

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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PAUL D. CEGLIA,	:	
	:	
Plaintiff,	:	Civil Action No. 1:10-cv-00569-RJA
	:	
v.	:	<b>DECLARATION OF DR. ALBERT</b>
	:	<b>LYTER IN SUPPORT OF</b>
MARK ELLIOT ZUCKERBERG and	:	<b>DEFENDANTS' MOTION FOR</b>
FACEBOOK, INC.,	:	<b>EXPEDITED DISCOVERY</b>
	:	
Defendants.	:	
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I, Albert H. Lyter, Ph.D, am competent to testify to the matters set forth herein and make this declaration of my own personal knowledge and belief.

1. I respectfully submit this declaration in support of Defendants' Motion for Expedited Discovery.

2. I am President and Chief Scientific Officer of Federal Forensic Associates, Inc. ("FFA") located in Raleigh, North Carolina. FFA engages in consultation, examination, training, research and testimony in Forensic Science, including ink and paper analysis, trace evidence and questioned document examination. Attached as Exhibit A is a true and correct copy of my Curriculum Vitae.

3. I am a Fellow with the American Academy of Forensic Services, and a member of the Mid-Atlantic Association of Forensic Scientists, the California Association of Criminalists, Southwestern Association of Forensic Document Examiners, the International Association of Forensic Sciences, the American Chemical Society, the Society for Applied Spectroscopy, and the American Society for Testing and Materials. Further, I have authored over 15 articles in the field of document examination.

4. I began my career in 1975 with the U.S. Treasury Department, Bureau of Alcohol, Tobacco and Firearms as a forensic chemist. I have lectured before many

government agencies in the area of ink and paper analysis, including the Federal Bureau of Investigation, Air Force Office of Special Investigation, Naval Investigative Service and the Federal Law Enforcement Training Center.

5. I have provided sworn testimony in over 200 different court matters in over 35 different states, Canada, Mexico, Singapore, Hong Kong, Malaysia and Australia.

6. I have been consulted in the above-referenced matter regarding a purported "Contract", a copy of which is attached as Exhibit B. I have not reviewed the original "Contract". This consultation relates to the authenticity of the "Contract" and the date on which the document was prepared. As a specialist in the examination of documents and the determination of preparation date or time period, there are several factors that may affect the ability to determine the date of preparation of the document.

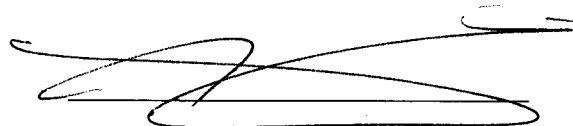
a. First, the various examination methodologies available to determine the date or time period of preparation measure changes that occur to the materials of the document (writing ink, printing ink and toner) as they age. These changes, whether they are evaporation or oxidation, occur from the date of application of material to substrate (paper) for only a limited period of time. Specifically, the changes associated with aging to writing ink, printing ink and toner typically occur for approximately 2 years from the date of application. After this point, it may become more difficult to precisely determine the age of the materials. Thus, any delay in the examination of the document may limit the ability to precisely determine the age of its materials.

b. Second, any delay in the examination of the document may increase the likelihood that environmental factors may affect the reliability of the examination results.

7. Thus, the original ink "Contract" should be examined to precisely determine the date of preparation of the document.

8. The examination process will not affect the legibility or integrity of the document.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 1st date of June 2011, in Raleigh, North Carolina.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Albert H. Lyter III, Ph.D., D-ABC