



U.S. Department of Justice

***United States Attorney
Southern District of New York***

*The Silvia J. Mallo Building
One Saint Andrew's Plaza
New York, New York 10007*

August 19, 2004

**Calyx Internet Access
13 Laight Street
New York, NY 10013
Phone: (212) 966-1900
Fax: (212) 637-2362**

Re: Grand Jury Subpoena

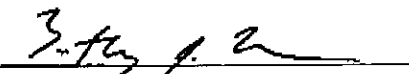
Please be advised that the accompanying grand jury subpoena has been issued in connection with an official criminal investigation of a suspected felony being conducted by a federal grand jury. The Government hereby requests that you voluntarily refrain from disclosing the existence of the subpoena to any third party. While you are under no obligation to comply with our request, we are requesting that you do not make any disclosure in order to preserve the confidentiality of the investigation and because disclosure of the investigation might interfere with and impede the investigation.

Moreover, if you intend to disclose the existence of this subpoena to a third party, please let me know before making any such disclosure.

Thank you for your cooperation in this matter.

Very truly yours,

**DAVID N. KELLEY
United States Attorney**

By: 
**Timothy J. Treanor
Assistant United States Attorney
Telephone: (212) 637-2362**

Grand Jury Subpoena 0106

United States District Court

SOUTHERN DISTRICT OF NEW YORK

TO:

Calyx Internet Access
13 Laight Street
New York, NY 10013
Phone: (212) 966-1900
Fax: (212) 637-2362 - 511-3629

GREETINGS:

WE COMMAND YOU that all and singular business and excuses being laid aside, you appear and attend before the GRAND JURY of the people of the United States for the Southern District of New York, at the United States Courthouse, Foley Square (40 Centre Street), Room 209, in the Borough of Manhattan, City of New York, New York, in the Southern District of New York, at the following date, time and place:

August 31, 2004

10:00 A.M.

Appearance Date:

Appearance Time:

to testify and give evidence in regard to an alleged violation of:

Title 18 U.S.C. § 594

and not to depart the Grand Jury without leave thereof, or of the United States Attorney, and that you bring with you and produce at the above time and place the following:

SEE ATTACHED RIDER

NB: Personal appearance is not required if requested documents are provided. Please provide results to United States Secret Service Special Agent Robert Graves. The contact number for SA Graves is (718) 840-1259.

Failure to attend and produce any items hereby demanded will constitute contempt of court and will subject you to civil sanctions and criminal penalties, in addition to other penalties of the Law.

DATED: ~~New York, New York~~ **August 19, 2004**

David N. Kelley
DAVID N. KELLEY

United States Attorney for the
Southern District of New York

Timothy J. Treanor
Timothy J. Treanor

J. Michael McMahon
CLERK

Assistant United States Attorney
One St. Andrew's Plaza
New York, New York 10007

Telephone: (212) 637- 2362

RIDER

Any and all subscriber information and/or registration information including, but not limited to, name, billing records, account contact information (name, address and phone number) of the following:

IP address: 216.82.161.253

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Additionally, advise if the posting was not made from an external source and was made internally by any employee of Calyx Internet Access, 13 Laight Street, New York, NY 10013. Provide any and all information about the source of the internal posting, including name, identifiers, employment records and any contact information.