

1 MR. COLBY: Source codes.

2 THE COURT: Source codes?

3 THE WITNESS: Well, it was the intellectual --
4 well, I mean, in general terms it was the intellectual
5 challenge in learning about how these worked and when I
6 improperly accessed a company's source code.

7 BY MR. COLBY:

8 Q Let me ask this question. Prior to the time when
9 you were incarcerated --

10 A Okay.

11 Q Considering the time prior to when you were
12 incarcerated, the time when you were in jail, and the
13 present time, I'd like to ask you this --

14 A Okay.

15 Q Is your income today more or less than it was
16 prior to time of when you were incarcerated?

17 A Now it's substantially more.

18 Q is your income today more or less than during the
19 time that you were in jail?

20 A Yes, of course -- they pay you 12 cents an hour.

21 (Laughter.)

22 Q Do you ever feel any temptation to go back to the
23 life that you were leading prior to the time when you were
24 incarcerated?

25 A No, absolutely not.

1 Q Do you understand that if you go back to breaking
2 into computers, and reading other people's source codes,
3 that you're going back to jail?

4 A Yeah, that's obviously a given. I won't let
5 people use my amateur radio equipment either because you
6 can't use it from jail.

7 MR. COLBY: That's all I have.

8 MR. SHOOK: I have nothing further as a
9 consequence of that.

10 THE COURT: Now I don't want to sound like a
11 psychologist or psychiatrist, but was there some kind of a
12 compulsion thing in connection with this hacking or getting
13 into sites?

14 THE WITNESS: I was tunnel visioned. I don't
15 believe it was a mental disorder.

16 THE COURT: I didn't mean it that way, but go
17 ahead.

18 THE WITNESS: I guess it was I was kind of
19 obsessive in what I do. I tunnel vision on a particular
20 project. And see, when I started into this field of
21 hacking, it was all cool and entertaining back then.

22 In fact, my teachers awarded me of writing
23 programs and obtain people's passwords. In fact, in those
24 days it was accepted as it was all right to do. And then,
25 as society changed around and it became a very serious

1 subject. Like I guess I could relate it to the analogy of
2 the smoking pot back in the '60s was the cool thing to do.
3 Right now, there is war on drugs.

4 Well, because I was so into my -- so tunnel
5 visioned into my hobby, was that society was changing around
6 me. Kevin didn't change. I went on doing what I started
7 doing when I was in high school.

8 THE COURT: You say that you viewed it as being an
9 accepted thing at that time?

10 THE WITNESS: It was at that time. There was no
11 laws against it at that time, and the people -- the role
12 models that I -- like the teachers in school when I would
13 write programs that would, like, caught people's passwords,
14 for example, I used to get credit. I used to be encouraged
15 by my teachers that, that's an okay thing to do.

16 THE COURT: This is at what age?

17 THE WITNESS: 17 -- 16 years old.

18 THE COURT: High school?

19 THE WITNESS: Yes. And then I got so into it, and
20 it was so fascinating to me, that I even became -- you know,
21 they passed legislation and society changes where it became
22 a very negative thing to do, and I still continued doing it
23 anyway for a number of years.

24 THE COURT: Now you were arrested in North
25 Carolina February 9, 1995?

1 THE WITNESS: Yes. I was a hacker for a number of
2 years.

3 THE COURT: Prior to 1995, you were a hacker for a
4 number of years, obviously?

5 THE WITNESS: Yes.

6 THE COURT: What would be the time frame?

7 THE WITNESS: Since I was 17.

8 THE COURT: We can do the math -- 17 to about age
9 -- let's see, you're almost 40 now.

10 THE WITNESS: 31.

11 THE COURT: So 17 to 31 -- you were, again, I
12 don't want to characterize it, but you were hacking to some
13 degree of regularity?

14 THE WITNESS: Yes. But, see, at first, I started
15 as learning by telephone systems and electronics. You have
16 to define what hacking is. I mean, was I at 17, you know,
17 breaking into computers all the time. There were different
18 types of hacking, like, taking computer programs apart and
19 reverse engineering. It's what is known as "reverse
20 engineering." So there is a lot of varying of hacking. If
21 you pull a piece of electronics apart to see how it works,
22 to me, that's hacking.

23 If have an automobile, and my hobby was
24 automobiles, and I wanted to take that engine apart and
25 figure out the right mixture of fuel and air that made that

1 vehicle run at a most efficient speed, to me, that's being a
2 hacker.

3 THE COURT: Okay. Well, let me ask the question
4 this way then, between 17 and 31, did you engage in anything
5 at that time that's characterized as illegal hacking?

6 THE WITNESS: Yes, I was.

7 THE COURT: What about from that same age
8 framework, 17 to 31, you also engaged in unauthorized use of
9 cellular phones?

10 THE COURT: No, that was in '90 -- like, prior to
11 my arrest, '93 to '95 or something like that -- '94 to '95.

12 THE COURT: That was only about two years.

13 THE WITNESS: Yeah. I don't think we had cellular
14 phones way back then. But, yes, that was right at the time
15 of my arrest -- that area, '94 or '95.

16 THE COURT: Okay. So you gave an explanation.
17 Your version of what was going on internally when you were
18 doing the hacking -- 17 to 31. What about the cellular --
19 how can I put it?

20 THE WITNESS: Cellular fraud.

21 THE COURT: Cellular trespassing, cellular fraud
22 -- roughly 29 to 31 time frame.

23 THE WITNESS: Yes.

24 THE COURT: What was going on with you at that
25 time that prompted that?

1 THE WITNESS: Well, to be -- obviously, to be
2 honest with you, the reason I used cell phones or was
3 fascinated with cell phone technology, I wanted to learn how
4 it worked, but as for using it -- as for using the service,
5 it was to avoid getting trapped.

6 THE COURT: Avoid getting what? Trapped?

7 (Discussion off the record.)

8 THE COURT: Go ahead. I'm sorry.

9 MR. COLBY: I think the witness testified that he
10 used the cell phones during the time when he was a fugitive
11 in order to avoid detection. Is that correct, Mr. Mitnick.

12 THE WITNESS: That's correct.

13 THE COURT: Okay, it's coming back. That ties it
14 up. My question is, you gave me your explanation in terms
15 of how you were internalizing this "hacking" activity that
16 went on for a considerable period of years, then you have a
17 two-year time frame --

18 THE WITNESS: That's when I was a fugitive. I was
19 trying to avoid capture by the federal government.

20 THE COURT: So you knew that, that was --

21 THE WITNESS: -- wrong, yes.

22 THE COURT: Okay, wrong, larcenous or whatever
23 term you want to use. In any event, you knew that you were
24 criminally exposed.

25 THE WITNESS: I thoroughly regret it because, at

1 least, I can reflect back to my dad, when he was alive, and
2 people would clone his cell phone. They call it "cell phone
3 cloning." He would get these bills and then he would have
4 to call the phone company and go with a highlight and, yes,
5 I made this call and no, I didn't make this call.

6 Eventually, the phone company would take off the
7 charges, but I saw the trouble that I ended up -- you know,
8 after the fact, that I caused my dad of having to go through
9 this painstaking process, which was a real pain in the
10 butt -- excuse the expression. I feel terrible, obviously,
11 that I made people -- several people go through this
12 process.

13 THE COURT: Well, when did you start having those
14 kinds of feelings of remorse or regret?

15 THE WITNESS: To be honest, I was bitter up until
16 the time that I was released from federal prison. Then
17 after a period of time, I began to accept -- the bitterness
18 subsided somewhat, and I came to accept, you know, what I
19 was doing was very wrong, especially, the cell phone stuff
20 and how that hurt innocent people. I feel terrible about it
21 and I wish I never did it, but I can't take back the past.
22 It's a done deal. All I can do is assure everybody I'm not
23 going to do that again.

24 In fact, I've got the best cell phone rate that
25 you can get through AT&T wireless. I pay the maximum amount

1 of money, so the maximum amount of minutes. But that was a
2 objective, again, wasn't to make a free phone call. Again,
3 why I used the cell phones was to mask my location. It
4 wasn't to -- in fact, most of the calls I was making were
5 local to different computer systems and you know, I could
6 have picked up my home phone and made it for free. It was
7 the whole idea of masking my locations is why I used the
8 cell phones.

9 THE COURT: Now am understanding that you were in
10 were in the process of -- you were engaged of this conduct
11 of trying to mask your whereabouts and your activities at
12 the time that you were arrested?

13 THE WITNESS: Before my arrest, yes, because there
14 was a warrant out for my arrest and I didn't want to have
15 anything lead to where I was physically residing.

16 THE COURT: Let me ask the question this way, you
17 didn't give yourself up to the federal authorities. They
18 came and got you?

19 THE WITNESS: That is correct -- in Raleigh, North
20 Carolina.

21 MR. COLBY: Can I ask a follow up to that?

22 THE COURT: Sure, go ahead.

23 FURTHER RE-DIRECT EXAMINATION

24 BY MR. COLBY:

25 Q As a result of your arrest in Raleigh, North

1 Carolina, did you serve time in jail?

2 A Yes.

3 Q How many months in jail did you actually serve.

4 A Five years -- 59 months and like, I think, three
5 weeks. I served nine years in federal prison for my
6 activities.

7 Q And a substantial part of that time was served
8 because of the misuse of the cell phones?

9 A Oh, yes.

10 Q Was that the primary -- in terms of your time
11 spent in jail, was it primarily the cell phone activities as
12 opposed to the hacking?

13 A Well, I can categorize it by the terms of
14 imprisonment. For the cell phone case in North Carolina I
15 was sentenced to eight months. For violating my supervisory
16 release, by being convicted of a crime, was 14 months and
17 then, the hacking case was 46 months. But I don't know if
18 you can characterize it by those terms of imprisonment.
19 Suffice it to say, that, to me, everything was pretty much
20 the same. I was being punished for all my past
21 transgressions, including the cell phone and the hacking.
22 It was all as a combined package because it was all
23 interrelated.

24 THE COURT: Now at the time that you were in
25 prison, were you undergoing counseling at the prison?

1 THE WITNESS: No.

2 THE COURT: No counseling at all?

3 THE WITNESS: No, I wasn't.

4 THE COURT: Have you ever been counseled since you
5 came out, except what you might get from your probation
6 officer?

7 THE WITNESS: No. No professional counseling, no.

8 THE COURT: But you feel now that now that you
9 have this thing licked.

10 THE WITNESS: Yes.

11 THE COURT: You spent five years in jail --

12 THE WITNESS: I matured -- hacking is like a young
13 man's fun. You eventually grow out of it. You mature.
14 Right now, my goals in life is to live a productive live and
15 to earn a living and try to make up for all the time that I
16 lost and try to be a productive citizen. That's part of the
17 reason why, you know -- one of the reasons I wrote this book
18 was to help people. I trying to take my background,
19 experience and all in order to help government, business and
20 people. That's what I can do now because that's all the
21 experience I have. I can take it to the table. That's what
22 I'm trying to do.

23 THE COURT: Mr. Shook, and you can redirect on any
24 of this, but there is just one more area that I want to ask
25 you about.

1 Mr. Shook asked you something about the proceeds
2 of the book -- would it be used for anything in restitution
3 and you said no. Is there any restitution element at all
4 out there?

5 THE WITNESS: Yes, I paid it.

6 THE COURT: You have already paid it?

7 THE WITNESS: Yes, I have.

8 THE COURT: Can you tell me how much that was?

9 THE WITNESS: It was \$4125. \$4125.

10 THE COURT: That was in the Admission, wasn't it?

11 THE WITNESS: It was in the Admissions.

12 THE COURT: That's all I have.

13 THE WITNESS: Okay.

14 MR. COLBY: I have nothing more.

15 MR. SHOOK: Nothing more.

16 THE COURT: You are excused as a witness then.

17 You can stay in the courtroom while we hear the next
18 witness. Let's go off the record until we find everybody.
19 We are going to be in recess until around 11:00 o'clock.
20 Thank you.

21 (Witness excused.)

22 (Whereupon, at 10:40 a.m., a short recess was
23 taken.)

24 MR. COLBY: Your Honor, I call Alex Kasper.

25 THE COURT: Will you come forward, Mr. Kasper?

1 Whereupon,

2 ALEX KASPER

3 having been duly sworn, was called as a witness

4 and was examined and testified as follows:

5 THE COURT: Please be seated.

6 THE WITNESS: Okay.

7 THE COURT: Mr. Colby?

8 DIRECT EXAMINATION

9 BY MR. COLBY:

10 Q Would you state your full legal name?

11 A Alexis C. Kasperavicius.

12 Q Could you spell your last legal name?

13 A K-A-S-P-E-R-A-V-I-C-I-U-S.

14 Q Perhaps the reporter will want you to write it
15 down for her.

16 A Certainly.

17 Q Would you turn to Mitnick Exhibit No. 2?

18 A Yes.

19 Q Is that a declaration signed by you?

20 A Yes.

21 Q Who prepared that declaration?

22 A You did.

23 Q Who prepared the original draft of the
24 declaration?

25 A Oh, myself.

1 Q Right. Did I edit the draft?

2 A No.

3 Q Is the declaration true and correct?

4 A Yes, it is.

5 MR. COLBY: Your witness, Counselor.

6 THE COURT: Do you want to offer it into evidence
7 at this point?

8 MR. COLBY: Oh, yes. I move it into evidence.

9 THE COURT: Any objection?

10 MR. SHOOK: No, Your Honor.

11 THE COURT: It's received into evidence then as
12 Mitnick Exhibit No. 2.

13 (The document referred to,
14 previously identified as
15 Mitnick's Exhibit No. 2, was
16 received in evidence.)

17 THE COURT: Counsel will now ask you some
18 questions.

19 CROSS EXAMINATION

20 BY MS. LEAVITT:

21 Q Mr. Kasper, we are just going to get a little
22 background information and explore some of the testimony and
23 statements you made in your declaration.

24 Could you tell us where you live?

25 A I live in Los Angeles, California

1 Q How long have you lived there?

2 A I've lived there since 1973.

3 Q What is your educational background?

4 A I have a high school diploma and some college at
5 USC.

6 Q What kind of courses did you take?

7 A I was a French Horn Performance major.

8 THE COURT: Would you repeat that again?

9 THE WITNESS: A French Horn Performance major.

10 THE COURT: French horn, okay.

11 BY MS. LEAVITT:

12 Q Isn't USC the school that has the Trojan Marching
13 Band?

14 A Yes.

15 Q Did you play in that?

16 A No.

17 Q What kind of work do you do?

18 A I'm currently the co-founder and chief technology
19 officer of Nexspace, LLC in Los Angeles.

20 Q What do you do for them?

21 A I design network and telecommunications
22 infrastructure for them, and currently, maintain them.

23 Q How did you come about getting that type of work?

24 A I co-founded the company with a friend of mine,
25 and it fell to my task.

1 Q It just seems quite different from french horn
2 playing, so I'm just wondering how -- did you have an
3 affinity for the type of work that it sounds like you're
4 doing?

5 A Yes. The way I had an affinity was I've always
6 been interested in telecommunications and computers and I
7 self-taught myself much about it and I've acted as a
8 consultant for the last five years in computers and
9 telecommunications.

10 Q Who are some of your clients?

11 A Various private individuals. I couldn't give you
12 names really.

13 Q Do you know Kevin David Mitnick?

14 A Yes, I do.

15 Q How did you come to know him?

16 A I meet him in approximately in the Summer of 1987
17 when a friend of mine and I had designed a bulletin board
18 system and Kevin had hacked into the system and we figured
19 it out and was somewhat annoyed.

20 Q What kind of -- describe how he hacked into your
21 system. What did he do?

22 A Well, this was a dating system -- one of the first
23 in Los Angeles, and it was with phone lines and modems. We
24 discovered that one of the users had privileged access to
25 the system. And even though we would continually put the

1 access of that user to user level, his access would start
2 popping back up to administrator and we didn't know how.

3 Eventually, he contacted us to tease us, and
4 basically, find out if we would figure out what was going
5 on. It was annoying, but interesting. We eventually became
6 friends. He's very clever at that.

7 Q Did he do any damage to your system?

8 A No.

9 Q How did you eventually convince him to stop
10 hacking into your system or did he?

11 A He did. I think it just became boring for him.
12 And we had become friends, so it wasn't an issue any more.

13 Q Why were you upset? What type of frustration did
14 you experience with his activities?

15 A The type of frustration was, as you can imagine,
16 lack of control. We couldn't figure it out and was
17 frustrated at that.

18 Q Are you related to Kevin by blood or marriage?

19 A No.

20 Q Turning now to your declaration, you state that
21 you were -- let's see, I guess this is paragraph 2, if you
22 want to look at that. Why don't you read it to yourself.

23 (Witness examines the document.)

24 A Okay.

25 Q You state that you were fascinated by

1 Mr. Mitnick's almost possessed drive to gaining access to
2 computer systems. What makes you think that Mr. Mitnick now
3 has been able to curb his urge to break into computer
4 systems?

5 A I think that Mr. Mitnick has sort of sated his
6 appetite, but also realizes that the results of his actions
7 caused much hardship on the other side. I think he takes
8 that into account whereas previously it didn't even occur to
9 him.

10 Q Also, in paragraph 2, you note that Mr. Mitnick
11 had unlimited access to almost any system and was an
12 intriguing resource for information one could not gain by
13 any other means. Did Mr. Mitnick ever obtain any illicit
14 information for you?

15 A No.

16 Q In paragraph 5 of your letter, you reference
17 Mr. Mitnick's being incarcerated again, to which
18 incarceration are you referring?

19 A The one in 1995.

20 Q How often did you communicate with him?

21 A I would say on the average every other week.

22 Q When did you become aware of the change that you
23 referenced in paragraph 6?

24 A I would say about the -- I would say about eight
25 months after incarceration.

1 Q So in '95 --

2 A It started to appear, right.

3 Q Okay. What kind of a change did notice?

4 A Sort of an acceptance in the sense that,
5 initially, he was full of piss and vinegar and very annoyed
6 that this could have happened. Eventually, just started to
7 become more aware that, indeed, something had been done and
8 they were serious and this was no longer a joke. I think,
9 at that point, he started realizing that, indeed, there was
10 some consequences. At that time, also, became remorseful.

11 Q Thank you. You might want to take a look at
12 paragraph 7, which is the full paragraph on page 2 of your
13 declaration. You can read that.

14 A Yes.

15 Q You state that you went on several meetings with
16 Kevin?

17 A Yes.

18 Q You met with certain of the targets that he had
19 hacked into. Why did you accompany him?

20 A Well, the impression may be that these were formal
21 meetings. They were not. Kevin and I attended several
22 conferences, gatherings, et cetera. And in those
23 gatherings, people would approach Kevin and say, hey, you
24 don't know me, but I'm this guy. You broke into this system
25 then, and there would be some exchange. And usually, we

1 would have a drink and he would express remorse at that
2 time. It wasn't a formal "let's get together and talk
3 about what I did."

4 Q So people who Mr. Mitnick -- whose systems
5 Mr. Mitnick had hacked into came up to him at these
6 meetings?

7 A Yes.

8 Q What was their demeanor in approaching him?

9 A Usually, bemusement.

10 Q Why do you think that is?

11 A I think it's in the past and they were more
12 interested in meeting him. It was sort of meeting your
13 challenger. It was treated like -- very friendly -- more
14 like a game.

15 Q Turning to paragraph 8 of your declaration, you
16 state that you are assisting Kevin with his book. How are
17 you doing that?

18 A I have a good grab of Excel, and in the policy
19 section of his book, I came up with a system for organizing;
20 and also, was someone to whom he could bounce policies and
21 ideas against and he took advantage of that.

22 In addition -- I'm sorry, can you repeat the
23 question.

24 Q In what ways were you assisting him with his book?

25 A Just as a sounding board, and also, in

1 suggestions, et cetera.

2 Q Are you receiving any type of compensation for
3 your help?

4 A No.

5 Q Who paid for your trip to Washington today?

6 A Myself.

7 Q Okay. You stated that you were in contact with
8 Kevin kind of regularly when he was incarcerated. Describe
9 your contacts with him after he was released from prison?

10 A We see each other every week. He was using some
11 office space I had to write his book at some time. You
12 know, we'd have lunch, dinner very often. We're very good
13 friends.

14 Q Do you hold any FCC licenses?

15 A I used to.

16 Q Tell us about that.

17 A I have a ham radio license -- KB6VTM, which I
18 didn't elect to renew.

19 Q I'm sorry?

20 A Which I did not renew.

21 Q Okay. Why didn't you renew it?

22 A I no longer found ham radio interesting.

23 Q How long did you hold that license?

24 A I think for approximately from 1987 to 1992.

25 Q Was that the only license you have ever held?

1 A Yes.

2 Q Were you ever cited by the Commission for any
3 violations or infringement of any regulations?

4 A No.

5 Q Have you heard Mr. Mitnick use his -- or observed
6 him using his?

7 A Yes.

8 Q He apparently finds it very interesting.

9 A Oh, yes.

10 Q Based on your knowledge of Kevin, going back to
11 1987, what do you think his reputation for honesty is?

12 A I'm not sure how to answer the question. He's
13 honest and has always been honest to me.

14 Q Okay, so given Kevin's past activities that
15 involved hacking into computers and not following rules and
16 regulations, what is your opinion as to whether you think he
17 would be able to follow the rules and regulations of a ham
18 radio operator?

19 A I believe he would follow them to the law -- to
20 the letter.

21 MS. LEAVITT: That's it. I have no further
22 questions at this time.

23 MR. COLBY: I have nothing further for this witness. I
24 do think Mr. Kasper should write his last name for the
25 reporter so that she has it.

1 THE COURT: That's fine. We can accommodate that.
2 I have no questions. So you're excused as a witness, sir.

3 THE WITNESS: Thank you.

4 THE COURT: Thank you.

5 MS. LEAVITT: Thank you, Mr. Kasper.

6 (Witness excused.)

7 THE COURT: Why don't we go off the record and
8 decide what we're going to do next.

9 (Discussion off the record.)

10 THE COURT: We have agreed that on June 21st at
11 2:00 p.m., we're going to make every effort to take
12 Mr. Hall's testimony by speakerphone. Then Mr. Shook will
13 be coordinating with Ms. Long for sometime during the week
14 of June 24th -- probably it will be June 25, 26 or the 27th
15 of that week. Is that correct? Does everybody agree with
16 that now?

17 MR. COLBY: Yes.

18 THE COURT: Those will be the only witness. When
19 we finish Mr. Hall and Ms. Long, there will be no further
20 testimony to take. That will be the conclusion of the
21 hearing. The question I have is with respect to the
22 logistics for taking the phone testimony.

23 One approach would be to come back in the
24 courtroom and take the testimony over the speakerphone.
25 Does anybody else have any other suggestions that might be

1 more accommodating?

2 MR. COLBY: Why couldn't we just patch Mr. Hall in
3 and patch the reporter in and reporter could tape record the
4 telephone call if the reporter has that capability.

5 THE COURT: All right.

6 THE COURT REPORTER: That's possible.

7 THE COURT: That's possible. I mean, it's been
8 done in depositions.

9 MR. COLBY: It's so much easier to hear when you
10 don't have the speakerphone. It's so much easier to hear
11 the other people on the line.

12 THE COURT: Okay. Do you have any objection to
13 that? We're not going to see the witness anyway. The
14 witness is going to be with a notary or in a government
15 office. We're going to know who the person is we're talking
16 to, yes, I think that's the sensible way to do it.

17 MR. COLBY: The speakerphone is terribly hard to
18 hear. Everybody sounds like they are in a bell. If we
19 could just have a patch, like a conference call, then
20 everybody could hear everybody perfectly. The only question
21 would be whether the reporter has got the capability to
22 record that telephone call.

23 THE COURT REPORTER: Yes.

24 THE COURT: Well, you can straighten all that out
25 after we leave, but I'm going to leave that to you all to

1 figure it out. Then let me know what time you're going to
2 call me to proceed with this process. I'll be available,
3 obviously, the afternoon of the 21st.

4 MR. SHOOK: If you're going to be arranging the
5 call, Mr. Colby, I'll have to give you the phone number of
6 the Boston field office.

7 MR. COLBY: I have 1448.

8 MR. SHOOK: No, that's my telephone number. I was
9 probably going to be down here in the courtroom with the
10 Judge. The number I would have to give you would be the
11 number where Ms. Long is going to be.

12 MR. COLBY: I think what we're talking about --

13 THE COURT: Let's hold it just a second. Let's go
14 off the record.

15 (Discussion off the record.)

16 THE COURT: We're in recess until June 21st, when
17 we will be taking testimony on a conference call of Mr. Hall
18 and we expect to finish up sometime during the week of June
19 24th with Ms. Long.

20 So we are in recess until further ordered.

21 (Whereupon, at 11:24 a.m., the hearing was
22 recessed until further ordered.)

23 //

24 //

25 //

REPORTER'S CERTIFICATE

FCC DOCKET NO.: 01-344
CASE TITLE: In Re Applications of: Kevin David Mitnick
HEARING DATE: June 18, 2002
LOCATION: Washington, D.C.

I hereby certify that the proceedings and evidence are contained fully and accurately on the tapes and notes reported by me at the hearing in the above case before the Federal Communications Commission.

Date: 6/18/02


Beth Roots
Official Reporter
Heritage Reporting Corporation
1220 L Street, N.W., Suite 600
Washington, D.C. 20005-4018

TRANSCRIBER'S CERTIFICATE

I hereby certify that the proceedings and evidence were fully and accurately transcribed from the tapes and notes provided by the above named reporter in the above case before the Federal Communications Commission.

Date: 6/18/02


Gloria Hooker
Official Transcriber
Heritage Reporting Corporation

PROOFREADER'S CERTIFICATE

I hereby certify that the transcript of the proceedings and evidence in the above referenced case that was held before the Federal Communications Commission was proofread on the date specified below.

Date: 6/18/02


Carlos Gamez
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