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Robert D. Moody, JD CISA CISM ACE
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Summary of Experience

Mr. Moody is the founder of Forensic Data Services, Inc. He is certified in the areas of Information Systems Auditing, Technology Security and Computer Forensics.

Mr. Moody has provided assistance to a wide range of plaintiff and defense attorneys, business and governmental agencies. He has served as an expert witness in both criminal and civil matters in both state and federal court.

Education

Nova Southeastern University, Broward County Florida, Bachelors of Science, 1990

St. Thomas University School of Law, Miami-Dade County Florida, Juris Doctorate, 1993

Certifications

Certified Information Systems Auditor (CISA), Information Systems Audit and Control Association, 2002

Certified Information Security Manager (CISM), Information Systems Audit and Control Association, 2003

Certified in Computer Forensics, Oregon State University, 2003

Access Data Certified Examiner (ACE), Access Data Corporation, 2009

Expert Witness Experience

State of Florida v. Sergio Barrantes, In the Circuit Court of the 17th Judicial Circuit In and For Broward County, Florida, Case No.: 11-12770CF10A, Testified at Evidentiary Hearing regarding Peer to Peer Software and Computer Forensics of P2P networks. **(Evidentiary Hearing)**

The Florida Bar v. Jeremy W. Alters, In the Supreme Court of Florida (Before a Referee) Supreme Court Case No.: SC14-100, Testified at Evidentiary Hearing regarding Computer Forensics, E-Mail, Text Messages, metadata, and file system analysis. **(Evidentiary Hearing)**

State of Florida v. Arnold Maurice Mathis, In the 10th Judicial Circuit In and For Polk County, Florida, Case No.: 2012CF-000927-XX, 2012CF-001037-XX, 2012CF-002332-XX, 2012CF-002333-XX, 2012CF-002334-XX, Testified at Deposition regarding Computer Forensics, Cellular Phone analysis, and Data Security. **(Deposition)**

Ocean Bank v. Adrian Development at Pebble Walk Partnership, LLLP, In the 11th Judicial Circuit In and

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For Miami-Dade County, Florida, Case No.: 08-59415 CA 21 Consolidated with Case No.: 10-63789 CA 21, #
Testified at Deposition regarding as to the specifics of a prior investigation I performed. **(Deposition)**

John Patten vs. GEICO, In the Circuit Court of the 9th Judicial Court in and for Orange County, Florida, Case No.: 2012-CA-014535-O, Testified at Trial regarding the receipt of an E-Fax and the use of the document contained within. **(Trial)**

Jason Fine v. Kenneth Orr, In the Circuit Court of the 11th Judicial Circuit In and for Miami-Dade County, State of Florida, Case No.: 12-31582 CA 40, Testified at Evidentiary Hearing regarding appointment of Computer Expert and/or Other Further Discovery Relief. **(Evidentiary Hearing)**

Emerald Village, L.L.C. v. Pacific National Bank, N.A., In the Circuit Court of the 11th Judicial Circuit In and for Miami-Dade County, State of Florida, Case No.: 09-24685 CA 23, Testified at Evidentiary Hearing regarding evidence preservation and spoliation issues. **(Evidentiary Hearing)**

State of Florida v. Henri Bart LaRue, In the Circuit Court of the 5th Judicial Circuit In and for Lake County, State of Florida, Case No.: 2013-CF-000187-A-02, Testified at Trial regarding the time stamps on numerous digital recordings and the adjustment of faulty timestamps as it relates to the overall analysis and timing of events. **(Trial)**

John Patten vs. GEICO, In the Circuit Court of the 9th Judicial Court in and for Orange County, Florida, Case No.: 2012-CA-014535-O, Testified at Deposition. **(Deposition)**

Carol Lee Sculley v. John Sculley, In the Circuit Court of the 15th Judicial Circuit in and for Palm Beach County, Florida, Case No.: 502010DR006817XXXXMB FD, Testified at Deposition. **(Deposition)**

United States of America v. Sean David Pickett, In the United States District Court Southern District of Florida Fort Lauderdale Division, Case No.: 13-CR-20599-WPD, Testified at Trial regarding the collection of evidence, analysis of said evidence and issues surrounding virtual memory analysis, computer operation and use of Peer to Peer software. **(Trial)**

US Medical Care, Inc., Sasson Moulavi, M.D., and Renata Moulavi v. Kenneth N. Woliner, M.D., Holistic Family Medicine, LLC, and Gina Ricciardi, In the Circuit Court for the 15th Judicial Circuit in and for Palm Beach County, Florida, Case No.: 50-2010-CA-029473-XXXX-MB AA, Testified at Deposition regarding website traffic and related metrics. **(Deposition)**

Jennifer Martinick, MBBS, Melike Kulahci, M.D., Lawrence J. Shapiro, D.O. v. Media Visions, Inc., In the United States District Court Southern District of Florida, Case No.: 0:13-cv-61148 WPD, Testified at Evidentiary Hearing regarding evidence preservation and spoliation issues. **(Evidentiary Hearing)**

Department of Health, Board of Medicine v. Peter Choy, M.D., State of Florida Division of Administrative Hearings, Case No.: 13-004280PL, Testified at Deposition regarding information mined from an Electronic Medical Records System and variations associated with the data extracted. **(Deposition)**

Winston Towers 300 Condominium Association, Inc. v. QBE Insurance Company, In the 11th Judicial Circuit In and For Miami-Dade County, Florida, Case No.: 10-45030 CA 05, Testified at Deposition regarding documents which were produced from an Agent of the Plaintiff and whether or not the

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documents were produced in an
(Deposition)

State of Florida v. Joseph D.
19th Judicial Circuit In and for
Florida, Case No.:
Hearing on issues surrounding IP
location. **(Hearing)**



authentic and unaltered state.

Baldino, In the Circuit Court of the
Saint Lucie County, State of
562011CF001300A, Testified at
address matching to physical

State of Florida v. Plenord St. Fort, In the Circuit Court of the 17th Judicial Circuit In and For Broward County, Florida, Case No.: 10-18683 CF10A, Testified at Deposition regarding information discovered regarding on line application for position on Monster.com and Email communications between Defendant and other parties of interest. **(Deposition)**

John H. Jervis, et al v. Jose Castaneda, et al, In the Circuit Court of the 15th Judicial Circuit In and For Palm Beach County, Florida, Case No.: 502011CA006657XXXXMBAE, Testified three separate times at Deposition on issues surrounding Electronic Signature Authentication and other items identified as part of my expert opinion. **(Deposition x3)**

State of Florida v. Alexander Whitaker, In the Circuit Court of the 17th Judicial Circuit In and For Broward County, Florida, Case No.: 12003410CF10A, Testified as to finding regarding criminal charges and data found on media reportedly belonging to Defendant. **(Deposition)**

United States of America v. Alexander Michael Roy, United States District Court Southern District of Florida, Case No.: 12-14022-CR-Moore/Lynch, Testified as to findings regarding the contents of the media reportedly belonging to Defendant. **(Trial)**

Anne Abraham et al v. MHM Solutions, Inc. et al., In the Circuit Court of the 17th Judicial Circuit in and For Broward County Florida, Case No.: 09-46153 (05), Testified at hearing regarding the process required to correctly collect process and produce Electronically Stored Information. **(Hearing)**

United States of America v. Spencer Scott Kellam, United States District Court Southern District of Florida, Miami Division, Case No.: 11-60206-cr-Hurley/Vitunac, Testified at hearing regarding findings by US Bureau of Prisons background investigation of the Defendant. **(Hearing)**

State of Florida v. Samuel Martin, In the County Court for the 6th Judicial Circuit In and For Pasco County, Florida, Case No.: CTC1103816MMAWS-17, Testified at hearing regarding the metadata associated with pictures and an SD card reportedly belonging to Defendant. **(Hearing)**

State of Florida v. Bruce Alperstein, In the Circuit Court In and For Santa Rosa County, Florida, Criminal Division B., Testified at a hearing regarding issues with the authenticity and validation of the electronic evidence collected, processed and copied by the Government. **(Hearing)**

Zip Wireless Products, Inc., Z-Think, LLC v. Brian Moroney, et al, In the Circuit Court of the 9th Judicial Circuit In and For Orange County, Florida, Circuit Civil Division, Case No. 10-CA-17309-32, Testified at deposition regarding computer artifacts identified as being related to potential hacking of company IT infrastructure. **(Deposition)**

Mary Laurine Umstead v. Horizon Bay Mgt., LLC. Et al, In the Circuit Court of the 13th Judicial Circuit of the State of Florida In and For Hillsborough County, Circuit Civil., Testified as to whether or not the information contained in an Electronic Medical Record system was accurate and whether or not certain operational practices were followed. **(Trial)**

In re: Rothstein Rosenfeldt Adler, P.A., US Bankruptcy Court for the Southern District of Florida, Case No.:

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09-34791-BKC-RBR, Testified as to qualifications and to be appointed as the Court's expert. Accepted as an Expert and appointed to address complex technical issues facing the Court and issued a report on the same. **(Hearing)**

United States of America v. Michael Meister, United States District Court Middle District of Florida, Case No. 8:10-CR-339-T-26AEP, Accepted as an expert in the area of Computer Forensics and testified on complex issues involved in the collection, preservation, review and analysis associated with the Governments case. **(Trial)**

United States of America v. William Vazquez Rivera., In the United States District Court for the District of Puerto Rico. Criminal Number 09-361 (JAF). My testimony focused on issues with identifying the specific location of a computer as well as identifying the individual who was at the computer at a specific date and time. **(Trial)**

Mathew Beck, et al v. Boce Group, LLC d/b/a Next Café, et al., US District Court for the Southern District of Florida, Case No.: 04-20683-CIV-Cooke. My testimony focused on the destruction of computer data, the existence of an audit trail and the possible manipulation of time keeping records. **(Deposition and Trial)**

Health Trio v. Ralph Korpman, et al., In the Chancery Court for Davidson County, Tennessee, 20th Judicial District, Civil Action No., 05-559-III. My testimony in this case focused on the potential destruction of evidence, possible violation of a court order preserving all information on the computer, and the possible destruction of evidence through the use of file scrubbing software. **(Deposition and Trial)**

William P. Planes, Sr. v. Rocky Shirey, et al., In the Circuit Court for the 6th Judicial Circuit in and for Pinellas County, Florida. Case No.: 06-9077-CI-19. My testimony focused on issues involving the identification and preservation of data belonging to the defendants. **(Hearing)**

Jan Bronstein v. Marc Bronstein., United States District Court, Southern District of Florida, Case No.: 06-80656. My testimony focused on the ownership and go-live date of a company's web site and its domain. **(Deposition)**

In Re: The Marriage of Stuart Pressman and Wendy Bulgrin., In the Circuit Court of the 17th Judicial Circuit in and for Broward County, Florida. Case No.: 06-008172. My testimony covered topics that included the collection, preservation, processing of data stored within a point of sale system used by the couple's business and inventory issues. **(Hearing, Deposition, and Trial)**

Building Education Corporation v. Jose Manuel Fernandez, et al., In the Circuit Court of the 11th Judicial Circuit in and for Miami Dade County, Florida. Case No.: 03-15909 CA 09. My testimony focused on providing information to the Court for possible selection as a neutral expert in the investigation and tracking ESI through a large IT infrastructure. **(Hearing)**

Microsoft Corporation v. Big Boy Distribution, LLC., In the United States District Court in and for the Southern District of Florida. Case No.: 07-80296-CIV-Hurley/Vitunac. My testimony focused on the examination of Plaintiff's expert's report and the methods used by said expert in coming to their conclusions. **(Deposition)**

Orlando/Orange County Expressway Authority v. Tuscan Ridge, et al., In the Circuit Court of the 9th

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Judicial Circuit in and for Orange
CA-006250-0. My testimony
and correct Metadata information
created by an expert in an
(Hearing)



County, Florida. Case No.: 2006-
focused on establishing the true
associated with computer files
Eminent Domain action.

Med Data Infotech USA, Inc. v.

Unnikrishnan Thankappan, et al.,

In the Circuit Court of the 6th Judicial Circuit in and for Pasco County, Florida. Case No.: 51-2004-CA-00321WS. My testimony focused on the contents of several hard drives containing information relating to computer software created by the Plaintiff. **(Deposition)**

E&F Contractors, Inc. v. Turner Construction Company, et al., In the Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, Florida. Complex Business Litigation Section. Case No.: 02-32516-CA-40. My testimony focused on addressing the collection, preservation, processing, analysis and possible destruction of evidence. **(Hearing)**

Benjamin J. Philips, III v. Oracal USA, Inc., In the Circuit Court of the 4th Judicial Circuit, in and for Duval County, Florida. Case No.: 16-2007-CA-006905-XXXX-MA, Division CV-E. My testimony focused on issues surrounding the destruction of evidence from a company owned laptop used by the Plaintiff. **(Hearing)**

Jessica Lane v. Adam Gerry., In the Circuit Court for the 20th Judicial Circuit in and for Collier County, Florida. Civil Action No. 08-9521-CA. My testimony focused on issues surrounding the disappearance of a laptop and the information found on the device after it had been recovered. **(Deposition)**

Publications

Electronic Discovery – 21st Century Road map, Georgia Defense Lawyers Association Periodical, May 2006.

Firms Face Forensic Challenge, South Florida Business Journal, May 2006.

Electronic Discovery: A Smart Five-Step Approach, South Florida Legal Guide, November 2006, Reprinted 2007.

What Every Business Needs to Know about Evidence Preservation and Electronic Discovery Issues, September 2007.

Forensic Times Newsletter, 2007 & 2008 (Trade Publication produced by firm.)

Discovery Requests: Knowing when and how to proceed can save thousands and the case, Smart Business, May 2008.

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