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September 20, 2019

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Re: Spectrum Report – Analysis of International Outdoor PC of L. Oram and Company Server

Pursuant to the PROTECTIVE ORDER IN THE CIRCUIT COURT FOR OAKLAND COUNTY IN THE BUSINESS COURT (the "Order"), dated July 3, 2019, Spectrum is producing this expert report.

In this Order, Spectrum was to inspect the computer used by Latif "Randy" Oram and any servers to which it was attached and used during, but not limited to, the period of July 2016 to July 2018 at International Outdoor. In addition, "(a)fter the inspection, Spectrum can identify any documents or information found during its inspection and imaging that it reasonably believes are relevant to the issues raised in the May 30, 2019 affidavit of Patrick Depa, which was attached to Lamar and Simply Self Storage's June 6, 2019 Motion for Relief from Judgment under MCR 2.612(C)( ) (c). Spectrum's identification cannot include any communications between International Outdoor and its counsel, Potter, DeAgostino O'Dea & Patterson. Spectrum can provide a brief description of the relevant documents or information it found to all counsel of record."

In my understanding of Spectrum's engagement in the context of the Order, the objectives of my analysis would be to locate drafts, derivative documents, and the final version or versions of the

document at the center of the litigation. This is the document produced by Defendant Latif "Randy" Oram and presented as the lease-renewal document for the Simply Storage location at 1096 Doris Road in Auburn Hills, Michigan. This document was ostensibly mailed to the lessor, SS MITX, at the end of 2013, on or around December 20, based on the date that appears on that document.

*\* Beyond scope of P.O.*

It is Spectrum's understanding that no check was ever mailed to the lessor, so a cancelled check could not exist to evidence payment. It is also my understanding that L. Oram claims that the lease renewal was mailed, but did not utilize any mail service that would evidence either delivery or receipt. As such, between the lack of (i) a cancelled check (as it was never mailed) and (ii) a certified mail or similar delivery receipt, there is no physical evidence to support the delivery of the renewal. *These are not attested to in P. Depa's affidavit.*

*How does Spectrum know?*

This, then, leads, at least in part, to the May 30, 2019 affidavit of Patrick Depa in which he states that L. Oram simply created this lease-renewal document in the summer of 2016. It is not clear to me at this juncture what issues arose at this time, ones related to this property, but they must have evidenced that the lessor did not have the lease renewal International Outdoors claimed it had sent.

*Cannot make this conclusion as he is speculating at best*

The circumstances described in Patrick Depa's affidavit provides two avenues to determine the authenticity of the lease renewal document (the "Lease Renewal").

*is this true?*

First and foremost, Spectrum reviewed the contents of the hard drive in the computer presented on July 26, 2019 as being the one used by L. Oram during the time presented in Depa's affidavit. Spectrum also analyzed the data present on the server used at International Outdoors.

More specifically, Spectrum reviewed the available data captured at International Outdoors for any documents, including email and attachments, that would include keywords present in the document claimed to have been sent in 2013. Such terms included MITX, Doris, Lease, etc.

*Inspection*  
①  
②

Second and perhaps equally important, Spectrum analyzed the available data to locate documents from the summer of 2016 that contained keywords from the ostensible lease-renewal document.

Some level of complication is introduced in the effort to identify potentially relevant documents. This is a result of the similarity in names of many storage companies. The one at the focus of Spectrum's analysis is:

- Simply Storage / SS MITX with a mailing address in Orlando, Florida.

→ why not Texas like  
pat refers to in  
Affidavit

There also is a "Simply Self Storage". The search terms used by Spectrum reduced or otherwise eliminated any issues with these similar company names.

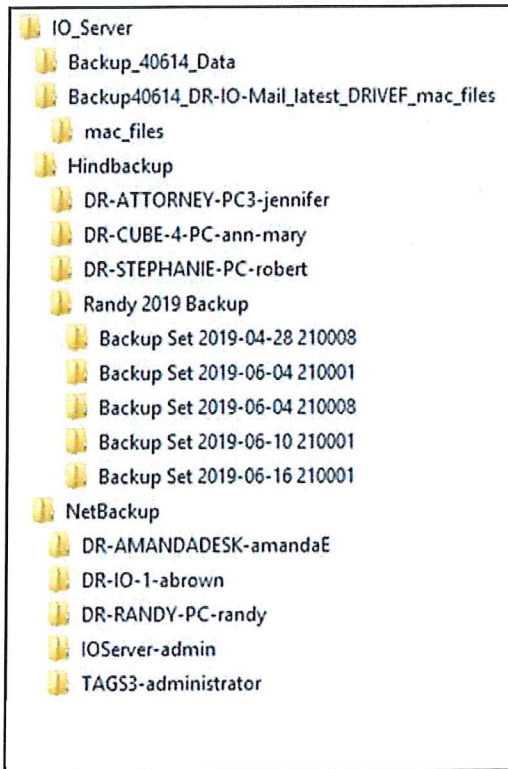
It is also important to note that, as a result of the state of the "Randy PC" on the date of its preservation, July 26, 2019, this required a more in-depth analysis of the other data sets captured pursuant to the Order.

? what does this mean?

## Data Sources

As mentioned above, Spectrum preserved the 1 terabyte hard drive in the ZT tower computer presented as being used by L.Oram.

In addition to this, Spectrum captured data present on the International Outdoors server. This server is unique in that it is a custom combination of hardware and software and is branded as a Synology server. The various non-root folders were mapped as IP addresses and folder names. The screenshot below presents a partial listing of the folders present on the server.



It is important to understand that the preservation/download speeds, required because Spectrum had to pull data over IO's network, were extremely slow. As I recall, this process consumed roughly two weeks, arguably at least triple the time commonly needed for this purpose. This added further delays to the analysis and reporting described in the Order.

} Not our fault

## PC Presented as the Latif "Randy" Oram Computer

On Friday, July 26, 2019, Spectrum arrived at the offices of International Outdoors on Orchard Lake Road, between 12 and 13 Mile Road.

Spectrum's forensically imaged the 1 terabyte HD present in the ZT custom-made computer ("Randy's PC"). As already described in my August 23 email to counsel for both parties in this litigation, this computer's hard drive contained a freshly installed copy of Microsoft Windows dated, as of May 5, 2019. To be clear, this was not a clone of the predecessor drive from which the hundreds of gigabytes of data had been transferred, most of which was composed of five Outlook mailbox files totaling roughly 228 GB (gigabyte).

The screenshot below shows the core, root files installed by Windows during an installation and evidences the May 5, 2019 install date (in particular the \$MFT file, the computer's file-and-folder tracking database).

Name	Logical Size	File Created
\$Secure	0	05/05/19 12:08:56AM
\$Volume	0	05/05/19 12:08:56AM
\$MFTMirr	4,096	05/05/19 12:08:56AM
\$MFT	139,984,896	05/05/19 12:08:56AM
\$LogFile	67,108,864	05/05/19 12:08:56AM
\$Extend	552	05/05/19 12:08:56AM
\$Boot	8,192	05/05/19 12:08:56AM
\$Bitmap	30,520,544	05/05/19 12:08:56AM
\$UpCase	131,072	05/05/19 12:08:56AM
\$BadClus	0	05/05/19 12:08:56AM
\$AttrDef	2,560	05/05/19 12:08:56AM

It is also notable that the majority of free space of this drive is consistent with having been wiped with random characters. This eliminates any opportunity for forensic analysis to identify potentially case-relevant artifacts.

Arguably more importantly, this restaging of the computer prevents any meaningful forensic analysis in terms of (i) file-and-folder access in the case-relevant timeframe and (ii) files copied to it could/would be done selectively. As such, any files or artifacts that would contradict the narrative presented by L. Oram could/would be absent.

Prior to any knowledge of P. Depa affidavit

How is this conclusion met?

Cannot make this claim

This can only be true if Randy wiped it himself (impossible) or told Frank to (did not happen) No reason to as it pre-dated affidavit

Evidencing these issues, Randy's PC shows significant gaps in activity since May 5, 2019.

<u>Dates - "File Created"</u>				<u>File Count</u>	<u>Spectrum Notes</u>
File-Created Date - 5/2019				49,992	All Files created May 5, 2019
<u>Dates - "Last Written"</u>					
	<u>Month</u>	<u>Day</u>	<u>Year</u>	<u>File Count</u>	<u>Spectrum Notes</u>
Last-Written Date	7	21	2019	2	30-day gap since 6-21-2019
Last-Written Date	6	21	2019	3	
Last-Written Date	6	20	2019	3	"pat depa notes 061919.docx"
Last-Written Date	6	19	2019	1	Pat Depa article 1.docx
Last-Written Date	6	18	2019	1	
Last-Written Date	6	17	2019	3	
Last-Written Date	6	16	2019	1	
Last-Written Date	6	15	2019	1	
Last-Written Date	6	12	2019	3	
Last-Written Date	6	9	2019	1	
Last-Written Date	6	8	2019	2	
Last-Written Date	6	4	2019	28	
Last-Written Date	5	24	2019	1	
Last-Written Date	5	17	2019	1	
Last-Written Date	5	14	2019	28	
Last-Written Date	5	13	2019	52	
Last-Written Date	5	9	2019	2	
Last-Written Date	5	6	2019	6	
LW- Pre 5-6-2019 FC Date				49,853	
Total				49,992	

Also notable, there were no files cached as Outlook attachments and no files were created since being copied to this computer. This is particularly notable, as it is consistent with a lack of use.

*Spectrum was aware of the new computer and the old one was preserved of imaging.*

**Randy's PC - Files in the December 2013 Timeframe (using Last Written/Last Modified date)**

As can be observed below, there are no files that match the lease renewal for the time period in question (December 20, 2013). It would be reasonable to expect to see either a Word-compatible document (.rtf files were included in this as well, but there were none) or PDF of that Word document from this period.

*It is not reasonable when we have said all along one does not exist.*

Name	Ext	File Created	Last Written	Logical Size	Full Path
Senator Hopgood letter 011714.pdf	pdf	5/5/2013 8:15 AM	1/17/2014 5:45 PM	312,953	Root\Users\Randy\Documents\International Outdoor\Legal Issues\
Senator Hopgood letter 011714.docx	docx	5/5/2013 8:15 AM	1/17/2014 5:41 PM	440,342	Root\Users\Randy\Documents\International Outdoor\Legal Issues\
HB 4629 amendment clarification 011514.pdf	pdf	5/5/2013 8:15 AM	1/15/2014 7:49 PM	956,909	Root\Users\Randy\Documents\International Outdoor\Legal Issues\
HB 4629 proposed amendment to 011414.pdf	pdf	5/5/2013 8:15 AM	1/14/2014 10:37 PM	1,001,730	Root\Users\Randy\Documents\International Outdoor\Legal Issues\
Lamar Detroit Bulletin Inventory map 011414.docx	docx	5/5/2013 8:15 AM	1/14/2014 4:39 PM	690,257	Root\Users\Randy\Documents\International Outdoor\Legal Issues\
CBS Metro Digital Inventory Map 011414.pdf	pdf	5/5/2013 8:15 AM	1/14/2014 4:35 PM	1,140,624	Root\Users\Randy\Documents\International Outdoor\Legal Issues\
CBS Metro Digital Inventory 011414.pdf	pdf	5/5/2013 8:15 AM	1/14/2014 4:35 PM	73,250	Root\Users\Randy\Documents\International Outdoor\Legal Issues\
CBS Metro Poster Inventory 011414.pdf	pdf	5/5/2013 8:15 AM	1/14/2014 4:33 PM	587,639	Root\Users\Randy\Documents\International Outdoor\Legal Issues\
CBS Metro Bulletin and Digital Inventory 011414.pdf	pdf	5/5/2013 8:15 AM	1/14/2014 4:32 PM	592,469	Root\Users\Randy\Documents\International Outdoor\Legal Issues\
Miles Handy Consulting 011314.pdf	pdf	5/5/2013 8:14 AM	1/13/2014 2:08 PM	1,031,293	Root\Users\Randy\Documents\International Outdoor\Bldg Selling Info\Miles Handy consulting\
Digital billboard build out plans 010114.pdf	pdf	5/5/2013 8:14 AM	1/9/2014 5:15 PM	845,118	Root\Users\Randy\Documents\International Outdoor\Bldg Building Info\
Mayor Beach Letter 122713.pdf	pdf	5/5/2013 8:14 AM	12/26/2013 6:28 PM	627,122	Root\Users\Randy\Documents\3294 Wards Pointe\
*Mayor Beach Letter 122713.docx	docx	5/5/2013 8:14 AM	12/26/2013 6:25 PM	162	Root\Users\Randy\Documents\3294 Wards Pointe\
Mayor Beach Letter 122713.docx	docx	5/5/2013 8:14 AM	12/26/2013 6:25 PM	24,987	Root\Users\Randy\Documents\3294 Wards Pointe\
*\$ 4629 concerns Dick Posthumus 12.19.13.docx	docx	5/5/2013 8:14 AM	12/18/2013 6:19 PM	162	Root\Users\Randy\Documents\
HB 4629 concerns Dick Posthumus 12.19.13.docx	docx	5/5/2013 8:14 AM	12/18/2013 6:19 PM	456,124	Root\Users\Randy\Documents\

Searching all the user files on the Randy PC, excluding the Outlook mailbox files and their embedded attachments, identified only two documents potentially related to this matter. Both are MS Word documents. Their file names are shown below. However, these are not the Lease Renewal file, drafts thereof or derivatives.

SS MITX IO_Simply Storage -letter 08 08 16.docx	8/8/2016 4:27 PM	Microsoft Word Document	431 KB
SS MITX lawsuit Kurt Obrien comments 040818.docx	4/8/2018 5:33 PM	Microsoft Word Document	26 KB

*SS MITX has this document and was produced in discovery*

Based on Spectrum's analysis, we can conclude that the Lease Renewal, including any

potential drafts etc., are not present on the Randy PC. Equally important, because of the state of Randy's PC at the time of forensic imaging, Windows-generated artifacts, ones that could be used to identify drafts or prior versions of the Lease Renewal, were not present prior to May 5, 2019. This was a result of the restaging of the Randy PC on that date.

↳ Franks affidavit → Lamar had opportunity to depose Frank and did not

### Randy's PC – Analysis of Email

Notwithstanding the lack of user activity on Randy's PC and the significant detriment and disadvantage this presents to determine the existence or authenticity of the Document at the center of this litigation, there were Outlook mailbox files that could contain potentially relevant information. Following below is a table showing the Outlook mailbox files on the Randy PC. Their "Last Written" dates show when they were last opened by the Outlook mail application.

Lack of user activity was only post-affidavit not pre.

Name	Logical Size	File Created	Last Written
randy@iobillboard.com.pst	51,001,705,472	05/05/19 08:23:29AM	07/21/19 02:06:18PM
Outlook.pst	271,360	05/05/19 10:12:56AM	07/21/19 02:06:18PM
OUTLOOK Repaired.pst	51,001,705,472	05/05/19 07:56:22AM	04/08/19 10:08:13AM
OUTLOOK Repaired-1.pst	51,158,393,856	05/05/19 08:15:28AM	10/31/17 12:04:57PM
randy@iobillboard.com.pst	36,125,451,264	05/04/19 09:11:06PM	10/05/17 11:17:13AM
randy@iobillboard.com.pst	36,125,451,264	05/05/19 07:49:09AM	10/05/17 11:17:13AM
personal_canada.pst	10,010,624	05/05/19 08:14:31AM	02/14/06 12:02:13PM
nate_canada.pst	262,144	05/05/19 08:14:30AM	02/14/06 12:02:10PM
canada_only.pst	96,265,216	05/05/19 08:14:28AM	02/14/06 11:59:40AM
canada.pst	45,982,720	05/05/19 08:14:28AM	02/14/06 11:59:26AM
barry_canada.pst	49,152	05/05/19 08:14:28AM	02/14/06 11:59:18AM

As can be seen, there are five large Outlook mailbox files on this drive, totaling roughly 228 GB. Two of these files are exact duplicates (in the blue rectangle). The three 51 GB mailboxes, though having different "Last Written" dates, would likely have a significant amount of overlap.

We can see in the table below on page 10, from one of the Outlook mailbox files on the Randy PC, that earlier versions of some Simply Storage lease were discussed with IO counsel in Q4 2008 and Q1 2009.

↑ Beyond scope of P.O.

The tables presented below show email message counts for notable periods in this case, for the key Outlook mailbox files on the Randy PC.

LW: 10-5-2017		LW: 10-31-2017		LW: 4-18-2019	
Mo. / Yr.	Ttl Msgs	Mo / Yr	Ttl Msgs	Mo. / Yr.	Ttl Msgs
8/2016	2,159	-		8/2016	62
7/2016	1,602	-		7/2016	30
6/2016	1,951	-		6/2016	27

LW: 10-5-2017		LW: 10-31-2017		LW: 4-18-2019	
Mo. / Yr.	Ttl Msgs	Mo / Yr	Ttl Msgs	Mo. / Yr.	Ttl Msgs
3/2009	46	3/2009	738	3/2009	731
2/2009	45	2/2009	737	2/2009	745
1/2009	33	1/2009	716	1/2009	690
12/2008	35	12/2008	574	12/2008	537
11/2008	54	11/2008	432	11/2008	383

**“randy@jobillboard.com.pst” – Outlook Mailbox file - Last Written date: 10-5-2017**

In one of the Outlook mailbox files identified on the Randy PC, we can observe the first and only instance of the Lease Renewal file Spectrum identified to date. The document is a PDF file, a scanned version of a document. The internal, file-level metadata evidences that the scan was created on July 24, 2016. No drafts or precursor versions of the file were identified on the Randy PC or on the IO Server. This includes all files that would reasonably be used to draft a renewal including Microsoft (“MS”) .doc/docx files, .rtf (Rich Text Format), simple text (.txt) files, and PDFs. Also searched were image-only files including tiff and image-only PDFs. No files matched the Lease Renewal in whole, or in part/draft.

As we have said since day one

Concludes there are no drafts @ IO that contradict IO's position from Day 1.

From the Outlook Mailbox with a Last Written ("LW") date of 10-5-2017

The table below presents the metadata of select email messages in the Outlook mailbox with a Last Written date of 10-5-2017. Of particular importance is the seven-year gap in messages related to Simply Storage between 3-3-2009 and 7-14-2016 (red rectangle).

*Why is this important  
IO admitted it pursued  
offer opportunities  
@ this time*

Subject	From	To	CC	BCC	Rec'd - Date / Time	Att. Cr. Att. List
FW: Simply Storage - Revised leases	Randy Oram	'Jeff'; randy@jobillboard.com; 'Patrick Depa'			7/24/2016 3:31 PM	3 tmpSimplySt.DOC; tmpSimplySt.DOC; tmpSimplySt.DOC
Auburn Hills, Simply storage location	Randy Oram	JWalsh@BODMANLAW.COM	'Jeff'; 'Patrick Depa'		7/22/2016 12:16 PM	1 tmp20160722.pdf
FW: Simply Storage/International Outdoor - Leases	Randy Oram	'Patrick Depa'; 'mansouro@gmail.com'			7/14/2016 12:37 PM	3 tmpSimply Storage - redline of lease.pdf; tmpSimply Storage - Revised Lease.pdf; tmpimage001.gif
Fw: RE: Simply Storage/International Outdoor - Leases	Alan Scott White<alanscottwhite@wise-cre.com>	randy@tagbuses.com			3/3/2009 12:34 PM	1 ImpSIGN EASEMENT - 15209-456.pdf
Fw: RE: Simply Storage/International Outdoor - Leases	Alan Scott White<alanscottwhite@wise-cre.com>	randy@tagbuses.com			3/3/2009 10:34 AM	1 tmpSIGNEASE.pdf
RE: Simply Storage - Revised leases	Randy Oram	jlabarge@bodmanlp.com; alanscottwhite@wise-cre.com;			2/27/2009 9:58 AM	-
RE: Simply Storage - Revised leases	Randy Oram	jlabarge@bodmanlp.com; alanscottwhite@wise-cre.com; jay_labarge@yahoo.com			2/27/2009 9:58 AM	-
RE: Simply Storage - Revised leases	Randy Oram	jlabarge@bodmanlp.com; alanscottwhite@wise-cre.com;			2/27/2009 9:58 AM	-
RE: Simply Storage - Revised leases	Randy Oram	jlabarge@bodmanlp.com; alanscottwhite@wise-cre.com;			2/27/2009 9:58 AM	-
Simply Storage - Revised leases	Jay LaBarge<jay_labarge@yahoo.com>	randy@transitadvertisinggroup.com; alanscottwhite@wise-cre.com	jlabarge@bodmanlp.com		2/27/2009 1:19 AM	3 tmpSimply Storage - Revised Farmington Hills Lease.DOC; tmpSimply Storage - Revised Dearborn Lease.DOC; tmpSimply Storage - Revised Auburn Hills Lease.DOC
FW: Simply Storage/International Outdoor - Leases	LaBarge, Jay<JLABARGE@BODMANLLP.COM>	Randy Oram; alanscottwhite@wise-cre.com	Scavone, Nicholas		2/26/2009 3:16 PM	3 tmpSimply Storage - redline of lease.pdf; tmpSimply Storage - Revised Lease.pdf; tmpimage001.gif
FW: Simply Storage/International Outdoor - Leases	LaBarge, Jay<JLABARGE@BODMANLLP.COM>	Randy Oram; alanscottwhite@wise-cre.com	Scavone, Nicholas		2/26/2009 3:16 PM	3 tmpSimply Storage - redline of lease.pdf; tmpSimply Storage - Revised Lease.pdf; tmpimage001.gif
RE: Simply storage lease	Randy Oram	alanscottwhite@wise-cre.com; alanscottwhite@wise-cre.com			12/15/2008 2:36 PM	-
RE: Simply storage lease	Randy Oram	alanscottwhite@wise-cre.com; alanscottwhite@wise-cre.com			12/15/2008 2:36 PM	-
RE: Simply storage lease	Alan Scott White<alanscottwhite@wise-cre.com>	LaBarge, Jay; Randy Oram			12/15/2008 10:24 AM	-
RE: Simply storage lease	Alan Scott White<alanscottwhite@wise-cre.com>	LaBarge, Jay; Randy Oram			12/15/2008 8:27 AM	-
Simply storage lease	Randy Oram	alanscottwhite@wise-cre.com; jlabarge@bodmanlp.com			12/13/2008 4:25 PM	-
Simply storage lease	Randy Oram	alanscottwhite@wise-cre.com; jlabarge@bodmanlp.com			12/13/2008 4:25 PM	-
RE: Simply Storage - draft leases	Randy Oram	alanscottwhite@wise-cre.com; jlabarge@bodmanlp.com			11/13/2008 6:09 PM	-
RE: Simply Storage - draft leases	Randy Oram	alanscottwhite@wise-cre.com; jlabarge@bodmanlp.com			11/13/2008 3:53 PM	-
RE: Simply Storage - draft leases	Randy Oram	alanscottwhite@wise-cre.com; jlabarge@bodmanlp.com			11/13/2008 2:21 PM	-
RE: Simply Storage - draft leases	Randy Oram	jlabarge@bodmanlp.com; alanscottwhite@wise-cre.com			11/11/2008 3:12 PM	-
Re: Simply Storage - draft leases	alanscottwhite@wise-cre.com<alanscottwhite@wise-cre.com>	Randy Oram; LaBarge, Jay			11/11/2008 11:20 AM	1 Imp2806343825-SimplyStorage-counter.pdf
Re: Simply Storage - draft leases	alanscottwhite@wise-cre.com<alanscottwhite@wise-cre.com>	Randy Oram; LaBarge, Jay			11/11/2008 9:22 AM	1 Imp28063438.pdf
RE: Simply Storage - draft leases	Randy Oram	alanscottwhite@wise-cre.com; jlabarge@bodmanlp.com			11/5/2008 11:57 PM	1 tmpimage001.gif
RE: Simply Storage - draft leases	Randy Oram	alanscottwhite@wise-cre.com; jlabarge@bodmanlp.com			11/5/2008 11:57 PM	1 tmpimage001.gif
Simply Storage - draft leases	LaBarge, Jay<JLABARGE@BODMANLLP.COM>	alanscottwhite@wise-cre.com; Randy Oram			11/5/2008 4:17 PM	4 tmpSimply Storage - Dearborn lease.pdf; tmpSimply Storage - Auburn Hills lease.pdf; tmpSimply Storage - Farmington Hills lease.pdf; tmpbodman-email.gif

It would be generally reasonable to see some email correspondence regarding the Lease Renewal document. However, none exist in this gap period.

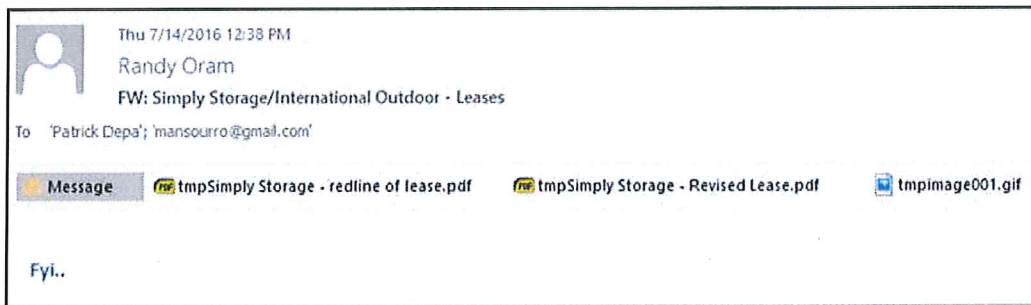
*This is an impossible claim to make. Trying to beef up abandonment.*

(In my experience, there is no information provided in the table above that would not appear in a typical 'Privilege Log' report and, as such, has been included.)

*Documents from 2009 were never requested*

**Email dated - 7/14/2016 12:38 PM**

As shown in the table on the prior page, the top entry in the red rectangle is an email dated Thu 7/14/2016 12:38 PM. An extract of that message from "Randy Oram" follows below.



The two attachments are original 2009 lease-related documents.

*How is Spectrum qualified to make this statement?*

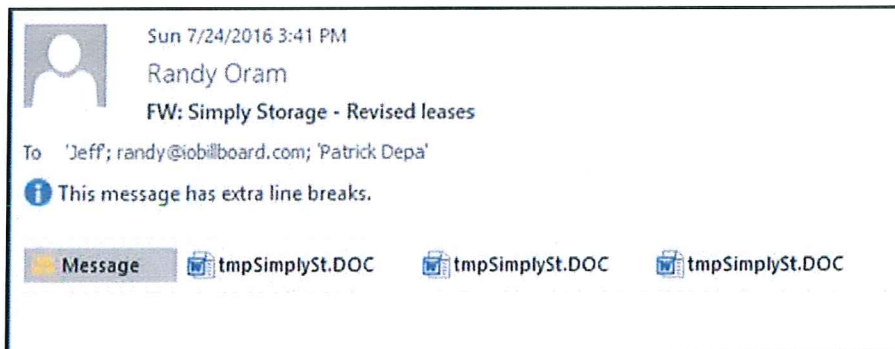
At this point, two significant questions must be raised and include:

- Why was the "original" December 2013 lease-renewal file is not provided? and
- Why there is no email activity related to the lease around the time of the renewal?

*Because Randy just had it mailed and moved on to other things*

**Email dated - 7/24/2016 4:41 PM**

As shown in the table on the prior page, the top-most entry is an email dated Sun 7/24/2016 4:31 PM. An extract of that message from "Randy Oram" follows below.



*As we have said we had the lease before the renewal*

As with the other email message, the question is raised as to why the "original" December 20, 2013 lease renewal document was not circulated at this point. Given the amount of litigation that IO has engaged in in the past decade, as evidenced by the email I have observed simply during the creation of this report, this document would have been sent immediately, if not in a very timely manner, to IO's counsel for presentation to MITX and other parties, had it existed.

Only one of the Outlook mailbox files on the Randy PC contains email from 2019. And, that mailbox has no messages past June 21, 2019. Given that L. Oram is running a business and that other Outlook mailbox files on the Randy PC have many hundreds of messages per month (as shown above), this is a critical 'tell'/indicator that this computer was not used by L. Oram to conduct business (or largely anything else) since June 21, 2019.

This raises the very significant issue as to why this computer was presented to Spectrum for inspection on July 26, 2019.

#### Synology Server - Folder named "Backup 40614"

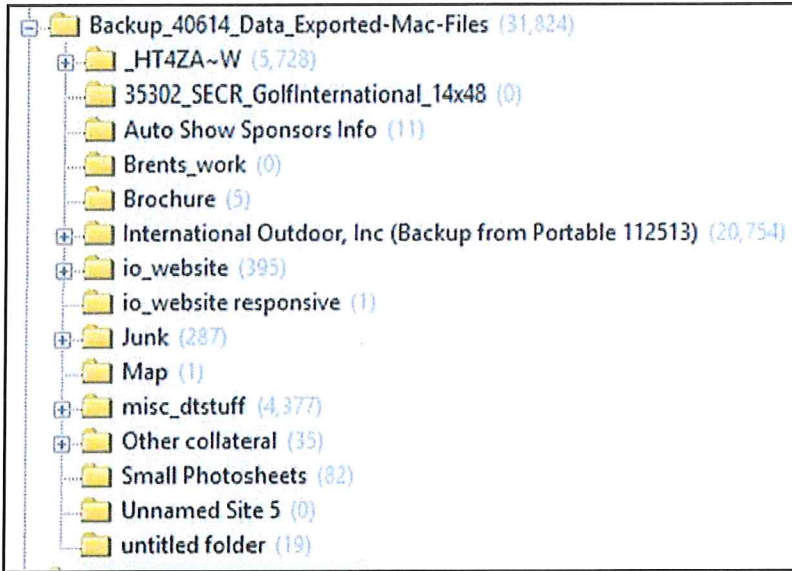
Spectrum's analysis included the review and search of files present on the Synology server. One of the primary folders on the server, named "Backup 40614", contained over 110,000 files in the post October 31, 2013 time period and were analyzed. No files drafts, derivatives, or versions of the Lease Renewal were identified. This "Backup 40614" folder contained 336 root folders.

↑  
no file still

#### Mac Files folder

Within the folder named "Backup 40614" was a subfolder named "mac files", with over 205GB of data. And, present in this folder is the folder named "International Outdoor, Inc (Backup from Portable 112513)" folder. The screenshot below shows the file count by folder in this "mac files" folder.

Beyond Scope of P.O. only July 2016 to July 2018 permitted



The point in presenting this information is that tens of thousands of files, ones that were potentially the Lease Renewal file, were searched and did not locate that file or any derivative or draft of it. Moreover, there are thousands of folders and nested folders by client in this "Backup 40164" folder, evidencing a level of rigorous data organization, spanning every year since 2013. As such, had the Lease Renewal file existed in 2013, it should have been present somewhere on this server. And, based on Spectrum's analysis to date, that is not the case.

As can be noted on Page 4 of this report, there is a folder named "Randy 2019 Backup" containing five subfolders with a date-type naming convention. These files are Windows backup files and require a particular methodology to restore in order to search them. At least the oldest set of these files must still be restored and analyzed. Spectrum is continuing its efforts in this regard and this requires additional time. It does not impact the findings identified in this report, however, and would be incremental.

No file

How is he qualified to make this statement?

Contrary to the Courts order to continue working of files

**Conclusions**

Given the state of the hard drive in the Randy PC when presented for preservation by Spectrum, it serves essentially no purpose as regards Spectrum's objective to determine the authenticity of the Lease Renewal file. Given how files are stored as attachments in Outlook mailbox files (PST or OST files), these were the only sources that did provide any insight into the time periods notable to this case.

Spectrum did locate an email message with the Lease Renewal, however, it was a scanned version of the document and only holds its creation date. However, that is not the original document, because a digital version of the same document, allegedly created in 2013, was used to create and print what was scanned on this July 24, 2016 date. This is no where to be found on the data sets captured by Spectrum.

Given the ease with which one can create a faux document, one like the alleged lease-renewal file, its authenticity simply cannot be validated. This is because the original, source document could not be located on the data sources analyzed by Spectrum to date. We only can conclude that the date of the scanned version of the Lease Renewal document, as its internal metadata confirms its July 2016 date.

And, given the unusual circumstances and timing of the restaging of the Randy PC, this compounds the issues surrounding the authenticity of the Lease Renewal file. This is because the primary digital asset to be reviewed pursuant to the Order (i) was restaged, (ii) is not the computer used by L. Oram to conduct the business of IO since its restaging, and (iii) clearly was not the computer used during the case-relevant timeframe.

Given all the aforementioned information and analysis, there is nothing forensically to support the claim that the Lease Renewal file/document is authentic. In fact, the opposite is true, given that the first time this document was identified was in an email from July of 2016.

Please contact Spectrum with any questions in this regard.

J. Stott Matthews

Like we have always argued

a faux document that does not exist on Randy's PC or the Server

How is "restaging" pre-affidavit unusual timing?

Not true and beyond scope of P.O. 7/2016 - 7/2018

There is nothing to say its in-authentic either.

impossible conclusion As we have said all along, an electronic version does not exist.

**Dalman**  **Investigations**  
Confidential Consulting and Private Investigative Services

P. O. Box 815 - East Lansing, MI. 48826

E-Mail: Ladalman@gmail.com

Web-site: www.DalmanInvestigations.com

Phone: (517) 575-0074 - Fax: (517) 575-0204

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Thomas P. Bruetsch, Esq.  
Ottenwess, Taweel & Schenk, PLC  
535 Griswold, Suite 850  
Detroit, Michigan 48226

March 13, 2020

Re: Forensic Investigation of International Outdoor Server and Hard Drive

Dear Mr. Bruetsch:

I have reviewed the report of Spectrum Computer Forensics and the testimony of J. Stott Matthews in this case and have reviewed and analyzed data that I have been provided access to from the server of International Outdoor, Inc. and the hard drive of its president, Randy Oram (the "IT Systems"). I have a copy of the IT Systems that I understand was made by Stott Matthews, the principal of Spectrum.

By way of background, from 1977 to 2002 I was a member of the Michigan State Police, retiring as a Detective Sergeant. In that capacity, I investigated hundreds of computer related crimes in conjunction with 35 different law enforcement agencies, with a conviction rate of 100%. I became a licensed private investigator in 2003. I have multiple relevant certifications as an IT forensic examiner and have been qualified as an expert witness in court on numerous occasions.

I am an expert in computer forensics. Computer forensics is the discovery, analysis, and/or reconstruction of evidence extracted from and/or contained in a computer, computer system, computer network, server, computer media, or computer peripheral.

My complete CV is attached as Exhibit A.

I am aware that one of the issues in the current litigation is the date on which a certain lease renewal letter ("Renewal Letter") was created. A copy of that letter is attached as Exhibit B.

A summary of my opinions in this case and a summary of the basis of those opinions follows:

**I. There is no evidence on the IT Systems that demonstrates that the Renewal Letter was created in 2016.**

I conducted a key word search of certain terms of the Renewal Letter to determine if its creation date could be determined. Those search terms included "Doris," "SS MITX", "Lease w-Renewal," and "Simply Self Storage."

The original Renewal Letter was not found as a result of my search. I did find PDF copies of the Renewal Letter in the IT Systems as follows:

- A. Multiple PDF copies of the Renewal Letter were scanned into the IT Systems from an external source, likely a copier/scanner. The documents were scanned on Sunday, July 24, 2016 at approximately 4:16 PM, and sent from the scanner as email attachments to Randy Oram's email address. This is consistent with an individual scanning a paper copy of the document into the IT Systems from a copier/scanner in the IO offices on that date and at that time.

There is additional, unrelated email activity on Sunday, July 24 to and from Mr. Oram's email account. It appears that Mr. Oram was working on July 24, 2016.

- B. I also found multiple PDF copies of the Renewal Letter within a package of other documents that was addressed to Simply Self Storage in August, 2016. For some reason, Mr. Matthews did not appear to locate these documents in his analysis.

I also ran a search to determine if a "cover letter" dated December 20, 2013 (Exhibit C) associated with the Renewal Letter could be located on the IT Systems. I did find copies of that letter. The "cover letter" was also scanned into the IT Systems from an external source, likely a copier/scanner. The documents were scanned on Sunday, July 24, 2016 at approximately 4:16 PM, at approximately the same time as the Renewal Letter. Several copies of the cover letter were sent from the scanner as email attachments to Randy Oram's email address.

In reviewing the documents that were scanned to Mr. Oram's email address on July 24, 2016, at or around 4:16 PM, I also found a copy of a check, dated December 20, 2013 to the order of Simply Self Storage, in the amount of \$5.00. (Exhibit D). There is also a hand-written cover sheet or attachment that seems to relate to the check. (Exhibit E).

Mr. Matthews did not indicate in his report or his testimony that he had found copies of the cover letter, check, or check cover sheet. I find it difficult to believe that any qualified expert computer forensic examiner would have found the scanned copy of the Renewal Letter but not the cover letter, check, or check cover sheet. Moreover, Mr. Matthews was specifically tasked to report to all the parties on any relevant documents that he located during his review of the IT Systems. In my opinion these documents should have been so designated in his report.

I also ran a search on the term "lease." I note that Stott Matthews stated in sworn testimony that he had conducted such a search and obtained zero hits on this term after 2013. I conducted a search of the "lease" term and obtained 484,170 hits in 74,802 files. Again, I do not believe that a qualified computer forensic examine could have run a search on the term "lease" and not produced hits.

My searches also produced 354 hits from 61 files on the term "SS MTX" from the IO Server and 838 hits (primarily emails) on that term from the computer.

I found over 900,000 emails on Mr. Oram's computer, and over 1,000,000 files total.

## **II. Spectrum cannot credibly opine that there were no viruses on Mr. Oram's computer before May 5, 2019.**

According to the testimony of Frank Albin, Mr. Oram's hard drive failed and was replaced on or about May 5, 2019. Because the old drive failed, neither Spectrum nor I can opine that there were no viruses on the old drive that could have led to the loss of data.

I will note however that I have inspected Mr. Oram's current drive, and it already has been infected by viruses. I have also noted that there are significant examples on both Mr. Oram's computer and on the IO Server of files that have been restored from backup copies, which suggests that for one reason or another original files were lost, corrupted, or otherwise could not be accessed. Of course, one common reason that back up file restorations are done is to recover from virus attacks.

### **III. Matthews did not show that relevant emails were deleted between June, 2016- August 2016 or in October 2017.**

I have reviewed Mr. Matthews' testimony, in which he suggests that there were large deletions of emails from Mr. Oram's computer for the periods June-August 2016 and for October, 2017. Mr. Matthews was apparently unable to determine whether any allegedly detailed emails were relevant to this matter. It is unclear what procedures he carried out.

My review of the PST files on the server shows that, on October 5, 2017, the PST file is 33.64 gigabytes in size. The PST file on October 31, 2017 has increased in size, to 47.64 gigabytes.

I continue to review and analyze this data.

### **IV. Matthews is incorrect that the "computer" provided to him for review was "not Mr. Oram's computer."**

#### **COMPUTER**

Mr. Albin testified at length about his efforts to service, maintain, and update Mr. Oram's computer. I do not agree that Mr. Matthews was denied access to Mr. Oram's computer. Mr. Matthews was provided with the most relevant hardware/hard drive available at the time of his search.

The operating system is Windows 7 which was released on Oct. 22, 2009. Windows 10 was released on July 29, 2015. If what was provided to Matthews was a "New Computer" as he asserts, it would have Windows 10 as an operating system. Not an operating system that is 10 years old.

#### **HARD DRIVE**

Mr. Matthews testified that he was examining a new computer and not the one that was being used in 2016.

The hard drive in this computer at the time of his forensic acquisition is a:

Drive Model: Western Digital DC - WD10 EZEX-00B                      SCSI Disk Device

Drive Serial Number:    WD-WCC3F5SE8ZZ9

Checking Western Digital's website, this hard drive was manufactured over four years ago. The warranty on this device expired in December of 2016. A "new" computer would not have a four or five-year-old hard drive.

Serial Number	Model Number	Description	Warranty Exp. Date
WCC3F5SE8ZZ9	WDBH2D0010HNC	WD Desktop Mainstream	12/20/2016

<https://support.wdc.com/warranty/warrantystatus.aspx>

Matthews' forensic analysis of Mr. Oram's desktop is consistent with Mr. Albin's testimony.

- They agree that the hard drive that was being used in 2013 was no longer in the computer.
- They agree that the operating system was installed on May 5, 2019.
- Mr. Albin stated that he had the computer in his shop and replaced the hard drive on that date because it had failed.

During the reinstallation process, the email PST file was restored from the backup PST. In addition, 12,841 documents were moved from the old to new hard drives on Mr. Oram's computer.

Mr. Matthews apparently believes that Mr. Albin's maintenance and upgrades to the computer were intentional acts to prevent anyone from locating a document that was created in 2013. The only person who has knowledge of the hard drive and its condition at the time it was replaced in Mr. Albin. Any other opinion is purely speculation and accusations.

Interestingly, in Mr. Matthews' testimony on page 30 of the transcript, he advised that there were only 50,000 files on Randy Oram's desktop computer. He compared that to "Millions" on the server. Mr. Matthews is incorrect. Mr. Oram's desktop has 1,138,450 files.

**REGISTRY FILES**

Mr. Matthews and I agree that the operating system on this hard drive was installed on May 4, 2019

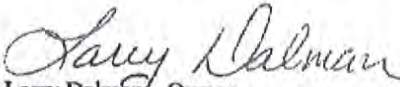
<b>Registry SOFTWARE Information</b>	
Install Date	5/4/2019 20:57:49 -0400
Product Name	Windows 7 Professional
Registered Organization	
Registered Owner	Randy
CSDVersion	Service Pack 1
Digital Product ID	A4 00 00 00 03 00 00 00 30 30 34 31 00 00 00 00 00 00 00 DA 00

**V. Patrick Depa deleted files before leaving International Outdoor.**

I have also reviewed the computer hard drive used by Patrick Depa when he worked at International Outdoor. I understand that Mr. Depa left International Outdoor on August 3, 2018. Before he left, a significant number of files were deleted from Mr. Depa's hard drive.

**VI. Mr. Matthews' supplemental work.**

I understand that Mr. Matthews has done some supplemental work at the request of Lamar's counsel. My understanding comes from an email sent to all counsel by Mr. Matthews today. The email indicates that Spectrum "identified two ... lease renewal files," in the IT Systems. Given that this information was only provided to me this morning, I have not had an opportunity to review, check, or analyze Spectrum's claim or this issue. I reserve the right to do so.

  
Larry Dalman - Owner  
Dalman Investigations  
P. O. Box 815  
East Lansing, MI. 48826

Because Spectrum was not ready in time for the evidentiary hearing on August 23, 2019, over International Outdoor's objection, the court bi-furcated the evidentiary hearing to allow Depa to testify and fly home. The problem with this is that only Lamar/SSMITX had any idea what Spectrum found so far or not. Depa could not be cross-examined with objective computer evidence in-hand. At the hearing, Depa repeats multiple times that he not only saw Oram write, print, and sign the renewal letter, but also saw him scan it into the system. This was a demonstratively false statement (under oath). However, International Outdoor would not find this out until late September 2019 after Spectrum issued its report. It is clear from the report produced by Spectrum (which is still under seal by court order) that it was heavily influenced by Lamar attorneys. In fact, after the first evidentiary hearing, Altior Law attorney McKenney billed for a communication to Spectrum to alter its search parameters (presumably based on testimony from the first hearing).



# Invoice

Lamar Advertising of Michigan, Inc.

**Matter:**  
*Altior Law - Int'l Outdoor v Lamar*

**Matter Number:**  
*0719-450122*

**Invoice #:**  
*07-0122-0819*

## Professional Services

<u>Date</u>	<u>Description</u>	<u>Time</u>	<u>Qty</u>	<u>Rate</u>	<u>Total \$</u>
01-Aug-19	Two round-trips to IO office.	0.90		\$125.00	\$112.50
01-Aug-19	Work on data admin and creating inventory of folders from server.  (Create .Net app to inventory/hash contents of folders from server to facilitate and expedite review [no charge])	2.10		\$250.00	\$525.00
02-Aug-19	Round-trip travel to IO.	0.60		\$125.00	\$75.00
02-Aug-19	Process and review results of captures to date.	1.20		\$250.00	\$300.00
05-Aug-19	Round trip travel to check on capture status.	1.10		\$125.00	\$137.50
05-Aug-19	2nd trip to IO to continue server work. On-site, swap drive and process other NetBackup folder for Randy PC.	0.40		\$250.00	\$100.00
06-Aug-19	Round-trip travel to IO.	0.70		\$125.00	\$87.50
06-Aug-19	Onsite - confirm capture results.  Back at office, create inventory of "Data" folder from server.	6.60		\$250.00	\$1,650.00
07-Aug-19	Finalize back up from first drive. Round-trip travel to IO to continue capture process.	0.50		\$125.00	\$62.50
07-Aug-19	On-site, make note of GB in other folders that remain for preservation.	0.30		\$250.00	\$75.00
08-Aug-19	Two round-trips to IO offices to continue capture of server.	1.00		\$125.00	\$125.00
08-Aug-19	Two on-sites to continue capture of IO's server.	0.50		\$250.00	\$125.00
12-Aug-19	Data admin and tracking to confirm that all server data has been captured.  Begin analysis of server's data.  Export 10-31-2017 mailbox from image (51 GB) and prep for message recovery/processing.	7.70		\$250.00	\$1,925.00

Remit to: Spectrum Computer Forensics | 32440 Susanne | Franklin, MI 48025 | EIN: 20-1540820

**Payment Terms: Net 30 Days**

Questions on Invoicing?: 866-977-9779/Billing@spectrumforensics.com



# Invoice

Lamar Advertising of Michigan, Inc.

12-Aug-19	Process mailbox for inventory and searching, including exporting messages and attachments. (Per GB charge)	-	51.0	\$75.00	\$3,825.00
13-Aug-19	Process 10-5-2017 mailbox, exporting/processing messages and attachments for searching. (Charged per GB).	-	51.0	\$75.00	\$3,825.00
13-Aug-19	Work on data consolidation and reviewing/searching processed email.	4.90		\$250.00	\$1,225.00
	Create Excel-based inventory of one of the large PST files. (Run recovery app. And process results.				
	Call with Steve regarding status.				
14-Aug-19	Process 4-28 mailbox for inventory and searching, including exporting messages and attachments. (Per GB charge)	-	51.0	\$75.00	\$3,825.00
14-Aug-19	Exchange email with J. Sieving regarding est. completion of server backup.	0.20		\$250.00	\$50.00
14-Aug-19	Create copy of Server files for internal DR.	4.90		\$250.00	\$1,225.00
	Export 4-28-19 Windows backup files (zips).				
21-Aug-19	Data admin/reporting.	5.70		\$250.00	\$1,425.00
	Analyze results of unzipped Windows Backup files for 4-28-2019 Randy PC.				
	Review dates of this oldest backup of Randy's PC from the server.				
21-Aug-19	4-28-2019 backup file analysis and restoration from zip format.	2.60		\$250.00	\$650.00
21-Aug-19	Review options for restoring Windows-based, Vista-era "Backup Sets" and their zip files. (No charge)	2.30		\$250.00	\$0.00
22-Aug-19	Finalize back-up copy for Defendants. (Capped at 5 hrs - over 7 hours expended and billed at lower rate.)	5.00		\$175.00	\$875.00
23-Aug-19	Travel to and from Oakland County Court.	0.90		\$250.00	\$225.00
23-Aug-19	Attend Oakland County Court to serve as expert witness, as needed.	1.10		\$500.00	\$550.00
24-Aug-19	Robo-copy folder: BACK 40614 from IO Server (Charged at reduced rate.)	0.50		\$175.00	\$87.50

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**Payment Terms: Net 30 Days**

Questions on Invoicing?: 866-977-9779/Billing@spectrumforensics.com



# Invoice

Lamar Advertising of Michigan, Inc.

26-Aug-19	Respond to email from Steve regarding imaging the "real" 'Randy PC' drive.	1.20	\$250.00	\$300.00
	Backup folder "40614" IO Server and continue analysis.			
27-Aug-19	Mount drives containing exports from the Backup 40614 folder.	6.60	\$250.00	\$1,650.00
	Export file listings and import into Excel.			
	Review forensic image of R. Oram's 1TB tower drive for activity consistent with use since 5-5-2019 and earlier.			
30-Aug-19	Call with S. McKenney regarding case. Review email from Steve regarding additional search criteria/context. Review search terms developed to date.	0.40	\$250.00	\$100.00
<b>Totals:</b>		59.90	153.0	\$25,137.50

Remit to: Spectrum Computer Forensics | 32440 Susanne | Franklin, MI 48025 | EIN: 20-1540820

**Payment Terms: Net 30 Days**

Questions on Invoicing?: 866-977-9779/Billing@spectrumforensics.com