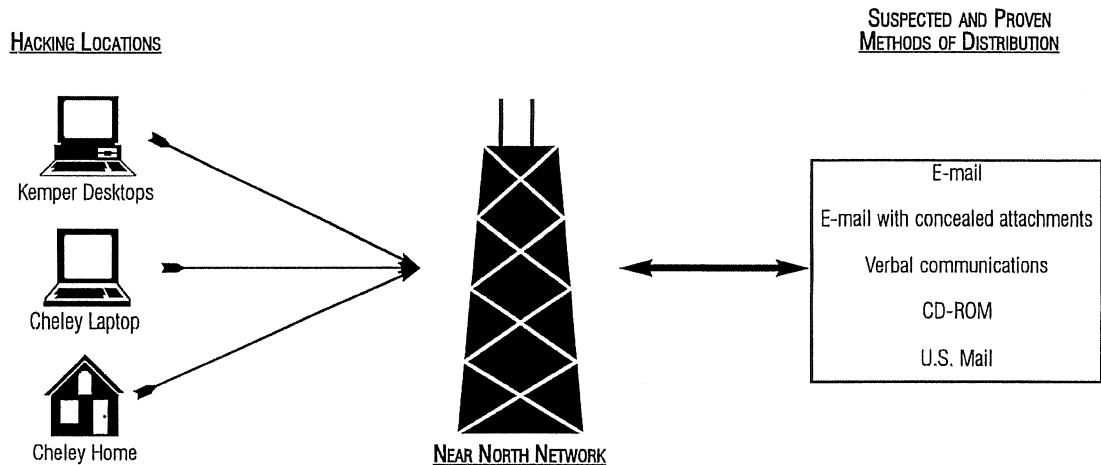


OVERVIEW OF CHELEY HACKING ACTIVITY



- Cheley hacked hundreds of e-mails before 1/26/02 arrest and search.
- Cheley hacked hundreds of e-mails after 1/26/02.
- Cheley hacked dozens of attorney-client privileged communications, including communications with Michael Segal's criminal defense counsel, Harvey Silets and Gil Soffer; and Segal family counsel, Howard Pearl.
- Cheley started hacking 3 days after leaving Near North on 8/18/01, and continued to hack "at least twice a day" until confronted at Kemper on 4/24/02.
- Cheley had numerous communications with former Near North employees and government witnesses in August and September 2001. Modes of communication include phone calls, e-mail, and face-to-face meetings.
- Cheley hacked from Kemper's desktop computers, from his laptop, and from his home computer network.
- Cheley hacked into multiple Near North servers, including e-mail, financial and accounting servers.
- Cheley used at least 3 different alias e-mail accounts, each from separate e-mail vendors (Yahoo, Excite, Hotmail).
- During his hacking sessions, Cheley often had administrative access to Near North's servers, allowing him to modify and/or delete documents and data.
- Before he was apprehended, Cheley represented to a former colleague that he "has a large file of NNNG stuff" and "I'll scan this stuff in . . . and send it to you."
- Cheley used at least four different desktop computers at Kemper. Only three have been produced.
- Internet activity log showed that Cheley recorded approximately 14,000 hits on Near North's server in a 44-day time period.
- Internet activity log showed that over 75% of the hacking took place from Cheley's laptop, not from the Kemper hard drives.
- Within days of Cheley's apprehension, Near North reached out to state law enforcement agencies in Lake and Cook counties to investigate hacking.
- In early May, the federal government began their investigation as the state law enforcement agencies' investigations ceased.
- On 4/23/02, Near North met with Kemper to discuss Cheley's hacking; Kemper acknowledged Cheley's hacking activity and agreed to work with Near North in apprehending Cheley.
- On 4/24/02, Kemper terminated Cheley and obtained written confession. Kemper did not make a copy of Cheley's laptop before releasing him.
- FBI contacted Near North's general counsel in the first week of May 2002 to discuss Cheley's hacking activity.
- On 5/17/02, the government seized from Kemper, among other items, Cheley's handwritten confession, and three of the four desktop computers that Cheley used at Kemper.
- FBI does not seize Cheley's laptop until June 18, 2002.
- As of today, Cheley has not been charged with a single offense in connection with his eight-month long hacking activity.