

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUBPOENA DUCES TECUM

To the Sheriff of our County of Suffolk, or his Deputy, or any Officer of said Court, or either of the Constables or Police Officers of any City or Town within said County, or any State Police Officer of said Commonwealth, and all other persons authorized to serve criminal process in said Commonwealth.

Greetings:

We command that you summon:

Ellen DiFiore  
Office of the Registrar  
Boston University School of Medicine  
72 East Concord Street  
Boston, MA 02118  
(fax) 617-638-4155

**\*Bring with you all items detailed in 'Attachment A'**

(if they may be found within your precinct) to appear forthwith before the **Grand Jury** for the said County of Suffolk, holden at the **Suffolk County Courthouse, 6<sup>th</sup> Floor, Pemberton Square**, Boston, within and for our County of Suffolk on:

**June 17, 2009  
9:00 A.M. EST**

and thereafter until discharged, then and there to give evidence of what they know relative to:

**COMMONWEALTH v. JOHN DOE**

Hereof fail not, and make due return of this Writ, with your doings thereon, into the said Court.

Witness, Barbara Rouse, Chief Justice, and the seal of said Court at Boston this 12th day of June in the year of our Lord Two Thousand and Nine.

**DANIEL F. CONLEY  
DISTRICT ATTORNEY**

**Please call upon receipt: (617) 619-4183  
Assistant District Attorney Delayne Austin**

RETURN OF SERVICE

Suffolk, ss.

\_\_\_\_\_ A.D. 2009

By virtue of this writ, I have summoned the within named witness for their appearance at Court by:

- Providing them with a copy of this writ in hand.
- By leaving a copy of this writ at their last and usual place of abode.
- By mailing a copy of this writ to their last and usual place of abode.
- By faxing a copy of this writ to their last and usual place of abode.
- By emailing a copy of this writ to their last and usual place of abode.

Signed under the pains and penalties of perjury:

\_\_\_\_\_

## ATTACHMENT A

## PLEASE BRING WITH YOU THE FOLLOWING RECORDS:

1. A transcript reflecting all completed coursework and grades earned.
  2. Any interim grades for incomplete courses in which the student was enrolled in the Spring of 2009.
  3. Any and all disciplinary records.
- 

## FOR THE FOLLOWING STUDENT:

**Philip Markoff**  
(Date of birth 2/12/1986)

**ATTENTION**

This subpoena has been issued by the Grand Jury for the District of Suffolk County. The subpoena, the existence of this subpoena, and the information contained herein are sensitive in nature. Please treat this information as such. Your appearance before the Grand Jury may not be necessary. You may return a certified copy of the subpoenaed records by email to [delayne.austin@state.ma.us](mailto:delayne.austin@state.ma.us), followed by mail service, to the attention of:

**Suffolk County District Attorney's Office  
c/o ADA Delayne Austin  
One Bulfinch Place  
Boston, MA 02114**

Should you have any questions or request further information regarding this subpoena, please feel free to contact Assistant District Attorney Delayne Austin via email or at 617-619-4183.



DISTRICT ATTORNEY OF SUFFOLK COUNTY  
DANIEL F. CONLEY

Homicide Unit  
One Bulfinch Place, Suite 300  
Boston, MA 02114-2921

Telephone: (617) 619-4240  
Fax: (617) 619-4316

April 24, 2009

Boston University  
Office of Information Technology  
111 Cummington Street, First Floor  
Boston, MA 02215

*via facsimile*

RE: Request pursuant to 18 U.S.C. s. 2703(f)-Preservation of evidence for 90 days

Dear Sir or Madam:

Please be advised that our office is conducting an official criminal investigation that involves the below listed account. We are in the process of reviewing the investigation to obtain a search warrant, grand jury subpoena, or other applicable court order to obtain information believed to be in your possession. As I am sure you are aware, s. 2703(f) of Title 18 of the United States Code provides:

(f) Requirement to Preserve Evidence

(1) *In general-A provider of wire or electronic communication services or a remote computing service, upon the request of a governmental entity, shall take all necessary steps to preserve records and other evidence in its possession pending the issuance of a court order or other process.*

(2) *Period of retention-Records referred to in paragraph (1) shall be retained for a period of 90 days, which shall be extended for an additional 90 day period upon a renewed request by the governmental entity.*

As such, we are requesting that your office take steps to immediately preserve any and all of the following information or material:

Any and all subscriber records, log-on and log-off records, radius logs, GPS and cell tower logs (if applicable), open and unopened electronic mail (e-mail) and any attachments thereto, search engine requests, chat room or chat channel dialogues or logs, buddy lists, customer history information, IP logs/Internet browser logs, customer service contact records and billing records, stored files, and other records relative to or associated with the following subscriber(s)/user(s) and group(s):

**PMarkoff@BU.edu**


Because this is a criminal investigation, we are requesting that neither you nor your office disclose the fact or the existence of our request, the investigation, and/or any compliance or action made with respect thereto.

I thank you in advance for your attention to this matter. Should you have any question, please do not hesitate to contact me.

---

Very truly yours,

DANIEL F. CONLEY  
District Attorney for Suffolk County



Robert Settana  
Criminal Investigator  
Suffolk County District Attorney's Office  
One Bulfinch Place  
Boston, MA 02114  
617.619.4289

Jun-12-2009 05:13 PM Suffolk County D. A. 6176194306

000744

**COMMONWEALTH OF MASSACHUSETTS**

SUFFOLK, ss.

**SUBPOENA DUCES TECUM**

To the Sheriff of our County of Suffolk, or his Deputy, or any Officer of said Court, or either of the Constables or Police Officers of any City or Town within said County, or any State Police Officer of said Commonwealth, and all other persons authorized to serve criminal process in said Commonwealth.

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(if they may be found within your precinct) to appear forthwith before the Grand Jury for the said County of Suffolk, holden at the Suffolk County Courthouse, 6<sup>th</sup> Floor, Pemberton Square, Boston, within and for our County of Suffolk on:

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Signed under the pains and penalties of perjury:

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Jun-12-2009 05:13 PM Suffolk County D. A. 6176194306

2/2

000745

**ATTACHMENT A****PLEASE BRING WITH YOU THE FOLLOWING RECORDS:**

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**Philip Markoff**  
(Date of birth 2/12/1986)

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c/o ADA Delayne Austin  
One Bulfinch Place  
Boston, MA 02114

Should you have any questions or request further information regarding this subpoena, please feel free to contact Assistant District Attorney Delayne Austin via email or at 617-619-4183.



# Boston University School of Medicine Transcript

000746

Boston University School of Medicine  
Office of the Registrar  
715 Albany Street  
Boston, Massachusetts 02118

LAST NAME Markoff	FIRST Philip	MIDDLE H	I. D. NUMBER U59752101	DATE OF BIRTH MO DAY YEAR 02/12/86	SEX M
ADDRESS AT ADMISSION (PERMANENT) 600 E. Genesee St. Suite 212 Syracuse, NY 13202			ADMITTED FROM HIGH SCHOOL OR COLLEGE WITH DEGREES SUNY At Albany BS 2007		
MATRICULATION DATE 08/13/07	DATE DEGREE AWARDED	HONORS	DEGREE PROGRAM M.D.		

TITLE	HRS.	GRADE	TITLE	HRS.	GRADE
<b>Curricular Year 1</b>			<b>Transcript Notes</b>  <b>End of Transcript</b>		
Biochemistry	(07-08)	120 Pass			
Endocrinology	(07-08)	33 Pass			
Essentials of Public Health I	(07-08)	60 Pass			
Genetics	(07-08)	14 Pass			
Gross Anatomy	(07-08)	170 Pass			
Histology	(07-08)	79 Pass			
Human Behavior in Medicine	(07-08)	29 Pass			
Immunology	(07-08)	16 Pass			
Neurosciences	(07-08)	98 Pass			
Physiology	(07-08)	129 Pass			
Integrated Problems I-A	(07-08)	24 Pass			
Integrated Problems I-B	(07-08)	35 Pass			
Intro to Clinical Medicine I	(07-08)	84 Pass			
		891			
<b>Curricular Year 2</b>					
Disease and Therapy 1	(08-09)	80 Pass			
Disease and Therapy 2	(08-09)	80 Pass			
Disease and Therapy 3	(08-09)	80 Pass			
Disease and Therapy 4	(08-09)	80 Pass			
Disease and Therapy 5	(08-09)	80 Pass			
Disease and Therapy 6	(08-09)	80 Pass			
*Integrated Problems II-A	(08-09)	17 Pass			
*Integrated Problems II-B	(08-09)	17 Pass			
*Intro to Clinical Medicine II	(08-09)	102 Pass			
		616			



*Elen J. DiSore*  
REGISTRAR

1974 Family Educational Rights and Privacy Act Information  
The information contained on this transcript is not subject to redisclosure to any other party without the expressed written consent of the student or his/her legal representative. It is understood this information will be used only by the officers, employees and agents of your institution in the normal performance of their duties. When the need for this information is fulfilled, it should be destroyed.

Not valid as a transcript without the authorized signature, the seal of the University, and the background pattern.  
Unless otherwise stated, this student is in good standing.  
JUN 15 2009

**BOSTON UNIVERSITY SCHOOL OF MEDICINE  
OFFICE OF THE REGISTRAR  
GRADING SYSTEM**

**HONORS**

HIGH PASS (available in third and fourth year courses only)

PASS

MARGINAL PASS

FAIL

INCOMPLETE

AS / H (ADVANCED STANDING with HONORS)

AS (ADVANCED STANDING)

EXEMPT

Effective January 1, 2008 all second year courses graded as Pass/Fail.

Effective September 8, 2003 all first year courses graded as Pass/Fail.

Effective September 8, 2003 credit granted for courses taken at Boston University prior to matriculation at Boston University School of Medicine recorded as Advanced Standing only.

Prior to 9/8/03 ADVANCED STANDING / HONORS was granted to students who achieved a grade of A or A- in the equivalent medical school course(s) at Boston University prior to matriculation to the School of Medicine.

ADVANCED STANDING is granted to students who have satisfactorily completed the equivalent medical school course(s) at Boston University prior to matriculation to the School of Medicine.

EXEMPT status is granted to students who have satisfactorily completed the equivalent medical school course(s) outside of Boston University.

**TRANSCRIPT NOTES:**

ALTERNATIVE CURRICULUM is granted to first and / or second year students to extend their year(s) over a two year period.

DECELERATED CURRICULUM is a program for students who encounter academic difficulty during any of the curricular years.

MODIFIED CURRICULUM is granted to third and / or fourth year students to extend their year(s) over a two year period.

**TRANSCRIPT REQUESTS**

Official transcripts are issued only to other institutions, agencies, and employers at the written request of the student. They bear date of issue, signature of a responsible University official, the Boston University academic seal, and the background pattern. ACCEPT NO OTHER.

**ACCREDITATION**

Boston University is accredited by pertinent agencies in the educational fields which it serves.

Boston University as a whole is accredited by the New England Association of Schools and Colleges.

The School of Medicine is accredited by the Liaison Committee on Medical Education of the Association of American Medical Colleges.

DRx 6 Block Grades

Spring 2009

Last Name	First Name	BUID	HP Qz1 scor	HP Quiz 1	HP Qz1 Pts	HP Qz2 score	HP Quiz 2	HP Qz 2 Pts	HP Qz3 scor	HP Quiz 3	
Markoff	Phillip	U59752101	8	89	2.67	7	78	2.33	3	50	
total # of points			3			3			3		

DRx 6 Block Grades

Spring 2009

Last Name	First Name	HP Qz 3 Pts	HP Qz4 score	HP Quiz 4	HP Qz4 Pts	HP Qz 5 score	HP Quiz 5	HP Qz5 Pts	Total HP Qz Pts
Markoff	Phillip	1.50	0	0	0.00	3	75	3.00	9.50
total # of points		3		3		4		16	

DRx 6 Block Grades

Spring 2009

Last Name	First Name	Home/One Exm	H/O Exm pts	Total pts	Grade
Markoff	Phillip		0.00	10	
total # of points					

000751

Boston University School of Medicine  
Office of the Registrar

Medical Campus  
72 East Concord Street, A-414  
Boston, Massachusetts 02118-2526  
T 617-638-4160 F 617-638-4155  
Website: [bume.bu.edu/busm/reg](http://bume.bu.edu/busm/reg)



June 17, 2009

Suffolk County District Attorney's Office  
c/o ADA Delayne Austin  
One Bulfinch Place  
Boston, MA 02114:

Re: Grand Jury Subpoena Duces Tecum:

Attorney Austin:

In connection with attached the subpoena duces tecum, I have searched the records of student Philip Markoff (D.O.B. 2-12-1986) held at the Boston University School of Medicine and can confirm that there are no disciplinary records associated with this student.

Sincerely,

A handwritten signature in cursive script that reads "Ellen DiFiore".

Ellen DiFiore  
Registrar, BUSM