
12/15/11 3:53 PM	JYelton	https://b.mail.google.com/mail/u/0/channel/bind?VER=8&at=AF6bupNuLh2kN8pN47FsU9L5gUJoLfiN5w&it=6448123&RID=rpc&SID=33660B8F64C9EF48&CI=0&AID=292&TYPE=html&zx=hokc335wshy&DOMAIN=mail.google.com&t=1	b.mail.google.com
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12/15/11 3:53 PM	JYelton	http://www.facebook.com/mullikin	www.facebook.com
12/15/11 3:55 PM	JYelton	https://mail.google.com/mail/u/0/images/c.gif?zx=pt9yuc1fwlzn	mail.google.com
12/15/11 3:55 PM	JYelton	https://mail.google.com/mail/u/0/?shva=1	mail.google.com
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12/15/11 3:55 PM	JYelton	Cookie: jyelton@mail.google.com/mail/u/0	mail.google.com

Last Visited	User	Internet History	Hostname
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12/15/11 4:12 PM	jyeltan	Cookie:jyeltan@dl.javaafx.com/	dl.javaafx.com
12/15/11 4:36 PM	jyeltan	http://newsletter.adsonar.com/nwrss/imgs/nwr_1274066_1847223_209052_664763_158614_4_2.PNG?placementId=1274066&plid=209052&pid=664763&ps=1847223&topicid=158614&rotation=4&type=2&zv=336&zh=320&v=5&url=NA&nwrd=1323967004060_3.85392787184379E7	newsletter.adsonar.com
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12/15/11 4:37 PM	JYeltan	http://dominoflow/intra/rebateUS.nsf/\$defaultView/F229F46B080C38EF852579650073A142?editdocument	dominoflow
12/15/11 4:37 PM	JYeltan	http://dominoflow/intra/rebateUS.nsf/\$defaultView/F229F46B080C38EF852579650073A142?EditDocument&Seq=1	dominoflow
12/15/11 4:37 PM	jyeltan	http://dominoflow/intra/rebateUS.nsf/\$defaultView/F229F46B080C38EF852579650073A142?EditDocument&Seq=114c4ead3	dominoflow
12/15/11 4:37 PM	JYeltan	https://plus.google.com/110981030061712822816/posts/AaygmbzVeRq	plus.google.com
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12/15/11 4:43 PM	jyeltan	http://table301.us2.list-manage.com/track/open.php?u=76e668fc45b9aa4beaad5bc26&id=643539dbae&e=11862bda40	table301.us2.list-manage.com
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12/15/11 4:45 PM	jyeltan	http://image.eneews.scansource.com/lib/feff1674766007/i/2/4be72221-5.gif	image.eneews.scansource.com
12/15/11 4:45 PM	jyeltan	http://click.eneews.scansource.com/open.aspx?ffcb10-fe5616777d600279771e-%25%25ex2:listsuid%25%25-fe416747d610c-%25%25ex2:listsuid%25%25-%25%25ex2:SubscriberID%25%25	click.eneews.scansource.com
12/15/11 4:45 PM	jyeltan	http://image.eneews.scansource.com/lib/feff1674766007/m/1/btm_registerNow.gif	image.eneews.scansource.com
12/15/11 4:47 PM	jyeltan	http://scadsync/ipagesv2.nsf/header_yellow_left.gif?OpenImageResource	scadsync
12/15/11 4:47 PM	jyeltan	http://scadsync/ipagesv2.nsf/secondary_page_header2.gif?OpenImageResource	scadsync
12/15/11 4:47 PM	jyeltan	http://scadsync/ipagesv2.nsf/header_yellow_right.gif?OpenImageResource	scadsync
12/15/11 4:47 PM	jyeltan	http://scadsync/ipagesv2.nsf/header_yellow_bg.gif?OpenImageResource	scadsync
12/15/11 4:47 PM	JYeltan	http://scadsync/ipagesv2.nsf/ispages/ap?OpenDocument	scadsync
12/15/11 4:48 PM	JYeltan	http://workflow.apps.scansource.com:8080/favicon.ico	workflow.apps.scansource.com
12/15/11 4:48 PM	JYeltan	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/views/purchaseorder_views.xsp	workflow.apps.scansource.com
12/15/11 4:48 PM	JYeltan	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/views/purchaseorder_views.xsp	workflow.apps.scansource.com
12/15/11 4:48 PM	jyeltan	http://workflow.apps.scansource.com:8080/flowbuilder/xspshared/media/img_notification.gif	workflow.apps.scansource.com
12/15/11 4:48 PM	jyeltan	http://workflow.apps.scansource.com:8080/flowbuilder/xspshared/media/calendar.gif	workflow.apps.scansource.com
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12/15/11 4:48 PM	jyeltan	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/views/purchaseorder_views.xsp	workflow.apps.scansource.com
12/15/11 4:48 PM	jyeltan	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/views/search_results.xsp?Query=Mustang&submit=Submit	workflow.apps.scansource.com
12/15/11 4:48 PM	jyeltan	http://workflow.apps.scansource.com:8080/flowbuilder/xspshared/stylesheets/viewstyle.css	workflow.apps.scansource.com
12/15/11 4:48 PM	JYeltan	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/views/search_results.xsp	workflow.apps.scansource.com
12/15/11 4:48 PM	JYeltan	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/views/search_results.xsp?Query=Mustang&submit=Submit	workflow.apps.scansource.com
12/15/11 4:48 PM	JYeltan	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/purchaseorderInitiated.xsp?action=opendocument&database=purchaseorder&id=4988eede52035&autoedit=true&reload=false	workflow.apps.scansource.com
12/15/11 4:48 PM	JYeltan	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/purchaseorderInitiated.xsp?action=opendocument&database=purchaseorder&id=4988eede52035&autoedit=true&reload=false	workflow.apps.scansource.com
12/15/11 4:48 PM	jyeltan	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/purchaseorderInitiated.xsp?action=opendocument&database=purchaseorder&id=4988eede52035&autoedit=true&reload=false	workflow.apps.scansource.com

Last Visited	User	Internet History	Hostname
12/15/11 4:48 PM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/purchaseorder.xsp?action=opendocument&database=purchaseorder&id=4988&ede52035&autoedit=true	workflow.apps.scansource.com
12/15/11 4:48 PM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/purchaseorder.xsp?action=opendocument&database=purchaseorder&id=4988&ede52035&autoedit=true	workflow.apps.scansource.com
12/15/11 4:48 PM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/purchaseorder.xsp?action=opendocument&database=purchaseorder&id=4988&ede52035&autoedit=true	workflow.apps.scansource.com
12/15/11 4:49 PM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/purchaseorder.xsp?action=opendocument&database=purchaseorder&id=4b26681b21de8&autoedit=true	workflow.apps.scansource.com
12/15/11 4:49 PM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/purchaseorder.xsp?action=opendocument&database=purchaseorder&id=4b26681b21de8&autoedit=true	workflow.apps.scansource.com
12/15/11 4:49 PM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/purchaseorderInitiated.xsp?action=opendocument&database=purchaseorder&id=4b26681b21de8&autoedit=true&reload=false	workflow.apps.scansource.com
12/15/11 4:49 PM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/purchaseorderInitiated.xsp?action=opendocument&database=purchaseorder&id=4b26681b21de8&autoedit=true&reload=false	workflow.apps.scansource.com
12/15/11 4:49 PM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/purchaseorderInitiated.xsp?action=opendocument&database=purchaseorder&id=4b26681b21de8&autoedit=true&reload=false	workflow.apps.scansource.com
12/15/11 4:49 PM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/purchaseorder.xsp?action=opendocument&database=purchaseorder&id=4b26681b21de8&autoedit=true	workflow.apps.scansource.com
12/15/11 4:49 PM	JYelton	Cookie:jyeltont@scansource.com/	scansource.com
12/15/11 4:49 PM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/purchaseorder.xsp?action=opendocument&database=purchaseorder&id=4b320df9abe72&autoedit=true	workflow.apps.scansource.com
12/15/11 4:49 PM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/xspshared/mimeicons/application_vnd.ms-excel.gif	workflow.apps.scansource.com
12/15/11 4:49 PM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/purchaseorder.xsp?action=opendocument&database=purchaseorder&id=4b320df9abe72&autoedit=true	workflow.apps.scansource.com
12/15/11 4:49 PM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/flowbuilder/media/fblogwhite.gif	workflow.apps.scansource.com
12/15/11 4:49 PM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/xspshared/media/img_finalyes.gif	workflow.apps.scansource.com
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12/15/11 4:49 PM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/purchaseorderInitiated.xsp?action=opendocument&database=purchaseorder&id=4b320df9abe72&autoedit=true&reload=false	workflow.apps.scansource.com
12/15/11 4:49 PM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/purchaseorderInitiated.xsp?action=opendocument&database=purchaseorder&id=4b320df9abe72&autoedit=true&reload=false	workflow.apps.scansource.com
12/15/11 4:49 PM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/purchaseorderInitiated.xsp?action=opendocument&database=purchaseorder&id=4b320df9abe72&autoedit=true&reload=false	workflow.apps.scansource.com
12/15/11 4:49 PM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/purchaseorder.xsp?action=opendocument&database=purchaseorder&id=41802a5c8ae97&autoedit=true	workflow.apps.scansource.com
12/15/11 4:49 PM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/purchaseorder.xsp?action=opendocument&database=purchaseorder&id=41802a5c8ae97&autoedit=true	workflow.apps.scansource.com
12/15/11 4:49 PM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/purchaseorder.xsp?action=opendocument&database=purchaseorder&id=41802a5c8ae97&autoedit=true	workflow.apps.scansource.com
12/15/11 4:49 PM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/xspshared/media/expand.gif	workflow.apps.scansource.com
12/15/11 4:49 PM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/xspshared/media/img_submitted.gif	workflow.apps.scansource.com
12/15/11 4:49 PM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/xspshared/media/img_complete.gif	workflow.apps.scansource.com
12/15/11 4:49 PM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/xspshared/media/arrowRedLeft.gif	workflow.apps.scansource.com
12/15/11 4:49 PM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/xspshared/media/print.gif	workflow.apps.scansource.com

Last Visited	User	Internet History	Hostname
12/15/11 4:49 PM	jyelton	http://workflow.apps.scansource.com:8080/flowbuilder/xspshared/media/arrowRedRight.gif	workflow.apps.scansource.com
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12/15/11 4:49 PM	jyelton	http://workflow.apps.scansource.com:8080/flowbuilder/xspshared/media/grayline.gif	workflow.apps.scansource.com
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12/15/11 4:49 PM	jyelton	http://workflow.apps.scansource.com:8080/flowbuilder/xspshared/validation/xsp_validation_util.js	workflow.apps.scansource.com
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12/15/11 4:49 PM	JYelton	http://workflow.apps.scansource.com:8080/flowbuilder/purchaseorder/views/search_results.xsp?Query=Mustang&submit=Submit	workflow.apps.scansource.com
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12/15/11 6:19 PM	JYelton	http://scadsync/database/intranet/jobpost.nsf/0/682a4d65a30480e285257967005959ce?EditDocument	scadsync
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Last Visited	User	Internet History	Hostname
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Last Visited	User	InternetHistory	Hostname
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Last Visited	User	Internet History	Hostname
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12/15/11 7:19 PM	JYelton	https://plusone.google.com/_/fastbutton?url=http%3A%2F%2Fwww.whitecanyon.com%2Fwipedrive-erase-hard-drive.php%3Fsource%3Dgoogle%2Berase%26gclid%3DCLruxFXlhK0CFQjd4AodODANSw&size=standard&count=false&annotation=&hl=en-US&jsh=m%3B%2F_%2Fapps-static%2F_%2Fjs%2Fwidget%2F_features_%2Frt%3Dj%2Fver%3Dp6j4nkywAaY.ei_US.%2Fsv%3D1%2Fam%3DixV4pEKcg86lvi6-JA%2Fd%3D1%2F	plusone.google.com
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12/15/11 7:20 PM	JYelton	http://www.pcworld.com/script/foresee/foresee-trigger.js	www.pcworld.com
12/15/11 7:20 PM	JYelton	http://www.pcworld.com/script/jquery-1.3.2.min.js	www.pcworld.com
12/15/11 7:20 PM	JYelton	http://www.pcworld.com/styles/jquery.lightbox-0.5.css	www.pcworld.com

Last Visited	User	InternetHistory	Hostname
12/15/11 7:20 PM	jyelton	http://zapp3.staticworld.net/images/shared/icons/rss.gif	zapp3.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp2.staticworld.net/images/shared/icons/miniHeader-logo-transparent.png	zapp2.staticworld.net
12/15/11 7:20 PM	jyelton	http://www.pcworld.com/script/jquery.lightbox-0.5.js	www.pcworld.com
12/15/11 7:20 PM	jyelton	http://zapp1.staticworld.net/images/shared/icons/pcw-logo-20.png	zapp1.staticworld.net
12/15/11 7:20 PM	jyelton	http://www.pcworld.com/script/main.js	www.pcworld.com
12/15/11 7:20 PM	jyelton	http://www.pcworld.com/styles/structure.css	www.pcworld.com
12/15/11 7:20 PM	jyelton	http://www.pcworld.com/styles/content.css	www.pcworld.com
12/15/11 7:20 PM	jyelton	http://zapp4.staticworld.net/images/header/MagazineSubAd_Leaderboard.jpg	zapp4.staticworld.net
12/15/11 7:20 PM	jyelton	http://www.pcworld.com/styles/article.css	www.pcworld.com
12/15/11 7:20 PM	jyelton	http://www.pcworld.com/styles/adops.css	www.pcworld.com
12/15/11 7:20 PM	jyelton	http://www.pcworld.com/script/jqModal.js	www.pcworld.com
12/15/11 7:20 PM	jyelton	http://cdn.gigya.com/js/gigya.services.socialize.plugins.simpleshare.min.js	cdn.gigya.com
12/15/11 7:20 PM	jyelton	http://www.pcworld.com/styles/ie8.css	www.pcworld.com
12/15/11 7:20 PM	jyelton	http://ad.doubleclick.net/ad/pcw.main.howto/products/storage/hard_drives/video;pg=video;aid=157126;c=2111;c=1738;c=2131;c=2206;c=2112;pos=1;interstitial;sz=1x1;ord=03411688?c=win7	ad.doubleclick.net
12/15/11 7:20 PM	jyelton	http://ad.doubleclick.net/ad/pcw.main.howto/products/storage/hard_drives/video;pg=video;aid=157126;c=2111;c=1738;c=2131;c=2206;c=2112;pos=728;loader;tile=1;sz=728x90;ord=03411688?c=win7	ad.doubleclick.net
12/15/11 7:20 PM	jyelton	http://zapp1.staticworld.net/images/shared/buttons/search-box-btn.gif	zapp1.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp3.staticworld.net/images/article/2011/12/111209_gcurrent_idg180-5876409.jpg	zapp3.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp1.staticworld.net/images/article/2011/12/gnmeon_podcast_thumb-5886535.png	zapp1.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp2.staticworld.net/images/article/2011/12/111206_transformer180-5246704.jpg	zapp2.staticworld.net
12/15/11 7:20 PM	jyelton	http://www.pcworld.com/script/swfobject.js	www.pcworld.com
12/15/11 7:20 PM	jyelton	http://www.pcworld.com/style/video.player.css	www.pcworld.com
12/15/11 7:20 PM	jyelton	http://zapp2.staticworld.net/howto/graphics/192579-100324howlaptopssd180_original.jpg	zapp2.staticworld.net
12/15/11 7:20 PM	jyelton	http://www.pcworld.com/script/omnitune/video.js	www.pcworld.com
12/15/11 7:20 PM	jyelton	http://cdn.gigya.com/js/gigya.services.socialize.plugins.min.js	cdn.gigya.com
12/15/11 7:20 PM	jyelton	http://www.pcworld.com/script/jwplayer.js	www.pcworld.com
12/15/11 7:20 PM	jyelton	http://cdn.gigya.com/js/gigya.services.socialize.plugins.login.min.js	cdn.gigya.com
12/15/11 7:20 PM	jyelton	Cookie:jyelton@gigya.com/	gigya.com
12/15/11 7:20 PM	jyelton	http://ax.phobos.apple.com.edgesuite.net/images/badgeitunes61x15dark.gif	ax.phobos.apple.com.edgesuite.net
12/15/11 7:20 PM	jyelton	http://cdn.gigya.com/js/socialize.js?apiKey=2_cyT43nnmGBLrcJJe5U_E9DFbmhuZMJ9Y7DrGQ7aR-5yHczjRVFXGvL60CPcBw2T	cdn.gigya.com
12/15/11 7:20 PM	jyelton	http://www.pcworld.com/script/jquery.taconite.js	www.pcworld.com
12/15/11 7:20 PM	jyelton	http://zapp4.staticworld.net/images/article/2011/12/111214_cell_idg180-6115559.jpg	zapp4.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp1.staticworld.net/news/graphics/216829-gr_podcast_thumb_original.png	zapp1.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp3.staticworld.net/images/article/2011/12/111208_wtu_idg180-5537605.jpg	zapp3.staticworld.net
12/15/11 7:20 PM	jyelton	Cookie:jyelton@bs.serving-sys.com/	bs.serving-sys.com
12/15/11 7:20 PM	jyelton	Cookie:jyelton@stumbleupon.com/	stumbleupon.com
12/15/11 7:20 PM	jyelton	http://connect.facebook.net/en_US/all.js	connect.facebook.net
12/15/11 7:20 PM	jyelton	http://static.ak.fbcdn.net/rsr.php/v1/y7/r/q19vukDCc4R.png	static.ak.fbcdn.net
12/15/11 7:20 PM	jyelton	Cookie:jyelton@delicious.com/	delicious.com
12/15/11 7:20 PM	jyelton	Cookie:jyelton@msn.com/	msn.com
12/15/11 7:20 PM	jyelton	https://plus.google.com/_/apps-static/_js/widget/googleapis_client_iframes_styles_bubble_internal/r=j/ver=p6j4nkywAaY.en_US/sv=1/am=!xVi4pEKcg86ivi6-JA/d=1/	plus.google.com
12/15/11 7:20 PM	jyelton	Cookie:jyelton@diggs.com/	diggs.com

Last Visited	User	InternetHistory	Hostname
12/15/11 7:20 PM	jyelton	Cookie:jyelton@serving-sys.com/	serving-sys.com
12/15/11 7:20 PM	jyelton	http://ad.doubleclick.net/ad/pcw.main.howto/products/storage/hard_drives/video;pg=video;aid=157126;c=2111;c=1738;c=2131;c=2206;c=2112;pos=336showcase;tile=2;sz=336x280;ord=034116887;c=win7	ad.doubleclick.net
12/15/11 7:20 PM	jyelton	http://i.pgcdn.com/pi/86/67/29/866729805_75.jpg	i.pgcdn.com
12/15/11 7:20 PM	jyelton	http://cdn.gigya.com/js/gigya.services.socialize.plugins.shareCounts.min.js	cdn.gigya.com
12/15/11 7:20 PM	jyelton	http://adsyndication.msn.com/delivery/getads.js?	adsyndication.msn.com
12/15/11 7:20 PM	jyelton	http://i.pgcdn.com/pi/91/74/57/917457799_75.jpg	i.pgcdn.com
12/15/11 7:20 PM	jyelton	http://zapp0.staticworld.net/reviews/graphics/products/uploaded/lenovo_thinkpad_x120e_808324_295_92.jpg	zapp0.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp4.staticworld.net/reviews/graphics/products/uploaded/lenovo_thinkpad_x220_823936_368_92.jpg	zapp4.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp3.staticworld.net/reviews/graphics/products/uploaded/lenovo_thinkpad_edge_e420_937152_74_92.jpg	zapp3.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp5.staticworld.net/images/shared/buttons/grey-bg-tile.gif	zapp5.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp5.staticworld.net/images/shared/buttons/green-bg-tile.gif	zapp5.staticworld.net
12/15/11 7:20 PM	jyelton	http://ds.serving-sys.com/BurstingCachedScripts/SBTemplates_2_4_11/StdBanner.js?ai=6579003	ds.serving-sys.com
12/15/11 7:20 PM	jyelton	http://www.pcworld.com/articleVote/get.do?aid=157126&style=default	www.pcworld.com
12/15/11 7:20 PM	jyelton	http://ds.serving-sys.com/BurstingCachedScripts/SBTemplates_2_4_11/StdBanner.js?ai=6578966	ds.serving-sys.com
12/15/11 7:20 PM	jyelton	http://images.pcworld.com/images/shared/icons/astisk-blue.png	images.pcworld.com
12/15/11 7:20 PM	jyelton	http://images.macworld.com/images/shared/backgrounds/module-gradient-bg-tile.gif	images.macworld.com
12/15/11 7:20 PM	jyelton	http://feeds.delicious.com/v2/json?urlinfo/data?url=http%3A%2F%2Fwww.pcworld.com%2Farticle%2F157126%2Fhow_to_completely_erase_a_hard_drive.html&callback=gig_pc_delicious_1323976808204_601463646146863	feeds.delicious.com
12/15/11 7:20 PM	jyelton	http://www.stumbleupon.com/services/1.1/badge.getinfo?url=http%3A%2F%2Fwww.pcworld.com%2Farticle%2F157126%2Fhow_to_completely_erase_a_hard_drive.html&format=jsonp&callback=gig_pc_stumbleupon_1323976808205_36607963655270725	www.stumbleupon.com
12/15/11 7:20 PM	jyelton	http://cdn.api.twitter.com/1/urls/count.json?url=http%3A%2F%2Fwww.pcworld.com%2Farticle%2F157126%2Fhow_to_completely_erase_a_hard_drive.html&callback=gig_pc_twitter_1323976808203_16851928635767688	cdn.api.twitter.com
12/15/11 7:20 PM	jyelton	http://services.digg.com/2.0/story.getinfo?links=http%3A%2F%2Fwww.pcworld.com%2Farticle%2F157126%2Fhow_to_completely_erase_a_hard_drive.html&type=javascript&callback=gig_pc_digg_1323976808204_9648631953097524	services.digg.com
12/15/11 7:20 PM	jyelton	http://connect.facebook.net/rsrc.php/v1/yD/t/GL74y29Am1r.swf	connect.facebook.net
12/15/11 7:20 PM	jyelton	http://ds.serving-sys.com/BurstingRes///Site-32928/Type-2/514e2b8c-147e-40b2-aca3-178d242095d9.swf	ds.serving-sys.com
12/15/11 7:20 PM	jyelton	http://ds.serving-sys.com/BurstingRes///Site-32928/Type-2/c05e9f17-4e96-4d35-abea-8eed14d3409d.swf	ds.serving-sys.com
12/15/11 7:20 PM	jyelton	http://ad.doubleclick.net/ad/pcw.main.trackingpixel/TrendMicroModule;sz=1x1;ord=75405899413724137	ad.doubleclick.net
12/15/11 7:20 PM	jyelton	http://zapp5.staticworld.net/images/shared/buttons/blue-bg-tile.gif	zapp5.staticworld.net
12/15/11 7:20 PM	jyelton	https://plusone.google.com/_/apps-static/_/fs/plusone/p1b.p1p?rt=j/ver=Wrl_9_hKsMo.en/sv=1/am=!LaiyEo-bbyrd6gBP/d=1/	plusone.google.com
12/15/11 7:20 PM	jyelton	http://s0.2mdn.net/1326397/trend_freeseurity.png	s0.2mdn.net
12/15/11 7:20 PM	jyelton	http://zapp4.staticworld.net/images/article/2011/11/black_friday_thumb-5237065.jpg	zapp4.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp3.staticworld.net/howto/graphics/157394-080207_StartUpFast_180_original.jpg	zapp3.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp2.staticworld.net/images/article/2011/11/11720thumb-5235542.jpg	zapp2.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp1.staticworld.net/howto/graphics/200110-dell_equallogic_icsi_180_original.jpg	zapp1.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp1.staticworld.net/news/graphics/217663-ultrastar_7k3000_180.jpg	zapp1.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp5.staticworld.net/images/shared/icons/rating-stars-70x13-2.gif	zapp5.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp5.staticworld.net/images/shared/icons/yellow-tail.gif	zapp5.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp5.staticworld.net/images/shared/trans_white_fade.png	zapp5.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp5.staticworld.net/images/shared/buttons/red-bg-tile.gif	zapp5.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp3.staticworld.net/images/article/2011/12/recommended_thumb-5421598.jpg	zapp3.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp4.staticworld.net/js/adlinks.js	zapp4.staticworld.net
12/15/11 7:20 PM	jyelton	http://s0.2mdn.net/viewad/1280129/1x1_clear.gif	s0.2mdn.net
12/15/11 7:20 PM	jyelton	http://zapp2.staticworld.net/images/article/2011/11/121220thumb-5242131.jpg	zapp2.staticworld.net

Last Visited	User	Internet History	Hostname
12/15/11 7:20 PM	jyelton	http://zapp2.staticworld.net/images/article/2011/10/storage_thumb180-5227233.jpg	zapp2.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp0.staticworld.net/news/graphics/200375-build-pc-hard-drives_180.jpg	zapp0.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp2.staticworld.net/news/graphics/155096-Hard_drives_thumb_original.jpg	zapp2.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp1.staticworld.net/images/article/2011/11/todo12-180-5232582.jpg	zapp1.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp0.staticworld.net/images/shared/icons/ad_choices_icon.png	zapp0.staticworld.net
12/15/11 7:20 PM	jyelton	http://www.pcworld.com/script/omniture/s_code.js	www.pcworld.com
12/15/11 7:20 PM	jyelton	http://images.macworld.com/images/bapp/arrow_carousel_prev.gif	images.macworld.com
12/15/11 7:20 PM	jyelton	http://images.macworld.com/images/bapp/arrow_carousel_next.gif	images.macworld.com
12/15/11 7:20 PM	jyelton	http://zapp4.staticworld.net/images/article/2011/11/lacie_cloudbox_180-5232634.jpg	zapp4.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp5.staticworld.net/images/footer/PCWMagAd_Footer.png	zapp5.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp0.staticworld.net/images/video/thumbs/DigitalExperienceSMB.jpg	zapp0.staticworld.net
12/15/11 7:20 PM	jyelton	http://cdn.gigya.com/js/gigya_services.socialize.plugins.reactions.min.js	cdn.gigya.com
12/15/11 7:20 PM	jyelton	http://cdn.gigya.com/gs/GetSprite.aspx?path=%2FHTML.Login%2F%5Bfacebook%2Cgoogle%2Clinkedin%2Ctwitter%2Cyahoo%5D_20.png&resizeW=20&resizeH=20	cdn.gigya.com
12/15/11 7:20 PM	jyelton	https://apis.google.com/js/plusone.js	apis.google.com
12/15/11 7:20 PM	jyelton	http://zapp5.staticworld.net/images/shared/backgrounds/header-bg-tile.jpg	zapp5.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp5.staticworld.net/images/shared/backgrounds/search-box-bg.gif	zapp5.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp5.staticworld.net/images/header/whitearrows_blkbg_header.png	zapp5.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp5.staticworld.net/images/shared/icons/nav-toggle-arrow-down.png	zapp5.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp5.staticworld.net/images/smb/bg_topbreak.gif	zapp5.staticworld.net
12/15/11 7:20 PM	jyelton	http://cdn.gigya.com/gs/GetSprite.aspx?path=%2FHTML.Login%2F%5Bfacebook%2Clinkedin%2Ctwitter%2Cyahoo%5D_20.png&resizeW=20&resizeH=20	cdn.gigya.com
12/15/11 7:20 PM	jyelton	http://cdn.gigya.com/gs/i/shareBar/button/buttonLeftImgUp.png	cdn.gigya.com
12/15/11 7:20 PM	jyelton	http://zapp1.staticworld.net/images/article/2011/12/111208_tabletnews180-5417172.jpg	zapp1.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp2.staticworld.net/news/graphics/216415-iiothumb_original.jpg	zapp2.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp3.staticworld.net/images/article/2011/12/111201_wtu_idg180-5244491.jpg	zapp3.staticworld.net
12/15/11 7:20 PM	jyelton	http://cdn.gigya.com/gs/i/shareBar/button/buttonRightImgUp.png	cdn.gigya.com
12/15/11 7:20 PM	jyelton	http://cdn.gigya.com/gs/i/shareBar/button/buttonLeftImgOver.png	cdn.gigya.com
12/15/11 7:20 PM	jyelton	http://cdn.gigya.com/gs/i/shareBar/button/buttonCenterImgUp.png	cdn.gigya.com
12/15/11 7:20 PM	jyelton	http://cdn.gigya.com/gs/i/shareBar/button/buttonCenterImgBGOver.png	cdn.gigya.com
12/15/11 7:20 PM	jyelton	http://cdn.gigya.com/gs/i/shareBar/button/rightCountImg.gif	cdn.gigya.com
12/15/11 7:20 PM	jyelton	http://cdn.gigya.com/gs/i/shareBar/button/buttonRightImgOver.png	cdn.gigya.com
12/15/11 7:20 PM	jyelton	http://zapp0.staticworld.net/images/article/2011/12/111201_carrieriq180-5244040.jpg	zapp0.staticworld.net
12/15/11 7:20 PM	jyelton	http://zapp0.staticworld.net/images/article/2011/12/111204_futuretech_idg180-6110941.jpg	zapp0.staticworld.net
12/15/11 7:20 PM	jyelton	http://cdn.gigya.com/gs/i/shareBar/icons/twitter.png	cdn.gigya.com
12/15/11 7:20 PM	jyelton	http://cdn.gigya.com/gs/i/shareBar/icons/share3.png	cdn.gigya.com
12/15/11 7:20 PM	jyelton	http://cdn.gigya.com/gs/i/shareBar/icons/email.png	cdn.gigya.com
12/15/11 7:20 PM	jyelton	http://static.ak.fbcdn.net/rsrsrc.php/v1/yH/r/ctE39BoKGb3.js	static.ak.fbcdn.net
12/15/11 7:20 PM	jyelton	https://ssl.gstatic.com/s2/oz/images/stars/po/Publisher/sprite2.png	ssl.gstatic.com
12/15/11 7:20 PM	jyelton	http://static.ak.fbcdn.net/rsrsrc.php/v1/yN/r/vIET25Te_fq.css	static.ak.fbcdn.net
12/15/11 7:20 PM	jyelton	https://plus.google.com/_apps-static/_js/plusone/ver=ew5ph5kgfshe/am=1LayFo-bbyrd6gBP/bf=MQg/r=O	plus.google.com
12/15/11 7:20 PM	jyelton	https://plusone.google.com/_apps-static/_js/plusone/ver=ew5ph5kgfshe/am=1LayFo-bbyrd6gBP/bf=MQg/r=O	plusone.google.com
12/15/11 7:20 PM	jyelton	http://connect.facebook.net/rsrsrc.php/v1/yD/r/GL74y29Amlr.swf	connect.facebook.net

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Last Visited	User	Internet History	Hostname
12/15/11 7:20 PM	jyelton	http://flash.pcworld.com/video/pcw/ads/110912_fmBand.flv	flash.pcworld.com
12/15/11 7:20 PM	jyelton	http://s0.2mdn.net/dot.swf	s0.2mdn.net
12/15/11 7:20 PM	jyelton	http://ping.crowdscience.com/ping.js?url=http%3A%2F%2Fwww.pcworld.com%2Farticle%2F157126%2Fhow_to_completely_erase_a_hard_drive.html&id=c3c3ad468e&u=mozilla%2F4.0%20(compatible%3B%20msie%208.0%3B%20windows%20nt%206.1%3B%20trident%2F5.0%3B%20slcc2%3B%20.net%20clr%202.0.50727%3B%20.net%20clr%203.5.30729%3B%20.net%20clr%203.0.30729%3B%20media%20center%20pc%206.0%3B%20.net4.0c)&x=1323976814473&c=0&t=0&v=0&m=0&vn=2.1.2	ping.crowdscience.com
12/15/11 7:20 PM	jyelton	Cookie:jyelton@www.pcworld.com/	www.pcworld.com
12/15/11 7:20 PM	jyelton	Cookie:jyelton@crowdscience.com/	crowdscience.com
12/15/11 7:20 PM	jyelton	http://www.pcworld.com/article/157126/how_to_completely_erase_a_hard_drive.html	www.pcworld.com
12/15/11 7:20 PM	jyelton	Cookie:jyelton@pcworld.com/	pcworld.com
12/15/11 7:22 PM	jyelton	http://www.google.com/search?q=dban&rls=com.microsoft:en-us:IE-Address&ie=UTF-8&oe=UTF-8&sourceid=ie7&rlz=117ADRA_enUS412	www.google.com
12/15/11 7:22 PM	jyelton	http://www.google.com/extern_chrome/cb5f4aec6a892e36.js?ie=UTF-8&oe=UTF-8	www.google.com
12/15/11 7:22 PM	jyelton	http://ssl.gstatic.com/gb/js/sem_a83f597ddc7d0d5da9a5c1e60c89d5a7.js	ssl.gstatic.com
12/15/11 7:22 PM	JYelton	http://www.google.com/search?q=dban&rls=com.microsoft:en-us:IE-Address&ie=UTF-8&oe=UTF-8&sourceid=ie7&rlz=117ADRA_enUS412	www.google.com
12/15/11 7:22 PM	JYelton	http://www.google.com/search?q=dban&rls=com.microsoft:en-us:IE-Address&ie=UTF-8&oe=UTF-8&sourceid=ie7&rlz=117ADRA_enUS412	www.google.com
12/15/11 7:23 PM	JYelton	http://www.dban.org/	www.dban.org
12/15/11 7:23 PM	JYelton	http://www.google.com/url?sa=t&rcrt=j&q=dban&source=web&cd=1&ved=0CEEQFJAA&url=http%3A%2F%2Fwww.dban.org%2F&ei=DUnqTsjbDsjY0QHfVbzLcQ&usq=AFQjCNGQVn59SRGInFm2phrhg1K8FGejhA	www.google.com
12/15/11 7:23 PM	jyelton	http://www.dban.org/misc/feed.png	www.dban.org
12/15/11 7:23 PM	jyelton	http://www.dban.org/sites/default/files/css/css_5fef4ee988dd3b885091ce1d7926b10.css	www.dban.org
12/15/11 7:23 PM	jyelton	http://www.dban.org/themes/chameleon/marvin/DBAN-Logo-118x132.png	www.dban.org
12/15/11 7:23 PM	jyelton	http://www.dban.org/	www.dban.org
12/15/11 7:23 PM	jyelton	Cookie:jyelton@dban.org/	dban.org
12/15/11 7:23 PM	jyelton	http://www.dban.org/favicon.ico	www.dban.org
12/15/11 7:23 PM	JYelton	http://www.dban.org/	www.dban.org
12/15/11 7:23 PM	JYelton	https://mail.google.com/mail/?shva=1	mail.google.com
12/15/11 7:23 PM	JYelton	http://sccoggw/cognos/cgi-bin/upfisapi.dll	sccoggw
12/15/11 7:23 PM	JYelton	http://www.cnn.com/	www.cnn.com
12/15/11 8:05 PM	JYelton	http://scadsync/ipagesv2.nsf/\$SearchEmp?OpenForm&Seq=1	scadsync
12/15/11 8:05 PM	JYelton	http://scadsync/database/company/EmplList.nsf/EmplExtv2?SearchView&Query=((Emplname%20CONTAINS%20Tommy Eddy)OR[ADPName%20CONTAINS%20Tommy Eddy]OR[LnName%20CONTAINS%20Tommy Eddy]&SearchFuzzy=True)	scadsync
12/15/11 8:05 PM	jyelton	http://scadsync/icons/vwincsr2.gif	scadsync
12/15/11 8:05 PM	jyelton	http://scadsync/icons/ecblank.gif	scadsync
12/15/11 8:05 PM	jyelton	http://scadsync/ipagesv2.nsf/greyHeader_long.gif?OpenImageResource	scadsync
12/15/11 8:05 PM	JYelton	http://scadsync/ipagesv2.nsf/\$SearchEmp?OpenForm	scadsync
12/15/11 8:39 PM	jyelton	http://swcatalog.apple.com/content/catalogs/others/index-windows-1.sucatalog	swcatalog.apple.com
12/15/11 8:39 PM	jyelton	Cookie:jyelton@apple.com/	apple.com
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Last Visited	User	Internet History	Hostname
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12/15/11 8:53 PM	jyelson	http://profile.ak.fbcdn.net/hprofile-ak-snc4/273530_100000417725783_2242002_q.jpg	profile.ak.fbcdn.net
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Last Visited	User	Internet History	Hostname
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12/15/11 8:54 PM	jyelton	http://a7.sphotos.ak.fbcdn.net/hphotos-ak-ash4/s480x480/393456_10150418715623952_164646388951_8641507_1454156846_n.jpg	a7.sphotos.ak.fbcdn.net
12/15/11 8:54 PM	jyelton	http://static.ak.fbcdn.net/rsrcl.php/v1/yM/r/WsHJKsNy2lp.png	static.ak.fbcdn.net

EXHIBIT E

Privileged & Confidential

Produced at the Direction of Counsel

LastVisited	User	InternetHistory	Hostname
12/16/11 7:41 AM	JYelton	http://www.kildisk.com/	www.kildisk.com

EXHIBIT F

Yelton Kill Disk Log

```
KILLDISK.LOG
2011-12-16 07:42:30 Start Session
2011-12-16 07:42:34 Refreshed
-----Erase Session
Begin-----
2011-12-16 07:43:29 Active@ KILLDISK for Windows Build 5.5.0 started
    Target: Unallocated 1.336 MB
    Located on: Hitachi HTS725032A9A364 (Serial number:
3031313131324350434b34305042374844344b41)
    Erase method: One Pass Zeros (1 pass) Passes: 1
    Target: System Reserved (1:) 100.0 MB
    Located on: Hitachi HTS725032A9A364 (Serial number:
3031313131324350434b34305042374844344b41)
    Erase method: One Pass Zeros (1 pass) Passes: 1
    Target: Unallocated 101.0 MB
    Located on: Hitachi HTS725032A9A364 (Serial number:
3031313131324350434b34305042374844344b41)
    Erase method: One Pass Zeros (1 pass) Passes: 1
Time taken: 00:00:13
2011-12-16 07:43:43 Total number of erased device(s): 0, partition(s): 3
-----Erase Session
End-----
2011-12-16 07:43:44 Refreshed
2011-12-16 07:44:16 Stop Session
```

FTI Example

KILLDISK.LOG

```
2012-03-13 13:48:11 Start Session
2012-03-13 13:48:13 Refreshed
2012-03-13 13:48:22 Refreshed
-----Erase Session
Begin-----
2012-03-13 13:52:45 Active@ KILLDISK for Windows Build 5.5.3 started
  Target: Unallocated 1.180 MB
  Located on: WDC WD2500BEKT-75A2ST0 (Serial number: WD-WX11A90V8544)
  Erase method: One Pass Zeros (1 pass)  Passes: 1
  Target: System Reserved (1:) 100.0 MB
  Located on: WDC WD2500BEKT-75A2ST0 (Serial number: WD-WX11A90V8544)
  Erase method: One Pass Zeros (1 pass)  Passes: 1
  Target: Unallocated 101.0 MB
  Located on: WDC WD2500BEKT-75A2ST0 (Serial number: WD-WX11A90V8544)
  Erase method: One Pass Zeros (1 pass)  Passes: 1
Time taken: 00:00:14
2012-03-13 13:53:00 Total number of erased device(s): 0, partition(s): 3
-----Erase Session
End-----
2012-03-13 13:53:01 Refreshed
2012-03-13 13:54:55 Stop Session
```

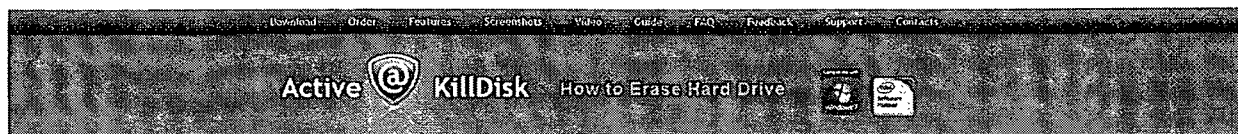
EXHIBIT G

Draft - Subject to Change

File	Target File Created Date	Target File Modified Date	Link File Created Date	Link File Modified Date	Media Type	Volume Serial #	Volume Label	Target File Path	Full Path of LNK File
ISV - Jeff Y ppt.lnk	12/14/11 08:42:30AM	12/14/11 08:44:52AM	12/14/11 08:39:41AM	12/14/11 08:44:51AM	Removable	69 10 61 4C	E	E:\SV - Jeff Y.ppt	C:\Users\jvelton\AppData\Roaming\Microsoft\Windows\Recent\SV - Jeff Y.ppt.lnk
ISV - Jeff Y ppt.LNK	12/14/11 08:42:30AM	12/14/11 08:42:35AM	12/14/11 08:44:51AM	12/14/11 08:44:52AM	Removable	60 10 61 4C	E	E:\SV - Jeff Y.ppt	C:\Users\jvelton\AppData\Roaming\Microsoft\Windows\Recent\SV - Jeff Y.ppt.LNK
OpenTechRhelementsOverviewNov2011.pptc.lnk	12/15/11 01:21:44PM	12/15/11 01:21:46PM	12/15/11 01:21:44PM	12/15/11 01:21:44PM	Removable	20 27 45 EE	E	E:\OpenTechRhelementsOverviewNov2011.pptc	C:\Users\jvelton\AppData\Roaming\Microsoft\Windows\Recent\OpenTechRhelementsOverviewNov2011.pptc.lnk
OpenTechRhelementsOverviewNov2011.pptc.LNK	12/15/11 01:21:44PM	12/15/11 01:21:46PM	12/15/11 01:21:45PM	12/15/11 01:21:45PM	Removable	20 27 45 EE	E	E:\OpenTechRhelementsOverviewNov2011.pptc	C:\Users\jvelton\AppData\Roaming\Microsoft\Windows\Recent\OpenTechRhelementsOverviewNov2011.pptc.LNK
Source Guide update 9-2011.xlsx.LNK	12/15/11 02:18:00PM	12/15/11 02:18:02PM	12/15/11 02:18:01PM	12/15/11 02:18:01PM	Removable	20 27 45 EE	E	E:\Source Guide update 9-2011.xlsx	C:\Users\jvelton\AppData\Roaming\Microsoft\Windows\Recent\Source Guide update 9-2011.xlsx.LNK
Source Guide update 9-2011.xlsx.lnk			12/15/11 02:18:01PM	12/15/11 02:18:01PM	Removable	20 27 45 EE	E	E:\Source Guide update 9-2011.xlsx	C:\Users\jvelton\AppData\Roaming\Microsoft\Windows\Recent\Source Guide update 9-2011.xlsx.lnk

086

EXHIBIT H



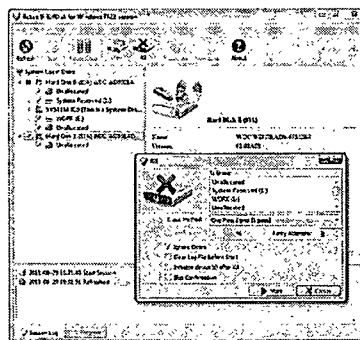
Easy to download, easy to use

Powerful and compact software that allows you to destroy all data on hard disks, USB drives and floppy disks completely, excluding any possibility of future recovery of deleted files and folders. It's a hard drive and partition eraser utility.



"Active@ KillDisk is the best HardDisk-Wiping-Tool. I'm using it for many years. It's easy to use and absolutely reliable. Go on like this."

Best regards from Germany, Matthias



If you use FDISK, FORMAT utilities, or DELETE standard operating system command for data removal, there is always a chance to recover deleted files (using undelete or Unformat tools) and use against the owner's will! → DoD 5220.22-M compliant ←

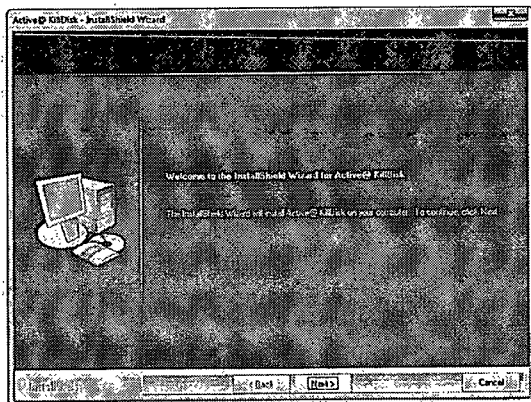
New! Version 7 of KillDisk, in August 2012!

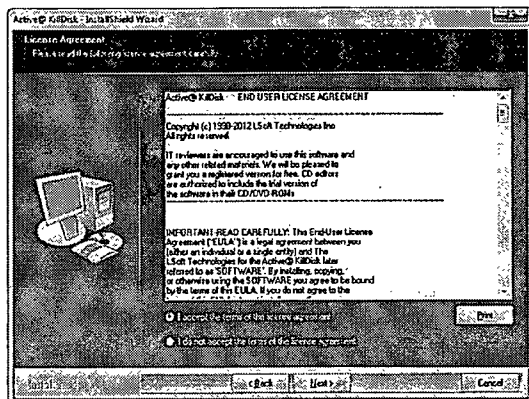
It will contain simultaneous erasing and wiping out of multiple HDDs, which greatly improves erasing speed and decreases execution time in total. User interface has been re-designed, and becomes more flexible and customizable. New version update for current clients is for free.

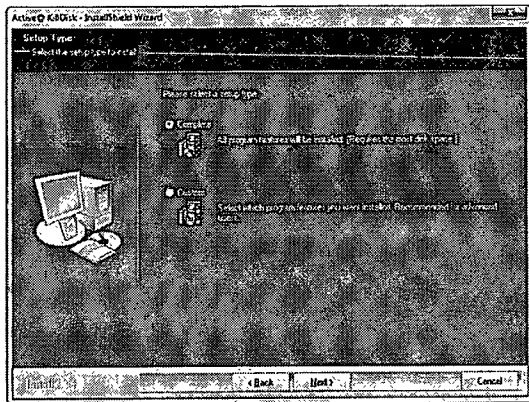
Do you want to run or save KillDiskSetupFree-Setup.exe (5.2 MB) from www.killdisk.com?

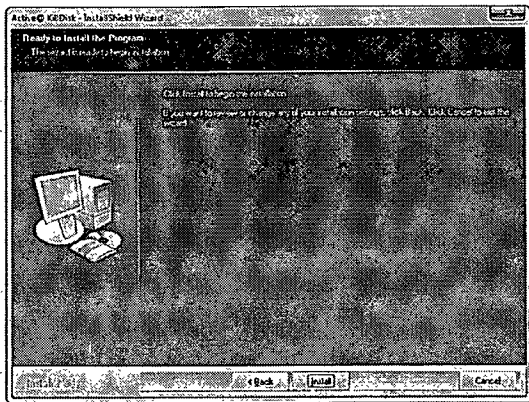
This type of file could harm your computer.

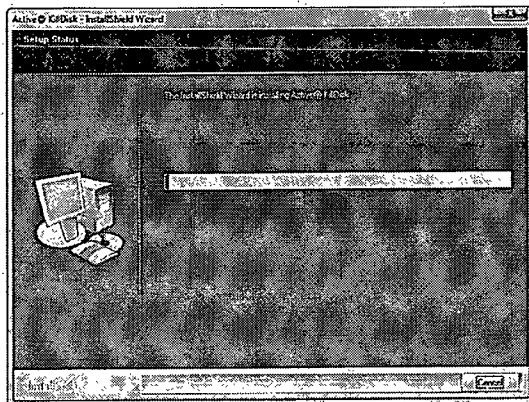
Run Save Cancel

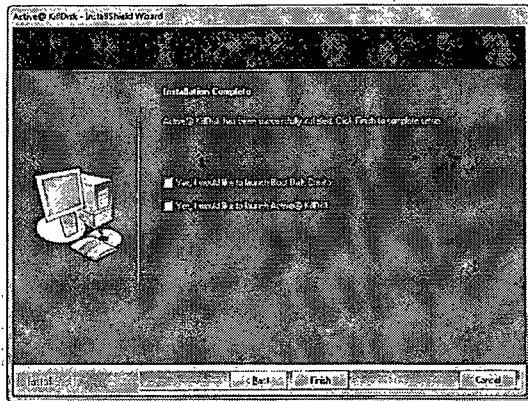


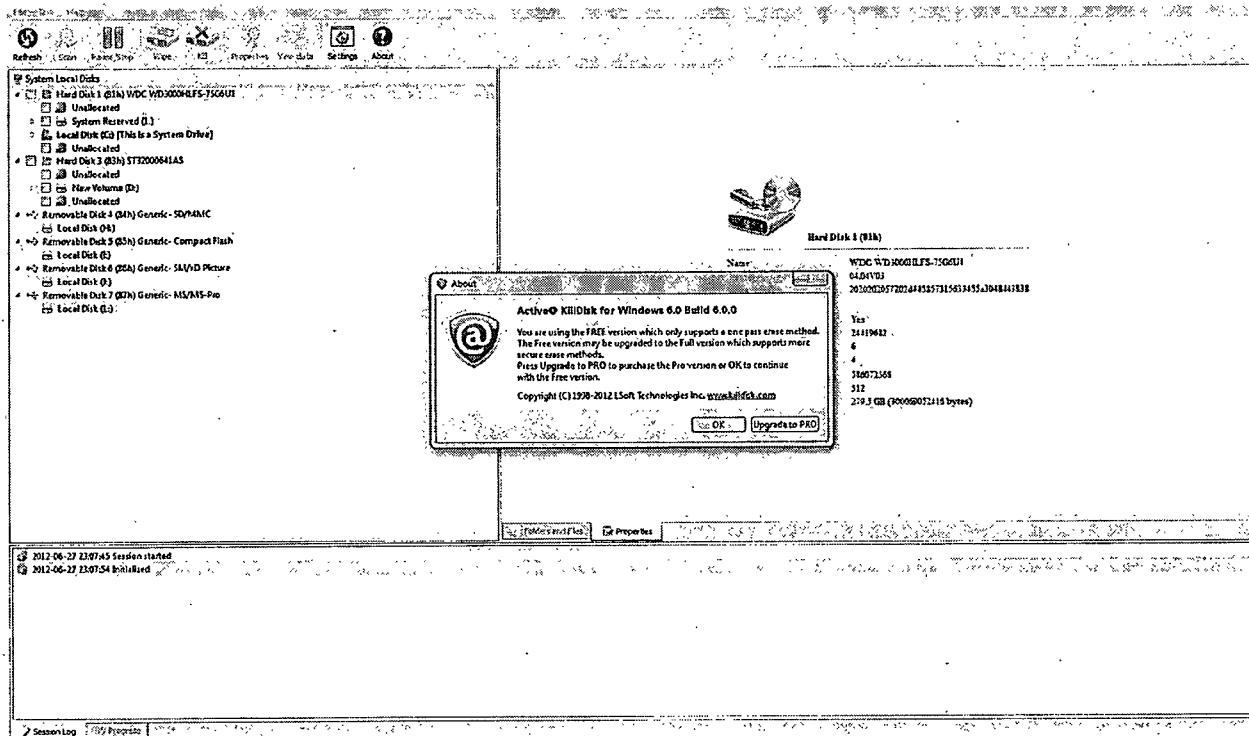


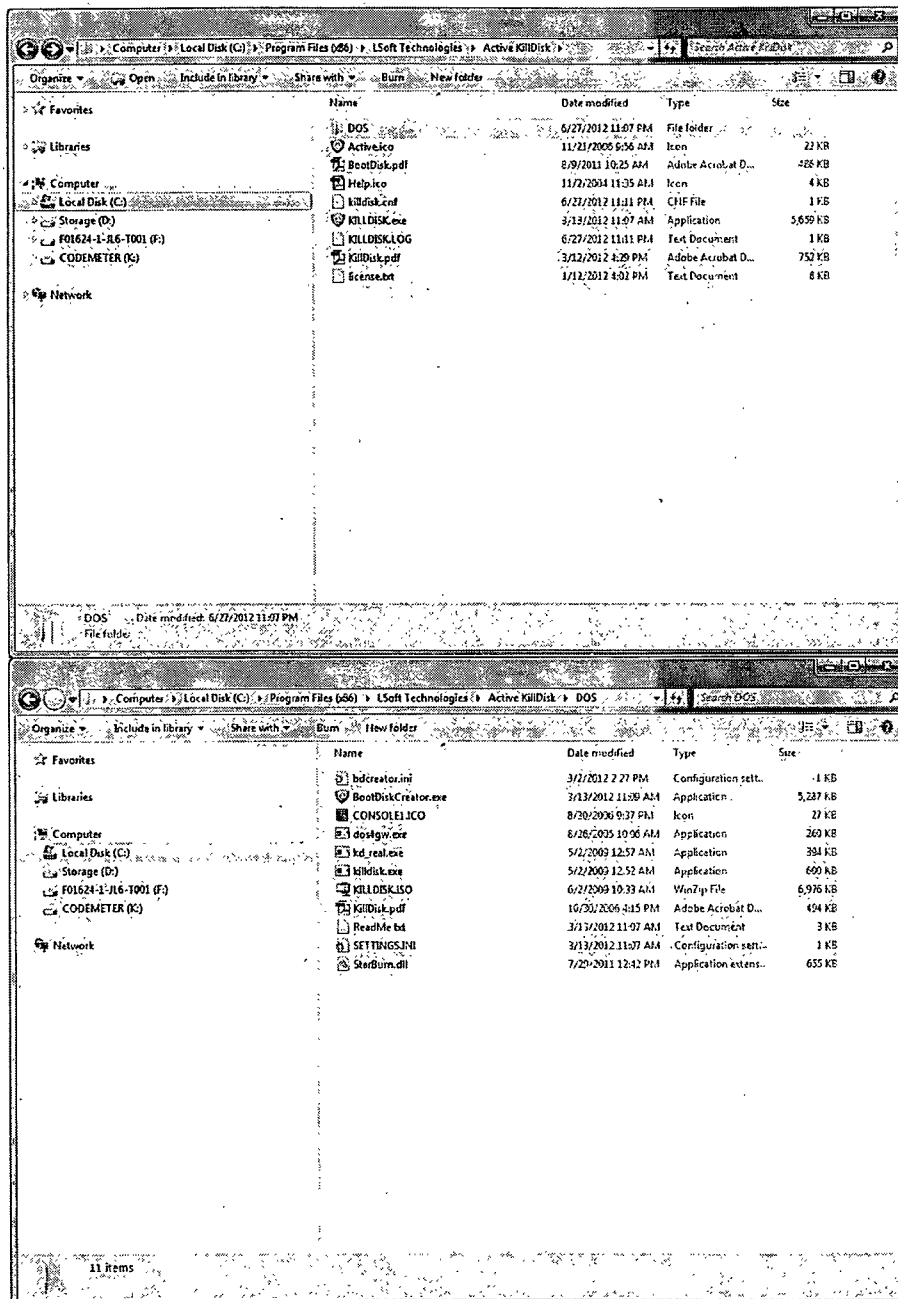












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Exhibit H

Yelton00746, Yelton00754



CONFIDENTIAL MEMORANDUM

TO: Jeff Yelton, Scansource

FROM: VDC Research Group, Inc.
Sherrie Nankin, *Account Director*
Drew Nathanson, *Vice President, AutoID & Transaction Automation*

DATE: October 6, 2011

RE: NFC Payments

REDACTED

A large rectangular area of the document is completely redacted, leaving only the word "REDACTED" visible in the top left corner of the redacted zone.

CONFIDENTIAL

Yelton00746

REDACTED

CONFIDENTIAL

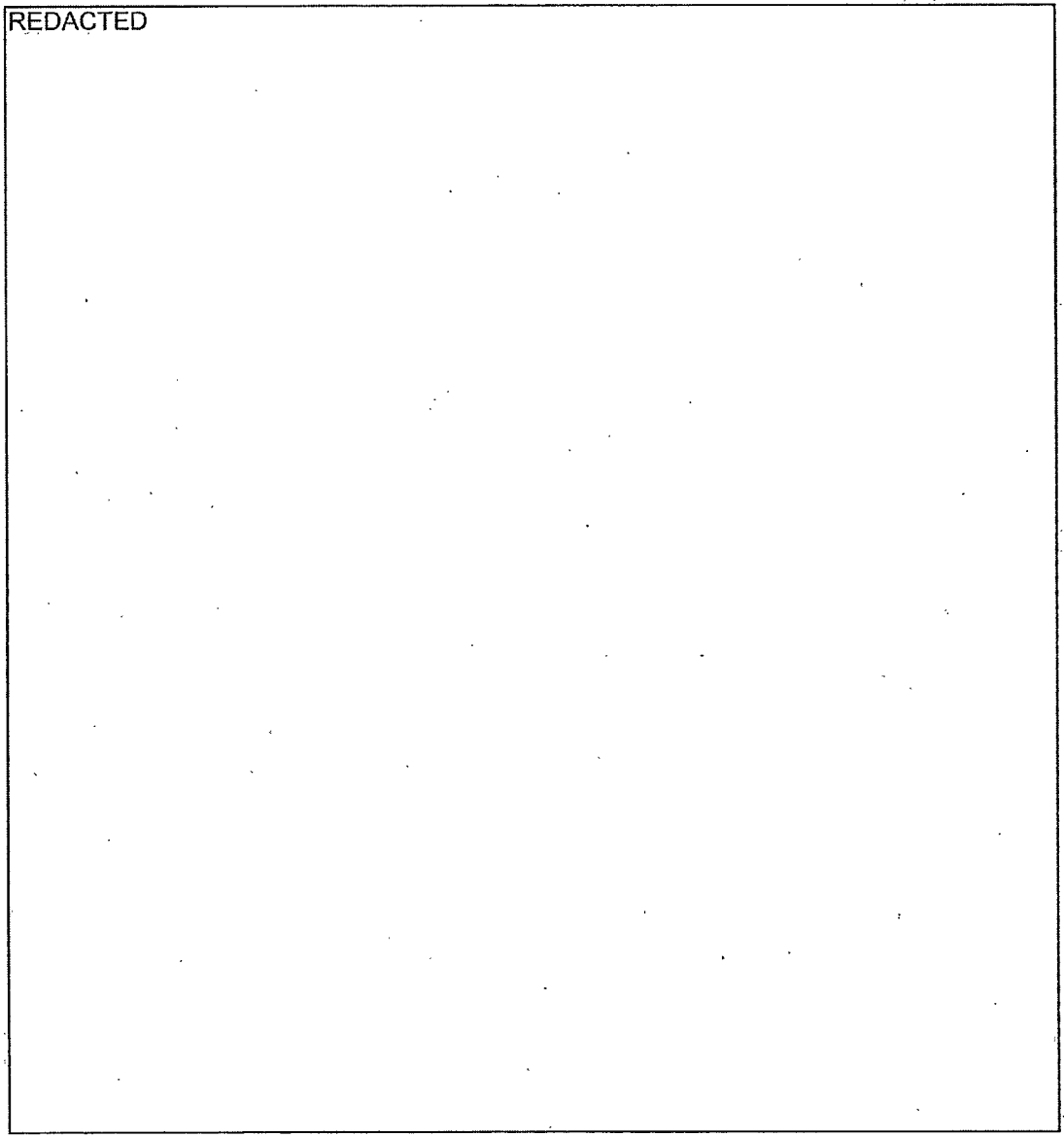
Yelton00747

ScanSource Online Community Strategy

6/18/2017

Prepared by: Erwin-Penland

REDACTED

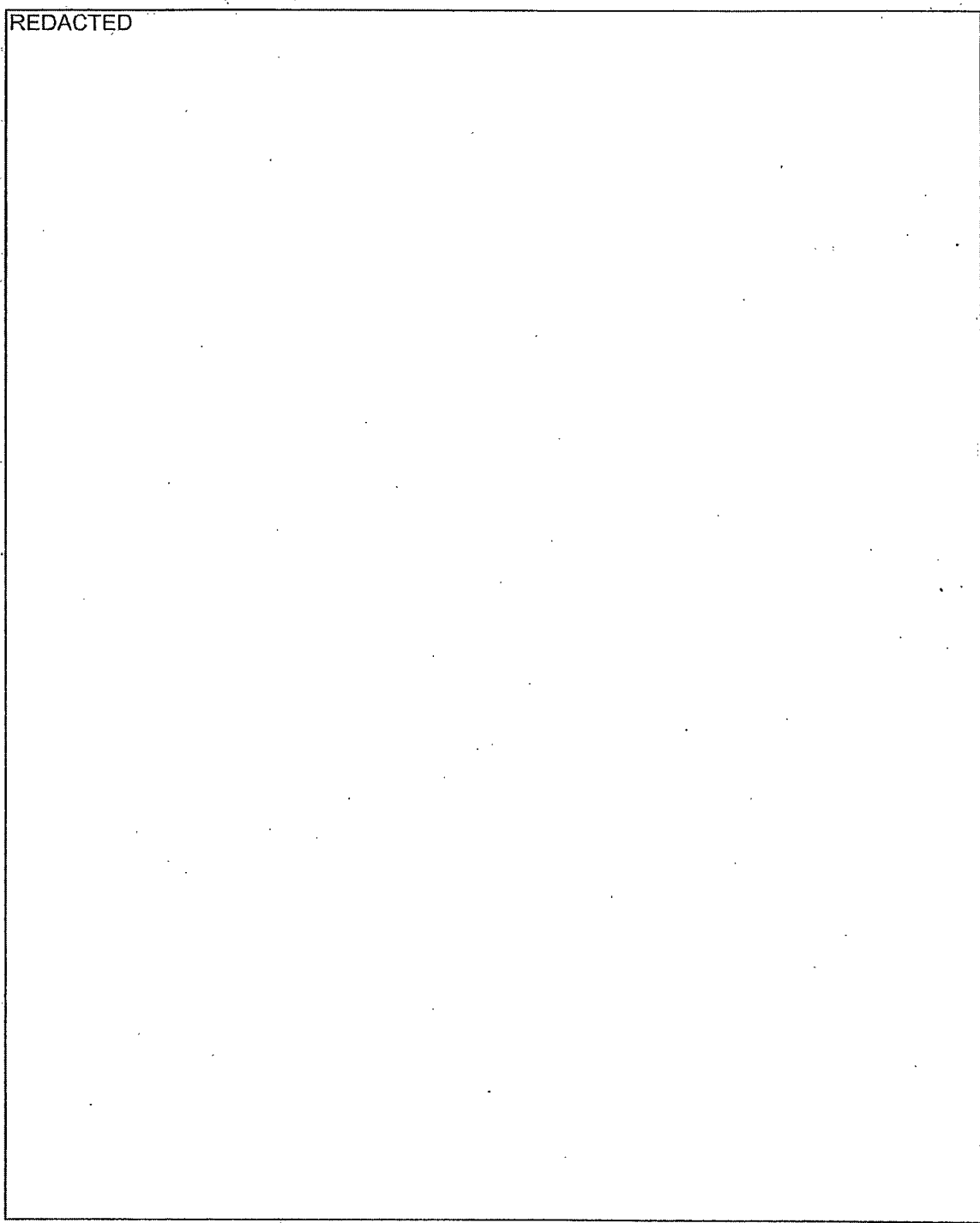


Erwin-Penland
Confidential

ScanSource Online Community Strategy
- 1 -

CONFIDENTIAL

Yelton00754



REDACTED

Erwin Perland
Confidential

ScanSource Online Community Strategy
- 2 -

CONFIDENTIAL

Yelton00755

REDACTED

REDACTED

Erwin-Penland
Confidential

ScanSource Online Community Strategy
- 4 -

CONFIDENTIAL

Yelton00757

REDACTED

Erwin-Perland
Confidential

ScanSource Online Community Strategy
- 5 -

CONFIDENTIAL

Yelton00758

REDACTED

Erwin-Penland
Confidential

ScanSource Online Community Strategy
- 6 -

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Yelton00759

REDACTED

Erwin Penland
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ScanSource Online Community Strategy

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Yelton00760

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Erwin-Penland
Confidential

ScanSource Online Community Strategy
- 8 -

CONFIDENTIAL

Yelton00761

REDACTED

Erwin-Perland
Confidential

ScanSource Online Community Strategy
- 9 -

CONFIDENTIAL

Yelton00762

REDACTED

Erwin-Penland
Confidential

ScanSource Online Community Strategy
- 10 -

CONFIDENTIAL

Yelton00763

1004

REDACTED

REDACTED

Exhibit L

Affidavit of John Akerman

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

JEFF YELTON,
PLAINTIFF

VS.

SCANSOURCE, INC.,
DEFENDANTS.

IN THE COURT OF COMMON PLEAS
THIRTEENTH JUDICIAL CIRCUIT
FILE NO. 2012-CP-23-0314

AFFIDAVIT OF
JOHN W. AKERMAN
JULY 10, 2012

PERSONALLY APPEARED before me the undersigned who duly sworn and says as follows:

1. My name is John W. Akerman. I am a licensed attorney in South Carolina (SC Bar# 76659) and I am a partner of Rosen Litigation Technology Consulting, Inc. located at 65 Broad St., Charleston, SC 29401 ("RLTC"). I am also a licensed Certified Computer Examiner (CCE# 879) and a copy of my Curriculum Vitae is attached hereto and incorporated as Exhibit A. My practice is focused on computer forensics and electronic discovery.
2. In April of 2012 I was retained to create forensic images of Mr. Yelton's computers in relation to the above mentioned case. On April 20, 2012 I took custody of a box containing 11 devices which are detailed below and further in Exhibit B. The Chain of Custody form is also attached as Exhibit C. On the same day the process of imaging each of the devices was begun. Imaging of all the devices, except for the Dell Inspiron 9100 Laptop, was completed by April 26, 2012. The Dell Inspiron 9100 Laptop was imaged three separate times with each image completing, but reporting bad sectors on the hard drive. None of the hash values matched from the three images.

Description	Make	Model	Serial Number	Size	Imaged (Y/N)	Internal #
BMW USB Flash Drive	BMW	General (Mfg)	0000000000001E41	2GB	Y	1
Microsoft USB Flash Drive	Microsoft	USB Disk 2.0	076A1314002F	512MB	Y	2
Epson Scansource USB Flash Drive	Epson	UEB Disk	0743113F000C	64MB	Y	3
Epson Scansource USB Flash Drive	Epson	UEB Disk	07431132012B	64MB	Y	4
Epson Scansource USB Flash Drive	Epson	UEB Disk	0743113200D9	64MB	Y	5
Seagate Internal Drive	Seagate	Momentus 7200.4	5VJ1ZEEG	500GB	Y	6
WD USB External Hard Drive (Silver)	Western Digital	WD1600B105	WCAL97994422	160GB	Y	7
WD USB External Hard Drive (Black)	Western Digital	WDBAAF0010HBK	WCAV55160650	1 TB	Y	8
Dell Laptop 160GB	Dell	Inspiron PP09L	S/T: 7BGQK51	160GB	Y	9
HP Laptop 80GB	Hewlett Packard	Compaq NC6400	CND7040KN7	80GB	Y	10
Apple 64GB WiFi + 3G iPad "1"	Apple	A1337	V503SXPKETV	64GB	Y	11

3. In imaging the devices, AccessData's FTK Imager ver. 3.0.0.1443 software and Tableau

Hardware writeblockers were used. Specifically for the Dell Inspiron 9100 Laptop, after

hardware writeblocker imaging attempts failed, I attempted to image the laptop using Forward

Discovery Raptor 2.5 Forensic Boot Disk, but the laptop's hard drive continued to fail. Further attempts using the Tableau hardware writeblocker and FTK Imager were successful, but many bad sectors were reported on the hard drive.

4. Following the images, further collection was done of each of the device serial numbers. Using Document Solutions USB Write Blocker and the MS DOS command DevCon each of the serial numbers were collected from all of the USB devices. These serial numbers are included on the spreadsheet which is attached as Exhibit B.
5. Retained in my office are the originals of these images. Encrypted versions were then created and I personally delivered one hard drive containing all of these images to Nelson Mullins Riley & Scarborough's Greenville, SC office on June 28, 2012.
6. On June 27, 2012, I took custody of a custom black desktop computer with a Corsair case. The Chain of Custody form can be found in Exhibit D. Inspection of the computer revealed five hard drives which are detailed below.

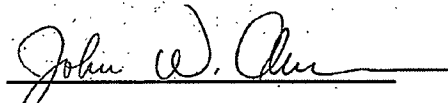
Description	Make	Model	Serial Number	Size	Imaged (Y/N)	Internal #
Yelton Personal Desktop:	WD	Caviar Green WD20EARS	WCAYY0225332	2TB	Y	12_01
	WD	Caviar Green WD20EARS	WCAYY0249397	2TB	Y	12_02
	WD	VelociRaptor	Damaged/Untouched	300GB	N	N/A
	WD	VelociRaptor	WXA1C20T5092	300GB	N	N/A
	Intel	SSDSA2M120G2GC	G15862-205	120GB	Y	12_05

7. Given the large size and number of hard drives in the computer, I had a conference call with Scansource counsel and FTI Consulting to determine the preferred format of the image(s) to be collected. Four of the drives were previewed using FTK Imager. It was determined that I should

image the two Western Digital Caviar Green WD20EARS 2 Terabyte drives and the one Intel SSDSA2M120G2GC 120GB drive. Using FTK Imager and Tableau writeblockers, the three drives were imaged.

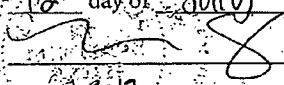
8. Retained in my office are the originals of these three images. Copies of those images were delivered via FedEx to Jason Lee at FTI Consulting in New York, NY.

FURTHER AFFIANT SAYETH NOT.


John Akerman

SWORN to before me this

12 day of JULY, 2012


Notary for South Carolina

My Commission Expires: 3/9/19

Exhibit A

John W. Akerman, Esq.
65 Broad St.
Charleston, SC 29401
843.296.4648
jakerman@rosenlfc.com

Education

Auburn University, Auburn, AL
Bachelor of Science: Finance (2000)

Charleston School of Law, Charleston, SC
Juris Doctor (2007)

Licenses/Certifications

Admitted to the South Carolina Bar
License No. 76659

Certified Computer Examiner (CCE)
No. 879
<http://isfce.com/ccelist.htm>

AccessData Certified Examiner (ACE)

AccessData Mobile Examiner (AME)

South Carolina Notary Public

Professional Experience

Rosen Litigation Technology Consulting, Inc. <i>Computer Forensics Examiner & Electronic Discovery Consultant</i>	Charleston, SC 2007-Present

Charleston County Public Defender's Office <i>Clerkship</i>	Charleston, SC 2006

AV Connections <i>Manager/Technology Consultant</i>	Charleston, SC 2002-2006

Fidelity Investments <i>Investments Representative</i>	Dallas, TX 2000-2002

Presentations

South Carolina Bar Convention 2008: Law Technology Seminar <i>Computer Forensics and Electronic Discovery</i>	January 24, 2008
National Public Radio (ETV): South Carolina Business Review <i>Mobile Forensics</i>	May 2008

John W. Akerman, Esq.
65 Broad St.
Charleston, SC 29401
843.296.4648
jakerman@rosenltc.com

Presentations (Continued)

Charleston Area Legal Assistants (CALA) Membership Meeting <i>New Developments in Digital Evidence Extraction</i>	June 18, 2008
South Carolina Women Lawyers Meeting <i>New Developments in Digital Evidence Extraction</i>	June 19, 2008
Charleston School of Law: Professionalism Series <i>Non Traditional Legal Careers</i>	January 29, 2009
Charleston Area Legal Assistants (CALA) Membership Meeting <i>New Developments in Electronic Discovery</i>	March 18, 2009
South Carolina Bar CLE: Online CLE (Webinar) <i>E-Discovery Basics</i>	May 21, 2009
Association of Litigation Support Professionals (Columbia, SC Chapter) <i>Charting Success in e-Discovery</i>	December 4, 2009
South Carolina Bar <i>3.0 Boot Camp for Trial Technology</i>	October 15, 2010
Information Systems Audit and Control Assoc. & Assoc. of Certified Fraud Examiners <i>Computer Forensics & Electronic Discovery</i>	December 1, 2010

Specialized Training

Certified Computer Examiner Boot Camp, Houston, TX, August 2007
Access Data Boot Camp, Columbia, SC, January 2008
Mobile Forensics, Inc. Course, Chicago, IL, May 2008
Mobile Forensics World '08, Chicago, IL, May 2008
Techno Security & AccessData Conference, Myrtle Beach, SC, June 2008
S.C. Bar Convention 2009, *Law Technology CLE*, Myrtle Beach, SC, January 2009
Electronic Discovery Training Academy, Washington D.C., February 2009
Techno Security & AccessData Conference, Myrtle Beach, SC, June 2009
e-Fense Hélix3 Pro Live Forensics, Charleston, SC, November 2009
Techno Security & AccessData Conference, Myrtle Beach, SC, June 2010
Techno Security & Mobile Forensics Conference, Myrtle Beach, SC, June 2011
Techno Security & Mobile Forensics Conference, Myrtle Beach, SC, June 2012

Professional Affiliations

American Bar Association (ABA)
South Carolina Bar Association
Charleston County Bar Association
International Society of Forensic Computer Examiners (ISFCE)
High Technology Crime Investigation Association (HTCIA)

Exhibit B

Yelton v. ScanSource
Forensic Hard Drive Collection

Description	Make	Model	Serial Number	SN from DevCon	Size	Imaged (Y/N)	Internal #	Last Modification Date (Quick Look 05/01/12)
BMW USB Flash Drive	BMW	General (Mfg)	SN: 0000000000001E41	VID_8644&PID_800A\0000000000001E41	2GB	Y	1	7/7/2011
Microsoft USB Flash Drive	Microsoft	USB Disk 2.0	076A1314002F	VID_0D7D&PID_1900\076A1314002F	512MB	Y	2	3/20/2008
Epson Scansource USB Flash Drive	Epson	UEB Disk	0743113F000C	VID_0D7D&PID_0100\0743113F000C	64MB	Y	3	4/24/2009
Epson Scansource USB Flash Drive	Epson	UEB Disk	07431132012B	VID_0D7D&PID_0100\07431132012B	64MB	Y	4	1/25/2012
Epson Scansource USB Flash Drive	Epson	UEB Disk	0743113200D9	VID_0D7D&PID_0100\0743113200D9	64MB	Y	5	1/23/2012
Seagate Internal Drive	Seagate	Momentus 7200.4	5VJ1ZEEG	N/A	500GB	Y	6	2/14/2012
WD USB External Hard Drive (Silver)	Western Digital	WD1600EB105	WCAL97994422	VID_1058&PID_0404&MI_00\6&24BB54B5 &0&0000 -(USB Mass Storage Device)	160GB	Y	7	1/26/2012
				VID_1058&PID_0404\57442D5743414C39373 93934343232 -(USB Composite Device)				
				VID_1058&PID_1110\57434156353531363036				
WD USB External Hard Drive (Black)	Western Digital	WDBAAF0010HBK	WCAY55160650	3530	1 TB	Y	8	1/26/2012
Dell Laptop 160GB	Dell	Inspiron PP09L	ST: 7BGQK51	N/A	160GB	Y	9	N/A
HP Laptop 80GB	Hewlett Packard	Compaq NC6400	CND7040KN7	N/A	80GB	Y	10	2/14/2012
Apple 64GB WiFi + 3G iPad "1"	Apple	A1337	Y503SXPKE7V	N/A	64GB	Y	11	N/A
Yelton Personal Desktop:	WD	Caviar Green WD20EARS	WCAYY0225332	N/A	2TB	Y	12_01	N/A
	WD	Caviar Green WD20EARS	WCAYY0249397	N/A	2TB	Y	12_02	N/A
	Intel	SSDSA2M120G2GC	G15862-205	N/A	120GB	Y	12_05	N/A

Exhibit C

Rosen Litigation Technology Consulting
65 Broad St.
Charleston, SC 29401
843.296.4648
www.rosenlts.com

CHAIN OF CUSTODY FORM

Case Name YELTON v. SCANSOURCE
Client/Attorney NMRS - CARMEN THOMAS
Item Description: SEALED WHITE BOX WITH COMPUTERS (11 DEVICES)
File No. 2012 - 00804

Initial Acquisition:

Date/Time Initially Acquired 4/20/2012 7:30pm
Where Initially Acquired AKERMAN House
How Acquired: Personal Transfer Other _____
Name of Deliverer Brent Leary
Signature of Deliverer: [Signature] Date 4/20/2012
Name of Receiver JOHN AKERMAN
Signature of Receiver [Signature] Date 4/20/2012
Comments:

Subsequent Transfers

Date/Time Transferred 6/27/2012 9:09 AM
Where Transferred MURPHY LAW OFFICE 514 PETIGRU ST, GVILLE

Name of Deliverer JORDAN AKERMAN

Signature of Deliverer: J.W. Akerman Date 6/27/2012

Name of Receiver Larry Miller

Signature of Receiver Larry Miller Date 6/27/12

Comments (include reason for transfer and how transferred):

Returning devices to Murphy (counsel for Yellton).
Box of DEVICES.

Subsequent Transfers:

Date/Time Transferred _____

Where Transferred _____

Name of Deliverer _____

Signature of Deliverer: _____ Date _____

Name of Receiver _____

Signature of Receiver _____ Date _____

Comments (include reason for transfer and how transferred):

Exhibit D

Rosen Litigation Technology Consulting
65 Broad St.
Charleston, SC 29401
843.296.4648
www.rosenlitc.com

CHAIN OF CUSTODY FORM

Case Name YELTON v. SCANSOURCE
Client/Attorney NMRS / MURPHY LAW FIRM
Item Description: DESKTOP, BLACK CORSAIR CASE ASUS DVD DRIVE
File No. 2012-00804 S/N: 145747

Initial Acquisition:

Date/Time Initially Acquired 6/27/2012 9:12 AM
Where Initially Acquired MURPHY LAW FIRM
How Acquired: Personal Transfer Other _____
Name of Deliverer Larry Miller
Signature of Deliverer: Larry Miller Date 6/27/12
Name of Receiver JOHN AKERMAN
Signature of Receiver JW Akerman Date 6/27/2012

Comments:

Subsequent Transfers

Date/Time Transferred 6/29/2012 3:39 PM

Where Transferred MURPHY LAW OFFICE - GREENVILLE, SC

Name of Deliverer JOHN AKERMAN

Signature of Deliverer: [Signature] Date 6/29/2012

Name of Receiver Larry Miller

Signature of Receiver [Signature] Date 6/29/12

Comments (include reason for transfer and how transferred):

Subsequent Transfers:

Date/Time Transferred _____

Where Transferred _____

Name of Deliverer _____

Signature of Deliverer: _____ Date _____

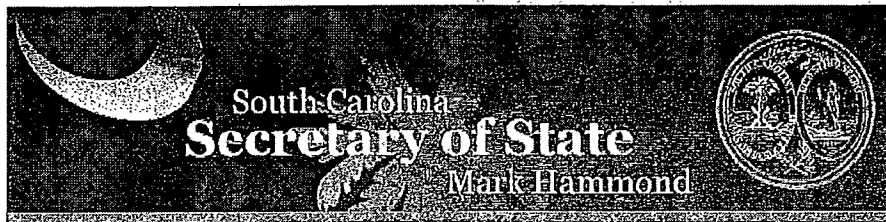
Name of Receiver _____

Signature of Receiver _____ Date _____

Comments (include reason for transfer and how transferred):

Exhibit M

S.C. Secretary of State, Wired Fox
Technologies, Inc. and Two Way Radio Center,
About Us

**WIRED FOX TECHNOLOGIES, INC**

*Note: This online database was last updated on 7/16/2012 6:01:27 PM.
See our Disclaimer.*

DOMESTIC / FOREIGN:	Domestic
STATUS:	Good Standing
STATE OF INCORPORATION	SOUTH CAROLINA
/ ORGANIZATION:	Profit

REGISTERED AGENT INFORMATION

REGISTERED AGENT NAME:	JEFFREY E. YELTON
ADDRESS:	716 BRIXTON CIRCLE
CITY:	SIMPSONVILLE
STATE:	SC
ZIP:	29681
SECOND ADDRESS:	
FILE DATE:	01/12/2012
EFFECTIVE DATE:	01/12/2012
DISSOLVED DATE:	//

Corporation History Records

CODE	FILE DATE	COMMENT	Document
Amendment	05/11/2012	CHG NAME FROM VARSGUIDE, INC.	
Incorporation	01/12/2012	STATUTORY CLOSE CORPORATION	

Disclaimer: The South Carolina Secretary of State's Business Filings database is provided as a convenience to our customers to research information on business entities filed with our office. Updates are uploaded every 48 hours. Users are advised that the Secretary of State, the State of South Carolina or any agency, officer or employee of the State of South Carolina does not guarantee the accuracy, reliability or timeliness of such information, as it is the responsibility of the business entity to inform the Secretary of State of any updated information. While every effort is made to insure the reliability of this information, portions may be incorrect or not current. Any person or entity who relies on information obtained from this database does so at his own risk.

Physical Address: Edgar Brown Building - 1205 Pendleton Street Suite 525 Columbia, SC 29201

<http://www.sos.sc.gov/index.asp?n=18&p=4&s=18&corporateid=636006>

7/17/2012

Mailing Address: SC Secretary of State's Office 1205 Pendleton Street Suite 525 Columbia, SC
29201



Two Way Radio Center

Support 1-855-354-6660

Please [login](#) or [register](#)0 products in your shopping cart
Total: \$0.00[enter search terms](#)

About Us

TwoWayRadioCenter.com is a division of Wired Fox Technologies and is dedicated to selling Motorola and Vertex Standard two way business radios. We are focused on the use of two way radios in a business environment, where communications is vital to the efficient operation of the of your business, safety of your workforce and/or the support of your customers.

We have been in the technology business for over 30 years and have found that the technology used in two way radios is stable, efficient, simple and cost effective. The return on investment of this technology is superior of other communications technologies.

We have Partnered with Motorola, the leader in two way radio technology. They have been in the radio business since 1928 and the two way radio business since 1930. Their unmatched technological leadership on the public safety and military side of their business provides a solid foundation for their business two way radio offerings with products that are nearly indestructible. In 2008 Motorola purchased Vertex and now offers both the Motorola and Vertex brands in the marketplace.

All products are shipped from a 50,000 square foot warehouse in Greer, South Carolina. We strive to ship all orders received by 3:00pm eastern the same day. Shipment is by UPS.

The TwoWayRadioCenter has experienced technical support that can help you determine the best radio for your specific needs, help you program your radios or solve any technical issues you may have. Whether you are expanding your current network of radios or deciding if you should move to the new digital technology in two way radios we are here to help.

Customer service is our top priority and we are available by phone from 8:00am to 5:30pm eastern time, Monday through Friday or by email 24 hours a day.



FEATURED ITEM



Motorola CLP1060
Bluetooth Headset
Version 1 Watt 6
Channel

latest news

July 13, 2012 [Sprint Begins to Shut Down It's Push to Talk Network](#)

June 8, 2012 [Two Way Radio Center is an Authorized Motorola Reseller](#)

June 8, 2012 [Case Study -- Office Max](#)

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verified merchant

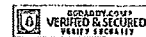


Exhibit N

**Plaintiff's Responses to Defendant's First
Discovery**

State of South Carolina	)	IN THE COURT OF COMMON PLEAS
	)	
County of Greenville	)	2012-CP-23-0314
	)	
Jeff Yelton,	)	
	)	
Plaintiff,	)	
v.	)	Plaintiff's Responses to Defendant's
	)	First Discovery
ScanSource, Inc.,	)	
	)	
Defendant.	)	
	)	

TO: DEFENDANT SCANSOURCE, INC. AND ITS ATTORNEYS, SUE ERWIN HARPER, CARMEN HARPER THOMAS, DOWSE "BRAD" RUSTIN, IV, AND ANNA E. HAMILTON:

INTERROGATORIES

1. Identify each of the repositories of electronic or hard copy documents or information that Plaintiff used during the time of his employment with Defendant and to present, including the manufacturer and serial number, if any, and the current location of that repository.

RESPONSE: To the extent this is seeking information regarding the hardware Plaintiff used, he has identified all such devices of which he is currently aware.

2. Identify the name, address, and phone number of each person with whom Plaintiff has communicated since December 9, 2011, regarding in any way Plaintiff's employment with or termination from ScanSource.

RESPONSE: Plaintiff objects on the grounds that this request is overly broad and vague with respect to discussions "regarding in any way" such matters as "employment"

or "termination." If Defendant can be more specific as to the types or topics of conversations at issue, Plaintiff will attempt to respond. Further, this request could be read to include communications (including e-mails) between Plaintiff and counsel, which are protected by the attorney-client privilege.

3. Identify the name, address, and phone number of each person with whom Plaintiff has communicated since December 9, 2011, regarding the vendors, resellers, customers, or other business affiliated with or in any way related to ScanSource.

RESPONSE: Plaintiff objects on the grounds that this request is overly broad and vague with respect to discussions "regarding the vendors, resellers, customers, or other businesses affiliated with or in any way related to ScanSource" as this request could literally be read to request any conversation in any way related to the industry. If Defendant can be more specific as to the types or topics of conversations at issue, Plaintiff will attempt to respond. Further, this request could be read to include communications (including e-mails) between Plaintiff and counsel, which are protected by the attorney-client privilege.

4. Identify the name, address, and phone number of each person with whom Plaintiff has communicated since December 9, 2011, regarding Plaintiff's business or employment plans, proposals, or strategies.

RESPONSE: Plaintiff objects on the grounds that this request is overly broad and vague. Plaintiff could not begin to remember every conversation in which he discussed his possible plans. Plaintiff is regularly involved in casual conversations, for example, in which people ask him what his plans are. Responding further, Plaintiff has discussed VarsGuide

and/or possible employment with Jim Wech, Julianne Larimer, and Mark Kroh at Motorola and John Waldron, Darius Adamczyk, Mark Schmidt, and one other person (name unknown) at Honeywell. Plaintiff also had a discussion about his plans with Mike Helm from Epson as well as Kirk Morrison from Datalogic. Plaintiff also has discussed the possibility of becoming a VAR with Rob Dorsey at Bluestar. Further, this request could be read to include communications (including e-mails) between Plaintiff and counsel, which are protected by the attorney-client privilege.

5. Identify documents or information Plaintiff requested from ScanSource since December 9, 2011.

RESPONSE: See Plaintiff's Request to Produce.

6. Identify any documents or information, the creation of which were funded or directed by, or otherwise involved ScanSource, that Plaintiff has displayed, shared, referred to, reviewed, or used since December 9, 2011.

RESPONSE: Plaintiff objects on the grounds that he cannot discern what documents he looked at that could possibly fall within the categories of those "funded or directed by" or that "otherwise involve" Defendant. Plaintiff has made available all electronic and paper documents that he could locate that relate to his employment at ScanSource. Further, this request could be read to include communications (including e-mails) between Plaintiff and counsel, which are protected by the attorney-client privilege.

7. Identify the name, address, and phone number of any officers, directors, shareholders, employees, or volunteers of Varsguide, Inc.

RESPONSE: Jeff Yelton, who can be contacted through counsel.

8. Identify any contracts, agreements, or business relationships entered into by Varsguide, Inc., including the other person, that person's address and phone number, the scope of the contract, agreement, or business relationship.

RESPONSE: Plaintiff does not understand to what or to whom Defendant is referring as "the other person." Responding further, Varsguide has not entered into any contracts at this time.

9. Identify any contracts, agreements, or business relationships entered into by Plaintiff since December 9, 2011, including the other person, that person's address and phone number, and the scope of the contract, agreement, or business relationship.

RESPONSE: Plaintiff does not understand to what or to whom Defendant is referring as "the other person." Responding further, Varsguide has not entered into any contracts at this time.

10. Describe any contracts, agreements, or business relationships which Varsguide, Inc. or Plaintiff are negotiating, planning, or discussing.

RESPONSE: Plaintiff has discussed working with Motorola and/or Honeywell through VarsGuide or as an employee. Plaintiff also has discussed the possibility of becoming a VAR with Bluestar.

11. Identify the name, address, and phone number of Plaintiff's employers for the past 15 years (other than ScanSource) and the reason(s) Plaintiff's employment with each employer terminated.

RESPONSE: (1) Retalix USA – Plaintiff resigned to accept employment with Defendant. (2) Kyrus – Plaintiff left by mutual agreement.

REQUESTS

1. Produce any and all documents and electronic information identified in the answers to Defendant's interrogatories.

RESPONSE: All such documents have been made available.

2. Produce any and all documents and electronic information in Plaintiff's possession, custody, or control that at any time were located or stored on ScanSource's property, including electronic devices or storage media.

RESPONSE: Plaintiff objects on the grounds that this would literally call for every document ever created by a ScanSource person, including a pay check, etc. Plaintiff has endeavored to find all non-privileged documents in his possession related to his employment with ScanSource and already made such documents available.

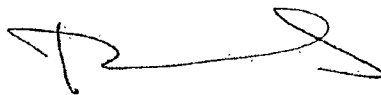
3. Produce any and all documents and electronic information in Plaintiff's possession, custody, or control that relate to Defendant.

RESPONSE: See response to RTP 2.

4. Produce any and all documents and electronic information in Plaintiff's possession, custody or control that relate to Varsguide, Inc.

RESPONSE: Plaintiff objects on the grounds that this request is overly broad, vague, and is not properly tailored to lead to the discovery of information related to any claim or defense in this case.

Respectfully submitted this 2nd day of March, 2012.



Brian P. Murphy
Bar No. 6770

Brian Murphy Law Firm, PC
514 Pettigru Street
Greenville, SC 29601
phone: 370-9400
fax: 241-1386

Attorney for the Plaintiff

State of South Carolina

County of Greenville

) IN THE COURT OF COMMON PLEAS

) 2012-CP-23-0314

Jeff Yelton,

Plaintiff,

v.

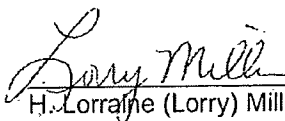
ScanSource, Inc.,

Defendant.

)
)
)
) CERTIFICATE OF SERVICE
)
)
)
)

This is to certify that a copy of Plaintiff's Responses to Defendant's First Discovery in this matter was served on the Defendant ScanSource, Inc., on March 2, 2012, by placing a copy of same in the United States mail, with proper postage affixed, addressed as follows:

William H. Foster, Esq.
Nelson Mullins Riley & Scarborough LLP
P. O. Box 10084
Greenville, SC 2963



H. Lorraine (Lorry) Miller, PLS
Legal Assistant to Brian Murphy

Brian Murphy Law Firm, P.C.
514 Pettigru Street
Greenville, SC 29601
Phone: (864) 370-9400
Fax: (864) 241-1386

State of South Carolina

) IN THE COURT OF COMMON PLEAS

County of Greenville

) 2012-CP-23-0314

Jeff Yelton,

Plaintiff,

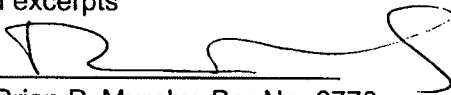
v.

ScanSource, Inc.,

Defendant.

) Plaintiff's
) Documents in Opposition to
) Defendant's Motion for Contempt
)
)
)
)
)
)

- 1 Yelton Affidavit
- 2 Email from Dropbox
3. Example of false "edited" designation
- 4 Miller v. Miller
- 5 Burnell v. Burnell
- 6 Frank v. Frank
- 7 Ex Parte Lipscomb
8. Widman v. Widman
9. Benbenek deposition excerpts



Brian P. Murphy, Bar No. 6770
Attorney for Plaintiff.

Brian Murphy Law Firm, P.C.
514 Pettigru Street
Greenville, SC 29601
Phone: (864) 370-9400
Fax: (864) 241-1386

EXHIBIT 1

) IN THE COURT OF COMMON PLEAS

2012-CP-23-0314

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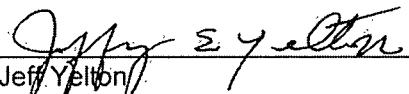
I have now on my laptop (the Research folder) was copied over with the permission of ScanSource at the meeting held on February 14, 2012.

3. .xls is a file extension for Excel; .ppt is a file extension for PowerPoint; and .doc is the file extension for Microsoft Word. These are all software in the Office bundle, which I use on my laptop.
4. Autosave is a feature on powerpoint, and may be set on my other Microsoft products as well.
5. With respect to the documents referenced in Defendant's Motion at pp. 5-6, it is possible I opened them to see what they are, but that is all I can think of in terms of why I would have accessed the document.
6. The following is my best recollection of the documents referenced in Defendant's Motion at pp. 5-6:
 - a. The two tier distribution presentation was a generic presentation on how two tier distribution works. It was presented to many different groups and does not contain any ScanSource confidential data. VarsGuide was not a distribution business. The only content that I can think of that would be similar to what I used with Varsguide would be a product maturity lifecycle curve table, which is a generic table used in texts and widely available on the Internet (google "product lifecycle curve"). I don't recall, however, using this document as a source. If I did, however, there would have been no confidential information at issue because we disseminated this information openly.

- b. The bottom 1000 catalog recipient documents contains a list of VARS. It does not contain product information or anything that would relate to end users. I would have had no reason to be editing this document in January 2012. I did not use this document for any purpose other than my employment with ScanSource.
- c. BU'01 Forecasting Worksheet is a template that was used to forecast sales to VARS and was part of our long-range business planning. I would have had no reason to be editing this document in January 2012. Again, this document does not contain information about end users or products when completed.
7. I do not recall the five USB devices referenced in the Gaida affidavit and I would not be able to identify a USB device by a serial number. I used many USB devices ("flash drives") over time while at work.
8. I do not recall anything about two USB devices that could have been plugged into my laptop after I left ScanSource that were not produced.
9. My intention after the hearing on January 27th was to turn over all the contents of my office and anything I could find that might have ScanSource information on it. To the best of my knowledge, that's what I did.
10. Since that time, I have not come across any other ScanSource confidential information or USB devices with ScanSource confidential information.
11. When the Motion to Expedite was filed, I looked again for USB devices and did not find anything that I had while employed by ScanSource or that contain ScanSource confidential information. If I find any, I will provide them to my attorney.

JBB Y

Respectfully submitted this 27th day of August, 2012.


Jeff Yelton

Sworn to and subscribed before me
this 27th day of August, 2012



Notary Public - South Carolina
my commission expires 9/11/14

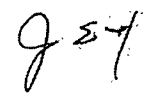


EXHIBIT 2

----- Forwarded message -----

From: **Robert - Dropbox Support** <notifications-support@dropbox.zendesk.com>

Date: Thu, Aug 23, 2012 at 4:35 PM

Subject: [Dropbox Support] Re: DB: Drop box showing files as

To: Jeff Yelton <jyelton215@gmail.com>

IMPORTANT ## Text below this line won't be added to the ticket

You can add a response to your ticket by replying to this email.

Please be sure to reply with the same email address that you used to originally contact us!

Robert - Dropbox Support, Aug 23 01:35 pm (PDT):

Hi Jeff,

The Last Modified entry on a file is handled by the operating system, and not by Dropbox. ~~There are many activities which can change the last modified date of a file, including:~~

- 1) editing the contents of the file
- 2) moving the file to a different drive (ie from C:\ to D:\)
- 3) copying the file to a new location (the new file will have an updated Last Modified entry).
- 4) encrypting/decrypting a file
- 5) opening the file in a program which has an autosave feature.

Best,
Robert

Jeff Yelton, Aug 21 07:48 am (PDT):

I need to contact/hire someone that can answer questions about how DropBox works and issues it might have.

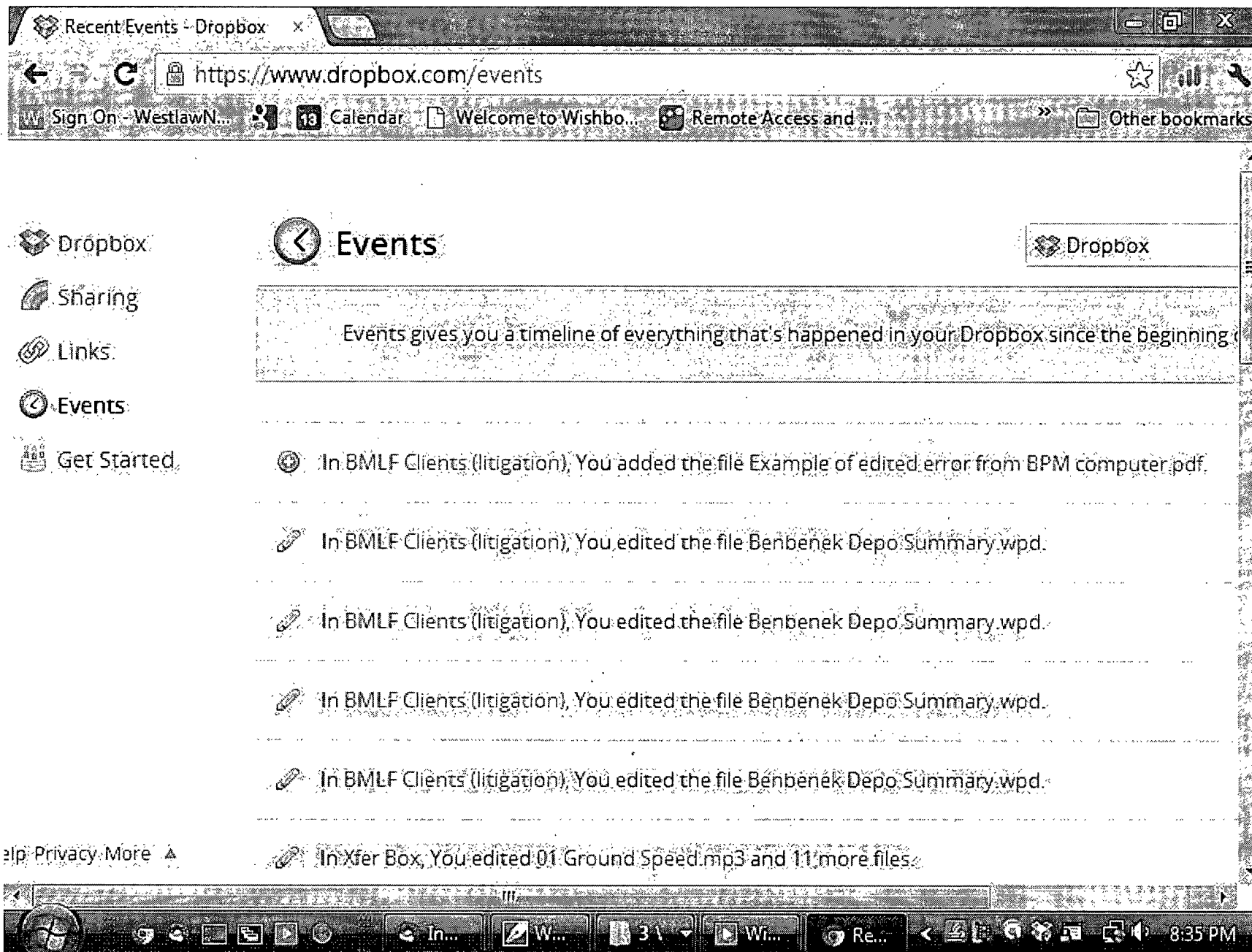
An example of a question I need answered might is, I did not edit any files in DropBox but it shows that they were edited. The file is a Microsoft PowerPoint File. Is this a bug in how Dropbox works with Windows 7.

If I opened the file but did not edit it is it possible Windows shows it as edited?

Thank you,

Jeff Yelton
JYelton215@gmail.com

EXHIBIT 3



Recent Events - Dropbox Event Details - Dropbox

https://www.dropbox.com/events/44635876/264085523

Sign On - WestlawN... Calendar Welcome to Wishbo... Remote Access and ... Other bookmarks

Event Details

Name	Event
01 Ground Speed.mp3	Edited
04 Little Darlin', Pal of Mine.mp3	Edited
09 Fireball Mail.mp3	Edited
12 Cumberland Gap.mp3	Edited
05 Reuben.mp3	Edited
07 Lonesome Road Blues.mp3	Edited
08 John Henry.mp3	Edited
06 Cripple Creek.mp3	Edited
03 Sally Ann.mp3	Edited
10 Sally Goodin.mp3	Edited
02 Home Sweet Home.mp3	Edited
11 Bugle Call Rag.mp3	Edited

In... W... 31 Wi... Ev... 8:31 PM

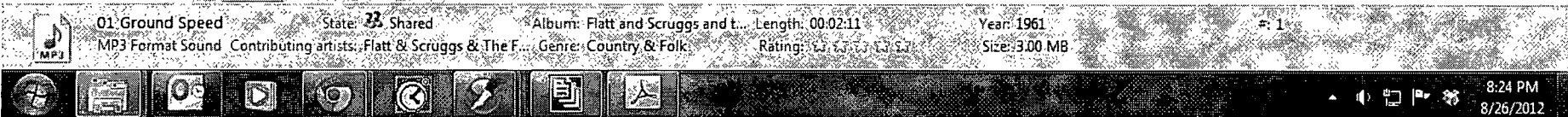
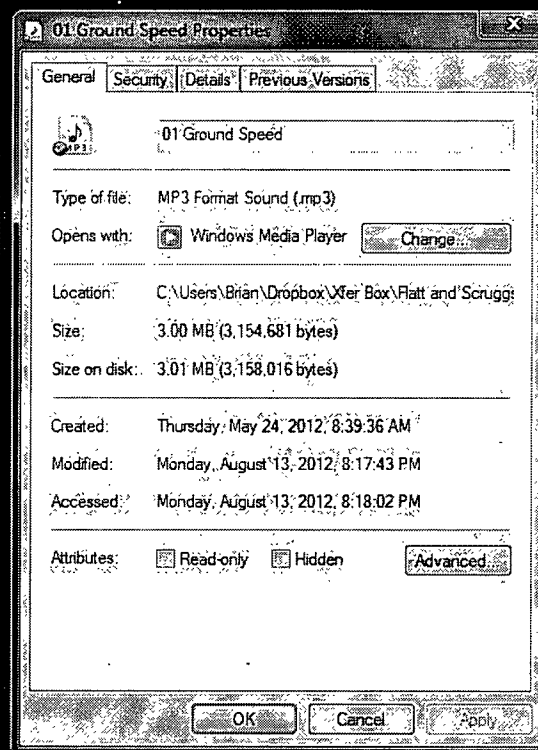
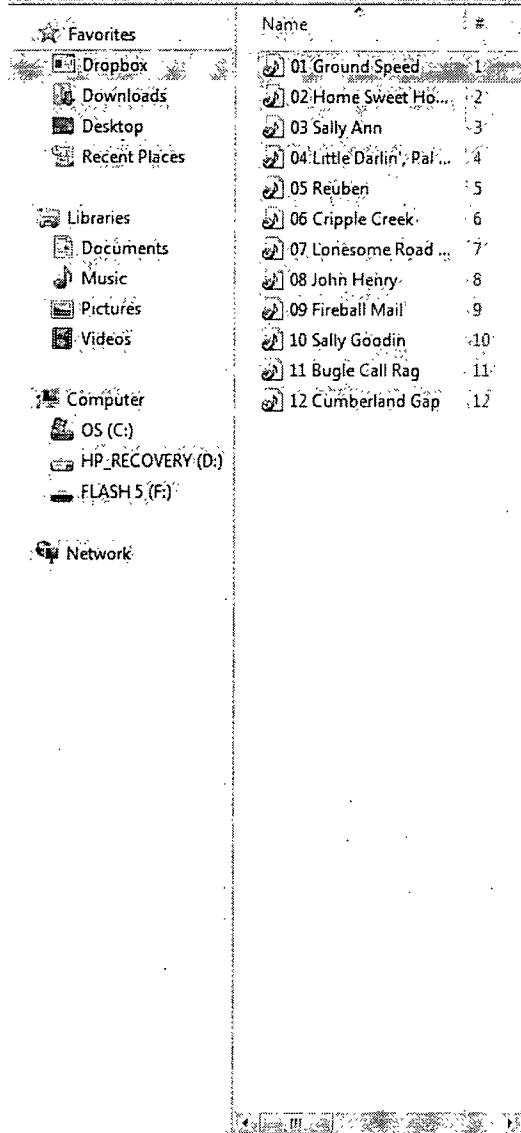
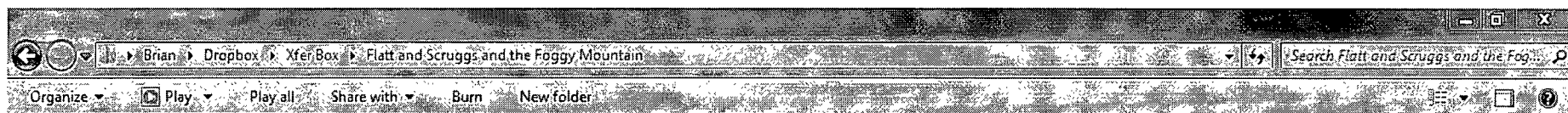


EXHIBIT 9

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

IN THE COURT OF COMMON PLEAS
CASE NO. 2012-CP-23-0314

Jeff Yelton,
Plaintiff,
vs.
ScanSource, Inc.,
Defendant.

DEPOSITION OF SCOTT BENBENEC

DATE TAKEN: August 8, 2012

TIME BEGAN: 9:24 a.m.

TIME ENDED: 6:33 p.m.

LOCATION: Brian Murphy Law Firm, PC
514 Pettigru Street
Greenville, South Carolina

REPORTED BY: Traci L. Barr, RPR
GALLAGHER COURT REPORTING
864-234-5744

APPEARANCES:

BRIAN MURPHY, ESQUIRE
Brian Murphy Law Firm, PC
514 Pettigru Street
Greenville, SC 29601

.....On behalf of the Plaintiff

WILLIAM H. FOSTER, III, ESQUIRE
Nelson, Mullins, Riley & Scarborough, LLP
Suite 900
104 South Main Street
Greenville, SC 29603

.....On behalf of the Defendant

ALSO ATTENDING: Jeff Yelton, John Ellsworth

STIPULATIONS: The within deposition was taken pursuant
to the South Carolina Rules of Civil Procedure.

NON-WAIVER: Examination and reading of the deposition
are not hereby waived by the witness and the parties.

1 described in this e-mail would in any way
2 violate Jeff's employment agreement with the
3 company?

4 A. I'm just reading it carefully again.

5 Q. Please do. You get to take all the time you
6 want to read a document.

7 A. Okay. So repeat your question.

8 Q. Sure. The business venture as it's described
9 in this e-mail to you, do you believe that
10 engaging in this -- starting this company
11 called VarsGuide and doing the things that are
12 described in here would in any way violate Jeff
13 Yelton's employment agreement?

14 A. Not from the e-mail or the description of the
15 business, no.

16 Q. And you never told Jeff Yelton that you
17 objected to him engaging in this VarsGuide
18 venture?

19 A. No.

20 Q. And you're not aware of anybody else at
21 ScanSource telling him that?

22 A. Not aware of that, no.

23 Q. Who made the decision to designate the
24 termination for cause?

25 A. Legal.

1 position it was going to change its designation
2 of the termination from not for cause, in which
3 case Mr. Yelton would get his severance, to for
4 cause, in which case he was not paid his
5 severance; is that accurate?

6 A. I'm not sure I knew -- I'm not sure how to
7 answer that.

8 Q. Okay.

9 A. I mean --

10 Q. Is it your understanding of the contract that
11 if the termination is for cause, then the
12 executive does not get the severance; if it's
13 not for cause, then he or she gets the
14 severance?

15 A. I understand that, yes.

16 Q. Okay. And is it your understanding when you
17 let Mr. Yelton go and all the way through
18 December you had designated or determined that
19 the termination was going to be not for cause,
20 he signs a release, you give him severance, and
21 that's complying with the contract, right?

22 A. Yes.

23 Q. Is it your understanding at some point the
24 company took a different position or made a
25 decision to not pay the severance and take the

1 position that his termination was for cause?

2 A. It's my understanding that the company decided
3 to do that at some point, yes.

4 Q. Did you play any role in that decision?

5 A. No.

6 Q. Do you know who made that decision?

7 MR. FOSTER:

8 Object to the form.

9 THE DEPONENT:

10 Not definitively, no.

11 EXAMINATION RESUMED BY MR. MURPHY:

12 Q. Has anybody told you that someone made the
13 decision? What I'm dancing around and not
14 trying to ask a question --

15 MR. FOSTER:

16 This is tough.

17 EXAMINATION RESUMED BY MR. MURPHY:

18 Q. It's tough, and if the questions seem they
19 could be asked in a more clear way, it's
20 because I'm trying to avoid the issue Mr.
21 Foster and I are trying to avoid.
22 Let me ask it this way. Did Mr. Baur tell you
23 that the decision had been made to designate it
24 as for cause?

25 A. I don't think so, no.

1 Q. Did Ms. Farr?

2 A. No.

3 Q. Was it a lawyer that you learned about this
4 from?

5 A. I think so, yes.

6 Q. Okay.

7 MR. FOSTER:

8 Brian, I don't know if you're going to get into
9 it, but you might want to -- it's my
10 understanding that you had a prior
11 representation of Mr. Benbenek as it relates to
12 his employment contract, and it's I think the
13 same form of contract.

14 Have you given any thought to whether that
15 raises any issues in terms of the line of
16 questions you may ask or --

17 MR. MURPHY:

18 I don't think we're going to have any issue.

19 MR. FOSTER:

20 okay. I would just preserve an objection for
21 the record.

22 MR. MURPHY:

23 what are you objecting to?

24 MR. FOSTER:

25 objection is the wrong word. I've already gone

1 on the record. That's fine. I'll deal with it
2 later. Just to be clear, you understand what
3 I'm talking about, what I'm referencing?

4 MR. MURPHY:

5 I understand what you're referencing.

6 MR. FOSTER:

7 Fair enough.

8 MR. MURPHY:

9 we don't have to dance around that. The
10 question was, do I see any issue here at the
11 deposition, and I don't.

12 MR. FOSTER:

13 Actually, have you considered it, yes.

14 EXAMINATION RESUMED BY MR. MURPHY:

15 Q. Mr. Benbenek, do you believe that Jeff Yelton
16 broke any company rule or violated any company
17 policy while he was an employee of the company?

18 A. No, I mean, I don't have any of that.

19 Q. You don't have any knowledge of him violating
20 any company policy or rule while he was an
21 employee of the company?

22 A. Like I say, I don't know the deal about the
23 Dropbox thing, whether that was policy or not,
24 but I'm saying I think in the context that
25 you're asking I don't know. I mean, no.

1 Q. Mr. Benbenek, do you contend that Jeff Yelton
2 violated any part of his employment agreement
3 with the company?

4 MR. FOSTER:

5 Object to the form.

6 THE DEPONENT:

7 I'd have to read it, refresh it on my mind
8 about the information or company confidential
9 information.

10 EXAMINATION RESUMED BY MR. MURPHY:

11 Q. Well, we can put it in the record.

12 (Exhibit Number 4 marked for identification.)

13 EXAMINATION RESUMED BY MR. MURPHY:

14 Q. We don't have to go through it all right now,
15 but you referenced a meeting that you had with
16 Mr. Yelton on December 9 in the boardroom where
17 you gave him a copy of his contract.
18 Do you recall that?

19 A. Uh-huh.

20 Q. Is Exhibit Number 4, which is Yelton 28 through
21 48, the contract to which you were referring?

22 A. Looks like it would be, yes, yes.

23 Q. So do you believe - you can take what time you
24 want to review it - that Mr. Yelton did
25 anything or has done anything that violates

1 this agreement?

2 MR. FOSTER:

3 Object to the form.

4 THE DEPONENT:

5 So what's the question again?

6 EXAMINATION RESUMED BY MR. MURPHY:

7 Q. Do you contend that Mr. Yelton has ever done
8 anything that violates this agreement?

9 A. well, I don't know -- under the confidential
10 information, I don't know what information he
11 turns out to have or not have, and so I
12 physically haven't been on his devices or his
13 house or anything like that to know, so I don't
14 know.

15 Q. well, when you talk about confidential
16 information, what provision of the contract are
17 you referring to?

18 A. well, restrictions --

19 Q. Are you on page 9, or Yelton 36?

20 A. Yeah, starting number 9, yeah. That's what I
21 stopped and was reading.

22 Q. Okay.

23 A. Includes but not limited to any information or
24 documents about the company's financial data,
25 practices, the company's operations, plans, no,

1 methods of doing business, no, things like
2 that, customer and supplier lists, so I don't
3 know what he has or hasn't. I'm saying if he
4 has some of that, that would be a violation of
5 it, but I don't know if he has it or not.

6 Q. well, you've read the definition section.
7 Let's go to page 12 of this, which is Yelton
8 document 39, which covers the use of
9 confidential information.

10 Do you see the Roman numeral five there that
11 says, for the term of executive's employment
12 and for a period of no less than 24 months?

13 A. Uh-huh.

14 Q. Do you see that?

15 A. Yes.

16 Q. And it states -- and I want you to take as much
17 time as you want to read this before you
18 answer, but it talks about the employee will
19 not publish, disseminate, provide, or disclose
20 any confidential information or trade secrets
21 to any third party.

22 Do you see that?

23 A. Yeah.

24 Q. Do you have any reason to believe Jeff Yelton
25 has ever violated that provision?

1 A. I have no knowledge that he has violated that
2 provision.

3 Q. Is there anything else in that Roman numeral
4 paragraph 5 that you believe Jeff Yelton may
5 have violated?

6 A. Like I say, I have no -- I personally have no
7 proof or knowledge that he has used
8 confidential information that violates this, so
9 the answer is I know of no way that he's used
10 confidential information wrongly.

11 Q. Okay. Do you have any reason to believe that
12 Jeff Yelton has ever disclosed any confidential
13 information of ScanSource to anyone?

14 A. Do I have -- I have no knowledge that he has.

15 Q. And let's break that down. Has anybody ever
16 told you that Jeff Yelton disclosed any
17 information that you would contend is
18 confidential to ScanSource?

19 A. Nobody's told me that, no.

20 Q. Have you ever read anything that would lead you
21 to believe that Jeff Yelton ever disclosed any
22 information that you would contend is
23 confidential to ScanSource?

24 A. No.

25 Q. Has anybody ever told you that Jeff Yelton has

1 ever used any information that you would
2 contend is confidential information of
3 ScanSource?

4 A. Say that one again.

5 Q. Sure. Same questions on use. Has anyone ever
6 told you that Jeff Yelton has used information
7 that is confidential to ScanSource?

8 A. No.

9 Q. Have you ever read anything that leads you to
10 believe that Jeff Yelton has ever used
11 information that is confidential to ScanSource?

12 A. No.

13 Q. Do you have any reason to believe that while
14 employed by ScanSource that Jeff Yelton ever
15 attempted to access information that he was not
16 entitled to access as president of North
17 America point of sale?

18 A. No.

19 Q. Do you have any reason to believe that Jeff
20 Yelton has attempted to compete in any way with
21 ScanSource since leaving the company, other
22 than your understanding of the business that's
23 described in Yelton document 491?

24 A. No.

25 Q. Do you have any reason to believe that Jeff

1 Yelton has ever done anything to get anybody to
2 stop doing business with ScanSource?

3 A. No.

4 Q. Do you have any reason to believe Jeff Yelton
5 has ever done anything to have anybody reduce
6 the amount of business they have done with
7 ScanSource?

8 A. I don't know of anything, no.

9 Q. Sitting here today, Mr. Benbenek, can you tell
10 me of anything that leads you to believe that
11 Jeff Yelton is doing anything that could
12 possibly harm ScanSource?

13 A. No, I mean, I know of nothing that he is doing,
14 presently that is. The question seemed worded
15 funny, so --

16 Q. Let me try a different way. I want you to be
17 comfortable with these questions. I'm trying
18 to make them straightforward, and your answers
19 have been straightforward, so we can continue
20 moving along, but it is important you
21 understand the question.
22 Since leaving the company, has Jeff Yelton done
23 anything that you believe has harmed
24 ScanSource?

25 MR. FOSTER:

1 Object to the form.

2 THE DEPONENT:

3 Not that I know of.

4 EXAMINATION RESUMED BY MR. MURPHY:

5 Q. Has Jeff Yelton done anything to cause your
6 company damages in any way?

7 A. I'm not aware of any.

8 Q. Has Jeff Yelton ever threatened to do anything
9 against the interest of ScanSource, to the best
10 of your knowledge?

11 A. To the best of my knowledge, no.

12 Q. Has Jeff Yelton done anything to benefit either
13 himself or another company to the detriment of
14 ScanSource?

15 A. Not that I know of.

16 Q. Has anybody told you that they believe he's
17 done anything to benefit himself or a company
18 to the detriment of ScanSource?

19 A. None that I can think of, no.

20 Q. During the time that Jeff Yelton was employed
21 by the company, are you aware of anything that
22 he ever did to benefit himself or another
23 company to the detriment of ScanSource?

24 A. No, I mean, I don't have knowledge of anything
25 like that.

1 Q. Has Jeff Yelton taken any property of
2 ScanSource, to the best of your knowledge?

3 A. The best of my knowledge, I mean, I don't know.
4 I don't have any -- I don't know.

5 Q. Have you ever heard anybody at ScanSource state
6 that Jeff took any property belonging to the
7 company?

8 A. Not that I can state. I mean, there was -- the
9 only thing that I can think that is kind of
10 weird is there was some type of PC provided by
11 some customer of ours that was a mix-up, and I
12 don't even know the story so I'm not the right
13 person to -- they thought he was ordering one
14 to pay for, and then it came and he said, wait
15 a minute, I didn't mean to pay for that, and
16 they just gave it to him. So I don't know if
17 that's considered company property or personal
18 property or what it is, and I don't even know
19 -- I've never seen it or anything like that.
20 That's the only thing I've ever --

21 Q. When did this occur?

22 A. I don't know. Sometime in 2011 I think.

23 Q. Do you have any reason to believe that Jeff
24 Yelton has said anything negative about
25 ScanSource from December 9 forward other than

1 the comments conveyed to you by Mr. Morgan on
2 December 15?

3 Let me back up. Do you remember testifying
4 that Mr. Morgan came and made the comment that
5 you did not like about what Jeff had said?

6 A. well, it's not that I didn't like it. I
7 thought it was not in the agreement that we
8 agreed to say positive things about each other
9 --

10 Q. You viewed it as a negative thing --

11 A. -- the company and him.

12 Q. You viewed the statement made by Jeff to be a
13 negative thing, right?

14 A. Yes.

15 Q. A negative statement about the company?

16 A. Yes.

17 Q. Okay. Other than those statements that were
18 conveyed to you from Mark Morgan on December
19 15th, are you aware of Mr. Yelton making any
20 negative statements about ScanSource?

21 A. Not aware of any.

22 Q. Have you lost any business whatsoever as a
23 result of any action by Jeff Yelton?

24 A. None that I can know about, no.

25 Q. With respect to the litigation that we're

1 involved in, do you know how much the company
2 has spent on attorney's fees to date?

3 A. I have no idea.

4 Q. who would know that within your company, if you
5 know?

6 A. I would assume Mr. Ellsworth would know.

7 Q. You don't get any financial records or
8 statements that show you what's being spent or
9 being charged --

10 A. This case?

11 Q. Yes, sir.

12 A. No.

13 Q. Subsequent to your discussions with Mr. Yelton
14 on January 4th, have you had to deal with any
15 Jeff Yelton related issues since January 4th
16 other than giving an affidavit in this case?

17 A. None come to mind, no.

18 Q. Have there been any executives that have left
19 the company, say, in the last couple years who
20 have been paid their unvested deferred
21 compensation?

22 A. Not that I'm aware of.

23 Q. who is Patrick Burn; do you know? I'm not
24 trying to suggest you do or not. Do you know
25 who Patrick Burn is? I asked it in a funny

1 Citrix that you're aware of?

2 A. You can go to a browser and do e-mail at
3 ScanSource and put in your stuff and get your
4 e-mail that way, but you can't get your files
5 and things like that that way.

6 Q. This is so people can access and work from
7 different locations, correct, that's why you
8 have these systems?

9 A. Uh-huh.

10 Q. And can people work at home using their
11 computers that they personally own to access
12 your computer system?

13 A. Uh-huh, yes, I mean, to my knowledge, that's
14 what Citrix was designed for.

15 Q. And they can open up documents using their home
16 computers using this system, correct?

17 A. I think certain ones. I'm not sure if all of
18 them are available through Citrix, but yes, you
19 can open up certain shared drives and stuff
20 like that.

21 Q. There is no policy against using your own
22 personally bought computer to access the Citrix
23 system or company documents through the Citrix
24 system?

25 A. No, not that I'm aware of.

1 Q. Is there any policy or restriction on anybody
2 giving away or selling their home computers
3 that they've used to access company
4 information?

5 A. Is there any policy for people to give away --
6 or what was the --

7 Q. For example, if I'm a ScanSource employee and
8 I'm using my kid's computer or my personal
9 computer we bought with my family money and I'm
10 working from home, checking my e-mail, working
11 on documents from home, do you have any policy
12 or procedure that restricts what I do with that
13 computer at any time, even after I leave the
14 company?

15 A. Not that I know of, no.

16 Q. So I could put it out in a garage sale --

17 A. As far as I know, yes, you could.

18 Q. Somebody could by, and it may even have old
19 files on it, and that wouldn't violate any
20 company policy, would it?

21 MR. FOSTER:

22 Object to the form.

23 THE DEPONENT:

24 well, I -- it probably is a violation if you
25 copied something onto that drive of that

1 computer. If you were only using it to access
2 the company's information, you're basically
3 just using it as a shell to look into the files
4 that are really ScanSource. I don't know what
5 -- I haven't read the policy about if you
6 copied a company document from that onto your C
7 drive, so to speak, what stipulations are there
8 about what happens with that information if you
9 quit using that computer. Could be nothing or
10 there could be some detailed information.

11 EXAMINATION RESUMED BY MR. MURPHY:

12 Q. You don't know of any policy in that regard?

13 A. I don't know. I don't know.

14 Q. And there is no policy against the use of flash
15 drives, is there?

16 A. No policy against the use of flash drives?

17 Q. Right.

18 A. Not to my knowledge, no.

19 Q. Any policy prohibiting an employee from copying
20 work documents onto a flash drive, taking them
21 home and working with those documents on their
22 home computer?

23 A. I don't know. I mean, I don't know -- I
24 haven't read the policy. I don't know of one
25 but could be one.

1 Q. Is there any policy restricting the use of copy
2 machines outside of the ScanSource building?

3 A. Restriction on using copy machines outside the
4 ScanSource building?

5 Q. Could I take work documents and make
6 photocopies of them other places?

7 A. You mean if you're -- I guess you could.

8 Q. There is no policy against that, as far as you
9 know?

10 A. As far as I know, yeah.

11 Q. Since the time you've been with ScanSource, is
12 there any employee who's ever left the company
13 who has been -- strike that.

14 To the best of your knowledge, has ScanSource
15 ever demanded the return of any electronic
16 devices used by an employee after they left
17 other than the situation involving Jeff Yelton?

18 A. I'm not really the right person to ask. No
19 direct report of mine that I would have been
20 involved with do I know about, so I don't know.

21 Q. And you don't know of anybody else who's not a
22 direct report of yours ever being told to
23 return electronic devices after they've left
24 the company?

25 A. To return electronic devices?

1 Q. Yes.

2 A. what do you mean by that?

3 Q. Let's break it down. Anybody ever told that
4 they must return or disclose the use of flash
5 drives after they left the company?

6 A. I don't know of any.

7 Q. when an employee departs the company, do you
8 know of anybody sitting down with the employee
9 and asking for a disclosure of what electronic
10 devices they have or what kind of media such as
11 flash drives they might have that ever
12 contained company property?

13 A. I don't know. I don't know if there is a
14 document like that that asks for that or not.

15 Q. Or anybody asking for it in like an exit
16 interview or a discussion with the employee?

17 A. I don't know.

18 Q. And that's true today that you don't know of
19 any such policy, and even after Jeff Yelton has
20 left the company, the company still hasn't, to
21 the best of your knowledge, implemented any
22 policy or procedure where employees are
23 questioned about what electronic devices they
24 have or what media they would have such as
25 flash drives that might contain company

2 A. It's possible they could have put something
3 more -- I don't know. I don't know the details
4 of any of that.

[illegible]

State of South Carolina

County of Greenville

IN THE COURT OF COMMON PLEAS
2012-CP-23-0314

FILED CLERK OF COURT
JULY 20, 2012
JULY 20, 2012

Jeff Yelton,

Plaintiff,

v.

ScanSource, Inc.,

Defendant.

)
)
) Plaintiff's Additional
) Documents in Opposition to
) Defendant's Motion for Contempt
) for Presentation to Special
) Referee
)
)
)

- A. Plaintiff's Affidavit in Opposition to Defendant's Motion for Contempt and Motion for Preliminary Injunction, with Attachment of Email Exchange with Technical Support of Dropbox;
- B. Excerpts from Defendant's Second Supplemental Answers to Plaintiff's First Interrogatories, dated July 13, 2012;
- C. Screen Shot of Dropbox Events; and
- D. Yelton "New Distribution Model" Memorandum with Screen Shot of Dropbox Events.

Respectfully submitted, August 30, 2012.



Brian P. Murphy, Bar No. 6770
Attorney for Plaintiff.

Brian Murphy Law Firm, P.C.
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Greenville, SC 29601
Phone: (864) 370-9400
Fax: (864) 241-1386

Exhibit A

) IN THE COURT OF COMMON PLEAS

) 2012-CP-23-0314

Jeff Yelton,

Plaintiff,

v.

ScanSource, Inc.,

Defendant.

Plaintiff's Affidavit in Opposition to Defendant's Motion for Contempt and Motion for Preliminary Injunction

Plaintiff is an adult over the age of 18 years and the following are true and correct facts personally known to Plaintiff and are within his personal knowledge:

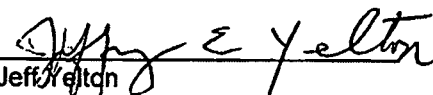
1. I am not aware of any confidential information belonging to ScanSource that I possessed as of January 27, 2012 that was not turned over to my attorney by early the next morning.
2. I have never denied that, prior to the Court's Order, I would delete ScanSource data off my computer as I came across it. I believed that deleting the data was the proper thing to do and I had no need for it. As mentioned in my earlier affidavit, it is my understanding that any electronic file that I would have would be on ScanSource's system so I was not depriving ScanSource of any data. (Jan 26 Aff. ¶ 15). I also stated in my affidavit that it was my intent to delete the contents of my dropbox containing the files to which Defendant refers. (Id. ¶ 23). The only files that remained were research files disclosed to ScanSource. The information that I have now on my laptop (the Research folder) was copied over with the permission of ScanSource at the meeting held on February 14, 2012.

3. .xls is a file extension for Excel; .ppt is a file extension for PowerPoint; and .doc is the file extension for Microsoft Word. These are all software in the Office bundle, which I use on my laptop.
4. Autosave is a feature on powerpoint, and may be set on my other Microsoft products as well.
5. Attached is a true and correct copy of an exchange I have had with a technical support representative of Dropbox regarding the causes of a file to be designated as "edited" in Dropbox.
6. With respect to the documents referenced in Defendant's Motion at pp. 5-6, it is possible I opened them to see what they are, but that is all I can think of in terms of why I would have accessed the document.
7. The following is my best recollection of the documents referenced in Defendant's Motion at pp. 5-6:
 - a. The two tier distribution presentation was a generic presentation on how two tier distribution works. It was presented to many different groups and does not contain any ScanSource confidential data. VarsGuide was not a distribution business. The only content that I can think of that would be similar to what I used with Varsguide would be a product maturity lifecycle curve table, which is a generic table used in texts and widely available on the Internet (google "product lifecycle curve"). I don't recall, however, using this document as a source. If I did, however, there would have been no confidential information at issue because we disseminated this information openly.

- b. The bottom 1000 catalog recipient documents contains a list of VARS. It does not contain product information or anything that would relate to end users. I would have had no reason to be editing this document in January 2012. I did not use this document for any purpose other than my employment with ScanSource.
 - c. BU 01 Forecasting Worksheet is a template that was used to forecast sales to VARS and was part of our long-range business planning. I would have had no reason to be editing this document in January 2012. Again, this document does not contain information about end users or products when completed.
- 8. I do not recall the five USB devices referenced in the Gaida affidavit and I would not be able to identify a USB device by a serial number. I used many USB devices ("flash drives") over time while at work.
 - 9. I do not recall anything about two USB devices that could have been plugged into my laptop after I left ScanSource that were not produced.
 - 10. My intention after the hearing on January 27th was to turn over all the contents of my office and anything I could find that might have ScanSource information on it. To the best of my knowledge, that's what I did.
 - 11. Since that time, I have not come across any other ScanSource confidential information or USB devices with ScanSource confidential information.
 - 12. When the Motion to Expedite was filed, I looked again for USB devices and did not find anything that I had while employed by ScanSource or that contain ScanSource confidential information. If I find any, I will provide them to my attorney.

13. I have not solicited confidential information from ScanSource employees in violation of the TRO.
14. Varsguide has not been engaged by anyone in the industry to date and I have done no work for any vendors of ScanSource, VARS, or point-of-sale end users.
15. Currently, I am focusing on an e-commerce site dedicated to selling business two-way radios to end users. I am not a distributor. This business has nothing to do with the point-of-sale industry.
16. I am, in no way, using ScanSource confidential information. Nor have I been disclosing ScanSource confidential information.
17. Exhibit C shows my new Dropbox activity events for the time in question before and after the TRO hearing.
18. Exhibit D is the document "New Distribution Model" that was created after I was informed of my termination. It has nothing to do with ScanSource and contains no ScanSource information. ScanSource did not object to me copying it on February 14 and the screen shot shows that I maintain a copy today.

Respectfully submitted this 30th day of August, 2012.


Jeff Felton

Sworn to and subscribed before me
this 30th day of August, 2012



Notary Public - South Carolina
my commission expires 9/11/14

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: "Sean L. - Dropbox Support" <notifications-support@dropbox.zendesk.com>
Date: August 29, 2012 5:10:01 AM EDT
To: Jeff Yelton <jyelton215@gmail.com>
Subject: [Dropbox Support] Re: DB: Drop-box showing files as
Reply-To: Dropbox Support <support+id663065@dropbox.zendesk.com>

IMPORTANT ## Text below this line won't be added to the ticket



You can add a response to your ticket by replying to this email.
Please be sure to reply with the same email address that you used to originally contact us!

Sean L. - Dropbox Support, Aug 29 02:10 am (PDT):

Hi Jeff,

Office does indeed have this feature; it does appear that Office saves a version of the file upon opening it, even if absolutely nothing has changed.

Best,
Sean

Jeff Yelton, Aug 23 01:49 pm (PDT):

I was using PowerPoint 2003 on Microsoft Windows 7 Home Edition. Is it possible that when I opened the file the operating system could have saved the file as "modified" even though I just looked at it regardless of if "autosave" was on?

By the way, autosave is on in my PowerPoint.

Jeff

Robert - Dropbox Support, Aug 23 01:35 pm (PDT):

Hi Jeff,

The Last Modified entry on a file is handled by the operating system, and not by Dropbox. There are many activities which can change the last modified date of a file, including:

- 1) editing the contents of the file
- 2) moving the file to a different drive (ie from C:\ to D:\)
- 3) copying the file to a new location (the new file will have an updated Last Modified entry).
- 4) encrypting/decrypting a file
- 5) opening the file in a program which has an autosave feature.

Best,
Robert

Jeff Yelton, Aug 21 07:48 am (PDT):

I need to contact/hire someone that can answer questions about how DropBox works and issues it might have.

An example of a question I need answered might is; I did not edit any files in DropBox but it shows that they were edited. The file is a Microsoft PowerPoint File. Is this a bug in how Dropbox works with Windows 7.

If I opened the file but did not edit it is it possible Windows shows it as edited?

Thank you,

Jeff Yelton
JYelton215@gmail.com

Exhibit B

STATE OF SOUTH CAROLINA	)	
COUNTY OF GREENVILLE	)	IN THE COURT OF COMMON PLEAS
	)	JUDICIAL CIRCUIT
Jeff Yelton,	)	Civil Action No. 2012-CP-23-0314
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	DEFENDANT'S
ScanSource, Inc.,	)	SECOND SUPPLEMENTAL
	)	ANSWERS TO PLAINTIFF'S
	)	FIRST INTERROGATORIES
Defendant.	)	
	)	

Pursuant to Rule 33, S.C. Rules of Civil Procedure, Defendant ScanSource, Inc. ("ScanSource") hereby supplements its first supplemental answers to Plaintiff's First Interrogatories.

SECOND SUPPLEMENTAL
ANSWERS AND OBJECTIONS TO INTERROGATORIES

5. Identify by date, participant, and mode, all oral, electronic, and written communications between employees or agents of Defendant regarding the decision to terminate Plaintiff's employment.

ANSWER: ScanSource objects to this interrogatory because it seeks information that is protected by the attorney-client privilege or as work product. Protected information is withheld from discovery and described on a privilege log attached as Exhibit A to this Supplemental Response. In addition, ScanSource objects to this interrogatory pursuant to Rule 33(c), S.C. Rules of Civil Procedure. Further, ScanSource objects to this interrogatory as overly broad and unduly burdensome because it seeks identification of "all" such communications; ScanSource has made and continues to make a reasonable inquiry into the likely responsive repositories.

ScanSource further states that all documents relied upon as part of its investigation upon which the Company relied in terminating Plaintiff for cause have been identified in ScanSource's response to Interrogatories Nos. 7, 19, and 20 above.

ScanSource's investigation, review and production of responsive documents and information is ongoing, and it reserves the right to supplement this answer.

22. If you contend Plaintiff has misappropriated any information that you contend is a trade secret belonging to you, specify:

- a. each trade secret that forms the basis of your contention;
- b. each fact upon which you rely in contending that Plaintiff misappropriated the trade secret;
- c. each witness that has knowledge of Plaintiff's misappropriation of the trade secret; and
- d. each document upon which you rely in support of your contention.

ANSWER: ScanSource objects to this interrogatory because it seeks information that is outside the scope of discovery pursuant to Rule 26, S.C. Rules of Civil Procedure. Subject to and without waiving any objection, ScanSource answers that Plaintiff misappropriated trade secrets pursuant to S.C. Code Ann. § 39-8-20 as described in the affidavits of Chris Spearman and Robbie Cox, specified as Yelton00003 and Yelton00018, respectively. By referring to these affidavits, ScanSource does not intend to and does not limit its answer to the information described in the affidavits. ScanSource further states that Plaintiff can ascertain information responsive to this interrogatory at Yelton06537, Yelton06518, and Yelton01361 which are the QBRs requested by Plaintiff. ScanSource may also rely upon those documents contained in Plaintiff's Dropbox account, and activity reflected therein during the relevant timeframe.

ScanSource further states that the trade secret information misappropriated by Plaintiff is identified in response to Interrogatory No. 19 above, and includes the QBRs

for Motorola, Honeywell, and Intermec, described above, the confidential and proprietary information removed by Plaintiff via Dropbox (Yelton12814 to 12871), and the confidential and proprietary documents removed from Plaintiff's office on December 15 and 16. ScanSource intends to rely upon those witnesses identified in response to Interrogatory No. 19 above to establish its claim that Plaintiff misappropriated the trade secrets of ScanSource. ScanSource further intends to rely upon the testimony, reports and other evidence as may be provided by FTI and Rosen with respect to certain devices returned by Plaintiff pursuant to the TRO and the Consent Protocol, as well as Plaintiff's work computer, and evidence as may be discovered on these and other devices identified in discovery.

ScanSource's investigation, review and production of responsive documents and information is ongoing, and it reserves the right to supplement this answer.

23. If you contend Plaintiff has used any information that you contend is a trade secret belonging to you, specify:

- a. each trade secret that forms the basis of your contention;**
- b. each fact upon which you rely in contending that Plaintiff used the trade secret;**
- c. each witness that has knowledge of Plaintiff's use of the trade secret; and**
- d. each document upon which you rely in support of your contention.**

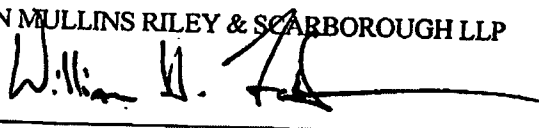
ANSWER: ScanSource objects to this interrogatory because it seeks information that is outside the scope of discovery pursuant to Rule 26, S.C. Rules of Civil Procedure. Subject to and without waiving any objection, ScanSource answers that Plaintiff misappropriated trade secrets pursuant to S.C. Code Ann. § 39-8-20 as described in the affidavits of Chris Spearman and Robbie Cox, specified as Yelton00003 and Yelton00005, respectively. By referring to these affidavits, ScanSource does not intend

to and does not limit its answer to the information described in the affidavits. ScanSource further states that Plaintiff can ascertain information responsive to this interrogatory at Yelton06537 and Yelton06518. ScanSource may also rely upon those documents contained in Plaintiff's Dropbox account, and activity reflected therein during the relevant timeframe.

ScanSource further states that the Company presently lacks further information demonstrating Plaintiff has used any ScanSource trade secret information, but submits that it intends to rely on the above evidence, as well as evidence set forth in the Company's responses to Interrogatories Nos. 7, 19, 20 and 22 above to establish Plaintiff's threatened use and disclosure, as well as Plaintiff's likely use and disclosure, of ScanSource's confidential, proprietary and trade secret information. ScanSource further notes that Plaintiff has admitted to his intention to form a business using ScanSource's proprietary and confidential information (Yelton00490-91, 00540, 12536-38, 12586), and ScanSource believes Plaintiff has and continues to use such information for this stated purpose. ScanSource also notes that Plaintiff has, upon information and belief, met with Motorola, Honeywell and Intermecc, and has used ScanSource proprietary and confidential information in order to pursue his own interests in pursuit of business opportunities with these and other ScanSource customers.

ScanSource's investigation, review and production of responsive documents and information is ongoing, and it reserves the right to supplement this answer.

NELSON MULLINS RILEY & SCARBOROUGH LLP

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Attorneys for ScanSource, Inc.

Greenville, South Carolina

July 13, 2012

Exhibit C

I know that I caught you off guard with my phone call on Friday but I've been thinking about the channel model for the AIDC industry for a long time and believe that the current model needs to be refreshed. Many of the long held beliefs in our industry are perpetuated by veterans that are resistant to accept change because of reasons like:

1. Their financial model is not strong enough to weather a transition.
2. They are scared to be the first one to challenge the status quo.
3. Their business is good today and plan on riding the current model to the end of their career.
4. They don't want to accept that AIDC products are currently nearing commoditization.
6. Distributors drive demand and can influence resellers purchasers.

I'm convinced that the AIDC channel can be changed to reflect the commoditization of products and the need for vertical based resellers. I would do this with a two pronged approach:

1. Broad product availability for low value customers utilizing direct marketers andetailers with product acquisition costs set to ensure Honeywell ASP control in the market.

In some cases, where minimum order quantities applied, DMAR's/etailers would become stocking customers with purchases made directly from Honeywell. If they wanted to acquire from a distributor they would pay a higher price with savings determined based on efficiencies brought by the distributor.

2. Recruitment of vertical based solutions providers that are certified by Honeywell to be exclusive Honeywell resellers. In exchange for this exclusivity, Honeywell would make deep investments in the reseller to help them transform into business process specialists in their chosen vertical utilizing Honeywell technology to bring documented ROI to the end user. In the first 24 months, Honeywell would pick 2 per target industry and provide with the following;
 - a. Vision and blue print of the business reseller future business model.
 - b. Future financial model and transitional strategies.
 - c. Professional services metrics, employee profiles, management training, estimating skills, collateral development, IP legal guidance, etc.
 - d. Marketing/Branding education and plans.
 - e. Vertical specific product development when warranted.

In addition, I would re-evaluate the role of distribution to include:

- a. The direct vs indirect mix.
- b. Move marketing of Honeywell products back to Honeywell from distribution and utilize distribution wide marketing

- c. Out source marketing for speed and efficiency but control programs and message to the market.
- d. Do not pay distribution for marketing their own brand.
- e. Pay rebates based on customer service level metrics and sales out above.
- f. Reduce or eliminate headcount funding.
- g. Reduce stock rotation percent to 5%.

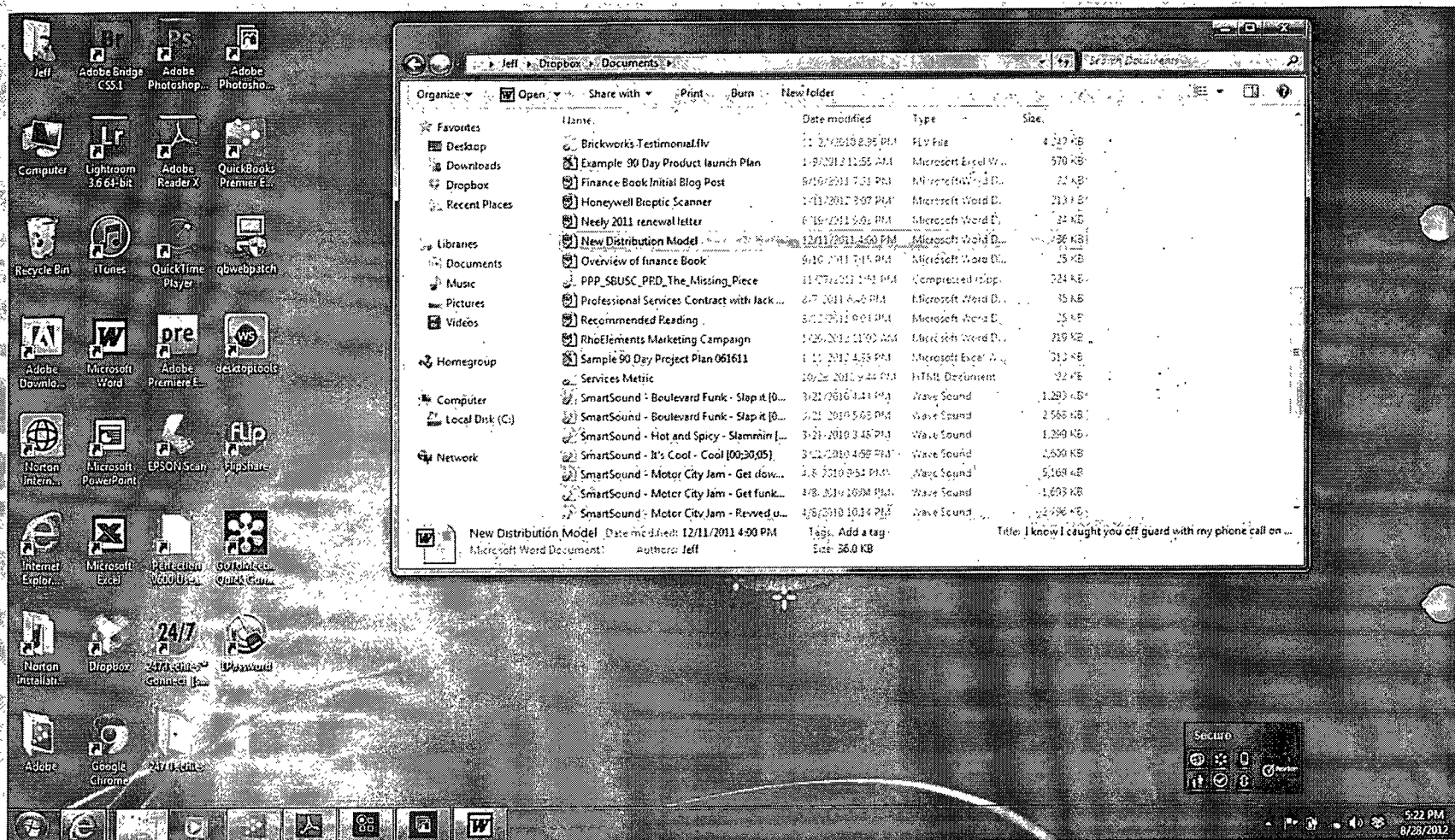
This approach would be funded by reductions in distribution margins and rebates

I still believe that distribution is very vital to the health of the AIDC industry but also believe that it's time to move to a model more in line with the maturity of the products.

I'm sure this has left you with many questions and I'm sure you can't believe I'm taking this position. I can assure you I write this with a lot of trepidation but I thought you should know my thoughts. If you are interested in discussing this further please let me know.

Also, as you might expect, I would ask that you keep this confidential.

Jeff



Brian Murphy

From: Brian Murphy <brian.murphy@mindspring.com>
Sent: Saturday, January 28, 2012 11:15 AM
To: 'Corky Harper'; 'brian@brianmurphyllawfirm.com'; 'Brad Rustin'
Cc: 'Carmen Thomas'; 'Lisa Whitehurst'
Subject: RE: Brad - are you in your office?
Attachments: Screen shots of flash drive.pdf; Screen shots of HP laptop files.pdf

I don't want to debate whether I am under an obligation to produce anything this morning because I have serious concerns (that I hope we can resolve) with the proposed order. But I do have a flashdrive with some electronic files and some paper documents that are available for you at this time. I thought I would give some background and context to our efforts to locate information since the hearing so we can both get a better picture of what is at issue with respect to both electronic data and other files (such as the contents of Jeff's office).

Hardware contents

The hardware that we have identified that Jeff used during the time of his employment and that he possesses consists of: (1) the HP laptop he has used regularly for the past 18 months or so (this is the one that had Dropbox); (2) an older HP laptop that he has started using again; (3) an even older Dell Inspiron 9100 laptop; (4) a desktop computer at home used for his photography hobby; (5) a black WD external hard drive (the one that backed up the Dropbox files we put on the flash drives you have); (6) a silver WD external hard drive that I understand backs up the photography computer; (7) the Cisco flash drive you have; (8) the Accubanker flash drive you have; (8) Three silver Epson/ScanSource flashdrives; (9) a Microsoft flashdrive; (10) a BMW flashdrive; and (11) an iPad 1. I wanted to let you know about all of this because you stated that you are consulting with forensic consultants. Again, if you have a draft proposed protocol to review, let me know. We don't oppose a forensic exam as long as protocols are in place so that I can assure beforehand that ScanSource is not provided any information not related to any claim or defense. We also need to have a protective order in place for the protection of both sides. I am fine with the District Court form if you want to use that. If you wanted to take a cheaper route than a full-blown forensic exam, I could sit down with you or one of your associates and, once a protective order is in place, we could review the flashdrives, external drives, and laptops together. Jeff does have a concern about disclosure of his proposals, but I think they can be resolved with the protective order. I understand why you might want to see them to determine whether he has used ScanSource-confidential data and it might help calm folks down to show that this isn't the case. You can make your own call, but if the point of a forensic exam is to show that, at one time, there were ScanSource confidential documents on one or more of these pieces of hardware, we don't contest that notion.

It does not appear to me that Jeff used any e-mail client on the laptops other than through the web. So I don't think there is any information in application data folders, but it is possible there are temp files or temp folders somewhere that could contain old copies of documents that were opened, for example, when an attachment to an e-mail was opened. Usually these are saved with file names and paths that have nothing to do with the topic of the document, and I really don't know how to actually search for any of those. As we discussed, there also may be ghost images of files that were "deleted" in the past but not overwritten. I have no idea how to look for those.

Attached is a series of screen prints of the desktop (where the Dropbox icon formerly resided) and a series of prints going from the User – Jeff, through My Documents, through the Dropbox data files. Apparently, deleting the Dropbox folder or icon on the desktop of the HP laptop did not delete the files, which we found stored under the My Documents folder. Some of these appear to be ScanSource-related documents. So that you can make your own determination about them, I have copied the contents of all of the documents under the Dropbox folder (which are in a subfolder called "Research") onto the flash drive. In an effort to avoid a debate about what is "confidential information," why don't you look at them with your client and let me know which ones, if any, you contend should be treated as ScanSource confidential. It doesn't appear from looking at the file names that any of this is sensitive information, and it does not appear that there is any QBR information at issue. But take a look and let me know. If we

need to discuss the files and Jeff has a different interpretation, I'll have to access the document in order to discuss with Jeff. I didn't make a copy of the Dropbox Research folder so I would have to meet with Jeff, who has the laptop.

On this point, I am confused as what you want us to do with electronic data we located. Your proposed order states that no data should be deleted. Do you want Jeff to retain ScanSource electronic documents? We need to have this clarified, in writing and in any order. I don't anticipate we'll actually have a problem with coming to an agreement on what you should have, but we need clarity as to what your client is seeking in terms of copies of electronic data.

Other than what we provided to you yesterday, the only other electronic documents we have located that relate to ScanSource are: (1) one document on the HP Inspiron; (2) one document on the old HP laptop. These also are on the flash drive. We have no objection to deleting them if that is what you want us to do, but, again, we need some clarity on this point. Jeff also has no interest in keeping either of these documents so there is no need to debate whether they are "confidential."

Under the screen print folder on the flash drive, you will see what I can determine to be the pertinent file contents from the different laptops and the WD black external drive that had the Dropbox files that were copied onto the Cisco and Accubanker flash drives that you have. If you want to see a screen print of a particular, subfolder on a piece of equipment, let me know.

Office contents

Jeff has brought in the contents of his ScanSource office (with the exception of about 12 books). You are welcome to come to my office and look through it all. It is a lot of stuff. There are, as we discussed, many notebooks dating back to the '80s, copies of industry-related articles, and materials from various conferences. In my review I found only two folders that contain ScanSource-specific documents. One is labeled SEO – POS Quarterly Check-in from Website Biz. This is a study that ScanSource's web site provider did to show how well the site was doing. There is a two-page document accompanying it called POSB Findings 72/100. The other folder is entitled "Web" with 2 manila folders and two additional documents. These also relate to the development of the ScanSource website. It looks like it includes documents creating a schedule for developing the site and a presentation from Erwin-Penland. Jeff has no interest in these documents, so I am happy to return them to you, and we don't need to discuss whether the information is "confidential."

If you would like to review the other boxes of stuff to double check my review or assure yourself, please let me know ASAP. I don't want to store this stuff in my conference room any longer than necessary, but I'll keep it here a few days so you can make arrangements. I am in the office Monday, so if you want to come over then I can be here.

Cloud Dropbox issue

As we discussed yesterday, there may be copies of documents on the "cloud" version of the dropbox account. Deleting the icon on Jeff's desktop likely did not delete anything in the cloud version. Jeff does not believe he could access anything since the e-mail account has been disabled. I am not sure if that is true or not, but it appears that it would be cleaner if you accessed it. The account was set up with his ScanSource e-mail, which you may have reactivate. Jeff is not sure of the password, but has two guesses. Because the password that he may have used to set up the account is used to access other personal information (e.g. financial) so we need some measure of protection there. I can provide his best guesses as to the password if we have a written assurance that it will be held in strict confidence and not used for any purpose other than accessing the Dropbox account. Another possible option would be for you to sign in with his e-mail and see if they have an "I forgot my password" feature where they will send a password to his old Scansource address. To access the Dropbox cloud all you need to do is go to Dropbox.com and at the top right, use log in to access the cloud. The only other option I can think of right now is to have Jeff come in with one of your folks and try to log in to see what is there. Let me know if you like these or have any other ideas.

If there is any issue you believe I failed to address, please let me know. And please let me know if you are sending someone over to pick up the above-referenced folders and flash drive.

Please let me know ASAP your position on electronic data. I need to let the judge know my position and, if we can agree on this, it will result in less back-and-forth.

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Greenville, SC 29601
(864) 370-9400
(864) 241-1386 (fax)

brian@brianmurphylawfirm.com

www.brianmurphylawfirm.com

From: Corky Harper [mailto:corky.harper@nelsonmullins.com]
Sent: Saturday, January 28, 2012 11:05 AM
To: brian@brianmurphylawfirm.com; Brad Rustin
Cc: Carmen Thomas; Lisa Whitehurst
Subject: Re: Brad - are you in your office?

Brian,
Someone can be there if you are ready to comply with the court's oral order. Please advise. Thanks.
Corky

From: Brian Murphy [mailto:brian.murphy@mindspring.com]
Sent: Saturday, January 28, 2012 10:58 AM
To: Brad Rustin
Cc: Corky Harper
Subject: Brad - are you in your office?

Brian Murphy Law Firm, PC
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Greenville, SC 29601
(864) 370-9400
(864) 241-1386 (fax)

brian@brianmurphylawfirm.com

www.brianmurphylawfirm.com

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Confidentiality Notice

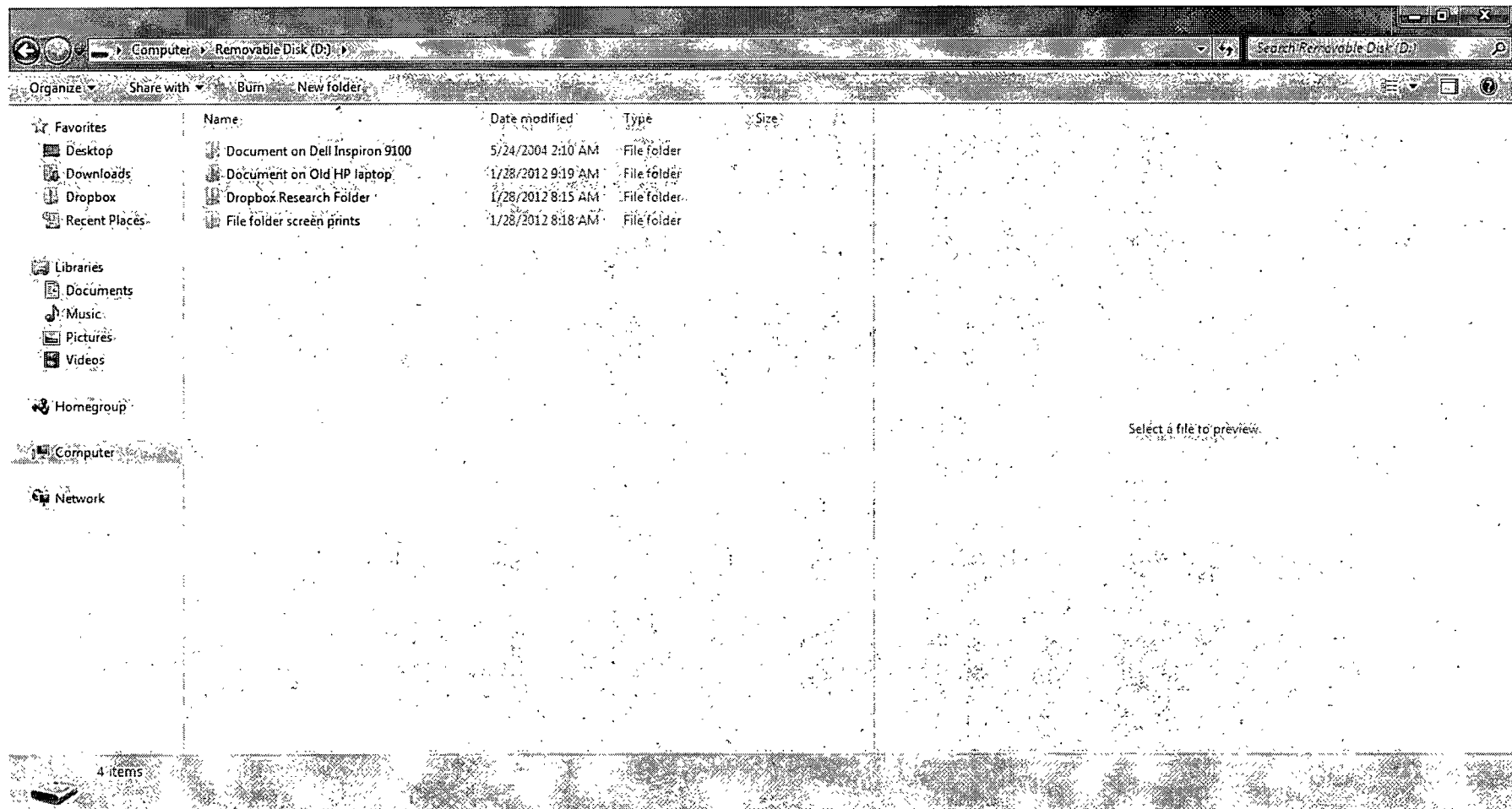
This message is intended exclusively for the individual or entity to which it is addressed. This communication may

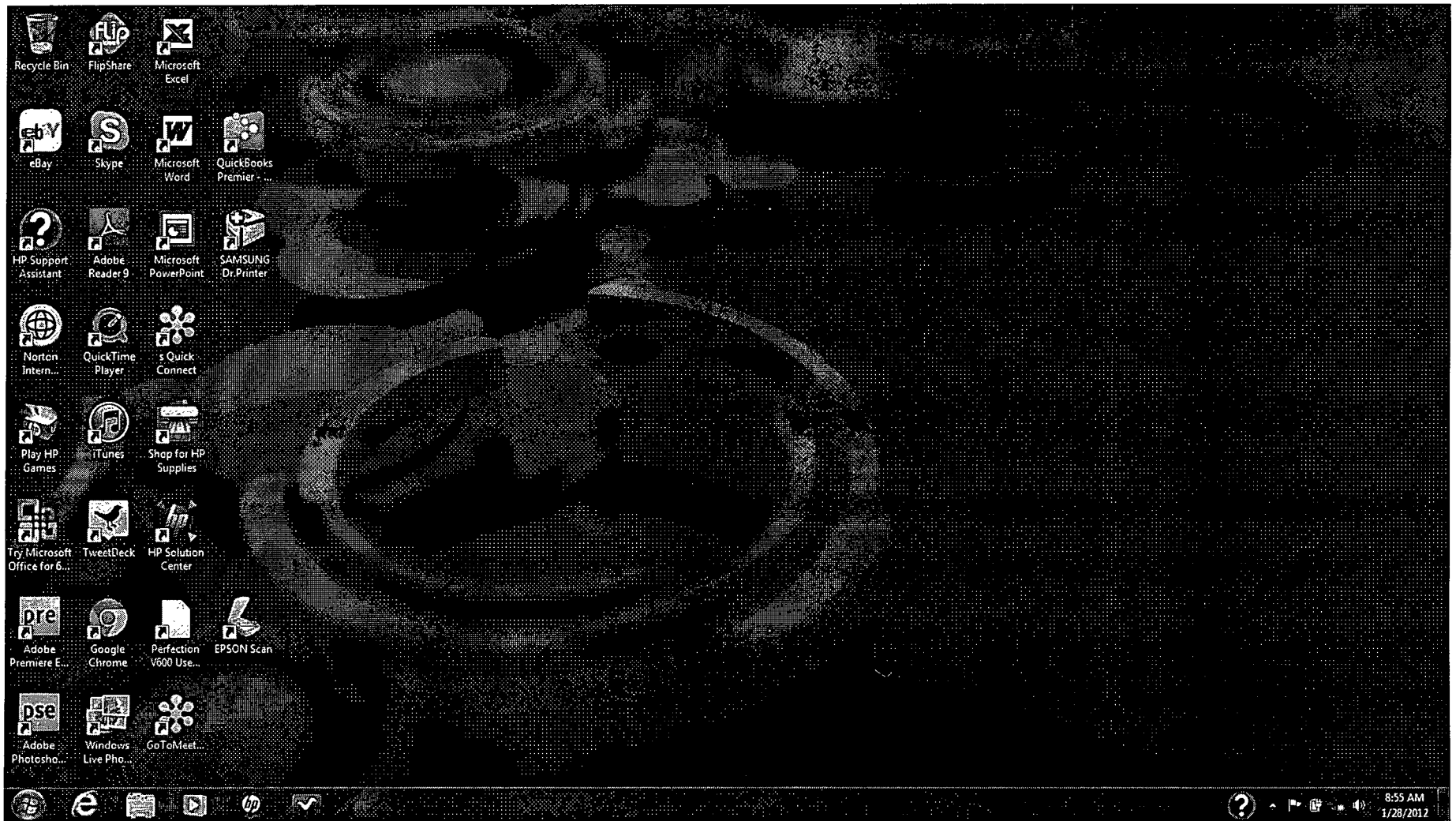
contain information that is proprietary, privileged,
confidential or otherwise legally exempt from disclosure.

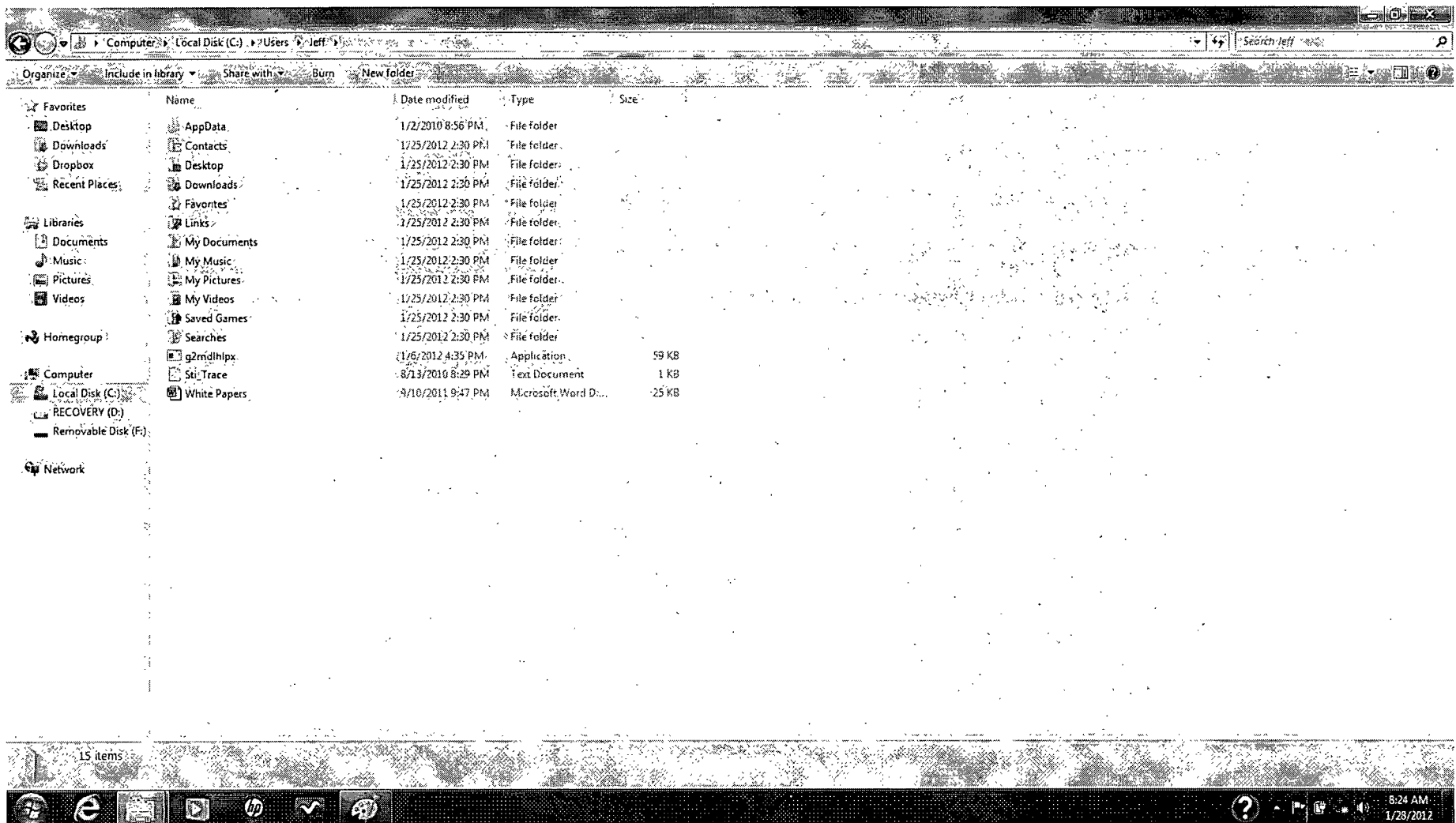
If you are not the named addressee, you are not authorized
to read, print, retain, copy or disseminate this message
or any part of it. If you have received this message in
error, please notify the sender immediately either by
phone (800-237-2000) or reply to this e-mail and delete
all copies of this message.

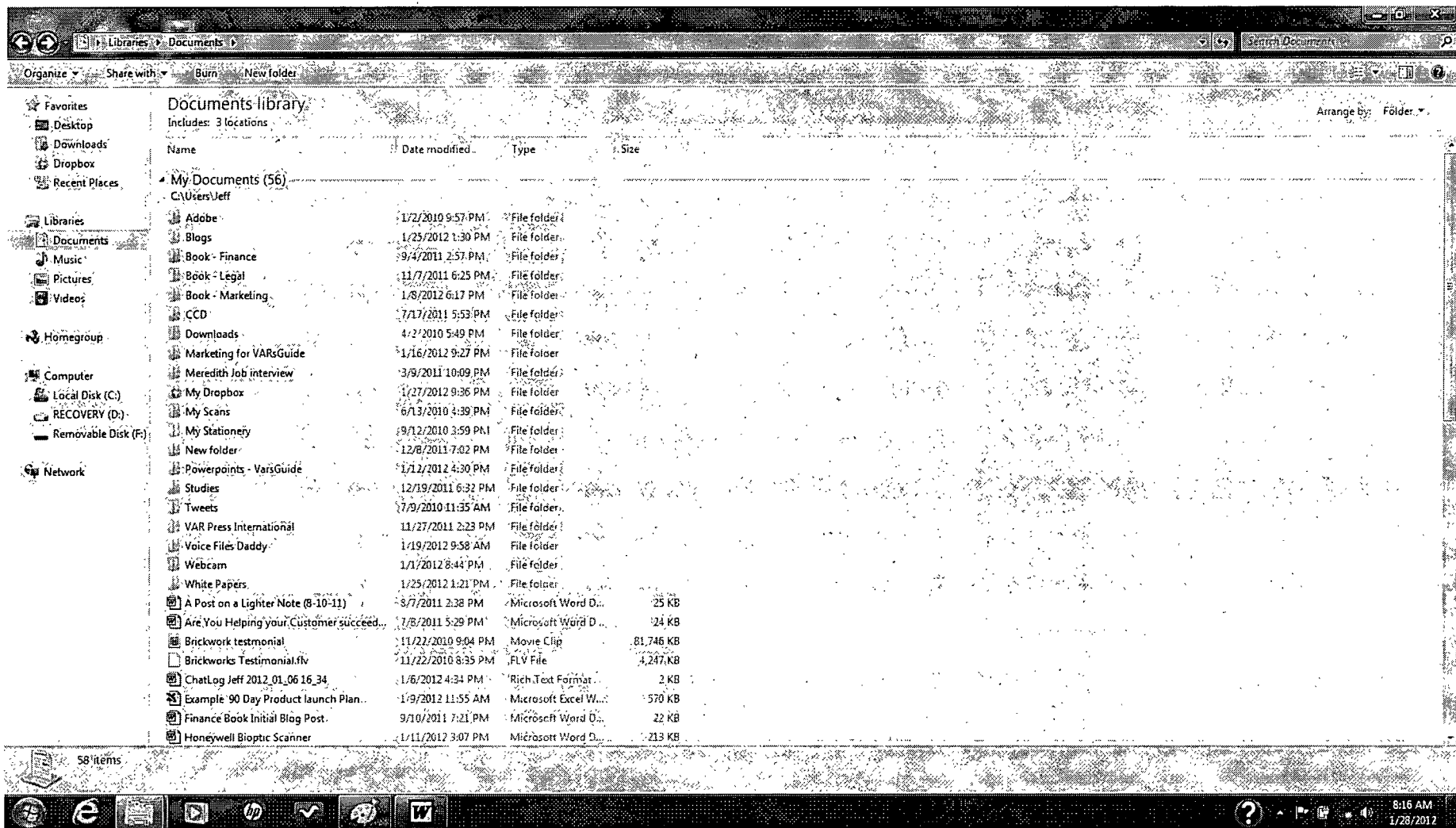
To ensure compliance with the requirements imposed by the
IRS, we inform you that any U.S. federal tax advice
contained in this communication (including the
attachments) is not intended or written to be used, for
the purpose of (a) avoiding penalties under the Internal
Revenue Code or (b) promoting, marketing or recommending
to another party any transaction or tax-related matter[s].
To provide you with a communication that could be used to
avoid penalties under the Internal Revenue Code will
necessarily entail additional investigations, analysis and
conclusions on our part.

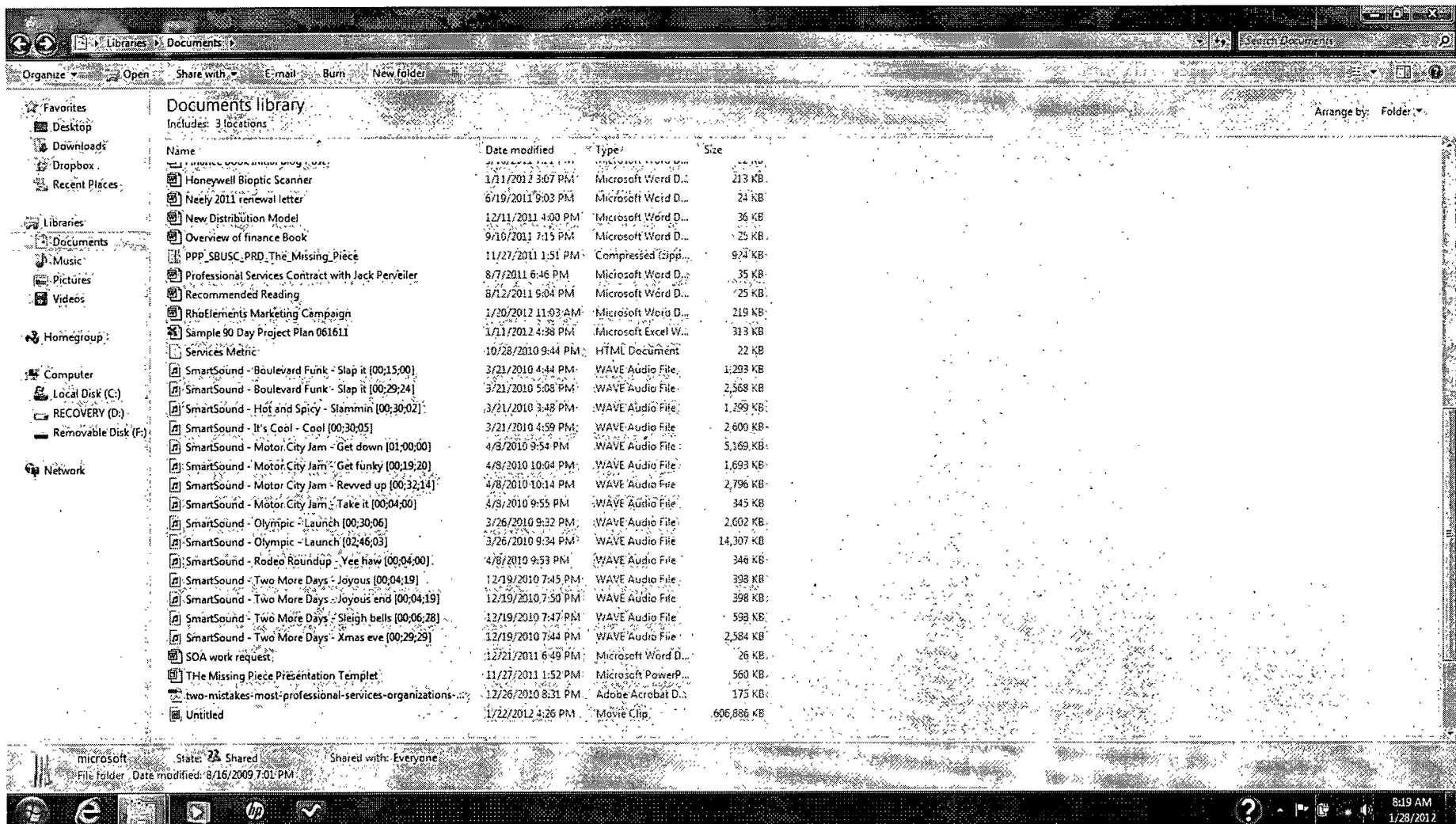
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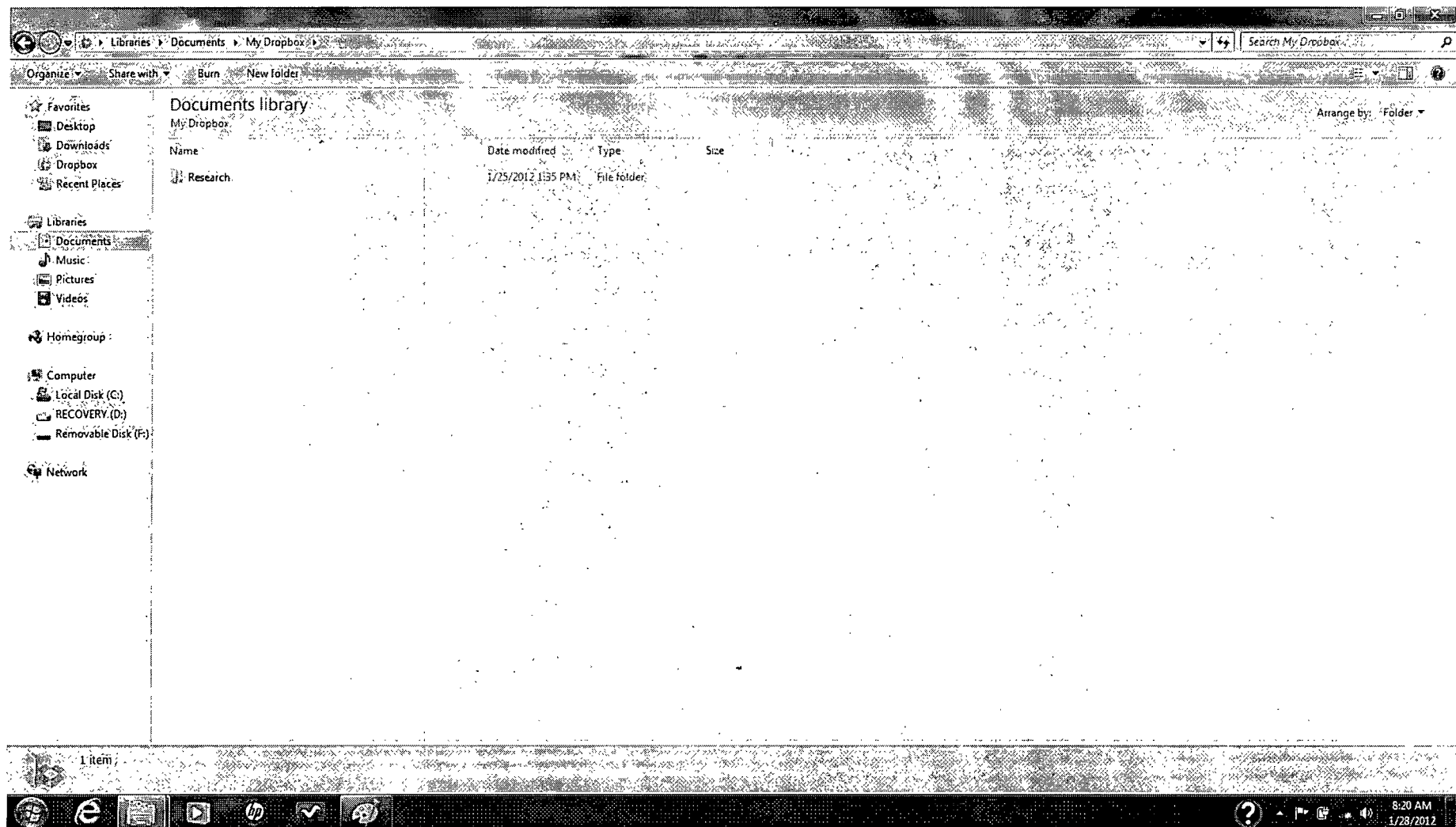












Libraries Documents My Dropbox Research

Organize Share with Burn New folder

Research

Arrange by: Folder

Documents library

Name	Date modified	Type	Size
12aebc19-1785-4dfa-86c0-f4ab37180902	9/14/2011 10:53 AM	Adobe Acrobat D...	2,545 KB
2010 Retail Profile and Technology	1/7/2011 12:17 PM	Adobe Acrobat D...	1,461 KB
6396-RA-sales-training-performance	11/5/2010 2:05 PM	Adobe Acrobat D...	674 KB
6694-RA-mobile-point-sale-retail	1/7/2011 12:36 PM	Adobe Acrobat D...	804 KB
aircombat	3/24/2011 9:14 AM	XPS Document	731 KB
Ameriprise 2009 Economic Outlook	1/23/2009 3:41 PM	Adobe Acrobat D...	301 KB
AMR Research REPORT 18AMR - Retail IT Budget Study, 20...	8/2/2005 10:48 AM	Adobe Acrobat D...	409 KB
AST-0025847_The_Arrival_of_Cloud_Thinking	4/18/2011 3:09 PM	Adobe Acrobat D...	1,174 KB
CA Delivering the Cloud	5/19/2011 10:07 PM	Adobe Acrobat D...	427 KB
CMO Study forrester	4/26/2011 3:58 PM	Adobe Acrobat D...	465 KB
Copy of IHL Worldwide Solution Areas 2011 ScanSource	11/1/2011 8:37 AM	Microsoft Office E...	212 KB
Embedded_Pulse_ACME	11/29/2010 4:22 PM	Adobe Acrobat D...	1,471 KB
GlobalPlatform_NFC_Mobile_White_Paper	12/28/2010 3:54 PM	Paint Shop Pro Ph...	7,168 KB
How-to-Use-Facebook-for-Business-2011_HubSpot+E...	10/2/2011 11:20 AM	Adobe Acrobat D...	1,863 KB
Internet Trends	11/19/2008 4:44 PM	Adobe Acrobat D...	1,082 KB
marketing_charts_graphs_data_april2010	4/21/2010 10:19 AM	Adobe Acrobat D...	2,176 KB
marketingcharts-social-media-data-stacks-pdf	11/18/2011 8:42 AM	Adobe Acrobat D...	1,990 KB
Mercator_EZEE_VIP	9/1/2011 11:02 AM	Adobe Acrobat D...	977 KB
mobile attitudes survey	6/16/2011 5:07 PM	Adobe Acrobat D...	457 KB
MProfs_Spotlight_Facebook_GB1H0[1]	7/29/2010 3:41 PM	Adobe Acrobat D...	5,272 KB
Near field Communications	12/28/2010 4:08 PM	Adobe Acrobat D...	615 KB
Privacy with facebook	4/21/2011 9:23 AM	Adobe Acrobat D...	3,288 KB
Retail study	3/9/2011 4:25 PM	XPS Document	3,843 KB
SCSC - GLOBAL AIDC and MAW DATA -110711 (2)	11/7/2011 5:02 PM	Microsoft Office E...	53 KB
SMB Americas Retail Industry Assessment - External Final	8/22/2005 4:17 PM	Adobe Acrobat D...	46 KB
SocNW_En_TLP	5/20/2011 10:25 AM	Adobe Acrobat D...	307 KB
US Stock Market Forecast 2-15-11	2/16/2011 1:37 PM	Adobe Acrobat D...	312 KB
VDC 2011 Mobility Analysis	9/15/2011 2:28 PM	Adobe Acrobat D...	5,883 KB
VSR_Cloud keynote 11-4	11/9/2011 12:09 PM	Microsoft Office P...	383 KB
Wal-Mart Food Big and Getting Bigger1	8/17/2005 8:03 AM	Adobe Acrobat D...	221 KB
Worldwide Solution Areas 2011 instore technolog WW m...	5/11/2011 2:59 PM	Microsoft Office E...	160 KB

31 items

8:21 AM 1/28/2012

Brian P. Murphy

From: Corky Harper [corky.harper@nelsonmullins.com]
Sent: Saturday, January 28, 2012 11:34 AM
To: brian.murphy@mindspring.com; Brad Rustin
Cc: Carmen Thomas; Lisa Whitehurst
Subject: Re: Brad - are you in your office?

I'll be in touch, Brian. [REDACTED]
Please communicate with me directly, not individual members of my team. It complicates things. Thank you.

----- Original Message -----

From: Brian Murphy [mailto:brian.murphy@mindspring.com]
Sent: Saturday, January 28, 2012 11:27 AM
To: Brad Rustin
Cc: Corky Harper
Subject: Re: Brad - are you in your office?

You live between downtown and east side via north street? I can drop stuff off on my way home.

Sent from my iPhone

On Jan 28, 2012, at 11:23 AM, "Brad Rustin" <Brad.Rustin@nelsonmullins.com> wrote:

> I will be this evening. Do you need me to meet you somewhere?

>

> -----Original Message-----

> **From:** Brian Murphy [mailto:brian.murphy@mindspring.com]
> **Sent:** Saturday, January 28, 2012 10:58 AM Eastern Standard Time
> **To:** Brad Rustin
> **Cc:** Corky Harper
> **Subject:** Brad - are you in your office?

>

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> Brian Murphy Law Firm, PC

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> 514 Pettigru Street

>

> Greenville, SC 29601

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> (864) 370-9400

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> (864) 241-1386 (fax)

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> brian@brianmurphylawfirm.com

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> www.brianmurphylawfirm.com

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>
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> This message is intended exclusively for the individual or entity to
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> If you are not the named addressee, you are not authorized to read,
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> immediately either by phone (800-237-2000) or reply to this e-mail and
> delete all copies of this message.
>
> To ensure compliance with the requirements imposed by the IRS, we
> inform you that any U.S. federal tax advice contained in this
> communication (including the
> attachments) is not intended or written to be used, for the purpose of
> (a) avoiding penalties under the Internal Revenue Code or (b)
> promoting, marketing or recommending to another party any transaction
> or tax-related matter[s].
> To provide you with a communication that could be used to avoid
> penalties under the Internal Revenue Code will necessarily entail
> additional investigations, analysis and conclusions on our part.
> =====
> =====

Brian Murphy

From: Brian Murphy <brian.murphy@mindspring.com>
Sent: Monday, February 13, 2012 8:41 AM
To: 'Quattlebaum, Derrick'; 'corky.harper@nelsonmullins.com'; 'Carmen Thomas'; 'Brad Rustin'
Cc: 'brian@brianmurphylawfirm.com'
Subject: RE: Jeff Yelton v. ScanSource, Inc.; C.A. No.: 2012-CP-23-0314

Derrick:

Thanks for agreeing to do this. Carmen Thomas of Nelson Mullins is coming in tomorrow at 10. We are going to go over the issues such as what documents are possibly at issue and hopefully will discuss things such as the hardware my client used while at ScanSource and the most efficient way of conducting discovery. One of the goals, I believe, is to obviate the need for dispute resolution over what is "confidential" subject to the order by letting Defendant see what is at issue and hopefully working it all out. We spoke last week and I think we may be headed in the right direction now.

Please feel free to drop by tomorrow at 10 if you are available. You can somewhat familiarize yourself with all the stuff cluttering my conference room. That way, if you need to make a decision, you'll at least have the benefit of knowing what kinds of things are at issue. If there is another time that you would like to come and review it all, just let me know.

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brian@brianmurphylawfirm.com

www.brianmurphylawfirm.com

From: Barry, Janice [<mailto:jbarry@hsblawfirm.com>] **On Behalf Of** Quattlebaum, Derrick
Sent: Friday, February 10, 2012 12:16 PM
To: corky.harper@nelsonmullins.com
Cc: brian@brianmurphylawfirm.com; Quattlebaum, Derrick
Subject: Jeff Yelton v. ScanSource, Inc.; C.A. No.: 2012-CP-23-0314

Please see attached letter which Mr. Quattlebaum asked that I forward to you by e-mail. The hard copy will follow by U.S. mail.

<<Greenville-832931-v1-Yelton v. ScanSource - 2 10 12 Ltr from JDQ to Harper requesting documents.PDF>>

Janice M. Barry
Legal Secretary to J. Derrick Quattlebaum
Haynsworth Sinkler Boyd, P.A.
P.O. Box 2048
Greenville, SC 29602
Phone: (864) 240-3223
Fax: (864) 240-3336

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Brian Murphy

From: Brian Murphy <brian.murphy@mindspring.com>
Sent: Tuesday, February 14, 2012 5:47 PM
To: 'Quattlebaum, Derrick'; 'brian@brianmurphyllawfirm.com'; 'Carmen Thomas'
Cc: 'corky.harper@nelsonmullins.com'
Subject: RE: ScanSource

With respect to Judge Hill's Order, I have no objection to it being extended.

I believe what we need to resolve are: (1) the protocol for searching and disclosure of the electronic data as we discussed today; and (2) entry of a confidentiality order. We did not make any progress on No. 1 after you left, but I believe it's just a matter of memorializing the approach you suggested.

As to the confidentiality order, I have proposed the standard district court order, slightly modified to remove such things as references to local rules. Defendant has proposed a number of changes, the material ones are those with which I am not in agreement. If we don't make any progress tomorrow morning on that, I intend to send you a draft confidentiality order that is based on the form D. Ct. order. They can submit their proposal and I guess you can decide. That should resolve that issue.

As to the protocol, I can take a stab at drafting that based on today's discussion.

As to a formal hearing on the preliminary injunction motion as suggested by Carmen, I am not sure what there is left to be heard? My client has gone far beyond the TRO order in locating, disclosing, and resolving issues raised. The notion we need more hearings and process at this point leaves me confused. I believe we need to wrap up the issues we discussed today, allow Defendant to proceed with its forensic examination, and move on to the merits of this case.

I actually think we made good progress today in completing the review of all of the office contents and coming to an agreement on handling the hardware issues. Hopefully, everyone found the agreements reached to be reassuring and we can now move forward with actual work on the merits.

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Greenville, SC 29601
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(864) 241-1386 (fax)

brian@brianmurphyllawfirm.com

www.brianmurphyllawfirm.com

From: Quattlebaum, Derrick [mailto:dquattlebaum@hsblawfirm.com]
Sent: Tuesday, February 14, 2012 5:10 PM
To: brian@brianmurphyllawfirm.com; Carmen Thomas
Cc: corky.harper@nelsonmullins.com
Subject: RE: ScanSource

Counsel,

I received one sealed box with 9 hardware devices inside according to the index taped to the box. I would like to receive a report on the progress made by the parties today on the pending motion for a Preliminary Injunction. Please have the report to me by tomorrow afternoon at 5:00 pm. After our conference this morning I reviewed the TRO and agree that it expires on Saturday, February 18. I believe that I can extend this time if necessary. I hope that you made good progress towards a resolution of the motion.

Derrick

From: Brian Murphy [mailto:brian.murphy@mindspring.com]
Sent: Tuesday, February 14, 2012 4:28 PM
To: Quattlebaum, Derrick; 'Carmen Thomas'
Cc: brian@brianmurphylawfirm.com; corky.harper@nelsonmullins.com
Subject: RE: ScanSource

John is in my office right now. What we will bring by is the hardware that is being kept at your office until further order.

Brian Murphy Law Firm, PC
514 Pettigru Street
Greenville, SC 29601
(864) 370-9400
(864) 241-1386 (fax)

brian@brianmurphylawfirm.com

www.brianmurphylawfirm.com

From: Quattlebaum, Derrick [mailto:dquattlebaum@hsblawfirm.com]
Sent: Tuesday, February 14, 2012 3:56 PM
To: Carmen Thomas
Cc: brian@brianmurphylawfirm.com; corky.harper@nelsonmullins.com
Subject: ScanSource

My secretary received a call from John Harvey asking for directions to our office. He told her that he was bringing documents to me that he was not suppose to have. Are you aware of this and could you tell me what he is bringing?

Derrick

J. D. Quattlebaum
Haynsworth Sinkler Boyd, P.A.
75 Beattie Place (29601)
P.O. Box 2048
Greenville, SC 29602
Direct: 864-240-3249
Cell: 864-414-4092
Fax: 864-240-3300
www.hsbllawfirm.com

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Haynsworth
Sinkler Boyd, P.A.

ATTORNEYS AND COUNSELORS AT LAW

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COLUMBIA
FLORENCE
GREENVILLE
MYRTLE BEACH
WASHINGTON, DC

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WEBSITE www.hsblawfirm.com

J D QUATTLEBAUM
DIRECT DIAL NUMBER 864.240.3249
EMAIL dquattlebaum@hsblawfirm.com

February 10, 2012

Sue Erwin Harper
Nelson Mullins Riley & Scarborough LLP
17th Floor
1320 Main Street
Columbia, SC 29201

Re: Jeff Yelton v. ScanSource, Inc.
C.A. No.: 2012-CP-23-0314

Dear Ms. Harper:

As you are aware, I have been appointed by the Court as the Special Referee to decide the equitable issue of Preliminary Injunction and to rule upon the identity and form of disclosure of confidential information pursuant to any preliminary equitable relief. Apart from the Order appointing me Special Referee and the Court's Order granting Defendant's Motion for a Temporary Restraining Order, I have been provided with no other documents from the Court's file. I would ask that you provide me with whatever materials you believe are necessary for me to gain an understanding of the scope of the issue. At a minimum, I would request a copy of the Summons and Complaint, Defendant's Answer, Defendant's Motion for a Temporary Restraining Order and Preliminary Injunction and all memoranda filed by the parties on the Motion. I assume that the Plaintiff will have a copy of the documents you will provide. If Plaintiff would like to supplement Defendant's production, he is welcome to do so after he sees what Defendant produces.

In addition to this production, I would request that the Defendant provide me with a list of all items which it believes are in Plaintiff's possession and would be subject to the injunction. The list should include the suspected location of the information. Once I have received the information and have had an opportunity to digest it, I suspect that it would be beneficial to have a status conference with counsel to talk through the issues.

Finally, as a matter of disclosure, although I have never worked with either party, our firm's conflict check disclosed that we have represented both parties in the past in matters that were completely unrelated to this case and to the issue that I have been appointed to decide. I do not

Haynsworth
Sinkler Boyd, P.A.

ATTORNEYS AND COUNSELORS AT LAW

Sue Erwin Harper
February 10, 2012
Page 2

believe these prior matters create a conflict that would prevent me from serving as Special Referee in this case. I look forward to working with both of you towards a resolution of this matter.

Sincerely,

HAYNSWORTH SINKLER BOYD, P.A.



J. D. Quattlebaum

JDQ:jmb

cc: Brian P. Murphy

Nelson Mullins

Nelson Mullins Riley & Scarborough LLP
Attorneys and Counselors at Law
1320 Main Street / 17th Floor / Columbia, SC 29201
Tel: 803.799.2000 Fax: 803.255.9034
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Sue Erwin Harper
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February 13, 2012

Via Electronic Mail

J. D. Quattlebaum, Esquire
Haynsworth Sinkler Boyd, P.A.
P. O. Box 2048
Greenville, SC 29602-2048

RE: Jeff Yelton v. ScanSource Inc.
C/A No. 2012-CP-23-00314
Our File No. 18309/05002

Dear Mr. Quattlebaum:

This letter is in response to yours of February 10 concerning this matter. As you have requested, please find enclosed a copy of the Summons and Complaint (Exhibit A), Defendant's Answer and Counterclaim (Exhibit B). According to his email of 9:28 a.m. today, Plaintiff's counsel Brian Murphy sent you Defendant's Motion for Temporary Restraining Order and Preliminary Injunction, including all affidavits offered in support of that Motion.

As it concerns your request for a list of all items which ScanSource believes are in Plaintiff's possession, in a January 28, 2012 email to me (Exhibit C) Plaintiff's counsel Brian Murphy provided the following list of devices in his client's possession which may contain data belonging to ScanSource:

(1) the HP laptop he has used regularly for the past 18 months or so (this is the one that had Dropbox); (2) an older HP laptop that he has started using again; (3) an even older Dell Inspiron 9100 laptop; (4) a desktop computer at home used for his photography hobby; (5) a black WD external hard drive (the one that backed up the Dropbox files we put on the flash drives you have); (6) a silver WD external hard drive that I understand backs up the photography

With twelve office locations in the District of Columbia, Florida, Georgia, Massachusetts, North Carolina, South Carolina, and West Virginia

J. D. Quattlebaum, Esquire
February 13, 2012
Page 2

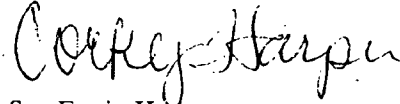
computer; (7) the Cisco flash drive you have; (8) the Accubanker flash drive you have; (8) Three silver Epson/ScanSource flashdrives; (9) a Microsoft flashdrive; (10) a BMW flashdrive; and (11) an iPad 1.

In the same email message of January 28, Plaintiff's counsel advised that he had at his office what he describes as "the contents of [Mr. Yelton's] ScanSource office (with the exception of about 12 books)."

I understand Mr. Murphy has invited you to be at his office tomorrow when ScanSource will review these materials. My colleague Carmen Thomas will be there, but, unfortunately, I will be unable to attend. Please know that I will be available by phone if anyone has questions, comments or concerns that you would like for me to address.

I look forward to working with you and Mr. Murphy in this matter, and appreciate your assistance as we move forward.

Very truly yours,

A handwritten signature in black ink, appearing to read "Sue Erwin Harper". The signature is written in a cursive, flowing style.

Sue Erwin Harper

SCE/et
Enclosures

cc: Brian Murphy, Esquire (w/encl)

Haynsworth
Sinkler Boyd, P.A.

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J. D. QUATTLEBAUM
DIRECT DIAL NUMBER 864.240.3249
EMAIL dquattlebaum@hsblawfirm.com

February 14, 2012

Sue Erwin Harper
Nelson Mullins Riley & Scarborough LLP
17th Floor
1320 Main Street
Columbia, SC 29201

Re: Jeff Yelton v. ScanSource, Inc.
C.A. No.: 2012-CP-23-0314

Dear Ms. Harper:

Thank you for your letter dated February 13, 2012. Apparently my letter of February 10 needs clarification. In my letter I requested that you provide me with a list of all items which ScanSource believes are in Plaintiff's possession and would be subject to the injunction. By this, I meant a list of all documents, information or other materials which ScanSource believes to be "Confidential Information" as that term is used in the Court's Order dated February 8, 2012. I assume that the list of 11 items in your February 13 letter would be the location of where you believe the "Confidential Information" is located.

Sincerely,

HAYNSWORTH SINKLER BOYD, P.A.



J. D. Quattlebaum

JDQ:jmb

cc: Brian P. Murphy

Brian Murphy

From: Corky Harper <corky.harper@nelsonmullins.com>
Sent: Wednesday, February 15, 2012 10:41 AM
To: Quattlebaum, Derrick
Cc: brian@brianmurphyllawfirm.com; Carmen Thomas
Subject: RE: Jeff Yelton v. ScanSource

Derrick,

I just wanted to let you know that Carmen and I are working on a response to your letter of yesterday.

Corky

Sue Erwin Harper
Nelson Mullins Riley & Scarborough, LLP
Meridian, Suite 1700
1320 Main Street (29201)
Post Office Box 11070 (29211)
Columbia, SC
803.255.5544 (direct line)
803.255.9034 (direct fax)
corky.harper@nelsonmullins.com

From: Barry, Janice [<mailto:jbarry@hsblawfirm.com>] **On Behalf Of** Quattlebaum, Derrick
Sent: Tuesday, February 14, 2012 9:33 AM
To: Corky Harper
Cc: brian@brianmurphyllawfirm.com; Quattlebaum, Derrick
Subject: Jeff Yelton v. ScanSource

Please see attached Mr. Quattlebaum's letter regarding the above-referenced matter which he asked that I send to you by e-mail.

<<scanned001.pdf>>

Janice M. Barry
Legal Secretary to J. Derrick Quattlebaum
Haynsworth Sinkler Boyd, P.A.
P.O. Box 2048
Greenville, SC 29602
Phone: (864) 240-3223
Fax: (864) 240-3336

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=====

Brian Murphy

From: Carmen Thomas <Carmen.Thomas@nelsonmullins.com>
Sent: Wednesday, February 15, 2012 4:58 PM
To: Quattlebaum, Derrick; brian@brianmurphylawfirm.com
Cc: Corky Harper; Diane Argabright
Subject: RE: ScanSource
Attachments: 2012.02.15- Yelton- Report on preliminary injunction progress.pdf

Mr. Quattlebaum,

Yesterday Brian and I agreed that I would take the lead on the report. It is the progress report that I thought you wanted us to provide by 5:00 today. When I provided Brian with a copy this morning for his input, he responded by saying we needed to send you a protocol, which I took as something different than the progress report you requested. He did not consult with us before requesting the extended deadline to submit a protocol. We certainly are working toward the protocol. Unfortunately, I will be leaving for my firm's retreat early tomorrow, and thus will be unable to submit a proposed protocol to you then.

I believe the report we prepared captures the progress we made yesterday. I am sending you the report that I provided to Brian earlier, except that I've deleted a paragraph on which I had requested Brian's input, I added a comment where we had intended to insert an Exhibit A from Brian, and I inserted the content for ScanSource's two exhibits.

Please let us know if you have any questions. We will continue to move forward on the outstanding issues and protocol with Brian. Thank you for your time.

Very truly yours,
Carmen

Carmen Harper Thomas

Nelson Mullins Riley & Scarborough LLP
carmen.thomas@nelsonmullins.com
(803) 255-9385 o
(803) 255-5932 f

From: Brian Murphy [mailto:brian.murphy@mindspring.com]
Sent: Wednesday, February 15, 2012 2:48 PM
To: 'Quattlebaum, Derrick'; brian@brianmurphylawfirm.com; Carmen Thomas
Cc: Corky Harper
Subject: RE: ScanSource

I think the protocol is the only thing on which we have not reached agreement yet. I am going to work on a draft to share with them. It may come down to each side submitting a proposal tomorrow and you deciding what to impose. But we made good progress on a number of issues, so maybe we can get this resolved as well.

Brian Murphy Law Firm, PC

514 Pettigru Street
Greenville, SC 29601
(864) 370-9400
(864) 241-1386 (fax)

brian@brianmurphylawfirm.com

www.brianmurphylawfirm.com

From: Quattlebaum, Derrick [mailto:dquattlebaum@hsblawfirm.com]
Sent: Wednesday, February 15, 2012 2:46 PM
To: brian@brianmurphylawfirm.com; Carmen Thomas
Cc: corky.harper@nelsonmullins.com
Subject: RE: ScanSource

That would be fine. Can I assume that you have not made progress on the issue?

Derrick

From: Brian Murphy [mailto:brian.murphy@mindspring.com]
Sent: Wednesday, February 15, 2012 2:41 PM
To: Quattlebaum, Derrick; brian@brianmurphylawfirm.com; 'Carmen Thomas'
Cc: corky.harper@nelsonmullins.com
Subject: RE: ScanSource

Derrick:

Can we submit proposed protocols to you tomorrow for the e-discovery?

Brian Murphy Law Firm, PC
514 Pettigru Street
Greenville, SC 29601
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(864) 241-1386 (fax)

brian@brianmurphylawfirm.com

www.brianmurphylawfirm.com

From: Quattlebaum, Derrick [mailto:dquattlebaum@hsblawfirm.com]
Sent: Tuesday, February 14, 2012 5:10 PM
To: brian@brianmurphylawfirm.com; Carmen Thomas
Cc: corky.harper@nelsonmullins.com
Subject: RE: ScanSource

Counsel,

I received one sealed box with 9 hardware devices inside according to the index taped to the box. I would like to receive a report on the progress made by the parties today on the pending motion for a Preliminary Injunction. Please have the report to me by tomorrow afternoon at 5:00 pm. After our conference this morning I reviewed the TRO and agree that it expires on Saturday, February 18. I believe that I can extend this time if necessary. I hope that you made good progress towards a resolution of the motion.

Derrick

From: Brian Murphy [mailto:brian.murphy@mindspring.com]
Sent: Tuesday, February 14, 2012 4:28 PM
To: Quattlebaum, Derrick; 'Carmen Thomas'
Cc: brian@brianmurphylawfirm.com; corky.harper@nelsonmullins.com
Subject: RE: ScanSource

John is in my office right now. What we will bring by is the hardware that is being kept at your office until further order.

Brian Murphy Law Firm, PC
514 Pettigru Street
Greenville, SC 29601
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(864) 241-1386 (fax)

brian@brianmurphylawfirm.com

www.brianmurphylawfirm.com

From: Quattlebaum; Derrick [mailto:dquattlebaum@hsblawfirm.com]
Sent: Tuesday, February 14, 2012 3:56 PM
To: Carmen Thomas
Cc: brian@brianmurphylawfirm.com; corky.harper@nelsonmullins.com
Subject: ScanSource

My secretary received a call from John Harvey asking for directions to our office. He told her that he was bringing documents to me that he was not suppose to have. Are you aware of this and could you tell me what he is bringing?

Derrick

J. D. Quattlebaum
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Greenville, SC 29602
Direct: 864-240-3249
Cell: 864-414-4092

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www.hsblawfirm.com

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To ensure compliance with the requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in this communication (including the attachments) is not intended or written to be used, for the purpose of (a) avoiding penalties under the Internal Revenue Code or (b) promoting, marketing or recommending to another party any transaction or tax-related matter[s]. To provide you with a communication that could be used to avoid penalties under the Internal Revenue Code will necessarily entail additional investigations, analysis and conclusions on our part.

=====

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

IN THE COURT OF COMMON PLEAS
THIRTEENTH JUDICIAL CIRCUIT

Jeff Yelton,)
Plaintiff,)
vs.)
ScanSource, Inc.,)
Defendant.)

Civil Action No. 2012-CP-23-0314

**SCANSOURCE'S PROGRESS REPORT
ON THE PENDING MOTION FOR
PRELIMINARY INJUNCTION**

This report describes the progress made by the parties as a result of the February 14, 2012 meeting ("February 14th meeting") attended by Plaintiff's counsel Brian Murphy, Defendant's outside counsel Carmen Thomas and inside counsel John Harvey, and Special Referee Derrick Quattlebaum. This matter is before Special Referee Quattlebaum on Defendant ScanSource, Inc.'s ("ScanSource") Motion for Temporary Restraining Order ("TRO") and Preliminary Injunction.

The TRO was granted on February 8, 2012, and the motion for preliminary injunction is pending. In addition to ruling on the preliminary injunction, a February 8, 2012 order of reference also tasked Special Referee Quattlebaum with "rul[ing] upon the identity and form of disclosure of confidential information pursuant to any preliminary equitable relief." The TRO required Plaintiff to "return to ScanSource any Confidential Information in his possession, custody, or control within the time period set by the Special Referee." The TRO provided that "Confidential Information" includes "but is not limited to information described in Plaintiff's Employment Agreement (attached as Exhibit A to ScanSource's Answer and Counterclaims), ScanSource's Business Ethics and Code of Conduct (attached as Exhibit D to ScanSource's Answer and Counterclaims), the S.C. Trade Secrets Act, and South Carolina Law."

To effect the return of Confidential Information to ScanSource, the parties have begun negotiating regarding the various forms of information and how to handle each one:

1) Hard copy documents from Plaintiff's office: Plaintiff's counsel made available to Defendant and its counsel the materials Plaintiff removed from his ScanSource office. Defendant's counsel reviewed these documents after the February 14th meeting and collected ScanSource's materials. Plaintiff does not have any other hard copy documents in his possession, custody, or control that could be Confidential Information.

2) Cloud storage: Plaintiff's counsel agreed that ScanSource has full access to Plaintiff's Drop Box account using the ScanSource email address and a password that Plaintiff's counsel sent to ScanSource's counsel. ScanSource may delete its information from this account and how and when Plaintiff used the account.

a. Regarding Plaintiff's Gmail, iCloud, and other online accounts that can store information, the parties agreed that investigation of those accounts should occur with the same procedural protections as described for the electronic documents. ScanSource is investigating options for these accounts.

3) Preserving and returning other electronically stored information: The parties made progress toward returning electronic information to ScanSource.

a. Devices have been delivered to the Special Referee's office, as described on Exhibit A, Inventory of Devices Delivered to Special Referee. [This list was taped to the top of the box, and we wanted a copy to attach to this report.]

4) Before any files are exchanged, the parties will enter a confidentiality protective order. They have agreed to an order that is being signed and submitted to the Special Referee. In addition, the TRO includes a

confidentiality requirement that governs the proceedings at least until a confidentiality protective order is entered.

- a. ScanSource retained FTI as a third party consultant to analyze the electronic information.
- b. The parties have agreed to a general framework:
 - i. A third party will create a forensic mirror image of information on the devices.
 1. Which information is imaged is unresolved, as described below.
 2. The parties also have not resolved whether FTI or another third party consultant will create the forensic images.
 - ii. ScanSource will provide search terms and a description of additional analysis for the devices. A third party will conduct the searches and other analysis. The results of using the search terms to locate files containing those terms will be the "Search Results." The other analyses will evaluate metadata and other technical activity and will be the "Forensic Analysis."
 1. As requested by the Special Referee, ScanSource has identified the file names of some of the information that it seeks to investigate. See attached Exhibit B, ScanSource's List of Some Files to Investigate.
 2. ScanSource needs to develop the search terms.
 3. ScanSource needs to describe the queries or other reports it needs to run for the Forensic Analysis.

- iii. Plaintiff's counsel will be able to review the Search Results to determine whether the results are protected by the attorney-client privilege. Files for which privilege is asserted will be withheld from ScanSource and will be described on a privilege log or similar mechanism for ScanSource's review. All other nonprivileged files that are the Search Results will be provided to ScanSource.
- iv. ScanSource will work with FTI to conduct the Forensic Analysis of the devices.
 - 1. ScanSource is not required to provide the results of the Forensic Analysis to Plaintiff or his counsel before it reviews the results.
 - 2. If the Forensic Analysis results show that a particular file is related to the subject matter involved in this action, and that file was not included in the Search Results that are produced to ScanSource, ScanSource may request that the file be produced to ScanSource. Plaintiff must respond or object to that request pursuant to the S.C. Rules of Civil Procedure.
- c. Regarding what information is imaged on each device, ScanSource would like to have a third party create forensic images of the entire contents of each device, and then have the searches and analysis performed on those images. Plaintiff would like to have the images created only of the files that are the results of the searches. ScanSource presents its analysis of the imaging issue as Exhibit C for the Special Referee's consideration.

d. To remove the data, ScanSource requested that Plaintiff identify any devices which he wants returned to him or whether he wants to relinquish permanently the device to the third party.

i. If Plaintiff wants to keep the device, ScanSource will investigate and propose a method to remove the files.

ii. If Plaintiff permanently relinquishes the device to ScanSource, the information on the device will be considered to have been returned.

ScanSource also requested the Special Referee's attention to the expiration of the TRO on February 18, 2012. The Special Referee agreed, as described in a later communication, that the TRO could be extended. ScanSource's counsel requested the extension, and Plaintiff's counsel consented to extend the deadlines in the TRO. Thus, both parties consent to extending the TRO until a ruling by the Special Referee on the preliminary injunction.

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: s/ Carmen Harper Thomas

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Carmen Harper Thomas, SC Bar No. 76012
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February 15, 2012

Columbia, South Carolina

EXHIBIT A

Inventory of Devices Delivered to Special Referee

(not included)

EXHIBIT B

ScanSource's List of Some Files to Investigate

List of Files Requested by Plaintiff

Original File Name	Reason
Q3 2011 QBR.PPT	Requested by Plaintiff, as described in the Affidavit of Robbie Cox, attached to ScanSource's Motion for Temporary Restraining Order and Preliminary Injunction
Honeywell Q3 2011 QBR.ppt	Requested by Plaintiff, as described in the Affidavit of Chris Spearman, attached to ScanSource's Motion for Temporary Restraining Order and Preliminary Injunction
Q311QBR101911ScSc_FINAL.pptx	Requested by Plaintiff, as described in the Affidavit of Chris Spearman, attached to ScanSource's Motion for Temporary Restraining Order and Preliminary Injunction

EXHIBIT C

ScanSource's Analysis of Why an Image of the Entire Device Contents Is Necessary

Complete mirror images of Plaintiff's devices are extremely important because the metadata associated with ScanSource's information is critical to its claims and defenses. A "mirror image" of an electronic device is described as "a forensic duplicate, which replicates bit for bit, sector for sector, all allocated and unallocated space, including slack space, on a computer hard drive." *Communications Center, Inc. v. Hewitt*, 2005 WL 3277983 at *1 (E.D. Cal. Apr. 5, 2005). In cases such as this one, "where trade secrets and electronic evidence are both involved, the Courts have granted permission to obtain mirror images of the computer equipment which may contain electronic data related to the alleged violation." *Balboa Threadworks, Inc. v. Stucky*, 2006 WL 763668 at *3 (D. Kan. Mar. 24, 2006) (citing similar cases) (attached to email).

As described in ScanSource's Answer and Counterclaims, Plaintiff took electronic files of confidential and proprietary ScanSource information after he learned he was being terminated. In addition to the information ScanSource knows he took, Plaintiff may possess additional confidential ScanSource information. Using key word searches will identify files containing those words; however, the who, what, when, where, and how of Plaintiff's obtaining those files are crucial questions. The answers are critical to the claims of both Plaintiff and ScanSource, and that information is preserved fully *only* by a complete mirror image of the entire device. Metadata is attached to individual files, but electronic devices contain additional information that is not attached to a particular file.

For example, a report can be generated showing which USB flash drives were connected to a laptop and when they were connected. A separate analysis shows the names of files that were accessed in that same timeframe. These reports focus on *activity* rather than substance, and it is this activity that is preserved by a complete mirror image. Because we know exactly when Plaintiff learned he was to be terminated, the activities that occurred after that time are critically important and all evidence of them must be preserved properly. Similarly, a keyword search would not have revealed that Plaintiff installed software named KillDisk on his ScanSource laptop the last morning he was in his office, and selective preservation would not allow further investigation into which parts of the computer were affected by the KillDisk software.

Conducting searches and other forensic analysis directly on a device can cause spoliation. Any time a device is powered on, registry and other data about the machine's activity is changed. Empty space created by deleting files is overwritten, hampering the ability to analyze whether and when files have been deleted. As with any electronic device, these devices could simply break. Further, the ability to perform any search or analysis will be dependent on having direct access to the machines. The potential loss of critical data that will occur if a mirror image is not created is far worse than the concerns associated with creating the mirror images.

Courts addressing requests for mirror images and objections to those requests have considered several issues that weigh strongly in favor of obtaining the mirror images. *See Balboa Threadworks*, 2006 WL 763668 at *3. First, ScanSource's request is not overly broad as to the scope of the devices to be imaged. Only one person possessed them for a relatively limited period of time.

In addition, ScanSource's request is substantiated by the affidavit testimony showing that Plaintiff requested and was provided ScanSource's confidential information after he knew he was being terminated. The timing of when the information was created, accessed, and moved, and from where it was moved, are extremely important. In *Balboa*, the court ordered mirror images of the devices at the initial case management stage, without specific discovery requests, and without supporting affidavits, based on the allegations that the "alleged infringement in this case [was] claimed to have occurred through the use of computers to download copyrighted material, so the important and relevance of computer evidence is particularly important." *Id.* Compared to the facts in *Balboa*, ScanSource has provided an abundance of support to show that the details of Plaintiff's electronic activity are directly connected to the subject matter of this case.

Further, Plaintiff will experience no undue burden because of the imaging. He has copied the personal information he needed for everyday use, and the devices are in the Special Referee's possession. Compared to cases in which a burden may be recognized, ScanSource does not need to visit the opposing party's location and interrupt the work of many employees to obtain the mirror images.

The confidentiality of Plaintiff's personal and financial information concerns Plaintiff, but this concern can be addressed routinely with a confidentiality protective order. *See id.* at *4. The parties have agreed to a confidentiality order; upon its entry, this order should assuage Plaintiff. Just as Plaintiff is concerned about the confidentiality of his information, ScanSource is concerned about the confidentiality of its own information. The confidentiality order is intended to protect the interests of both sides. Also, the TRO included a confidentiality requirement on ScanSource that applies even now.

While the complete mirror image will preserve the devices, ScanSource does not intend to analyze the mirror images unless and until a search and investigation protocol is in place. The protocol can address any further concerns raised by Plaintiff about ScanSource's access to his information. *See id.* at *5.

To address any issues related to the information Plaintiff wishes to protect, ScanSource will agree to confer with Plaintiff's counsel to select a neutral third party to create the mirror images while further negotiations are underway regarding the protocol.

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

IN THE COURT OF COMMON PLEAS
THIRTEENTH JUDICIAL CIRCUIT

Jeff Yelton,)
Plaintiff,)
vs.)
ScanSource, Inc.,)
Defendant.)

Civil Action No. 2012-CP-23-0314

**SCANSOURCE'S PROGRESS REPORT
ON THE PENDING MOTION FOR
PRELIMINARY INJUNCTION**

This report describes the progress made by the parties as a result of the February 14, 2012 meeting ("February 14th meeting") attended by Plaintiff's counsel Brian Murphy, Defendant's outside counsel Carmen Thomas and inside counsel John Harvey, and Special Referee Derrick Quattlebaum. This matter is before Special Referee Quattlebaum on Defendant ScanSource, Inc.'s ("ScanSource") Motion for Temporary Restraining Order ("TRO") and Preliminary Injunction.

The TRO was granted on February 8, 2012, and the motion for preliminary injunction is pending. In addition to ruling on the preliminary injunction, a February 8, 2012 order of reference also tasked Special Referee Quattlebaum with "rul[ing] upon the identity and form of disclosure of confidential information pursuant to any preliminary equitable relief." The TRO required Plaintiff to "return to ScanSource any Confidential Information in his possession, custody, or control within the time period set by the Special Referee." The TRO provided that "Confidential Information" includes "but is not limited to information described in Plaintiff's Employment Agreement (attached as Exhibit A to ScanSource's Answer and Counterclaims), ScanSource's Business Ethics and Code of Conduct (attached as Exhibit D to ScanSource's Answer and Counterclaims), the S.C. Trade Secrets Act, and South Carolina Law."

To effect the return of Confidential Information to ScanSource, the parties have begun negotiating regarding the various forms of information and how to handle each one:

1) Hard copy documents from Plaintiff's office: Plaintiff's counsel made available to Defendant and its counsel the materials Plaintiff removed from his ScanSource office. Defendant's counsel reviewed these documents after the February 14th meeting and collected ScanSource's materials. Plaintiff does not have any other hard copy documents in his possession, custody, or control that could be Confidential Information.

2) Cloud storage: Plaintiff's counsel agreed that ScanSource has full access to Plaintiff's Drop Box account using the ScanSource email address and a password that Plaintiff's counsel sent to ScanSource's counsel. ScanSource may delete its information from this account and how and when Plaintiff used the account.

a. Regarding Plaintiff's Gmail, iCloud, and other online accounts that can store information, the parties agreed that investigation of those accounts should occur with the same procedural protections as described for the electronic documents. ScanSource is investigating options for these accounts.

3) Preserving and returning other electronically stored information: The parties made progress toward returning electronic information to ScanSource.

a. Devices have been delivered to the Special Referee's office, as described on Exhibit A, Inventory of Devices Delivered to Special Referee. [This list was taped to the top of the box, and we wanted a copy to attach to this report.]

4) Before any files are exchanged, the parties will enter a confidentiality protective order. They have agreed to an order that is being signed and submitted to the Special Referee. In addition, the TRO includes a

confidentiality requirement that governs the proceedings at least until a confidentiality protective order is entered.

- a. ScanSource retained FTI as a third party consultant to analyze the electronic information.
- b. The parties have agreed to a general framework:
 - i. A third party will create a forensic mirror image of information on the devices.
 1. Which information is imaged is unresolved, as described below.
 2. The parties also have not resolved whether FTI or another third party consultant will create the forensic images.
 - ii. ScanSource will provide search terms and a description of additional analysis for the devices. A third party will conduct the searches and other analysis. The results of using the search terms to locate files containing those terms will be the "Search Results." The other analyses will evaluate metadata and other technical activity and will be the "Forensic Analysis."
 1. As requested by the Special Referee, ScanSource has identified the file names of some of the information that it seeks to investigate. See attached Exhibit B, ScanSource's List of Some Files to Investigate.
 2. ScanSource needs to develop the search terms.
 3. ScanSource needs to describe the queries or other reports it needs to run for the Forensic Analysis.

- iii. Plaintiff's counsel will be able to review the Search Results to determine whether the results are protected by the attorney-client privilege. Files for which privilege is asserted will be withheld from ScanSource and will be described on a privilege log or similar mechanism for ScanSource's review. All other nonprivileged files that are the Search Results will be provided to ScanSource.
- iv. ScanSource will work with FTI to conduct the Forensic Analysis of the devices.
 - 1. ScanSource is not required to provide the results of the Forensic Analysis to Plaintiff or his counsel before it reviews the results.
 - 2. If the Forensic Analysis results show that a particular file is related to the subject matter involved in this action, and that file was not included in the Search Results that are produced to ScanSource, ScanSource may request that the file be produced to ScanSource. Plaintiff must respond or object to that request pursuant to the S.C. Rules of Civil Procedure.
- c. Regarding what information is imaged on each device, ScanSource would like to have a third party create forensic images of the entire contents of each device, and then have the searches and analysis performed on those images. Plaintiff would like to have the images created only of the files that are the results of the searches. ScanSource presents its analysis of the imaging issue as Exhibit C for the Special Referee's consideration.

- d. To remove the data, ScanSource requested that Plaintiff identify any devices which he wants returned to him or whether he wants to relinquish permanently the device to the third party.
 - i. If Plaintiff wants to keep the device, ScanSource will investigate and propose a method to remove the files.
 - ii. If Plaintiff permanently relinquishes the device to ScanSource, the information on the device will be considered to have been returned.

ScanSource also requested the Special Referee's attention to the expiration of the TRO on February 18, 2012. The Special Referee agreed, as described in a later communication, that the TRO could be extended. ScanSource's counsel requested the extension, and Plaintiff's counsel consented to extend the deadlines in the TRO. Thus, both parties consent to extending the TRO until a ruling by the Special Referee on the preliminary injunction.

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: s/ Carmen Harper Thomas

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corky.harper@nelsonmullins.com
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February 15, 2012

Columbia, South Carolina

EXHIBIT A

Inventory of Devices Delivered to Special Referee

(not included)

EXHIBIT B

ScanSource's List of Some Files to Investigate

List of Files Requested by Plaintiff

Original File Name	Reason
Q3 2011 QBR.PPT	Requested by Plaintiff, as described in the Affidavit of Robbie Cox, attached to ScanSource's Motion for Temporary Restraining Order and Preliminary Injunction
Honeywell Q3 2011 QBR.ppt	Requested by Plaintiff, as described in the Affidavit of Chris Spearman, attached to ScanSource's Motion for Temporary Restraining Order and Preliminary Injunction
Q311QBR101911ScSc_FINAL.pptx	Requested by Plaintiff, as described in the Affidavit of Chris Spearman, attached to ScanSource's Motion for Temporary Restraining Order and Preliminary Injunction

EXHIBIT C

ScanSource's Analysis of Why an Image of the Entire Device Contents Is Necessary

Complete mirror images of Plaintiff's devices are extremely important because the metadata associated with ScanSource's information is critical to its claims and defenses. A "mirror image" of an electronic device is described as "a forensic duplicate, which replicates bit for bit, sector for sector, all allocated and unallocated space, including slack space, on a computer hard drive." *Communications Center, Inc. v. Hewitt*, 2005 WL 3277983 at *1 (E.D. Cal. Apr. 5, 2005). In cases such as this one, "where trade secrets and electronic evidence are both involved, the Courts have granted permission to obtain mirror images of the computer equipment which may contain electronic data related to the alleged violation." *Balboa Threadworks, Inc. v. Stucky*, 2006 WL 763668 at *3 (D. Kan. Mar. 24, 2006) (citing similar cases) (attached to email).

As described in ScanSource's Answer and Counterclaims, Plaintiff took electronic files of confidential and proprietary ScanSource information after he learned he was being terminated. In addition to the information ScanSource knows he took, Plaintiff may possess additional confidential ScanSource information. Using key word searches will identify files containing those words; however, the who, what, when, where, and how of Plaintiff's obtaining those files are crucial questions. The answers are critical to the claims of both Plaintiff and ScanSource, and that information is preserved fully *only* by a complete mirror image of the entire device. Metadata is attached to individual files, but electronic devices contain additional information that is not attached to a particular file.

For example, a report can be generated showing which USB flash drives were connected to a laptop and when they were connected. A separate analysis shows the names of files that were accessed in that same timeframe. These reports focus on *activity* rather than substance, and it is this activity that is preserved by a complete mirror image. Because we know exactly when Plaintiff learned he was to be terminated, the activities that occurred after that time are critically important and all evidence of them must be preserved properly. Similarly, a keyword search would not have revealed that Plaintiff installed software named KillDisk on his ScanSource laptop the last morning he was in his office, and selective preservation would not allow further investigation into which parts of the computer were affected by the KillDisk software.

Conducting searches and other forensic analysis directly on a device can cause spoliation. Any time a device is powered on, registry and other data about the machine's activity is changed. Empty space created by deleting files is overwritten, hampering the ability to analyze whether and when files have been deleted. As with any electronic device, these devices could simply break. Further, the ability to perform any search or analysis will be dependent on having direct access to the machines. The potential loss of critical data that will occur if a mirror image is not created is far worse than the concerns associated with creating the mirror images.

Courts addressing requests for mirror images and objections to those requests have considered several issues that weigh strongly in favor of obtaining the mirror images. *See Balboa Threadworks*, 2006 WL 763668 at *3. First, ScanSource's request is not overly broad as to the scope of the devices to be imaged. Only one person possessed them for a relatively limited period of time.

In addition, ScanSource's request is substantiated by the affidavit testimony showing that Plaintiff requested and was provided ScanSource's confidential information after he knew he was being terminated. The timing of when the information was created, accessed, and moved, and from where it was moved, are extremely important. In *Balboa*, the court ordered mirror images of the devices at the initial case management stage, without specific discovery requests, and without supporting affidavits, based on the allegations that the "alleged infringement in this case [was] claimed to have occurred through the use of computers to download copyrighted material, so the important and relevance of computer evidence is particularly important." *Id.* Compared to the facts in *Balboa*, ScanSource has provided an abundance of support to show that the details of Plaintiff's electronic activity are directly connected to the subject matter of this case.

Further, Plaintiff will experience no undue burden because of the imaging. He has copied the personal information he needed for everyday use, and the devices are in the Special Referee's possession. Compared to cases in which a burden may be recognized, ScanSource does not need to visit the opposing party's location and interrupt the work of many employees to obtain the mirror images.

The confidentiality of Plaintiff's personal and financial information concerns Plaintiff, but this concern can be addressed routinely with a confidentiality protective order. *See id.* at *4. The parties have agreed to a confidentiality order; upon its entry, this order should assuage Plaintiff. Just as Plaintiff is concerned about the confidentiality of his information, ScanSource is concerned about the confidentiality of its own information. The confidentiality order is intended to protect the interests of both sides. Also, the TRO included a confidentiality requirement on ScanSource that applies even now.

While the complete mirror image will preserve the devices, ScanSource does not intend to analyze the mirror images unless and until a search and investigation protocol is in place. The protocol can address any further concerns raised by Plaintiff about ScanSource's access to his information. *See id.* at *5.

To address any issues related to the information Plaintiff wishes to protect, ScanSource will agree to confer with Plaintiff's counsel to select a neutral third party to create the mirror images while further negotiations are underway regarding the protocol.

Brian Murphy

From: Quattlebaum, Derrick <dquattlebaum@hsblawfirm.com>
Sent: Friday, February 24, 2012 3:37 PM
To: Carmen Thomas; brian@brianmurphylawfirm.com
Cc: Bill Foster; Tonya Macaulay
Subject: RE: ScanSource

Thank you. I look forward to hearing from you early next week.

From: Carmen Thomas [mailto:Carmen.Thomas@nelsonmullins.com]
Sent: Friday, February 24, 2012 2:18 PM
To: brian@brianmurphylawfirm.com; Quattlebaum, Derrick
Cc: Bill Foster; Tonya Macaulay
Subject: RE: ScanSource

And I copied the wrong paralegal, so Tonya is on the email chain now. I'm sorry about that.

From: Brian Murphy [mailto:brian.murphy@mindspring.com]
Sent: Friday, February 24, 2012 2:17 PM
To: Carmen Thomas; 'Quattlebaum, Derrick'
Cc: brian@brianmurphylawfirm.com; Bill Foster; Diane Argabright
Subject: RE: ScanSource

I think that's all well put. I am not taking the position that Judge Hill's order expires at all.

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(864) 241-1386 (fax)

brian@brianmurphylawfirm.com

www.brianmurphylawfirm.com

From: Carmen Thomas [mailto:Carmen.Thomas@nelsonmullins.com]
Sent: Friday, February 24, 2012 2:13 PM
To: Quattlebaum, Derrick
Cc: brian@brianmurphylawfirm.com; brian.murphy@mindspring.com; Bill Foster; Diane Argabright
Subject: RE: ScanSource

Derrick,
We have been productive. ScanSource's update is below:

- 1) Protocol- I talked with Brian last Saturday and we made some headway. We revised his draft protocol and sent it to him late on Monday, 2/19/12. He sent a revised protocol to us this afternoon, so we're working through those changes. I hope to have something to you early next week.

- 2) TRO status- On 2/17/12 you described your position on the TRO status. The parties are in agreement with your position that the TRO does not expire in 10 days.
- 3) New contacts- Bill Foster in our Greenville office will be on this case now, switching out with Corky, and our paralegal also changed, so I've copied both of them on this email.

Please let us know if you have any questions. Thank you for your time and attention.

Carmen

Nelson Mullins

Carmen H. Thomas
Associate
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(View Bio)

From: Quattlebaum, Derrick [<mailto:dquattlebaum@hsblawfirm.com>]
Sent: Friday, February 24, 2012 10:29 AM
To: brian.murphy@mindspring.com; Carmen Thomas
Cc: Corky Harper; Diane Argabright
Subject: RE: ScanSource

Counsel,

I trust that you all have had a productive week. I would appreciate your providing me with an update.

Derrick

From: Brian Murphy [<mailto:brian.murphy@mindspring.com>]
Sent: Friday, February 17, 2012 8:16 AM
To: Quattlebaum, Derrick
Cc: Carmen Thomas; brian@brianmurphylawfirm.com; Corky Harper; Diane Argabright
Subject: Re: ScanSource

I think we can work it out. If what they are saying is true -- the a complete mirror is necessary to do the term search -- then, conceptually, I am not so much opposed to the mirroring process itself as I am concerned about what is done with the mirrors and how they are controlled/secured here in Greenville. We can work on that.

On 2/17/2012 8:10 AM, Quattlebaum, Derrick wrote:

As to your last question, the email was not an extension. I plan to be somewhat more formal when required to issue an order. I did intend to write an order yesterday and once again convince myself (as I had expressed when we met) that the TRO does not expire in 10 days. The rule reads as follows:

b) Temporary Restraining Order; Notice; Hearing; Duration. No temporary restraining order shall be granted without notice of motion for the order to the adverse party unless it clearly appears from specific facts shown by affidavit or by a verified complaint that immediate and irreparable injury, loss or damage will result to the applicant before notice can be served and a hearing had thereon. Every temporary restraining order granted without notice shall be endorsed with the date and hour of issuance; shall be filed forthwith in the clerk's office and entered of record; shall be served, together with a summons and complaint in the event no summons and complaint have previously been served in the action, upon the adverse party in accordance with the provisions of Rule 4; shall define the injury and state why it is irreparable and why the order was granted without notice; and shall expire by its terms within such time after entry, not to exceed 10 days, as the court fixes, unless within the time so fixed the order, for good cause shown, is extended for a like period or unless the party against whom the order is directed consents that it may be extended for a longer period. The reasons for the extension shall be entered of record. In case a temporary restraining order is granted without notice, the motion for a temporary injunction shall be set down for hearing at the earliest possible time and takes precedence of all matters except older matters of the same character; and when the motion comes on for hearing the party who obtained the temporary restraining order shall proceed with the application for a temporary injunction and, if he does not do so, the court shall dissolve the temporary restraining order. On two days' notice to the party who obtained the temporary restraining order without notice or on such shorter notice to that party as the court may prescribe, the adverse party may appear and move its dissolution or modification and in that event the court shall proceed to hear and determine such motion as expeditiously as the ends of justice require.

It is my understanding that there was not only notice, but the matter was briefed and there was an extensive hearing. I am happy to enter the order extending the TRO to the 28th but I do not think it necessary and I think it will place an unnecessary deadline on the resolution of this matter. While I hope to move to a quick resolution of the matter, I would prefer not to take action that may require us to go back to Judge Hill or the administrative judge. I am happy to discuss this further if you do not agree with my reading of the rule. Please let me know your position as soon as possible.

As to your question to me about what is being imaged as it relates to the protocol, I think they go hand in hand. It is my hope that you can consent on this issue. My decision on the scope of what is being imaged would necessarily determine the protocol. I would think that you both would want to be in agreement on that, if possible. Otherwise, as I see it, one of you is either going to have to incur expenses that you do not want to incur or you are going to lose some control of the process. Based on the progress report, it is clear that you all have made good progress and I would encourage you to continue your discussions. If a conference call today would be helpful please let me know.

From: Carmen Thomas [mailto:Carmen.Thomas@nelsonmullins.com]
Sent: Thursday, February 16, 2012 1:18 PM
To: Brian Murphy; Quattlebaum, Derrick
Cc: brian@brianmurphyllawfirm.com; Corky Harper; Diane Argabright
Subject: RE: ScanSource

Mr. Quattlebaum,

We will continue to work with Brian on the protocol with a goal of getting something together by the end of the weekend to get to you next week. One of the preliminary issues to doing this is your ruling on the scope of what is to be imaged--selective files or a complete mirror. Building on our discussion of this issue from the meeting on Tuesday, we addressed in detail our need for complete mirror images in Exhibit C to our progress report. The consultant from FTI can answer any other questions you may have about the need for a complete mirror image as the basis for the rest of the investigation. If you

would like to talk to him (we would of course include Brian on the call), we can set that up as soon as possible. Your decision on this question will clarify this point so that we can move forward with the protocol.

As to Brian's proposal for a "consent referral on the discovery issue," I'm not sure what he means, but I will check with him as soon as possible. As you both know, I'll be traveling for a few hours this afternoon and will be somewhat unavailable. We will make it work out.

Regarding the TRO's status, was your email an extension of the TRO until February 28th, or did we need to do something else for that to happen? Are you able to schedule a hearing on the preliminary injunction before then?

Thank you so much for your time on this case.

Carmen

From: Brian Murphy [mailto:brian.murphy@mindspring.com]

Sent: Wednesday, February 15, 2012 5:46 PM

To: Quattlebaum, Derrick

Cc: <brian@brianmurphyllawfirm.com>; Carmen Thomas; Corky Harper; Diane Argabright

Subject: Re: ScanSource

What if we submitted a consent referral on the discovery issue to Judge Hill? Then we don't have to worry about deadlines or limiting any orders to the notion of it being "injunctive" relief

Sent from my iPhone

On Feb 15, 2012, at 5:40 PM, "Quattlebaum, Derrick" <dquattlebaum@hsblawfirm.com> wrote:

Thank you for the progress report. I did not intend for my earlier response to Brian's request to send protocols tomorrow to be taken as a deadline. Although I have not had an opportunity to read the very detailed progress report, I get the sense that you are moving towards an agreement on most, if not all issues. I have been on a few firm retreats and would think that you would be jumping at the chance to work on something so as to avoid the day time activities. I do think it will be helpful to have a deadline next week for you to reach an agreement on protocol, if possible. I would encourage you to work on the protocols through the end of the week, perhaps with an eye towards getting something finalized by the end of the weekend. It is my understanding that I can extend the TRO by 10 days. That would give us until the 28th.

Derrick

From: Brian Murphy [mailto:brian.murphy@mindspring.com]

Sent: Wednesday, February 15, 2012 5:01 PM

To: 'Carmen Thomas'; Quattlebaum, Derrick; brian@brianmurphyllawfirm.com

Cc: 'Corky Harper'; 'Diane Argabright'

Subject: RE: ScanSource

I am fine with extending the deadline for submitting a joint or competing protocols to whatever date works best for Carmen. I don't know how long their retreats last, but I am out of town in depositions on both Monday and Tuesday.

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www.brianmurphyllawfirm.com

From: Carmen Thomas [<mailto:Carmen.Thomas@nelsonmullins.com>]

Sent: Wednesday, February 15, 2012 4:58 PM

To: Quattlebaum, Derrick; brian@brianmurphyllawfirm.com

Cc: Corky Harper; Diane Argabright

Subject: RE: ScanSource

Mr. Quattlebaum,

Yesterday Brian and I agreed that I would take the lead on the report. It is the progress report that I thought you wanted us to provide by 5:00 today. When I provided Brian with a copy this morning for his input, he responded by saying we needed to send you a protocol, which I took as something different than the progress report you requested. He did not consult with us before requesting the extended deadline to submit a protocol. We certainly are working toward the protocol. Unfortunately, I will be leaving for my firm's retreat early tomorrow, and thus will be unable to submit a proposed protocol to you then.

I believe the report we prepared captures the progress we made yesterday. I am sending you the report that I provided to Brian earlier, except that I've deleted a paragraph on which I had requested Brian's input, I added a comment where we had intended to insert an Exhibit A from Brian, and I inserted the content for ScanSource's two exhibits.

Please let us know if you have any questions. We will continue to move forward on the outstanding issues and protocol with Brian. Thank you for your time.

Very truly yours,

Carmen

Carmen Harper Thomas

Nelson Mullins Riley & Scarborough LLP

carmen.thomas@nelsonmullins.com

(803) 255-9385 o

(803) 255-5932 f

From: Brian Murphy [<mailto:brian.murphy@mindspring.com>]

Sent: Wednesday, February 15, 2012 2:48 PM

To: 'Quattlebaum, Derrick'; brian@brianmurphyllawfirm.com; Carmen Thomas

Cc: Corky Harper

Subject: RE: ScanSource

I think the protocol is the only thing on which we have not reached agreement yet. I am going to work on a draft to share with them. It may come down to each side submitting a proposal tomorrow and you deciding what to impose. But we made good progress on a number of issues, so maybe we can get this resolved as well.

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From: Quattlebaum, Derrick [<mailto:dquattlebaum@hsblawfirm.com>]

Sent: Wednesday, February 15, 2012 2:46 PM

To: brian@brianmurphyllawfirm.com; Carmen Thomas

Cc: corky.harper@nelsonmullins.com

Subject: RE: ScanSource

That would be fine. Can I assume that you have not made progress on the issue?

Derrick

From: Brian Murphy [<mailto:brian.murphy@mindspring.com>]

Sent: Wednesday, February 15, 2012 2:41 PM

To: Quattlebaum, Derrick; brian@brianmurphyllawfirm.com; 'Carmen Thomas'

Cc: corky.harper@nelsonmullins.com

Subject: RE: ScanSource

Derrick:

Can we submit proposed protocols to you tomorrow for the e-discovery?

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brian@brianmurphyllawfirm.com

www.brianmurphyllawfirm.com

From: Quattlebaum, Derrick [<mailto:dquattlebaum@hsblawfirm.com>]

Sent: Tuesday, February 14, 2012 5:10 PM

To: brian@brianmurphyllawfirm.com; Carmen Thomas

Cc: corky.harper@nelsonmullins.com

Subject: RE: ScanSource

Counsel,

I received one sealed box with 9 hardware devices inside according to the index taped to the box. I would like to receive a report on the progress made by the parties today on the pending motion for a Preliminary Injunction. Please have the report to me by tomorrow afternoon at 5:00 pm. After our conference this morning I reviewed the TRO and agree that it expires on Saturday, February 18. I believe that I can extend this time if necessary. I hope that you made good progress towards a resolution of the motion.

Derrick

From: Brian Murphy [<mailto:brian.murphy@mindspring.com>]

Sent: Tuesday, February 14, 2012 4:28 PM

To: Quattlebaum, Derrick; 'Carmen Thomas'

Cc: brian@brianmurphyllawfirm.com; corky.harper@nelsonmullins.com

Subject: RE: ScanSource

John is in my office right now. What we will bring by is the hardware that is being kept at your office until further order.

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From: Quattlebaum, Derrick [<mailto:dquattlebaum@hsblawfirm.com>]
Sent: Tuesday, February 14, 2012 3:56 PM
To: Carmen Thomas
Cc: brian@brianmurphylawfirm.com; corky.harper@nelsonmullins.com
Subject: ScanSource

My secretary received a call from John Harvey asking for directions to our office. He told her that he was bringing documents to me that he was not suppose to have. Are you aware of this and could you tell me what he is bringing?

Derrick

J. D. Quattlebaum
Haynsworth Sinkler Boyd, P.A.
75 Beattie Place (29601)
P.O. Box 2048
Greenville, SC 29602
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www.hsblawfirm.com

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=====

Brian Murphy

From: Quattlebaum, Derrick <dquattlebaum@hsblawfirm.com>
Sent: Thursday, April 05, 2012 11:40 AM
To: brian@brianmurphylawfirm.com; Bill Foster; Carmen Thomas
Cc: Tonya Macaulay
Subject: RE: Final Executed Protocol Document
Attachments: Greenville-840707-v3-Scansource v. Yelton 2nd redline order.DOC

Attached you should find the final, final version incorporating the suggested changes from Bill which Brian consented to below. I have substituted the new definition for Read Only. I would still like to know the answer to whether a copy can be made that cannot be searched. I would ask Bill to print off the original showing Brian's signature in blue and delivering a copy of the original to my office so that I can sign and file with the court.

Let me know when you can come pick up the box. I would like the same two people that brought the box to come pick it up.

Derrick

From: Brian Murphy [mailto:brian.murphy@mindspring.com]
Sent: Thursday, April 05, 2012 11:11 AM
To: Quattlebaum, Derrick; brian@brianmurphylawfirm.com; 'Bill Foster'; 'Carmen Thomas'
Cc: 'Tonya Macaulay'
Subject: RE: Final Executed Protocol Document

Confirmed. We can go with whatever you decide on the "read only" issue.

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(864) 241-1386 (fax)

brian@brianmurphylawfirm.com

www.brianmurphylawfirm.com

From: Quattlebaum, Derrick [mailto:dquattlebaum@hsblawfirm.com]
Sent: Thursday, April 05, 2012 11:06 AM
To: brian@brianmurphylawfirm.com; Bill Foster; Carmen Thomas
Cc: Tonya Macaulay
Subject: RE: Final Executed Protocol Document

Thank you both for your comments regarding my initial proposed order and the draft that was circulated yesterday incorporating revision in response to Brian's comments and comments from both parties

during the conference call on Tuesday. Because the parties have worked so hard to reach the agreement set forth in the proposed protocol order, I would suggest that we take this first step in addressing the matters that have been referred to me by Judge Hill.

With regard to the changes set forth in Bill's draft, I agree that they are not material except as to the "read only" image. I will admit that I have gotten mixed responses to my inquiries about whether it is possible to create a mirror image that is not searchable. I would like to hear what you find out from FTI or the Nelson Mullins internal IT folks about the possibility. Quite frankly, that was inserted for the benefit of Nelson Mullins so that it would be easy to establish that no changes had been made to this back-up mirror image. I am comfortable changing the "read only" to mean "shall not be searched and shall only be used for creating additional forensic images" as suggested by Bill.

I believe that Brian can confirm by e-mail since his electronic signature is already embedded on the document, and I will await a new original from Nelson Mullins containing their consent to the order.

I believe that Judge Hill's referral and the Defendants motion are straight forward and clear. However, if you feel the need to talk through this again I am free today.

I look forward to hearing from you soon.

Derrick

From: Brian Murphy [<mailto:brian.murphy@mindspring.com>]
Sent: Thursday, April 05, 2012 10:18 AM
To: 'Bill Foster'; Quattlebaum, Derrick; brian@brianmurphylawfirm.com; 'Carmen Thomas'
Cc: 'Tonya Macaulay'
Subject: RE: Final Executed Protocol Document

Derrick –

With respect to the changes Bill proposes in the actual redlines, I think they are minor and will not withhold consent if you adopt any or all of them.

Bill's comments in his email, however, raise two issues. As to the use injunction, you heard us plenty on that the other day and it is my strong opinion that issues of use or disclosure are matters for another day (and another motion) if their examination unearths evidence about which we are all unaware at this point. The pending motion was simply one for the return of and securing of information. Since your order does not address any use or disclosure claim, we need not delay entry of the order you circulated. I agree that Bill is free to file a motion for injunctive relief if he contends one is appropriate for use or disclosure.

On a related matter, however, Bill's comments may indicate that he and I have a different interpretation of the "hold in abeyance" language in the final paragraph. In terms of the pending motion, which was unquestionably referred to you, I understood that when I read it as meaning that you will hold the pending motion in abeyance (which does not seek any injunction for use or disclosure) pending outcome of all the searching and analysis. It may be that, after we learn what is on these devices, some further action is required to possessory issues.

If the "hold in abeyance" language is going to be seized upon to morph the pending motion into repeated requests for something else (i.e. use or disclosure), then I suggest we either clarify it or please note that I will be taking the position that such a request is, in fact, a separate motion, and the court should take jurisdiction. Again, this is not a commentary on your handling of this matter, which both sides appreciate. My consent to your final proposal should be at least some indication that we are satisfied with the process and outcome. However, as I stated on the phone, my client should not be required to have a private judge resolve all the disputes that appear to be on the drawing board because Defendant seeks to amend and transform its prior motion. If this is going to be a succession of requests for injunctive relief, the court needs to take control back of the case. I understood the reasons for the referral of this motion, and can't say I blame the court for doing what it did at the time. Having completed this stage, however, and with the parties now working more productively, I believe it is time for us to return to the normal procedure. Perhaps that is an argument better addressed to the Court, but I wanted you to know where I stood in terms of what that paragraph means. If that suggests to you we should have more conversation, I am happy to address this any time today or tomorrow.

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From: Bill Foster [<mailto:bill.foster@nelsonmullins.com>]
Sent: Wednesday, April 04, 2012 6:42 PM
To: Quattlebaum, Derrick; brian@brianmurphylawfirm.com; Carmen Thomas
Cc: Tonya Macaulay
Subject: RE: Final Executed Protocol Document

Attached please see our very minor redlines and comments on the proposed Consent Order.

As drafted in terms of the protocol, our only material issue relates to the specification that the second "read only" forensic image. We fully agree with this in concept, but a bit worried that a "read only" copy that "cannot be searched", would also be incapable of producing additional copies. We think it may be better to simply state the Read Only Image "shall not be searched and shall only be used for creating additional Forensic Images..."

Our remaining redlines are not substantive or material.

However, we have also included a comment addressing Brian's objection to the proposed Consent Order Granting Defendant's Motion for Preliminary Injunction. Rather than repeating the comment verbatim here, please allow us to respond to his email from yesterday on this specific point:

1. An order granting their motion. I am willing to do an order binding the client to do certain things, but cannot consent to the notion that they are entitled to any injunctive relief. I have agreed with opposing counsel that their agreement to the terms of this

order as a consent order is without prejudice to their right to file a subsequent motion if they believe they have obtained sufficient evidence to warrant injunctive relief. The long and short of this is that Defendant obtained: (1) an agreement that greatly expedites discovery it sought and Plaintiff disclosed and went far beyond any relief ordered; and (2) a process that assures that any confidential information that Plaintiff did possess has been secured. If Plaintiff's cooperation to facilitate discovery and address concerns are going to be turned into a granting of injunctive relief, Plaintiff will not consent.

As we all know, Judge Hill's Order of Reference expressly provides that the Special Referee shall "rule upon the equitable issue of Preliminary Injunction" as well as "address the the identity and form of disclosure of Confidential Information" (the latter being addressed by the protocol), and the inclusion of the same provisions of equitable relief set forth in Judge Hill's TRO simply carries forward the parties' agreement to date that Judge Hill's TRO would remain in place to preserve the status quo. To not address the issue of preliminary injunctive relief now would partially ignore the purpose of the reference.

Judge Hill already ruled that ScanSource had shown that a TRO was appropriate and ordered that Mr. Yelton return all "Confidential Information" (as defined by Judge Hill by reference to the Employment Agreement, the Code of Ethics, the Trade Secret Act and SC law) in his possession. The language of the proposed Consent Order is entirely consistent with that finding and causes no harm to Mr. Yelton. Indeed, it preserves his right to dispute whether any given information is, indeed, "Confidential Information."

As Brian correctly notes, the parties and the Special Referee have labored in good faith over the "protocol" for the return of Confidential Information, but ScanSource is not obtaining anything (in the proposed Order Granting Preliminary Injunction) that hasn't been ordered by the Court nor have we been advantaged in the process more than Mr. Yelton. The streamlining of the ediscovery process is every bit to Mr. Yelton's advantage as it is to ScanSource.

Further, the suggested inclusion of language providing that Mr. Yelton will "make no use of ScanSource's Confidential Information (as defined in Judge Hill's Order)" is well within the original request for injunctive relief, which seeks "[a]ny other and further relief as the Court may deem just and equitable." I don't believe Mr. Yelton disputes that he has no right to use such information and since he has returned any form of that information he had, this additional provision would merely give ScanSource the assurance that he will not do so during the pendency of this case and hopefully obviate the need for a new motion and hearing.

Finally, since Mr. Yelton remains free to challenge whether any specific information is in fact Confidential Information, it is hard to see how this presents any trap for the unwary going forward.

Anyway, as noted in our comments, the above may be a matter for another day (or another Order).

Best regards,

Nelson Mullins

William H. Foster

Partner

bill.foster@nelsonmullins.com

Nelson Mullins Riley & Scarborough LLP

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(View Bio)

From: Quattlebaum, Derrick [<mailto:dquattlebaum@hsblawfirm.com>]

Sent: Wednesday, April 04, 2012 4:05 PM

To: Bill Foster; brian@brianmurphylawfirm.com; Carmen Thomas

Cc: Tonya Macaulay

Subject: RE: Final Executed Protocol Document

Clean version in Word.

Derrick

From: Bill Foster [<mailto:bill.foster@nelsonmullins.com>]

Sent: Wednesday, April 04, 2012 4:00 PM

To: Quattlebaum, Derrick; brian@brianmurphylawfirm.com; Carmen Thomas

Cc: Tonya Macaulay

Subject: RE: Final Executed Protocol Document

Derrick, I agree with Brian that we are (mostly) there.

Would it be a bother to get a word version of the "clean final" so I can stick a question/comment or 2 in there? Won't be big stuff, but may make it easier to discuss and resolve that way, and if we go from the "clean" version, my redlines won't blend in.

Thanks.

From: Quattlebaum, Derrick [<mailto:dquattlebaum@hsblawfirm.com>]

Sent: Wednesday, April 04, 2012 9:38 AM

To: Bill Foster; brian@brianmurphylawfirm.com; Carmen Thomas

Cc: Tonya Macaulay

Subject: RE: Final Executed Protocol Document

I have attached a revised order that I believe reflects the agreement reached by the parties except as to my changes relating to possession of the Devices and mirror images. Please let me know if there is need for further discussion. If not, please confirm your consent to the agreement.

Derrick

From: Bill Foster [<mailto:bill.foster@nelsonmullins.com>]
Sent: Tuesday, April 03, 2012 12:38 PM
To: Quattlebaum, Derrick; brian@brianmurphyllawfirm.com; Carmen Thomas
Cc: Tonya Macaulay
Subject: RE: Final Executed Protocol Document

Sure

888-543-4442 and code 864-250-2222

From: Quattlebaum, Derrick [<mailto:dquattlebaum@hsblawfirm.com>]
Sent: Tuesday, April 03, 2012 11:44 AM
To: brian@brianmurphyllawfirm.com; Bill Foster; Carmen Thomas
Cc: Tonya Macaulay
Subject: RE: Final Executed Protocol Document

Lets start at 1:15. I did not intend to change the scope of Judge Hill's order or your agreement except as to possession and preservation of the materials. Knowing that we have never had a brief conversation, I think we can get through this in less that 45 minutes. Bill, can we use your call in number?

Derrick

From: Brian Murphy [<mailto:brian.murphy@mindspring.com>]
Sent: Tuesday, April 03, 2012 11:37 AM
To: Quattlebaum, Derrick; 'Bill Foster'; brian@brianmurphyllawfirm.com; 'Carmen Thomas'
Cc: 'Tonya Macaulay'
Subject: RE: Final Executed Protocol Document

That's fine. I have a 2:00. I think we may need all of that time. Derrick – the parties worked hard to reach terms of a consent order. We understood the changes you discussed regarding possession of materials. The final changes have far more implications and, to be honest, I don't believe we can do this as a consent order because I may need to preserve my client's rights.

At the TRO hearing, Judge Hill was clear as to what he was denying. I went beyond what was ordered and, in good faith, reached an agreement with Defendants to move this along. I was willing to do so on a consent basis with the notion that the issues were being resolved. The proposed changes leaves issues open, suggests that Defendants proved an entitlement to injunctive relief, which they have never come close to doing.

We can discuss this in more detail at 1:15, but I wanted to alert you that there are going to be some serious concerns at least from my camp.

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Greenville, SC 29601
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(864) 241-1386 (fax)

brian@brianmurphyfirm.com

www.brianmurphyfirm.com

From: Quattlebaum, Derrick [<mailto:dquattlebaum@hsblawfirm.com>]
Sent: Tuesday, April 03, 2012 11:31 AM
To: Bill Foster; brian@brianmurphyfirm.com; Carmen Thomas
Cc: Tonya Macaulay
Subject: RE: Final Executed Protocol Document

Can we start at 1:15?

Derrick

From: Bill Foster [<mailto:bill.foster@nelsonmullins.com>]
Sent: Tuesday, April 03, 2012 11:24 AM
To: Quattlebaum, Derrick; brian@brianmurphyfirm.com; Carmen Thomas
Cc: Tonya Macaulay
Subject: RE: Final Executed Protocol Document

Is 1 PM still good for you guys?

From: Quattlebaum, Derrick [<mailto:dquattlebaum@hsblawfirm.com>]
Sent: Monday, April 02, 2012 9:31 AM
To: brian@brianmurphyfirm.com; Carmen Thomas
Cc: Bill Foster; Tonya Macaulay
Subject: RE: Final Executed Protocol Document

Tuesday is fine.

Derrick

From: Brian Murphy [<mailto:brian.murphy@mindspring.com>]
Sent: Friday, March 30, 2012 5:48 PM
To: 'Carmen Thomas'; Quattlebaum, Derrick;
brian@brianmurphylawfirm.com
Cc: 'Bill Foster'; 'Tonya Macaulay'
Subject: RE: Final Executed Protocol Document

The only thing I have Tue is 1 or late (5 or after). Monday is wide open. I move to sanction Carmen. Foster, you with me?

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From: Carmen Thomas
[<mailto:Carmen.Thomas@nelsonmullins.com>]
Sent: Friday, March 30, 2012 5:30 PM
To: Quattlebaum, Derrick; brian@brianmurphylawfirm.com
Cc: Bill Foster; Tonya Macaulay
Subject: RE: Final Executed Protocol Document

Derrick,
We are conferring about a time to talk on Monday or Tuesday, but probably Tuesday at this point.

The Consent Confidentiality Order is attached.

I also attached a protocol certification based on the Confidentiality Order certification.

Our delay in responding is due to my travels, court appearances, and getting the information about the duplicate imaging costs. It should not be cost prohibitive to create a duplicate image.

Have a good weekend. Thanks!

Carmen

From: Quattlebaum, Derrick
[mailto:dquattlebaum@hsblawfirm.com]
Sent: Friday, March 30, 2012 11:22 AM
To: brian@brianmurphylawfirm.com; Bill Foster
Cc: Carmen Thomas
Subject: RE: Final Executed Protocol Document

All,

While I am waiting on a copy of the Consent Confidentiality Order as well as the draft of an Acknowledgement to our order that I understood Nelson Mullins would draft based on the Attachment to the Consent Scheduling Order, I wanted to go ahead and get to you for your consideration a draft of your consent order with my revisions. I am attaching a redline version and a clean copy.

As we discussed, the main change to your document is to change the holder of the Devices and the mirror images. Since counsel for both parties are officers of the court, the Devices and mirror images will be just as safe in your possession. Additionally, since you each will have separate images (Brian will have the original devices and Nelson Mullins will have the mirror images) this should be safeguard enough.

I would like to have a conference call to discuss my changes which I do not see as substantial apart from the above. Please confer and then one of you let me know a time next Monday or Tuesday when we can have a call.

Derrick

From: Brian Murphy
[mailto:brian.murphy@mindspring.com]
Sent: Monday, March 19, 2012 10:04 AM
To: Quattlebaum, Derrick; 'Bill Foster'
Cc: brian@brianmurphylawfirm.com; 'Carmen Thomas'
Subject: RE: Final Executed Protocol Document

Here it is without Foster's signature. Wed a.m. works for me.

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brian@brianmurphylawfirm.com

www.brianmurphylawfirm.com

From: Quattlebaum, Derrick
[mailto:dquattlebaum@hsblawfirm.com]
Sent: Monday, March 19, 2012 9:49 AM
To: Bill Foster
Cc: brian@brianmurphylawfirm.com; Carmen Thomas
Subject: RE: Final Executed Protocol Document

Counsel,

Could I get a copy of this order in Word? Also, I have a few questions about the order that I would like to talk through with you so that I am clear on what the protocol is. Wednesday morning would be the best time for me. Please let me know if you are available then. Thanks.

Derrick

From: Bill Foster
[mailto:bill.foster@nelsonmullins.com]
Sent: Friday, March 16, 2012 5:50 PM
To: Quattlebaum, Derrick
Cc: brian@brianmurphylawfirm.com; Carmen Thomas
Subject: Final Executed Protocol Document

Derrick, attached for your review please find the parties' proposed Consent Order on Protocol.

If the Consent Order meets with your approval, we'd ask that you execute same and cause it to be filed with the clerk (or return it to me, and I will see that it is done). Of course, should you have any questions, concerns or suggested changes, please don't hesitate to let me know.

With best regards,

Nelson Mullins

William H. Foster

Partner

bill.foster@nelsonmullins.com

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necessarily entail additional investigations, analysis and conclusions on our part.

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Brian Murphy

From: Bill Foster <bill.foster@nelsonmullins.com>
Sent: Monday, October 01, 2012 5:47 PM
To: Quattlebaum, Derrick; brian@brianmurphyllawfirm.com
Cc: Carmen Thomas
Subject: RE: Yelton v. Scansource

Will do.

From: Quattlebaum, Derrick [<mailto:dquattlebaum@hsblawfirm.com>]
Sent: Monday, October 01, 2012 5:44 PM
To: Bill Foster; brian@brianmurphyllawfirm.com
Cc: Carmen Thomas
Subject: Re: Yelton v. Scansource

Let's do 2:30 on Wednesday. Will you all call me. Thanks.

J. Derrick Quattlebaum
Haynsworth Sinkler Boyd, P.A.

-HSB-

From: Bill Foster <bill.foster@nelsonmullins.com>
To: Quattlebaum, Derrick; brian@brianmurphyllawfirm.com <brian@brianmurphyllawfirm.com>
Cc: Carmen Thomas <Carmen.Thomas@nelsonmullins.com>
Sent: Mon Oct 01 11:59:19 2012
Subject: RE: Yelton v. Scansource

Derrick, we are all fine for a call anytime Wednesday after 2 PM Wednesday.

Safe travels.

Nelson Mullins

William H. Foster

Partner

bill.foster@nelsonmullins.com

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(View Bio)

From: Quattlebaum, Derrick [<mailto:dquattlebaum@hsblawfirm.com>]
Sent: Friday, September 28, 2012 2:34 PM
To: Bill Foster; brian@brianmurphyllawfirm.com
Cc: Carmen Thomas
Subject: Yelton v. Scansource

I would like to have a conference call to address the preliminary injunction motion and the protocol for Brian's review of the documents. I will be in Atlanta Monday and Tuesday. Would Wednesday afternoon or Thursday any time work for you all? Please discuss among yourselves and let me know a day and time that suits both sides. Feel free to exclude me from your discussions on the date and time.

Derrick

J. Derrick Quattlebaum | Attorney | Haynsworth Sinkler Boyd, P.A.

75 Beattie Place, 11th Floor (29601) | Post Office Box 2048 (29602) | Greenville, South Carolina
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Brian Murphy

From: Bill Foster <bill.foster@nelsonmullins.com>
Sent: Monday, October 08, 2012 1:24 PM
To: dquattlebaum@hsblawfirm.com
Cc: brian@brianmurphyfirm.com; Carmen Thomas
Subject: order granting preliminary injunction (whf draft 10.5).docx
Attachments: order granting preliminary injunction (whf draft 10.5).docx

Derrick,

Attached please find our draft Order re ScanSource's Motion for Preliminary Injunction. Although we are certainly prepared to do so if you so require, we have tried to avoid a lengthy recitation of the evidence and arguments in this draft. Please let us know if you require any additions, changes or further information.

By copy of this email, we are providing Plaintiff with a copy of this draft Order.

Nelson Mullins

William H. Foster

Partner

bill.foster@nelsonmullins.com

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avoid penalties under the Internal Revenue Code will
necessarily entail additional investigations, analysis and
conclusions on our part.

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STATE OF SOUTH CAROLINA	)	
	)	IN THE COURT OF COMMON PLEAS
COUNTY OF GREENVILLE	)	JUDICIAL CIRCUIT
Jeff Yelton,	)	Civil Action No. 2012-CP-23-0314
	)	
Plaintiff,	)	
	)	
	)	ORDER
vs.	)	
	)	
	)	
ScanSource, Inc.,	)	
	)	
Defendant.	)	

This matter is before the Special Referee on Motion by Defendant ScanSource, Inc. ("ScanSource") for a Preliminary Injunction. After allowing additional discovery at the request of Plaintiff and entertaining all submissions and arguments from both parties, including ScanSource's original Motion and supporting affidavits, the affidavits of ScanSource's forensic investigator, Dean Gaida, and the briefs and replies of both parties on the issue of preliminary injunctive relief, the Special Referee finds preliminary injunctive relief is appropriate in this case. Accordingly, ScanSource's Motion is hereby granted.

Preliminary injunctive relief is appropriate where a party demonstrates that it: (1) would suffer irreparable harm if the injunction is not granted; (2) will likely succeed on the merits of the litigation; and (3) has no adequate remedy at law. *See Scratch Golf Co. v. Dunes West Residential Golf Props.*, 361 S.C. 117, 603 S.E.2d 905 (2004). Preliminary injunctive relief may be granted in appropriate cases to preserve the status quo and prevent potential irreparable harm pending a trial upon the merits. *See S.C.R.C.P. 65; Powell v. Immanuel Baptist Church*, 261 S.C. 219, 199 S.E.2d 60 (1973); *Peek v. Reg'l Healthcare Sys.*, 367 S.C. 450, 626 S.E.2d 34 (Ct. App. 2005). ScanSource has established that it is entitled to such relief.

ScanSource has demonstrated that it faces the very real threat of irreparable harm absent continued injunctive relief by virtue of the threatened use or disclosure of its confidential, trade secret and proprietary information. Although Plaintiff has assured the Special Referee that all such information has been returned pursuant to the Court's February 8, 2012 Temporary Restraining Order, the evidence strongly suggests that this claim is at the very least in doubt and that the requested injunctive relief is necessary to protect ScanSource and to preserve the status quo pending a trial upon the merits.

ScanSource has also demonstrated a likelihood of success on the merits of its claim for injunctive relief. Plaintiff is clearly bound not to use or disclose ScanSource's proprietary information pursuant to the parties' agreements and South Carolina law, and Plaintiff has no right to make any use or disclosure of this information.

Finally, absent injunctive relief, ScanSource has no adequate remedy at law given that once ScanSource's confidential information or trade secrets are improperly used or disclosed, it will be difficult if not impossible to rectify the loss by monetary damages. *Transcontinental Gas Pipeline Corp. v. Porter*, 252 S.C. 478, 481, 167 S.E.2d 313, 315 (1969) ("Irreparable harm is present where an injunction 'is reasonably necessary to protect the legal rights of the plaintiff pending the litigation.'").

THEREFORE, Defendant's Motion for Preliminary Injunction is **GRANTED**.

IT IS FURTHER ORDERED THAT:

- 1) Plaintiff, and all those acting in concert and active participation with him, shall be prohibited from directly or indirectly contacting any ScanSource employee to provide Plaintiff with Confidential Information.
- 2) Plaintiff, and all those acting in concert and active participation with him, shall be prohibited from directly or indirectly contacting any vendor or customer of ScanSource to provide Plaintiff with Confidential Information.

- 3) Plaintiff is required to immediately return to ScanSource any Confidential Information in his possession, custody or control, including, but not limited to any and all documents, materials, or electronic media containing Confidential Information, including all copies thereof, and eliminating any and all access to the property or information via any Dropbox or other online or cloud accounts. Any disputes regarding the identity of Confidential Information or the form of its return may be decided by the Special Referee.
- 4) Within 48 hours of the entry of this Order, Plaintiff shall identify to the Special Referee and ScanSource all computer systems and data storage devices of any kind, including third party-operated personal accounts such as Drop Box or other accounts with cloud based servers or the like, to which Plaintiff has had access, directly or indirectly, since December 16, 2011, for the purposes of submitting same to inspection and verification pursuant to the Consent Protocol.
- 5) Plaintiff and all those acting in concert and active participation with him is prohibited from directly or indirectly using, disclosing, or transmitting any ScanSource Confidential Information.
- 6) For purposes of this Order, Confidential Information is defined as set forth in the Court's February 8, 2012, Temporary Restraining Order.

This Order shall remain in effect during the pendency of this action, and until a further order of the Court:

IT IS SO ORDERED.

J.D. Quattlebaum
Special Referee

October _____, 2012

Brian Murphy

From: Quattlebaum, Derrick <dquattlebaum@hsblawfirm.com>
Sent: Tuesday, October 16, 2012 2:17 PM
To: Bill Foster
Cc: Carmen Thomas; brian@brianmurphylawfirm.com
Subject: RE: order granting preliminary injunction (whf draft 10.5).docx

Thank you. I do not need for you to provide a more detailed response to Brian's email.

J. Derrick Quattlebaum | Attorney | Haynsworth Sinkler Boyd, P.A.

75 Beattie Place, 11th Floor (29601) | Post Office Box 2048 (29602) | Greenville, South Carolina
Phone: 864.240.3200 | Fax: 864.240.3300 | Direct: 864.240.3249 | Mobile: 864.414.4092

From: Bill Foster [mailto:bill.foster@nelsonmullins.com]
Sent: Tuesday, October 16, 2012 2:11 PM
To: Quattlebaum, Derrick
Cc: Carmen Thomas; brian@brianmurphylawfirm.com
Subject: RE: order granting preliminary injunction (whf draft 10.5).docx

Derrick,

We of course object to this attempt to again "re-litigate" issues that have fully been briefed, argued and ruled upon.

Plaintiff is trying to present the results of initial "key word" searches as something they are not and, once again, asking the Special Referee to change his ruling after the fact. ScanSource respectfully submits that Plaintiff's argument is exaggerated, inaccurate and misplaced.

However, we remain sensitive to the Special Referee's stated desire to avoid protracted email debates and will refrain from responding at length unless you indicate a need for us to do so.

Nelson Mullins

William H. Foster

Partner

bill.foster@nelsonmullins.com

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(View Bio)

From: Brian Murphy [mailto:brian.murphy@mindspring.com]
Sent: Tuesday, October 16, 2012 12:42 PM

To: 'Quattlebaum, Derrick'; Bill Foster
Cc: brian@brianmurphyfirm.com; Carmen Thomas
Subject: RE: order granting preliminary injunction (whf draft 10.5).docx

Derrick: I am getting ready to head to Greenwood for a DEW hearing, but I'll try to respond to your precise question tomorrow. While we are at this stage though, I need to raise an issue. We have just a few questions pending that FTI is looking into. What I anticipate at this point is to release every file without objection (although we will be designating some documents as confidential). There is one issue about hex strings, which hopefully will not be a problem. Before any injunction is finalized, we should be heard on the results of this search.

The search results appear to be significant in that many of the assumptions being made in Defendant's representations and arguments regarding flash drive analysis appear to be incorrect. As we said from the outset of this case, the searches may likely turn up evidence that documents at one time existed, but we do not believe there would be evidence to substantiate Defendant's theories. That appears to be exactly what has happened.

For example:

1. With respect to the "Bottom 1000" list, the only apparent copy that we see did not come from Jeff's computer, but rather from a deleted zip backup file from the backup drive that was deleted at some point.
2. With respect to QBR's, there is no Motorola QBR. There were copies of the Intermec and Honeywell QBR's on the backup drive. However, it appears clear that they were never accessed after Jeff's employment ended. And it does not appear they were accessed on his laptop (or any other computer). There are no files being modified or accessed on the date that Mr. Gaida claims that the fabled "QBR drive" was plugged into his laptop. To the extent Defendant can show that a particular flashdrive once had QBR's on them, either they have the wrong flashdrive or it did not apparently have QBR's or any other confidential data on it on January 17.

Had any of these documents been unzipped and opened, the modified date would show, but the last date noted for the Bottom 1000 list was the date of the zip backup in early January (which captured hundreds of documents -- this is probably a backup of the work files that used to exist in the dropbox). Even more significantly, the last date shown for the two QBR's that were deleted at some point is **December 12, 2012 -- BEFORE Plaintiff's termination**. In other words, even with respect to the deleted backup and December files, there appears to be no evidence Jeff ever accessed or used the documents at any relevant time. There is no apparent evidence that he used these files on his computers, or even opened or viewed them on his computers. And, quite clearly, they no longer exist.

Defendant should be given a chance to review the results, but that should not take long. Jeff did it all in about a work day. While the number of files is great, there is a substantial amount of mis-hits, innocuous stuff, and personal documentation. From what I can tell, there is absolutely no evidence that Jeff used or disclosed any confidential data. To the contrary, the evidence appears to be supporting his version as to what transpired:

I would agree to keep the TRO in place while this issue remains open. It would be a gross injustice, and a costly one in terms of additional fees and costs, to grant an injunction based on a "showing" that appears to be clearly refuted by the best evidence available to us at this time. Again, this should not take long to review or present. I hope to have answers from FTI today. If it takes longer, maybe we can work out a way to release the 99.9% of documents not at issue so Nelson Mullins can evaluate ASAP.

Please support the Brian Murphy Law Firm virtual toy drive, benefiting the young patients at Greenville's Children's Hospital. We will match the first \$5,000 pledged through October 2012.

<http://www.virtualtoydrive.org/home.php?sponsor=333>

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From: Quattlebaum, Derrick [<mailto:dquattlebaum@hsblawfirm.com>]
Sent: Tuesday, October 16, 2012 10:55 AM
To: brian.murphy@mindspring.com; Bill Foster
Cc: brian@brianmurphylawfirm.com; Carmen Thomas
Subject: RE: order granting preliminary injunction (whf draft 10.5).docx

Brian,

Could you address the "cost and damages as may be incurred or suffered by [Mr. Yelton]" should it later be determined that he was "wrongfully enjoined or restrained." I am interested in both the type and amount. Thank you.

Derrick

J. Derrick Quattlebaum | Attorney | Haynsworth Sinkler Boyd, P.A.

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From: Brian Murphy [<mailto:brian.murphy@mindspring.com>]
Sent: Monday, October 08, 2012 1:59 PM
To: Bill Foster
Cc: Quattlebaum, Derrick; brian@brianmurphylawfirm.com; Carmen Thomas
Subject: Re: order granting preliminary injunction (whf draft 10.5).docx

Derrick:

It is not my intent to repeat all of the arguments previously made. I do need to address the relief requested, which not only transcends the bounds of what Defendant stipulated was at issue, but also the Motion itself.

Re para 2: In terms of contacting vendors or customers, this allegation has nothing to do with this case and, as we have already explained, if a vendor or customer provides information, it's not ScanSource proprietary information.

Re para 3: In addition to the arguments we have already made, this paragraph does not address the fact that ScanSource willingly permitted Plaintiff to copy certain files.

Re para 4: It would be absolutely impossible for any human being to be able to remember every single "computer system" or "data storage device" to which they had access over a ten month period. Moreover, the consent protocol has no provision for searching cloud services. The systems Plaintiff now uses contain considerable amounts of attorney-client privileged information. We cannot simply turn them over for Defendant's inspection. On that point - are we going to go back and re-do everything we have already done? We have not even concluded the first computer review, and Defendant wants to do it again? Please take no offense to this. Though I disagree with your decision to grant injunctive relief, I know you are doing what you think is right and I am sure the time you spent is what you consider to be reasonable. But if this is going to be a series of continual searches like the ones we have done, Plaintiff simply cannot agree to continue down this path and incur another \$4,000 or so in special referee fees when there is no end in sight.

Finally, given Defendant's arguments, an order such as this would require a substantial bond.

On 10/8/2012 1:24 PM, Bill Foster wrote:

Derrick,

Attached please find our draft Order re ScanSource's Motion for Preliminary Injunction. Although we are certainly prepared to do so if you so require, we have tried to avoid a lengthy recitation of the evidence and arguments in this draft. Please let us know if you require any additions, changes or further information.

By copy of this email, we are providing Plaintiff with a copy of this draft Order.

Nelson Mullins

William H. Foster

Partner

bill.foster@nelsonmullins.com

Nelson Mullins Riley & Scarborough LLP

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(View Bio)

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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

J. D. Quattlebaum, Special Referee

Appellate Case No. 2012-213453

2012-CP-23-0314

Jeff Yelton, ... Appellant,

v.

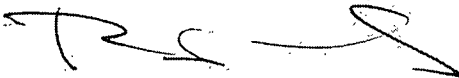
ScanSource, Inc., ... Respondent.

CERTIFICATE OF COUNSEL

The undersigned hereby certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material.

Respectfully submitted,

March 29, 2013



Brian P. Murphy
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Attorneys for Appellant

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

J. D. Quattlebaum, Special Referee

Appellate Case No. 2012-213453

2012-CP-23-0314

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APR 08 2013

SC Court of Appeals

Jeff Yelton, ...Appellant,

v.

ScanSource, Inc., ...Respondent.

Proof of Service

The Undersigned hereby certifies that, on the date indicated below, he served counsel for Respondent with a copy of *the Record on Appeal* by providing an electronic link to the same per prior agreement among counsel:

Carmen Thomas
Nelson, Mullins, Riley & Scarborough
Carmen.Thomas@nelsonmullins.com

Respectfully submitted,



March 29, 2013

Brian P. Murphy