

Affidavit

I, David E. Smith, state that:

I reside at 56 North Park Ave, Apartment 3, Cape Girardeau, MO, 63701. I am familiar with Carl Edward Johnson, who also uses the names C.J. Parker, Toto, Truthmonger, and Son of Gomez. I first became aware of him two or three years ago through the Cypherpunks List. Although I was aware of him from the Cypherpunks list, prior to June 1998 I had not met or spoken with Johnson. I also do not recall exchanging e-mail messages with him, although there may have been one or two random e-mails regarding items posted to the Cypherpunks list.

My Bureau 42 web site hosted some of Johnson's writings. I had seen the writings posted on the Cypherpunks list, and someone had stated that the writings were too "dangerous" to be hosted on the Internet. The writings did not seem that way to me, so I hosted them on my site. I copied the writings from the Cypherpunks list, without contacting Johnson directly. This took place at least two years ago.

On a Sunday afternoon in early June 1998, I received an e-mail from someone in California, who said that C.J. Parker was passing through my area and wanted to pay me a visit. The person from California left his e-mail address and phone number. I replied to that by e-mail with a toll free number for a voice mail service. Johnson left a message for me saying that he was at a pay phone in Cape Girardeau, and he left me the number of the pay phone. I called the pay phone. Johnson answered, identifying himself as CJ and saying that "you might know me at Toto". He told me that he had been waiting there for a couple of hours hoping that I would get in touch with him. Prior to this I had not had any contact with Johnson and was unaware that he was coming to Cape Girardeau, and I was surprised when he suddenly showed up. I gave Johnson directions to my apartment and he came over, arriving around 12:30 in the morning. Johnson stayed for approximately four hours. This was the only time I ever met with Johnson.

Johnson gave me an old computer that he had in the back of his truck. The computer had sun workstation emulator card, and Johnson may have thought it would be fun for me to play with the computer. I gave this computer to Treasury Department Special Agent Loren Common who interviewed me on January 22, 1999. I do not recall Johnson saying anything about the computer having information on it that he wanted me to store. It was not my impression that I was storing the computer for Johnson, I thought it was a gift. I did not believe that it had anything useful, dangerous, or incriminating on it. I tinkered with the computer a little within a few days of receiving it. I probably looked at what was on the hard drive. I do not recall deleting anything from the hard drive, but I may have. I do not believe that I added anything to the hard drive.

The computer did not seem as interesting as Johnson had indicated it would be, and it has just been sitting unused in my apartment for the last six months. I became aware that Johnson had been arrested, but after his arrest I did not do anything with the computer. I figured that eventually the Government would come looking for the computer and I had better not mess with it. If there is anything incriminating or threatening on the computer, it would have been written by Johnson and not me. I do not believe that Johnson gave me any computer disks or paperwork. To the best of



my knowledge the only thing Johnson gave me was the computer, a monitor, and some related computer manuals. The computer should be pretty much in the same state as when Johnson left it.

Johnson said he was on his way from Saskatchewan to Arizona, for a relative's funeral. His visit was apparently a social call, and he did not explain why he was in Missouri any further. Johnson was driving an older Mazda pickup truck and had a dog with him. There was a lot of stuff in the truck, but I did not see any other computers. Johnson did not say where he was staying, other than that he was going to "hit the road again". Johnson did not say why he left Canada and never mentioned anything about bombs or bomb threats. He did not mention any secret tapes or files, Texas, problems with the RCMP, or Declan McCullagh.

The subject of Jim Bell may have come up in conversation, but I do not specifically recall anything Johnson said. Johnson did not discuss Assassination "Bots" or Dead Lucky.

I do not recall ever having any PGP public or private keys relating to Johnson, the Circle of Eunuchs, or Bianca. The only PGP secret key that I have is mine. I do not recall sending an encrypted message to Bianca. I may have but I do not recall it. I have heard the name Bianca, but I do not know who he/she is. Johnson never asked me to be a member of the Circle of Eunuchs.

I probably have sent anonymous messages to the Cypherpunks list, but I do not specifically recall doing so. If I had sent anonymous messages to the Cypherpunks list, it would only have been a few. I do use anonymous remailers, most recently a few days ago. This was sent directly to another individual (through the remailer) and not to the Cypherpunks list. I do not recall sending any anonymous messages to the Cypherpunks list. I have not sent any PGP keys to the Cypherpunks list. I am not the person who has posted PGP keys relating to Johnson on the Cypherpunks list, and I do not know who made those posts. I did not provide Johnson's PGP keys to anyone else, and I do not believe I ever even had them.

I have received two or three letters from Johnson while he was incarcerated in Springfield. They were friendly social letters and he did not ask me to do anything, such as retrieve files. He did ask me to track down some medical information for him, and I posted this request to the Cypherpunks list. He also asked me to get him a RSA sweatshirt, and I believe it was Adam Back who sent me a sweatshirt for him. I exchanged several e-mails with Back to arrange for the sweatshirt, but I do not recall discussing any other aspects of Johnson's situation with Back. I did not discuss PGP keys or the Circle of Eunuchs with Back. It is possible that I posted some of this information to the Cypherpunks list using an anonymous remailer.

I do not have any stored copies of e-mail messages that I exchanged with Johnson. In December of 1997 my computer hard drive broke, destroying any old messages I had, and I do not believe I exchanged any e-mail messages with Johnson since then.

I associate the name Truthmonger with Toto because messages to the Cypherpunks list from both used the same Sympatico Internet server. Many forged messages came through this server, including various dev.null addresses including bianca@dev.null. I have never used an e-mail address which included dev.null.

A handwritten signature in black ink, appearing to read "David E. Giles". The signature is fluid and cursive, with a long horizontal stroke extending to the right.