

Contact Information

AOL Canada Inc.
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7th Floor
Toronto, ON M4V 2Y7
416-960-6540
416-960-6560 (fax)

CompuServe
Margaret Cooley
5000 Arlington Centre
Columbus, OH 43220
614-538-3201
614-457-9665 (fax)

ICQ
Custodian of Records
22000 AOL Way
Dulles, VA 20166
703-265-1933
703-265-2305 (fax)

Netscape
Chris Loo
501 E. Middlefield Rd., Bldg.5
Mountain View, CA 94043
650-937-5898
650-937-5544 (fax)

Current AOL Retention Periods

- Basic Subscriber Information: 6-12 months (including log on/off times)
- Unread and Sent Mail: 28 Days
- Read Mail: 2 days
- Member Internet Protocol (IP) Addresses: 60 - 90 days
- Proxy Server IP: up to 7 days max (Sometimes 1 or 2 days)
- IP connection Log Data: 60-90 days (specific date and time required)
- ICQ
 - UIN Required for search
 - Can not search on real name
 - Can not search on nicknames as they are not unique
 - IP's kept for 60 days
- AIM
 - IP Connection Log Data: 10 days (specific date and time required)

*All retention periods are approximate and can vary depending on system usage.

Sample Subpoena Wording

Any and all AOL and/or AIM records regarding the identification of "XYZ" to include real name, screen names, status of account, detailed billing logs, date account opened and closed.

Sample Search Warrant Wording

Any and all AOL and/or AIM accounts for XYZ or screen name "xyz", To include all email, histories, buddy lists, profiles, subscriber information, method of payment, detailed billings logs.

- ❖ If you are a state or local agency, your warrant must be served through Loudoun County, VA. Please contact Inv. Carroll Beaver at 703-777-0493.(US Law Enforcement Only, for AOL Canada please contact Dianne Singer @ 416-960-6540)
- ❖ Our fax # is (703) 265-2305.



China
cn.aol.com



Hong Kong
www.aol.hk



India
www.aol.in



Japan
hp-consumer.myaol.jp



New Zealand
www.aol.com.au



South Korea
hp-consumer.my.aol.kr



Taiwan
www.aol.tw

AOL Email Domains

Some of the international portals offer email addresses to subscribers that share the same name space as AOL.com. Others offer Country Specific Name Space identifiers that are (as the name implies) unique to that international portal.

AOL's My eAddress feature also permits subscribers to create email addresses in any one of our "affinity" domains, including (for example) switched.com or moviefan.com, or in a unique domain name of the subscriber's choice. For a complete list, see:

domains.aol.com

All AOL email, whether from U.S. or international subscribers, is stored in and processed through AOL's email servers in its data centers in Northern Virginia.

Sample Subpoena Language

18 U.S.C. § 2703(c)(2)

Searches by Name or Screen Name:

The broadest possible language will *not* be workable for persons with relatively common names, since a firstname lastname combination could yield dozens or hundreds of different AOL account holders, and many if not most of those accounts would identify persons entirely unrelated to the investigation. At least one additional parameter, such as a physical address, telephone number, or credit card number & type, must be included for AOL to locate the screen name.

For the account of _____ (firstname) (lastname) _____ using AOL and/or AIM screen name _____ (screen name) _____, and for any other screen names associated with this account, and for all other accounts and screen names associated with _____ (firstname) (lastname) _____, residing at _____ (complete physical address or other additional identifying data) _____, the following records maintained by AOL Inc. ("AOL") for each account:

All subscriber information, including:

- a. names, email addresses, and screen names;
- b. addresses;
- c. detailed billing records or records of session times and durations;
- d. length of service (including start date) and types of service utilized;
- e. telephone or instrument number or other subscriber number or identity, including any temporarily assigned network address; and
- f. the means and source of payment for such service (including any credit card or bank account number).

Searches by IP Address:

If you have only an IP address that appears to be an AOL Member IP or "IPT," or an AOL Proxy IP, and you need subscriber information for the corresponding screen name, in place of the first paragraph above you must include the following instead:

IP Address: _____

Exact Date: _____

Exact Time: _____

Time Zone: _____

(Proxy IPs Only) **Complete** headers of the email message sent during the proxy session; _____ or
The **entire** URL of the Web page visited, including **all** fields after .com, .org, .net, etc.:

Subpoena Format Requirements

For any subpoenas with more than 10 screen names

Do's

- Save it on the following media: **two** (2) CD-Roms
- Save the file as a plain text file
- Include *only* the list of screen names
- Include only *one* screen name per line
- Single-spaced lines
- List all screen names on the subpoena (or on an attachment incorporated by reference)
- Provide contact information (name, phone number, and mailing address, but *not* a Post Office box) to which AOL's response should be delivered (Do not include this on this disk)

Do Not's

- Put spaces between characters in screen names
- Include @aol.com or any other domain name after a screen name
- Include screen names containing extraneous characters such as -, *, #, + (screen names can only be alphanumeric)
- Include a letter or copy of the subpoena on the disk
- Include screen names that begin with a number (AOL screen names never begin with a number)
- Number the list

This is how the information on your disk should appear:

John388Doe
JaneDoe388
Johndoe388

Please mail both CDs, and a copy of the subpoena to:

AOL Inc. Legal Department
Public Safety & Criminal Investigations
22000 AOL Way
Dulles, VA 20166

If we have provided you with an AOL Legal file #, please include it with your subpoena.

AOL Legal File # _____ - _____ - _____

*The screen names used in the above example are fictitious.

Sample Preservation Request

18 U.S.C. § 2703(f)

(Your Agency Letterhead)

(Date)

Via Facsimile to 703-265-2305

AOL Inc. Legal Department
Public Safety & Criminal Investigations
22000 AOL Way
Dulles, VA 20166

Re: Preservation Request

I am writing to request the preservation of records for the following account, pending the issuance of legal process:

Name: John X. Doe
Address: 1234 Any Street, Anytown, USA 12345
Telephone: (123) 456-7890

Screen Names: John388Doe, JaneDoe388, JohnDoe388

AOL Account #: _____

Credit Card # & Type: _____

{ or }

IP Address: _____

Exact Date: _____

Exact Time: _____

Time Zone: _____

(Proxy IPs Only) **Complete** headers of the email message sent during the proxy session; _____ or
The **entire** URL of the Web page visited, including **all** fields after .com, .org, .net, etc.:

You are requested to preserve, for a period of 90 days, the records described below currently in your possession for this account. You are also requested not to disclose the existence of this request to the subscriber or any other person, other than as necessary to comply with this request.

Sample Preservation Request

18 U.S.C. § 2703(f)

(cont'd)

This request applies only retrospectively. It does not in any way obligate you to capture and preserve new information that arises after the date of this request.

This preservation request applies to the following records:

{ *See Sample Search Warrant for Comprehensive List* }

If you have any questions concerning this request, please contact me at

Signature
Printed Name / Date

Preservation Requests for IP Connection Logs

The above letter may be used to request preservation of IP connection logs for specific accounts across a range of dates, or to pinpoint an IP address on a specific date, time, and time zone, or to preserve the last known IP login on a given account as of the specific date of the preservation request.

A court order issued under 18 U.S.C. § 2703(d) is required to compel disclosure of a range of IP connection logs.

Emergency Voluntary Disclosures

18 U.S.C. § 2702(b)(8)

18 U.S.C. § 2702(c)(4)

The Stored Communications Act permits an Internet service provider to disclose the contents of electronic or wire communications or customer records to law enforcement "if the provider, in good faith, believes that an emergency involving danger of death or serious physical injury to any person requires disclosure without delay of communications [or records] relating to the emergency."

In the event of an emergency, please telephone AOL's Public Safety and Criminal Investigations unit at 703-265-1933, and provide us with specific facts concerning the emergency that you believe requires immediate disclosure of communications or records relating to the emergency.

The specific facts should include:

- Description of the emergency, including facts demonstrating the danger of death or serious physical injury;
- Explanation that the danger is imminent, and that a subpoena, court order, or search warrant cannot be obtained in time; and
- What specific records or communications you seek from AOL that relate to the emergency.

Authorization and Consent to Release Records

To Accompany Law Enforcement Requests Only

I, _____, am the primary account holder of one or more accounts with AOL Inc. ("AOL") bearing the screen names:

I hereby grant my consent authorizing _____ to receive, review, copy and otherwise utilize, as that person or organization deems appropriate, all records of any kind provided by AOL relative to my account(s), including any alternate screen names or subaccounts.

I hereby authorize AOL to provide to that person or organization the following records relative to my account(s), including any alternate screen names or subaccounts:

Please check records being requested:

- Basic subscriber info*
- IP connection logs & ANI info
- Buddy lists
- AOL address book
- Member profile
- Content of electronic mail
- Other _____

* including but not limited to name, address, phone numbers, screen names, records of session dates & times, start & end dates of service, account balance, credit card or bank account number

Pursuant to this Authorization and Consent, I hereby agree to hold harmless and do forever hold harmless AOL for the disclosure of such records and do forever waive, on my behalf and on behalf of all my heirs or assigns, any and all claims arising, in whole or in part, out of AOL's disclosure of records relative to my account(s) pursuant to this Authorization and Consent.

I hereby indemnify AOL against any and all claims or causes of action arising, in whole or in part, out of AOL's disclosure of records relative to my account(s) pursuant to this Authorization and Consent.

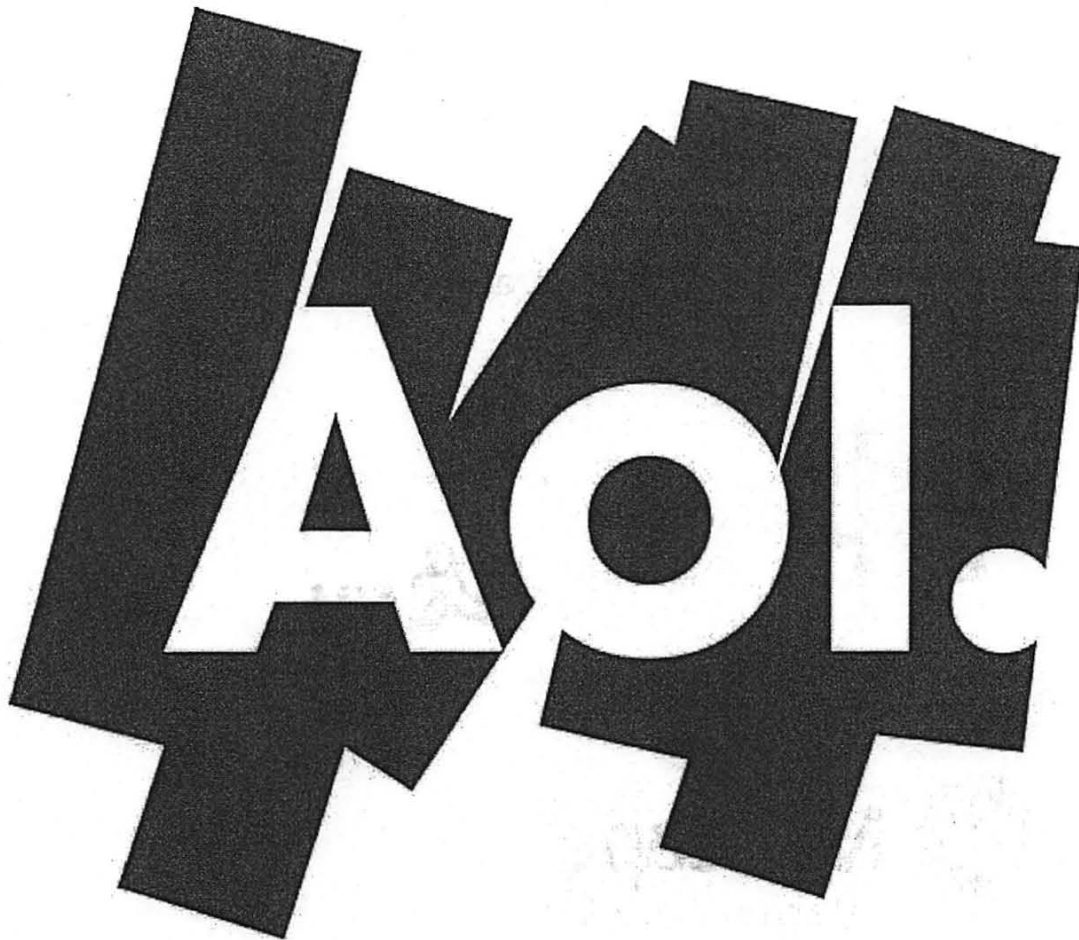
Member Signature & Printed Name

Date

Witness Signature & Printed Name

Date

*****AOL will release content only for the primary master screen name for a paid or formerly paid account at the written request/consent of the subscriber.*****



AOL Inc.
Public Safety & Criminal Investigations Unit
22000 AOL Way
Dulles, VA 20166

703-265-1933
Or
703-265-COPS

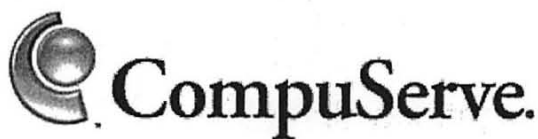
Fax: 703-265-2305

Please direct all legal process for any of AOL's Brands to:

AOL Inc.
Public Safety & Criminal Investigations
Attn: Custodian of Records
22000 AOL Way
Dulles, VA 20166

Fax: 703-265-2305

AOL Brands:



Sample Subpoena Language

18 U.S.C. § 2703(c)(2)

Searches by Name or Screen Name:

The broadest possible language will not be workable for persons with relatively common names, since a firstname lastname combination could yield dozens or hundreds of different AOL account holders, and many if not most of those accounts would identify persons entirely unrelated to the investigation.

At least one additional parameter, such as a physical address, telephone number, or credit card number & type, must be included for AOL to locate the screen name.

For the account of: (firstname) (lastname) using AOL and/or AIM screen name (screen name) , and for any other screen names associated with this account, and for all other accounts and screen names associated with (firstname) (lastname) , possibly residing at (physical address or other additional identifying data) , the following records maintained by AOL Inc. ("AOL") for each account:

All subscriber information, including:

- a. names, email addresses, and screen names;
- b. addresses;
- c. detailed billing records or records of session times and durations;
- d. length of service (including start date) and types of service utilized;
- e. telephone or instrument number or other subscriber number or identity, including most recent temporarily assigned network address [or, alternatively, you may specify a particular date, time, and time zone]; and
- f. the means and source of payment for such service (including any credit card or bank account number).

Searches by IP Address:

If you have only an IP address that appears to be an AOL Member IP or "IPT," or an AOL Proxy IP (see explanation on page 11, "Types of IP Addresses Logged by AOL"), and you need subscriber information for the corresponding screen name, in place of the first paragraph above you must include the following instead:

IP Address: _____
Exact Date: _____
Exact Time: _____
Time Zone: _____

Proxy IPs – Include complete eaders of the email message sent during the proxy session; or the **entire** URL of the Web page visited, including all fields after .com, .org, .net, etc.:

Disk Subpoena Format Requirements

For any subpoenas with more than 10 screen names

Do's

- Save it on the following media: **two (2) CD-Roms**
- Save the file as a plain text file
- Include *only* the list of screen names
- Include only *one* screen name per line
- Single-spaced lines
- List all screen names on the subpoena (or on an attachment incorporated by reference)
- Provide contact information (name, phone number, and mailing address, but *not* a Post Office box) to which AOL's response should be delivered (Do not include this on this disk)

Do Not's

- Put spaces between characters in screen names
- Include @aol.com or any other domain name after a screen name
- Include screen names containing extraneous characters such as -, *, #, + (screen names can only be alphanumeric)
- Include a letter or copy of the subpoena on the disk
- Include screen names that begin with a number (AOL screen names never begin with a number)
- Number the list

This is how the information on your disk should appear:*

John388Doe
JaneDoe388
Johndoe388

Please mail both CDs, and a copy of the subpoena to:

AOL Inc. Legal Department
Public Safety & Criminal Investigations
22000 AOL Way
Dulles, VA 20166

If we have provided you with an AOL Legal file #, please include it with your subpoena.

AOL Legal File # _____ - _____ - _____

*The screen names used in the above example are fictitious.

Serving Search Warrants in the United States

State and Local Agencies:

AOL will accept service of warrants directly from State or local agencies as with other process: by fax, 703-265-2305, or by mail. However, some agencies either may be required to (by their own policies or legal strictures), or may prefer to domesticate their warrants through Loudoun County. To do so, please contact the Loudoun County Sheriff's Office at 703-777-0493 for details. Sheriff's Investigator Ron Colantonio is currently assigned to process these search warrants.

Federal/Military:

Federal Search Warrants can be faxed to 703-265-2305.

All AOL email, whether from U.S. or international subscribers, is stored in and processed through AOL's email servers in its data centers in Northern Virginia.

Release of Content Over 180 Days Old with a Subpoena or Court Order

Contents of electronic communications cannot be disclosed by subpoena or court order without the government either giving notice to the subscriber under 18 USC 2703(b)(1)(B), or the government giving *delayed* notice to the subscriber under the procedures set forth in 18 USC 2705.

Under ECPA, giving notice to the subscriber, either immediate or delayed, is your agency's obligation, not AOL's responsibility. Placing directives or requests to AOL in the subpoena or court order does *not* meet the requirements of ECPA.

In order for AOL to ensure that we are complying with a valid subpoena under ECPA, we require that you verify, in writing, that either (1) your agency has given notice to the subscriber; or (2) your agency has delayed giving notice to the subscriber by following the procedure set forth in 18 USC 2705.

A court order that recites on its face that your agency shall delay giving notice to the subscriber for one of the reasons set forth in 18 USC 2705(a)(1)(A) will suffice.

For subpoenas, we need verification, in writing, that a certification delaying notice has been executed by a "supervisory official" as defined in 18 USC 2705(a)(6). (We do not need to see either your agency's notice to the subscriber or your agency's certification.)

Sample Preservation Request

18 U.S.C. § 2703(f)

(Your Agency Letterhead)

(Date)

Via Facsimile to 703-265-2305

AOL Inc. Legal Department
Public Safety & Criminal Investigations
22000 AOL Way
Dulles, VA 20166

Re: Preservation Request

Custodian of Records:

I am writing to request the preservation of records for the following account, pending the issuance of legal process:

Name: John X. Doe
Address: 1234 Any Street, Anytown, USA 12345
Telephone: (123) 456-7890

Screen Names: John388Doe, JaneDoe388, JohnDoe388

AOL Account #: _____

Credit Card # & Type: _____
{ or }

IP Address: _____

Exact Date: _____

Exact Time: _____

Time Zone: _____

(Proxy IPs Only) **Complete** headers of the email message sent during the proxy session; or the **entire** URL of the Web page visited, including **all** fields after .com, .org, .net, etc.:

You are requested to preserve, for a period of 90 days, the records described below currently in your possession for this account. You are also requested not to disclose the existence of this request to the subscriber or any other person, other than as necessary to comply with this request.

{ continued on next page }

Sample Preservation Request

18 U.S.C. § 2703(f)

(cont'd)

This request applies only retrospectively. It does not in any way obligate you to capture and preserve new information that arises after the date of this request.

This preservation request applies to the following records:

{ *See Sample Search Warrant for Comprehensive List* }

If you have any questions concerning this request, please contact me at _____.

Signature

Printed Name / Date

Preservation Requests for IP Connection Logs

The above letter may be used to request preservation of IP connection logs for specific accounts across a range of dates, or to pinpoint an IP address on a specific date, time, and time zone, or to preserve the last known IP login on a given account as of the specific date of the preservation request.

Emergency Voluntary Disclosures

18 U.S.C. § 2702(b)(8)

18 U.S.C. § 2702(c)(4)

The Stored Communications Act permits an Internet service provider to disclose the contents of electronic or wire communications or customer records “if the *provider*, in good faith, believes that an emergency involving danger of death or serious physical injury to any person requires disclosure without delay of communications [or records] relating to the emergency.” (emphasis supplied)

In the event of an emergency, please telephone AOL’s Public Safety and Criminal Investigations unit at 703-265-1933, and provide us with specific facts concerning the emergency that you believe requires immediate disclosure of communications or records relating to the emergency.

The specific facts should include:

- Description of the emergency, including facts demonstrating the danger of death or serious physical injury;
- Explanation why the danger is imminent, and that a subpoena, court order, or search warrant cannot be obtained in time; and
- What specific records or communications you seek from AOL that relate to the emergency.

Authorization and Consent to Release Records

To Accompany Law Enforcement Requests Only

I, _____, am the primary account holder of one or more accounts with AOL Inc. ("AOL") bearing the screen names:

I hereby grant my consent authorizing _____ to receive, review, copy and otherwise utilize, as that person or organization deems appropriate, all records of any kind provided by AOL relative to my account(s), including any alternate screen names or subaccounts.

I hereby authorize AOL to provide to that person or organization the following records relative to my account(s), including any alternate screen names or subaccounts:

All of the records listed on this form

[Or, check only specific records below:

- Basic subscriber information *
- IP connection logs & ANI info
- Account histories
- Buddy lists
- AOL Address book
- Content of AOL Calendars, Pictures, Private Journal, File Backup, Reminders, other files (except electronic mail)
- Content of all electronic mail
- Other * including but not limited to name, address, phone numbers, screen names, records of session dates & times, start & end dates of service, account balance, credit card or bank account number

Pursuant to this Authorization and Consent, I hereby agree to hold harmless and do forever hold harmless AOL for the disclosure of such records and do forever waive, on my behalf and on behalf of all my heirs or assigns, any and all claims arising, in whole or in part, out of AOL's disclosure of records relative to my account(s) pursuant to this Authorization and Consent.

I hereby indemnify AOL against any and all claims or causes of action arising, in whole or in part, out of AOL's disclosure of records relative to my account(s) pursuant to this Authorization and Consent.

Member Signature & Printed Name

Date

Witness Signature & Printed Name

Date

- Please fax the completed form, with both signatures and dates, to 703-265-2305.
- AOL will only release content with a consent letter for the primary master screen name of paid or formerly paid account.

Internet and AOL Email Headers

An excellent guide to interpreting Internet email headers is found in the following manual:

Best Practices for Seizing Electronic Evidence, Version 2.0
Federal Law Enforcement Training Center
<http://www.fletc.gov/training/programs/legal-division/downloads-articles-and-faqs/downloads/other/>

See "Tracing an Internet Email," on pages 22-23 of the Best Practices guide.

When using the AOL Client headers are reduced to a minimum. To view the full header information click on "details" located at the bottom of the email header.

Email Retention Periods

Email for all of AOL's brands is stored indefinitely (unless deleted by the user) except as follows:

Deleted mail – 7 days
Spam mail – 5 days

AOL IP Data Retention Periods

Session logs ("Detailed billing")	6 months
Source IP & Member IP ("IPT") connection logs	90 days
Webmail IP connection logs	90 days
Proxy IP connection logs	5 to 7 days
AIM IP connection logs	up to 90 days
ICQ IP connection logs	up to 90 days

All AOL log data retention periods are approximate and subject to change without notice.

AOL's International Portals

Canada	www.aol.ca
Mexico	www.aol.mx
United Kingdom –	www.aol.co.uk
France	www.aol.fr
Germany –	www.aol.de
Japan	hp-consumer.myaol.jp
India	www.aol.in

AOL Email Domains

Some of the international portals offer email addresses to subscribers that share the same name space as AOL.com. Others offer Country Specific Name Space identifiers that are (as the name implies) unique to that international portal.

AOL's My eAddress feature also permits subscribers to create email addresses in any one of our "affinity" domains, including (for example) switched.com or moviefan.com, or in a unique domain name of the subscriber's choice. For a complete list, see:

domains.aol.com

All AOL email, whether from U.S. or international subscribers, is stored in and processed through AOL's email servers in its data centers in Northern Virginia.

Internet and AOL Email Headers

An excellent guide to interpreting Internet email headers is found in the following manual:

Best Practices for Seizing Electronic Evidence, Version 2.0
Federal Law Enforcement Training Center
<http://www.fletc.gov/training/programs/legal-division/downloads-articles-and-faqs/downloads/other/>

See "Tracing an Internet Email," on pages 22-23 of the Best Practices guide.

In certain legacy systems, when AOL users send email to one another the headers are reduced to a bare minimum, since email need not be routed through multiple email servers scattered across the globe. Below is the entire set of headers in email sent from secure@aol.com to guilt@aol.com :

AOL to AOL e-mail:

Subject: Hello World
Date: 1/30/2008 3:44:11 P.M. Eastern Standard Time
From: [secure](mailto:secure@aol.com)
To: [guilt](mailto:guilt@aol.com)
Sent on: AOL Webmail 34032-STANDARD sub 0

BEBO Searches

Bebo searches can be accurately performed only when supplied with the member's profile id number. While we can search on email addresses and user names, these search parameters can be changed by the member and may not return accurate results.

Bebo stores the profile, registration data, account histories, IP connection logs for the past 500 days, lists of friends and groups and photos posted by the member.

Email content is available, however, when the mail is pulled any unread mail will appear as "read". Bebo mail is retained until deleted by the member or upon termination of the profile.

Domestic requests for Bebo may be faxed to (703) 265-2305.

AOL Email Retention Periods

AOL E-Mail

(Paid Services, including those converted to free accounts)

- Inbox - Kept as New: Indefinite
- Inbox - Unread: 30 days
- Read: 30 days from the date it is read
- Sent: 30 days
- Deleted: 24 hours
- Spam - Unread: 5 days
- Spam - Read: 1 day

These retention periods are not guaranteed since each mailbox is also subject to a numerical quota (1,000 messages for the Inbox, 550 for all others), which when exceeded results in the deletion of the oldest messages beyond the quota.

- "Saved on AOL":
Indefinite (with no numerical quota)

AIM.com / My eAddress ("Affinity") Domains / International Portals

(Free Services)

- Inbox – All read, unread, kept as new: Indefinite
- Sent: Indefinite
- Trash: 7 days
- Spam (Unread): 5 days
- Spam (Read): 1 day
- "Saved Mail" (including any top-level, user-created folders): Indefinite

120 days without "logging in" will result in all e-mail being deleted from the free account. There are no numerical quotas for these accounts.

With the release of the AOL 9.1 client, AOL subscribers have the option to convert their email to the AIM.com retention periods (i.e., indefinite except for Trash and Spam).

Subscribers who use AOL WebMail can also convert their email to the AIM.com retention periods (i.e., indefinite except for Trash and Spam), by selecting "Switch to improved unified inbox" within the General Settings options.

Compuserve2000 E-Mail

- Inbox - Kept as New: 27 days (from deposit)
- Inbox - Unread: 27 days (from deposit)
- Read: 3 to 7 days after it is read, or 27 days from deposit (whichever is less)
- Sent: 27 days
- Deleted: 24 hours

AOL Log Data Retention Periods

Session logs ("Detailed billing")	6 months
Source IP & Member IP ("IPT") connection logs	90 days
Webmail IP connection logs	90 days
Proxy IP connection logs	5 to 7 days
AIM IP connection logs	up to 90 days
ICQ IP connection logs	up to 90 days

All AOL log data retention periods are approximate and subject to change without notice.