

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

**FILED**

APR 19 2018

*Matthew J. Miller*  
CLERK

\_\_\_\_\_  
In the Matter of the Search re:

No. 18-mj-32

18-044-04

AFFIDAVIT IN SUPPORT OF  
SEARCH WARRANT "REDACTED"

\_\_\_\_\_  
STATE OF SOUTH DAKOTA    )  
  :SS  
COUNTY OF MINNEHAHA    )

I, Matthew J. Miller, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I make this affidavit in support of an application for a warrant to search the premises described in Attachment A as:

- a. A residence and home office located at [REDACTED],  
[REDACTED], Sioux Falls, South Dakota 57106.
- b. A commercial property located at [REDACTED]  
[REDACTED] in Sioux Falls, South Dakota 57108.

2. Items to be seized at both addresses are described in Attachment B.

3. I am a Special Agent of the Federal Bureau of Investigation and have served in that capacity for 25 years. During this time, I have received specialized training in white collar crime investigation by attending various seminars and classes specifically related to white collar crime. I have also worked a substantial

number of white collar crime cases during my 25 years with the FBI, including multiple cases related to mail fraud and wire fraud.

4. Information contained within this Affidavit is based on my investigation, training and experience, as well as information developed and relayed to me by other law enforcement officers. I have set forth facts that I believe are necessary to establish probable cause to seize instrumentalities, fruits, and evidence in violations of 18 U.S.C. §§ 1341 (Mail Fraud) and 1343 (Wire Fraud). The FBI has been investigating what appears to be a scheme to defraud investors. The investigation, as detailed below, has revealed that Paul Erickson has been obtaining investor money to produce specialized wheel chairs via a company known as "Investing with Dignity," to build retirement centers around the country through a company known as "Compass Care," and to build housing for oil workers in the Bakken Oil Region of North Dakota. It appears Erickson has obtained approximately \$2.2 million from 76 investors, but has not used this money toward the projects he indicated he would be using it for. This Affidavit sets forth facts establishing probable cause that evidence, fruits, and instrumentalities of the scheme will be located in Erickson's home office located on [REDACTED] and at his Compass Care office located on [REDACTED].

**RELEVANT STATUTES**

5. The application for a Search Warrant, which this Affidavit is offered in support thereof, is being applied to seize instrumentalities, fruits, evidence, more particularly described in Attachment B for violations of:

- a. 18 U.S.C. § 1343, which makes it a crime to engage in a scheme or artifice to defraud another, and obtain the money and property of another, by false and fraudulent pretenses, that involves a wire transmission and interstate or foreign commerce for the purpose of executing the scheme or artifice.
- b. 18 U.S.C. § 1341, which makes it a crime to engage in a scheme or artifice to defraud another and obtain the money and property of another, by false and fraudulent pretenses, that involves the use of the United States Postal Service.

**PAUL ERICKSON AND BUSINESS ENTITIES**

6. Paul Erickson filed articles of incorporation for “Investing with Dignity, LLC” with the South Dakota Secretary of State’s Office on September 20, 2010, and provided an address of [REDACTED], Sioux Falls, South Dakota 57106. Erickson was listed as the Registered Agent and Manager. Investing with Dignity was dissolved with a Certificate of Administrative Dissolution on April 20, 2015, but was subsequently reinstated on March 24, 2016, and is currently in good standing.

7. Paul Erickson filed articles of incorporation for “Compass Care, Inc.” with the South Dakota Secretary of State’s Office on December 20, 1996, and provided the address of operation to be [REDACTED]. A series of address changes occurred and the most recent address filed with the Secretary of State’s Office on October 28, 2017, was [REDACTED], Sioux Falls, South Dakota 57108-2237. This filing showed Erickson to be the President of “Compass Care, Inc.”

### **BACKGROUND**

8. Paul Erickson came to the attention of the FBI in 2016 when Joan Sammon reported a fraud by Erickson. Sammon was selling parcels of land in Williston, North Dakota, in the Bakken region for residential development. In about 2015, Erickson contacted Sammon and wanted paperwork to evaluate the possibility of investing in Sammon’s land. Sammon emailed him paperwork related to the property but Erickson did not invest. Later, however, Sammon was contacted by a group of investors who indicated they had paid Erickson \$100,000 for an investment in the same land. Because Erickson did not have an interest in the land (which was owned by Sammon), Sammon believed the investors had been defrauded.

9. The FBI then obtained bank records in an attempt to learn of other investors. I have reviewed the results of a financial analysis conducted by FBI Special Agent Roahn Wynar. Wynar reviewed bank records subpoenaed from Wells Fargo Bank for accounts held by Paul Erickson for the period of December

2012 to October of 2017. An analysis of these records revealed multiple individuals who have deposited money into Paul Erickson's bank account. This analysis revealed money given to Erickson was not used to invest in real estate, wheelchairs, or nursing homes. Instead, the money was used on flights, motels, and other personal expenses incurred by Erickson. The list of depositors discovered from bank records showed approximately 51 investors who gave Erikson \$720,400.

10. I have become aware of additional investors through my contact with Brookings Police Detective Derek Powers who took a report in 2014 and conducted an investigation into Erickson concerning investments into the Bakken Oil region. Powers interviewed victims and also reviewed bank records. His investigation revealed an additional ten investors who gave Erickson \$293,000.

11. I interviewed Todd Williams who invested \$25,000 into a wheelchair company (Investing with Dignity) being run by Erickson, which is further described below. Williams provided a list of additional investors that was given to him by Paul Erickson. This list contained 15 additional investors who gave Erickson \$622,530. In addition, Williams indicated Bob Elmen invested \$500,000 with Erickson and Brett Bozell invested \$250,000 with Erickson.

12. In total, as of the time of this Affidavit, I am aware of approximately 78 investors who gave Erickson approximately \$2.3 million. The FBI has

conducted interviews of many of these investors and it appears Erickson obtained money from these investors for three primary businesses:

- a. Investing with Dignity: Erickson has obtained investor money for the manufacture of a specialized wheelchair which allows the user of the wheelchair to use the bathroom without getting on and off the wheelchair.
- b. Compass Care: Erickson obtained money from investors to build retirement homes around the country.
- c. Bakken Oil Fields: Erickson obtained money to invest in real estate and or build housing for oil workers in the Bakken region in Williston, North Dakota.

My investigation has revealed that each of these investment schemes appears to be fraudulent, as further described below, and that each of these companies are being run out of one or both of the addresses listed in Attachment A.

#### **BAKKEN OIL FIELD INVESTMENT**

13. The FBI has interviewed several investors in Erickson's Bakken housing project including David Gillian, John Galbreath, and Loretta Waltner, all of whom invested money with Paul Erickson for real estate development in the Bakken Oil Fields.

14. In each case, Erickson described real estate he was acquiring in the Bakken Oil Fields including housing for oil workers. Erickson indicated the

investor would receive an exceptionally high return. For example, Erickson told David Gillian he would receive a return of between 25 percent and 75 percent within approximately one year. This motivated Gillian to wire transfer \$100,000 from Virginia to Erickson's bank account in Sioux Falls, South Dakota, on February 28, 2017. After complaining to Erickson about a lack of return on his investment, Gillian received \$5,000 on March 29, 2018. I believe this was a "lulling payment." That is, Erickson provided Gillian with a small sum of money in order to provide the illusion that Gillian's \$100,000 investment was secure. In reality, the bank records indicated that Gillian's \$100,000 was not invested in real estate or anything else. In fact, that money was used to pay routine expenses and to pay off a previous investor, Congressman Marshall Sanford. Some of Gillian's money went to Erickson's girlfriend, Maria Butina. Before Gillian's investment, Erickson's bank account balance was approximately \$110. Within one month, all of Gillian's money was spent and none of that money was used for real estate investment purposes.

15. Similarly, Erickson convinced John Galbraeth of Reston, Virginia, to wire transfer \$100,000 to him on May 30, 2017, by promising him a 50 percent return within one year. Furthermore, Erickson said he had a buyer ready to purchase the housing he had built. This buyer was a group known as "Five Guys." The FBI has interviewed members of the Five Guys who indicated that they did not have any plans to make any purchases. Galbraeth has not received any principal or any profits.

16. I interviewed Loretta Waltner who invested approximately \$58,000 with Erickson for real estate development in the Bakken region in 2014 and 2015. Waltner has been promised her money back several times but has not yet received it.

17. SA Wynar's review of financial records has shown that none of this money has been put into anything which appears to be related to real estate investment.

18. The FBI contacted the Recorder for Williams County, North Dakota, and determined that Paul Erickson has not purchased any land in the county. The only filing for Paul Erickson in Williams County is a "Mineral and Royalty Conveyance" filed in June of 2017, in which Erickson paid \$10 to obtain the rights to drill for oil in one section of land.

19. The documentation Erickson gave Gillian and Galbreth regarding their investment showed an address of [REDACTED], Sioux Falls, South Dakota 57106.

20. The documentation Erickson gave Waltner showed an address of [REDACTED], [REDACTED], Sioux Falls, South Dakota 57106, however, Erickson also told Waltner in March of 2018 that the contract for one of her investments was in his office located at [REDACTED] in Sioux Falls.

**COMPASS CARE**

21. The FBI interviewed multiple investors in Compass Care (a company Erickson said he is involved in building and or managing retirement homes), including Vance Thompson, Loretta Waltner, and Todd Williams.

22. In the spring of 1999, Vance Thompson invested \$500,000 based on representations that he would make a 50 percent return on his money in 4 or 5 years and that the investment was a virtual guarantee. Erickson told Thompson that Erickson had options on land for about 12 locations "already locked in." Thompson paid Erickson by giving him a check.

23. In January of 2007, Loretta Waltner invested \$1,000 in Compass Care. Erickson provided Waltner with a document which indicated, "Compass senior operations team oversaw 27,000 nursing homes, assisted living and apartment beds in 26 states. *No other* assisted living company boasts that experience."

24. I interviewed Todd Williams whose father, Randy Williams, was a minister. Upon retirement, Randy was hired by Paul Erickson to do marketing and recruitment of potential retirement home residents. Todd Williams told me that his father successfully recruited potential residents as well as investors between 1999 and 2002, but was not paid by Erickson for his labor as Erickson promised. Furthermore, Todd Williams' father did not see any evidence of any retirement homes being constructed or acquired by Compass Care. Todd himself invested \$25,000 in 1999 and Erickson told him it would grow to \$800,000 in 5-7 years. Todd made his investment by mailing a check to Erickson. As with

all of Erickson's financial promises, his promise to Todd Williams included an extremely high rate of return well above standard investment opportunities. This is, in my experience, characteristic of a high-yield investment fraud scheme.

25. The FBI reviewed public source databases and found no nursing homes in the U.S. owned by or under the management of Erickson's Company. The FBI located only two companies known as Compass Care: a nursing home company for elderly residents known as "Compass Care, LLC," located in Stamford, Connecticut, and a second nursing home company for people with disabilities known as "Compass Care Ltd.," located in the U.K. Neither appear to have any connection to Paul Erickson or the South Dakota Company known as Compass Care.

26. Loretta Waltner told me that Erickson's Compass Care office was previously located on 57th Street in Sioux Falls, South Dakota, but has since moved to [REDACTED], Sioux Falls.

27. In April of 2018, I personally observed the Compass Care office and confirmed that it is at [REDACTED]. A sign on the door indicates it is the Compass Care office and I observed a computer, a filing cabinet, an office chair and desk, and several boxes through an open window.

28. I received and reviewed documents from Vance Thompson and Loretta Waltner, which show Erickson's Compass Care office to be at [REDACTED] [REDACTED] in Sioux Falls, South Dakota.

**INVESTING WITH DIGNITY**

29. The FBI interviewed multiple investors of “Investing with Dignity,” including Kristen Hertog and Michelle Ward. Erickson represented to them that Investing with Dignity had developed a unique wheelchair (the Dignity Wheelchair) which allowed people using the wheel chair to go to the bathroom without being lifted off of the chair.

30. I interviewed Reverend Greg Johnson, a Lutheran minister in Brandon, and a childhood friend of Erickson. In 2005, Johnson and a friend invented the Dignity wheelchair and obtained patents for it. The chair and Johnson’s company was at first known as J and L Products (later changed to “Dignity Medical Devices” in 2007). In 2010, Johnson signed a contract with Paul Erickson (dba “Investing with Dignity”) in which Erickson agreed to seek out venture capital firms who might be willing to buy the patents for Johnson’s wheelchair. Erickson was unsuccessful and this arrangement ended in May of 2012 with a letter from Johnson’s lawyer to Erickson. Subsequent to this letter and unbeknownst to Johnson, Erickson began to raise money for the Dignity wheel chair from investors. I believe this may reflect a pattern; that is, as with Joan Sammon’s property development, Erickson used Dignity’s existing literature as props to convince investors to give Erickson money based on the false premise that Erickson was using the money for business development. In reality, all of the money I am aware of was used to pay for Erickson’s routine

lifestyle expenses, pay for his girlfriend's college tuition (Maria Butina), travel, and also occasionally paid to previous investors.

31. Specifically, on August 9, 2012, three months after his relationship with Johnson ended, Erickson pitched Michelle Ward on an investment in the Dignity wheelchair which he now claimed as his own. Erickson told Ward her investment would pay 125 percent to 150 percent and guaranteed she would be paid back the principal. Erickson also mentioned that Congressman Mark Sanford had invested in the Dignity wheelchair opportunity, a fact which helped persuade her. Interestingly, Congressman Sanford told the FBI that, in fact, he invested in the Bakken scheme rather than in the wheelchair scheme. Based on these representations, Ward wire transferred \$15,000 from her account in Virginia to Erickson's account at Wells Fargo Bank in Sioux Falls, South Dakota. Since that time, Ward has received neither her principal nor any profits and Erickson told Ward the delays were because the patents were stalled. Because Erickson's relationship with Dignity was terminated approximately 5 years before this conversation with Ward, I believe that at the time Erickson mentioned the stalled patents to Ward, Erickson knew the statement was false.

32. Similarly, in April of 2013, Erickson pitched Kristen Hertog to invest in the Dignity wheelchair. The pitch appealed to Hertog because her uncle suffers from Multiple Sclerosis (MS) and is confined to a wheel chair. Hertog believed the product would help her uncle and others like him. Hertog, however, was concerned because she was not a sophisticated investor and told Erickson

she did not have “any retirement savings.” Erickson said he would double her money in a year and she could then use her earnings to invest in a traditional retirement account. Erickson also told her his investment was a “sure bet.” Based on these representations, Hertog gave Erickson a check for \$5,000. Since that time, she has received neither her principal nor any profit. In August of 2017, Hertog encountered Erickson in Sioux Falls and he told her that the project had “gone up in smoke.”

33. SA Wynar’s analysis of bank accounts did not show any use of the money to produce or create wheelchairs.

34. I have reviewed paperwork given to Ward and Hertog and both contain [REDACTED], in Sioux Falls, South Dakota as the address for Investing with Dignity.

#### **MAILINGS AND WIRINGS**

35. I have interviewed victims in each scheme. In each case, the victim has either wire transferred money or given checks to Erickson which were deposited in his Wells Fargo Bank account.

36. I know from previous investigations about Wells Fargo Bank that checks deposited in Wells Fargo Bank in Sioux Falls are cleared electronically through the Federal Reserve Bank in Minneapolis, Minnesota, and involve interstate wires.

37. I have also interviewed victims who have sent or received checks or other materials in the United States Mail as a part of this scheme. Todd Williams indicated he sent a \$25,000 check in the U.S. Mail to Sioux Falls for his investment in Compass Care in 1999.

38. I have also interviewed victims who sent money to Erickson via interstate wire including Galbreth, Gillian and Ward, previously mentioned.

### **USE OF COMPUTERS**

39. I believe Paul Erickson makes use of computers in promoting his three businesses. I base this belief on my observation of emails sent to investors from Erickson and on my observation of a computer in his Compass Care workspace.

40. I have reviewed emails received by investors from Paul Erickson as a part of promoting each of his three schemes. Among others, Erickson sent emails to Todd Williams (a Compass Care investor), Michelle Ward (an Investing with Dignity investor) and Joan Sammon (a Bakken real estate investor).

41. I have observed, though an open window, a computer in the Compass Care Office space located at [REDACTED], in Sioux Falls.

### **LOCATIONS TO BE SEARCHED**

[REDACTED]:

42. Public source Database searches show Paul Erickson resides at

[REDACTED]. These data base searches (via Dunn and

Bradstreet) also show “Investing with Dignity” and “Erickson Associates Inc.” at this address.

43. I have also spoken to Jaime Scherer of Lloyd Companies, the landlord for this address, and she confirmed that Erickson is currently residing there and has been since about 2002.

44. South Dakota Secretary of State filings for Erickson’s company known as Investing with Dignity shows [REDACTED] Sioux Falls, South Dakota and shows a company known as Bridges LLC with Erickson listed as the registered agent, at this address. The most recent filing was October 28, 2017.

45. As indicated previously, investors in the Bakken real estate scheme (investors Gillian, Galbreath and Waltner), Compass Care (investors Thompson and Waltner) and Investing with Dignity (investors Ward and Hertog) all received paperwork indicating the company in which they invested was headquartered at [REDACTED], Sioux falls, South Dakota.

[REDACTED]:

46. I have reviewed Secretary of State’s filings and note that the current address listed for Compass Care is [REDACTED], Sioux Falls, South Dakota. The most recent filing was October 28, 2017.

47. In April of 2018, I have personally observed the Compass Care office and confirmed that it is at [REDACTED], Sioux Falls, South

Dakota. A sign on the door indicates it is the Compass Care office and I observed a computer, an office chair, and several boxes through an open window.

48. I have reviewed public source databases which show [REDACTED], Sioux Falls, South Dakota as the address for "Compass Care Inc."

49. I spoke to Jaime Scherer of Lloyd Companies, the landlord for this address, and she confirmed that Erickson currently has a business at this address.

50. As indicated previously, investor Waltner indicated Erickson told her that paperwork concerning her Bakken investment was being stored in the office, which she understood to mean [REDACTED] in Sioux Falls, South Dakota. Loretta Waltner also indicated she is familiar with the [REDACTED] as the office being currently used by Compass Care and has personally observed the office to be located at that address. Therefore, I believe there is evidence, fruits, and instrumentalities of wire fraud and mail fraud specifically but not limited to business records related to Paul Erickson's businesses at both of these locations.

#### **RETURN AND REVIEW PROCEDURES**

51. Pursuant to Rule 41 of the Federal Rules of Criminal Procedure, I understand and will act in accordance with the following:

- a. Pursuant to Rule 41 (e) (2)(A) (i) an Agent is required to file with a Court an inventory return that is, an itemized list of the property seized within fourteen days of the execution of the warrant.
- b. Pursuant to Rule 41(e)(2)(B), Rule 41(e)(2)(A) governs the time within which the electronically stored information must be seized or copied on sight after the issuance of the warrant not the later review of the media of information seized or the later off-site digital copying of that media.
- c. Under Rule 41(f)(1)(B), the inventory return that is to be filed with the court may be limited to a description of the physical storage media that was seized or copied, not an itemization of the information or data stored on the physical storage media.
- d. Under Rule 41(f)(1)(B), I may retain a copy of that information for purposed of the investigation. Government tends to make and retain a full image copy of the seized media, so that a copy of the evidence, rather than the original evidence can be examined.

52. Computer hardware, DVR devices, software, documentation, passwords, and data security devises may be important to a criminal investigation in two distinct respects: (1) The edits themselves maybe instrumentalities, fruits, and/or evidence in a crime and/or (2) The Items may have been used to collect and store information about a crime (in the form of electronic data). Thus, Rule 41 of the Federal Rules of Criminal Procedure permits the Government to search and seize computer hardware, software,

documentation, passwords, and data security devices which are: (1) Instrumentalities, fruits, and/or evidence of a crime and/or (2) Storage devices for information about crimes.

53. Based on my knowledge, training, experience, I know that searching and seizing information from computer generated media such as compact discs, often require search by qualified computer specialist in the laboratory or other controlled environment. This is true because computer storage devices can store the equivalent of thousands of pages of information. Additionally, a suspect may try to conceal evidence; he or she might also store it in random order with deceptive file names. This may require searching authorities to examine all the stored data to determine which particular files is evidence or instrumentalities of the crime. This process maybe take weeks or months, depending on the volume of the data stored, and often it would be impractical to attempt this kind of search on site.

54. Search team computers for criminal evidence is a highly technical process requiring expert skills and a properly controlled environment. For example, on site and laboratory analysis by a qualified computer specialist is often required in order to properly retrieve and analysis electronically stored (computer) data, to document and authenticate the data, and to prevent the loss of data.

55. Based on the above facts, circumstances, and information, permission is requested to seize the computer systems, discs, or functionally – equivalent

digital data storage devices (including computer systems and peripheral housing data storage capability) and then image those items (a process which can take several hours) even though there may be unrelated information stored on them and then return this equipment to the location so it can continue to be used for legitimate business.

**CONCLUSION**

56. Based upon my experience all the factors have been indicative of violation of federal criminal laws including 18 U.S.C. §§ 1341 (Mail Fraud) and 1343 (Wire Fraud).

57. I, therefore, respectfully request that the attached Warrant be issued, authorizing the search of the locations specified in the Attachment A and the seizure of the items described in Attachment B.

I do declare under the penalty of perjury that the foregoing is true and correct.

  
Matthew J. Miller, Special Agent  
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence on this 19<sup>th</sup> day of  
April, 2018, at Sioux Falls, South Dakota.

  
Veronica Duffy  
United States Magistrate Judge

**ATTACHMENT A "REDACTED"**

**Property to be Searched**

The property at [REDACTED], Sioux Falls, South Dakota 57106, which is described as a large, multi-unit apartment building and home office.

**ATTACHMENT B "REDACTED"**

**Items to be Seized**

1. Any and all books, records, papers, documents, emails, invoice, receipts, ledgers, journals, accounting records, inspection reports, correspondences, bank records, and means of electronic storage relating in any way to businesses involved in real estate, housing, retirement homes/nursing homes, wheelchair or other medical devices, oil exploration, oil drilling, and/or evidence of violations of 18 U.S.C. §§ 1342 (Mail Fraud) and or 1343 (Wire Fraud), and /or instruments of any nature and things which constitutes evidence of these violations, or are contraband, the fruits, proceeds, or instrumentalities of violations of 18 U.S.C. §§ 1341 and 1343 between January of 1997 to the present. This evidence includes but is not limited to:

- a. Contracts, bank records, internal or external correspondences, marketing brochures, investor lists, maps, patent certificates, stock certificates, financial institution records for accounts owned, controlled, or accessible by Paul Erickson or accounts in which he may have a direct or indirect beneficial interest. These financial records shall include, without limitation, account opening documents, account statements, accounts correspondence, cancelled checks, deposit and withdrawal slips, wire transferred documents, signature cards, check registers, check stubs, savings pass books, loan agreement/contracts, mortgage applications and related documents, letters of credit, bank drafts, money orders, cashier's checks, debit advise, letter instructions regarding transfer of funds, bank notices, credit memos, certificates of deposit, trust accounts, brokerage accounts, safe deposit box and keys, personal directories and phone lists of current and former employees as well as wage and payroll records of current and former employees.
- b. Any related business partner agreements or shareholder stock information related to any businesses belonging in some part to Paul Erickson including documents reflecting the names of personal aliases, corporate entities, shell corporations, partnerships, relatives and associates.
- c. Any and all ledgers and account books, financial net worth statements, documents, paperwork, account summaries, relating to investments or other monetary transactions. To include but not limited to account print outs, ledgers, appointment books, client lists, investor lists, billing agreements, tax returns, tax return information, copies of tax returns, information returns, checks, checkbooks, bank statements, receipts, bills, invoices, credit card receipts, credit card statements, travel card receipts, travel card

statements, travel card correspondence, phone recordings, Skype or other internet recordings, contracts, leases, time cards, correspondence, notes, cash receipts, and cash disbursements, other business/financial records kept in the premises including but not limited to safes, filing cabinets, and boxes, computers, and/or any other places documents can be stored.

- d. Any and all documents reflecting, referring, and/or relating to the ownership and/or location of real property, including but not limited to rental payments, business leases, land leases, billing leases, options and exchange of title properties, owned and/or held by or on behalf of Erickson or any of his associated businesses including land grants, trust deeds, claim deeds, or deeds held in trust, purchase/sale agreements, depreciation or amortization schedules, rental income, and expense and related correspondence.

2. **Electronic Media.** Any and all of the above mentioned information and/or data stored in the form of magnetic or electronic coding on computer media or on media capable of being read by a computer or with the aid of computer-related equipment. This media includes floppy diskettes, fixed hard discs, removable hard disk cartridges, tapes, laser disks, and other media which are capable of storing magnetic coding.

3. **Electronic devices.** Any and all electronic devices which are capable of analyzing, creating, displaying, converting or transmitting electronic or magnetic computer impulses or data. These devices include computers, computer components, computer peripherals, work processing equipment, modem, monitors, printers, plotters, encryption circuit boards, optical scanners, external hard drives, and other computer-related electronic devices.

4. **Electronically stored instructions.** Any and all instructions or programs stored in the form of electronic or magnetic media which are capable of being interpreted by a computer or related components. The items to be seized include operating systems, application software, utility programs, compilers, interpreters, and computer hardware or peripherals either directly indirectly capable of transmitting data via telephone lines, radio, or other means of transmission.

5. **Printed instructions.** Any and all written or printed material which provides instructions or examples concerning the operation of a computer system, computer software, and/or any related device and passwords.

6. Before reviewing data from the electronic storage media or electronic stored information seized pursuant to this warrant for purposes unrelated to this investigation, the government agrees to request another search warrant from the court.