

Curriculum Vitae of DAVID J. PENROD

PenrodEllis Forensic Data Discovery
8400 East Crescent Parkway, Suite 600
Greenwood Village, Colorado 80111
Phone: 303.691.0047 Cell: 303.945.6006

VITAE SYNOPSIS

Mr. Penrod has been a certified forensic computer examiner since 1997. Mr. Penrod served as the sole certified Computer Investigative Specialist for the U.S. Customs Service, Office of Investigations, District of Arizona, from 1997 to 2002. He became a private consultant in 2004.

As a private consultant, Mr. Penrod has conducted approximately 500 forensic computer investigations and electronic discovery procedures in civil-, criminal-, and domestic-law cases. He has also conducted private, confidential examinations of computers, networks, and networking devices for both public and private institutions as well as individuals. He has collected and preserved thousands of computer systems, including network servers, all-in-one desktops, and hand-held tablets, and extracted forensic bit-stream images from their storage components. These components include internal hard-disk and solid-state drives, multi-disk RAID arrays, external drive enclosures, removable media (USB key drives, compact memory cards, and optical disks), and the integrated drive modules found in mobile phones, digital cameras, audio recorders, and music/video players. He has processed, recovered, and analyzed electronically stored information (ESI) on these images and rendered opinions about its evidentiary value. Mr. Penrod has prepared hundreds of forensic reports describing his methodology, findings, and conclusions, and extracted exhibits from evidentiary ESI for use as attachments to those reports.

Mr. Penrod uses a variety of forensic software to conduct examinations. This software includes both comprehensive programs and specialized applications. Comprehensive programs include Guidance Software's EnCase Forensic, GetData's Forensic Explorer, and Passmark's OSForensics. Oxygen Forensics' SQLite and Plist Forensic Viewers, Compelson's MOBILedit! Forensic Express, and Foxtan's ChromeAnalysis+ are a few of the specialized applications used by Mr. Penrod.

Since 2004, Mr. Penrod has testified under oath on 49 occasions in state, federal, and military courts. He has been certified by these courts on every occasion as an expert witness in computer forensics. Mr. Penrod has introduced computer evidence at trial and used demonstrative exhibits in support of his expert testimony.

Mr. Penrod has authored several articles addressing computer forensics for Colorado Law Week and has provided Continuing Legal Education (CLE) to both criminal and civil attorneys as well as paralegals in online broadcasts as well as in person in San Diego, Denver, Boulder, Dallas, Jackson Hole, and Raleigh-Durham.

Mr. Penrod is a former Senior Special Agent of the US Customs Service (USCS), with 14 years' investigative experience. Mr. Penrod conducted forensic exams from 1997 to 2002 for the USCS in Arizona and New Mexico. Mr. Penrod also examined computers on behalf of the IRS, DEA, ATF, the BLM, US Army CID, US Air Force OSI, the Tucson Police Department, the Arizona Highway Patrol, and the Santa Cruz, Pima and Yuma County Sheriff's Departments. In addition to examinations, Mr. Penrod also provided technical

training in computer forensics to homicide detectives of the Pima and Yuma County Sheriff's Departments and the Tucson Police Department.

FEES

Retainer:		\$2,800
Evidence Collection:		\$175 per hour
Evidence Preservation:	<i>Onsite</i>	\$175 per hour
	<i>In Laboratory</i>	\$350 per storage device greater than 128 GB in size \$175 per storage device less than 128 GB in size
	<i>Multi-Drive Storage Arrays</i>	Varies based on size, type, and number of drives
	<i>Mobile Phones & Tablet Computers</i>	\$350 per device
Examination:		\$175 per hour
Travel:	<i>Regular Hours</i>	\$175 per hour
	<i>After Hours</i>	\$100 per hour
Court:	<i>Consulting/Observation</i>	\$175 per hour
	<i>Testimony</i>	\$250 per hour

TESTIMONY

DATE	Procedure	Case	Docket	Jurisdiction	Location
07/02/2018	Deposition	Wininger v VVMC	2017CV030102	District Court	Eagle County, CO
09/07/2018	Hearing	CO v Lozow		District Court	Denver, CO
08/26/2016	Hearing	CO v Mangeri	15CR3778	District Court	Adams County, CO
07/15/2016	Deposition	Ruchotzke v MMCI	13-L-78	Peoria Cnty Court	Denver, CO
06/30/2016	Trial	CO v Armstrong	15 CR 0098	District Court	Broomfield, CO
06/21/2016	Hearing	US v Haymond		US District Court	Oklahoma City, CO
04/17/2015	Hearing	4 Rivers v Erickson	15CV30805	District Court	Colorado Springs, CO
04/02/2015	Hearing	Picco v Glenn et al	2-CV-02858-RM-MJW	US District Court	Denver, CO
03/30/2015	Deposition	Picco v Glenn et al	2-CV-02858-RM-MJW	US District Court	Denver, CO
03/06/2015	Trial	CO v Garrison	2013 CR 003832	District Court	Colorado Springs, CO
10/31/2014	Hearing	Ruchotzke v MMCI	13-L-78	Peoria Cnty Court	Peoria, IL
04/21/2014	Deposition	Cohen v Eden Roc	12-13703 CA 32	Circuit Court	Miami-Dade, FL
04/22/2014	Deposition	Cohen v Eden Roc	12-13703 CA 32	Circuit Court	Miami-Dade, FL
04/16/2014	Trial	CO v Purcell	2013 CR 490	District Court	Golden, CO
11/22/2013	Trial	CO v Pinkstaff	2012 CR 428	District Court	Greeley, CO
11/08/2013	Court Martial	USAF v SSGT Allen		Space Command	Schriever AFB, CO
04/11/2013	Hearing	IRM Malcom	2012 DR 0000012	District Court	Aspen, CO
01/02/2013	Hearing	RRTC v Cogan	2011 CV 2532	Summit County	Golden, CO

09/07/2012	Hearing	Stafford v Caywood	2010 DR 0072	District Court	Breckenridge, CO
08/14/2012	Hearing	RRTC v Cogan	2011 CV 2532	District Court	Golden, CO
04/26/2012	Hearing	Digist. v Doberstein	2012 CV 211	District Court	Brighton, CO
11/16/2011	Hearing	OK v West	CF 2011-880	District Court	Tulsa, OK
10/13/2011	Trial	CO v McKay	2010 CR 1781	District Court	Greeley, CO
09/08/2011	Trial	CO v Strangefellow	2009 CR 4137	District Court	Colorado Springs, CO
06/03/2011	Hearing	CO v McKay	2010 CR 1781	District Court	Greeley, CO
05/12/2011	Hearing	Woojin v Trinkhaus	11CV1130	District Court	Castle Rock, CO
10/25/2010	Hearing	CO v Shervanick		District Court	Boulder, CO
08/20/2010	Hearing	Bennett v CO		District Court	Colorado Springs, CO
08/16/2010	Trial	CO v Eddy	2008 CR 1733	District Court	Grand Junction, CO
06/22/2010	Hearing	CO v Stott	2009 CR 1849	District Court	Colorado Springs, CO
03/11/2010	Trial	CO v Eichsteadt	2009 CR1456	District Court	Colorado Springs, CO
02/12/2010	Trial	CO v Eddy	2008 CR1733	District Court	Grand Junction, CO
01/19/2010	Trial	US v Haymond	2008 CR 201	US District Court	Tulsa, OK
01/13/2010	Hearing	US v Haymond	2008 CR 201	US District Court	Tulsa, OK
09/23/2009	Trial	CO v Walker	2007 CR 702	Mesa Comb	Grand Junction, CO
09/03/2009	Trial	CO v Harris	2008 JD 773	District Court	Greeley, CO
08/21/2009	Hearing	McKenzie v Gravert	2004 DR 378	El Paso Comb	Colorado Springs, CO
05/27/2009	Hearing	CO v Mattson	2008 CR 1676	District Court	Golden, CO
04/29/2009	Trial	CO v Harris	2008 JD 773	District Court	Greeley, CO
03/04/2009	Trial	US v Lynn	2008 CR 00172	US District Court	Fresno, CA
11/03/2008	Trial	US v Dobbs	2007 CR 149	US District Court	Tulsa, OK
10/31/2008	Trial	US v Dobbs	2007 CR 149	US District Court	Tulsa, OK
10/23/2008	Trial	US v Rose	CR 08127D	US District Court	Oklahoma City, OK
09/25/2008	Trial	US v Hoa Sun	2007 CR 262B	US District Court	Cheyenne, WY
04/24/2008	Hearing	MP v Abraham		US District Court	Madison, WI
03/12/2008	Deposition	Bertoi v. Provident	2007 CV 967	US District Court	Denver, CO
02/20/2008	Trial	US v Vaughn	CR F050482	US District Court	Fresno, CA
01/03/2008	Hearing	US v Vaughn	CR F050482	US District Court	Fresno, CA
12/19/2007	Hearing	US v Barnes	4:2006 CR 79	US District Court	Des Moines, Iowa
12/11/2007	Hearing	US v Dobbs	2007 CR 149	US District Court	Tulsa, OK
08/17/2007	Deposition	IBP v Beveridge	BC 344129	Superior Court	Los Angeles, CA
04/24/2007	Trial	Harris v Luminate	2006 CV 5235	District Court	Denver, CO
03/13/2007	Court Martial	USA v SFC Eslinger	N/A	10 th Special Forces	Fort Carson, CO
02/21/2007	Trial	US v Schene	CR 06282	US District Court	Oklahoma City, OK
02/14/2007	Deposition	Harris v Luminate	2006 CV 5235	District Court	Denver, CO

01/11/2007	Trial	CO v Webb		District Court	Centennial, CO
11/16/2006	Hearing	CO v Lippit	2006 CR 359	District Court	Canon City, CO
08/02/2006	Hearing	Lilienkamp		District Court	Boulder, CO
06/09/2006	Trial	CO v Hunsaker	2003CR 1173	District Court	Fort Collins, CO
05/02/2006	Hearing	CO v Archer	2005 CR 19	District Court	Brighton, CO
04/12/2006	Hearing	CO v Elliot	2004 CR 217	District Court	Breckenridge, CO
04/06/2006	Hearing	CO v Elliot	2004 CR 217	District Court	Breckenridge, CO
10/11/2005	Trial	CO v Cook	2004 CR 3080	District Court	Centennial, CO
06/22/2005	Trial	CO v Lemos	2004 CR 1145	District Court	Boulder, CO
10/27/2004	Deposition	Baca v CO	2003D 0503	US District Court	Denver, CO
08/25/2004	Hearing	CO v Ward	2003CR 226	District Court	Montrose, CO

**PROFESSIONAL
CERTIFICATIONS**

AccessData Certified Examiner (ACE), AccessData Corporation For Forensic Toolkit (FTK), FTK Imager, Registry Viewer & Password Recovery Toolkit (PRTK): *June 2009 To Present.*

Certified Computer Examiner (CCE), #556, International Society Of Forensic Computer Examiners (ISFCE): *August 2006 To August 2008.*

Network+, The Computing Technology Industry Association (Comptia): *December 2004 To Present.*

Computer Investigative Specialist (CIS), US Customs Service, Office Of Investigations: *August 1997 To February 2002*

**PROFESSIONAL
ORGANIZATIONS**

International Society of Forensic Computer Examiners, P.O. Box 1403, Key Largo, FL 33037, (305) 453-7862, www.Isfce.Com.

The American Society Of Digital Forensics & eDiscovery, 2451 Cumberland Parkway, Suite 3382, Atlanta, Georgia 30339

**COMPUTER
FORENSIC
TRAINING**

Windows Forensics (January 2006), Accessdata Corp, Madison, Wisconsin.

Forensic Bootcamp (April 2005), Accessdata Corp, Denver, Colorado.

Network+ (December 2003), TechSkills Computer Training Center, Englewood, Colorado

Encase Forensics (May 1998), Guidance Software Corp, USCS Cyber Smuggling Ctr, Fairfax, VA

Seized Computer Evidence Recovery School (August 1997), FLETC, Brunswick, Georgia

Implementing & Supporting Windows (July 1997), MIDAK, Tucson, Arizona.

Child Pornography & The Internet (April 1997), SEARCH, Sacramento, California.

**OTHER
TRAINING &
EDUCATION**

Bachelor Of Arts In English (December 1982), Truman State University, Kirksville, Missouri.

Infantry Officer's Basic Course (May 1983), Us Army Infantry School, Ft. Benning, Georgia

French Army Commando School (November 1983), Commando School #10, Quartier Napoleon, West Berlin, Germany

Us Army Mountain And Winter Warfare School (October 1984), Vicenza, Italy

Infantry Officer's Advanced Course (July 1986), Us Army Infantry School, Ft. Benning, Georgia

Criminal Investigator Training Program (January 1987), Federal Law Enforcement Training Center (Fletc), Brunswick, Georgia

Customs Basic Enforcement School (July 1988), Us Customs Academy, Marana, Arizona

Physical Surveillance School (March 1989), Us Customs Academy, Marana, Arizona

Firearm Instructor's Course (March 1996), FLETC,, Brunswick, Georgia

Confrontational Safety Awareness Course (March 1997), Us Customs National Firearms Program Staff, Fort Benning, Georgia

Use Of Force Instructor's Course (February 2000), Us Customs Firearms Training Branch, Ft. Benning, Georgia

Asset Seizure And Forfeiture Course (April 2001), U.S. Department Of Justice, Phoenix, Arizona