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From: Reynolds, David A  
Sent: Tuesday, November 03, 2009 1:50 PM  
To: Reynolds, David A  
Subject: Memo for the Record - Telcon with Mark Muvey

On or about 11:20 am Hong Kong time on 3 November 2009, I received a phone call from Mark Mulvey.

He immediately directed me to shut down all gmail accounts used to receive reporting from all JTI service providers. I asked him why, and he said that they had all been compromised and that he had hundreds of pages of documents to prove this. I asked him who had done this, whether it was SSI, and he confirmed that this was the case. I explained that we knew SSI had been trying to break into our computers and accounts for months and had been cleaning off their Trojans and changing accounts and passwords as we found these.

I also explained that the entire purpose of the reporting system was not to be wholly secure but to be non-attributable and that this had been outlined and discussed in detail in all the presentations, discussions, and justifications for the reporting system since it was first proposed in 2007. (NB - If we wanted the reporting system to be secure, we would have used a VPN, iPASS, Hushmail, or one or more of many other systems available off the shelf. Building security into the system, however, would merely give the impression we have something to hide, which we do NOT. The information is disposable and if someone wants to take or steal it and use it then it's all the better for us. The system was merely intended to minimize the reputational exposure to JTI of having large amounts of raw, unprocessed investigations reports going via the JTI email system and then sitting on the JTI server in Geneva for 10 years – hence the use of “B” and other names on the system. If JTI wanted to revert to the old system, then we can easily do this without going through a ridiculous – and likely illegal exercise – of having a service provider hack our accounts.)

Mulvey then explained that SSI had hacked into one or more emails accounts which contained documents with my name on them. Since my name only appears in my personal accounts, this suggests that SSI has hacked into my personal email accounts.

I then asked Mulvey if SSI had been doing this at his direction and he confirmed such and that he had been meeting with them while he was in the United States. (NB- Mulvey may well have given SSI details on one or more of our accounts and possible the passwords for BIOPS678 to allow them to begin the hacking. Since he evidently saw they had hacked into one or more of my personal accounts, this implies they also did this at his direction. The fact he met with and planned to hack in both JTI and my personal emails while in the United States suggest there has been a violation of US law.)

I tried to explain to Mulvey that we have been having trouble with SSI for months - but it was hard to get him to listen – including the fact we suspected they have been sending threatening emails to BARABAS (see below). (NB – SIS threatened to tell “WT” [Wahab Tabra] about his dealings with JTI. Tabra would likely kill B, which again suggests a violation of US or other-national law based on Mulvey's dealings with SIS)

I also explained that we had Cary Hendricks of Primalis, our computer security consultant, cleaning off the SSI Trojans. Mulvey responded that he did not know Hendricks and had never approved our hiring him. (NB: Mulvey met Hendricks both when he previously worked for Memex and after he started as our consultant. In fact, during the week of 29 September, Hendricks briefed Mulvey on the Trojans he had found on our computers and his efforts to remove these. Mulvey made no mention at the time that these Trojans had been inserted at his behest. Mulvey also approved Hendrick's PO when he was first issued in August 2009).

Mulvey said that he had seen copies of emails from what he claimed were from one of my accounts showing I was talking to the Financial Times. I do not know what account this may be or if it mentions my name, but I had received approval from Guy Cote (per the below email) to talk to the Financial Times, which I subsequently did. I also advised Mr Cote as early as May 2009 that the FT was working on a story and that I had spoken to them (email below). Mr. Cote did not object to such.

Mulvey also claimed he had seen emails showing I was conducting "unauthorized" investigations into targets in the Middle East. Again, I do not know exactly what emails or accounts this comes from but as head of BI Ops, and previously as head of Asia-Pacific, I have run hundreds of investigations over six years, which did not require Mulvey's approval. In fact, he directed me on numerous occasions to undertake investigations as I saw fit. The cases we are now running in the Middle East deal with very serious indications of large scale diversions of JTI product and possible collusion in the company. This investigation is also being run in parallel with Corporate Security Special Investigation Unit that reports to Mulvey (see below email to Colin Proctor).

I explained to Mulvey that I was in receipt of a Letter from Wade Wright directing us not to destroy any files pending the current review of the BI Program by an outside counsel. I explained to him that I could not shut down all emails – and the entire BI reporting system - based on his verbal instruction. I said that for me to shut down all gmail accounts and cease all operations, I would need the concurrence of JTI Legal.

He said he would talk to Wade Wright this morning – Geneva time – obtain the necessary approvals and then respond to me with a written order to shut down operations.