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WWW.WACHTELMISSRY.COM

John H. Reichman
Partner

212 909-9527 DIRECT TEL
212 909-9430 DIRECT FAX

reichman@wmlp.com

885 SECOND AVENUE
NEW YORK, NY 10017

TEL 212 909-9500
FAX 212 371-0320

December 19, 2017

BY FEDERAL EXPRESS

Lila Bailey, Esq.
Internet Archive – Policy Counsel
300 Funston Avenue
San Francisco, CA 94118

Re: Joy-Ann Reid- Removal of Defamatory and Fraudulent Material

Dear Ms. Bailey,

My firm represents Joy-Ann Reid. We write to demand that archive.org take down from its site all pre-January 1, 2008 posts and entries from blog.reidreport (the “Blog” or “reidreport”), Ms. Reid’s former blog. The Blog was hacked and fraudulent posts appear throughout the version of the Blog on your site. We also demand that you provide us with the information needed to determine how the fraudulent posts came to be included in the archived posts. I am copying Anthony Cochenour, our security consultant, on this letter.

As you may know, Ms. Reid is a political analyst for MSNBC and is the host of AM Joy, which airs Saturdays and Sundays on the network. She is also a best-selling author and a columnist for the Daily Beast.

From 2004 through 2008, Ms. Reid published the reidreport, a respected and popular liberal blog. The Blog is no longer active or public. As a result of a recent controversy about legitimate blog posts that Ms. Reid had published, Ms. Reid began reviewing her prior Blog postings on archive.org. Disturbingly, she found numerous fraudulent and defamatory posts inserted into the legitimate content of the reidreport throughout 2006 and 2007.

We have attached, as one of numerous examples, a printout from your archive for January 10 and 11, 2006. On those dates, there are entire posts, such as “Best Love Life Ever: Celebrity Wife-Swap Edition”, tags, and headings such as “Brokeback Committee Room” that were not posted or written by Ms. Reid.

Even more insidiously, those are fraudulent additions to legitimate posts. For example, in Ms. Reid’s January 10, 2006 blog post regarding the Samuel Alito confirmation hearing, Ms. Reid wrote a lengthy post regarding Judge Alito’s position on the legality of torture at 10:18 a.m. There are then two fraudulent posts at 10:40 a.m. and 11:10 a.m., making sexual innuendos about

Senator Orrin Hatch. The legitimate posts begin again at 11:21 a.m. when Ms. Reid starts reporting on Senator Kennedy's questions.

It is evident that the Blog is corrupted for the following reasons, among others:

(i) Ms. Reid is a well-known liberal journalist. The fraudulent posts show her supporting conservative and racist positions and figures such as Lou Dobbs, a notorious anti-immigration advocate. For example, a fraudulent post from April 10, 2006, begins "I love Lou Dobbs."

(ii) The writing style in the fraudulent posts is completely different from Ms. Reid's. Throughout Ms. Reid's writings -- in her Blog, books, columns and articles -- you will not see the offensive terms and slang used in the fraudulent posts.

(iii) There are jarring changes in style and substance within posts on the same day.

(iv) There are no public comments on the fraudulent postings. If the fraudulent posts had been contemporaneously written, there would have been substantial comments and blow back.

(v) The fraudulent posts have uncharacteristic HTML/graphics formatting, and font selection, such as quote offsets, paragraph separators.

(vi) It would have been physically impossible for Ms. Reid to have made many of the posts. Some have dates and times when Ms. Reid was doing her radio show and could not have been blogging. Posting times also show that Ms. Reid could not have made many of the posts. For example, on January 10, 2006, Ms. Reid posts about the Alito confirmation hearing at 10:18 a.m., 11:34 a.m. and 11:41 a.m. Your archive, however, also shows a lengthy, fraudulent entry, "Things people say when they're on the Fox News Channel," supposedly posted right in the midst of this, at 11:28 a.m. Ms. Reid did not have the superhuman blogging skills needed to do all of these posts simultaneously.

Please immediately take down and remove in its entirety the Blog for the period prior to January 1, 2008 immediately. As you can well imagine, their continued publication has the potential to cause significant damage to Ms. Reid's reputation and career. We also demand that this be done discreetly. Reporting on the removal would only amplify the reach of the fraudulent posts and would not accomplish any public purpose.

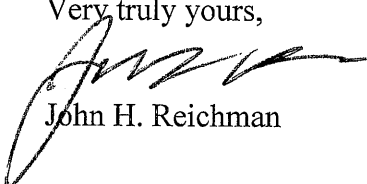
We are also investigating, of course, how the malevolent posts came to appear in your archive and whether the Blog or the Wayback Machine was hacked. In this regard, we need the following information:

- Full access metadata, including failed attempts, for the life of '*.reidreport.com' archives. Including, but not limited to, source Internet Protocol (IP) addresses, source device information, timestamps, request URI, document identifiers, API request headers, relevant server logs, relevant security and firewall logs.
- Data file, and database backups for the life of the of '*.reidreport.com' archives, including full, partial, and differential backups.
- A formal statement regarding the nature, scope, investigation, and remediation of the 2012-era archive.org security breach that was brought to the attention of archive.org in May of 2017.
- Information related to the 2012-era archive.org security breach including, but not limited to relevant internal communications, relevant server logs and metadata, relevant firewall and security logs, investigative reports, and LEA communications.
- Lists of any past, or present archive.org employees who had, or have, administrative access to read, write, or modify any content hosted by archive.org.
- archive.org security documentation including, but not limited to, incident response procedures, personnel background check procedures, security monitoring procedures, and routing security audit procedures and reporting requests.

Finally, I should also add, that prior to sending this letter we attempted to contact archive.org by email and telephone without success. We hope and expect to receive a response to this letter immediately, given the urgent need to take down the defamatory material and find its source. I look forward to hearing from you by no later than the end of the day on Friday, December 22, 2017.

This letter is written without waiver of or prejudice to Ms. Reid's rights, remedies and claims not set forth in this letter, all of which are expressly reserved.

Very truly yours,



John H. Reichman

JHR:eat

