

Writer's Information
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June 18, 2002

Ron Guilmette
1751 East Roseville Parkway
Apt. 1828
Roseville, CA 95661
rfg@monkeys.com
admin@monkeys.com

Dear Mr. Guilmette:

It has come to my attention that Monkeys.com has erroneously continued to blacklist a Verio Inc. ("Verio") IP. Please take the necessary steps to ensure that Verio IP address 208.55.91.59 with the server name mail15b.boca15-verio.com is taken off of your blacklist or Verio will have no choice but to institute legal action against you. Your conduct has subjected you to liability for tortious interference with a business contract, intentional and negligent misrepresentation, commercial disparagement, defamation, and unfair business practices.

I am in receipt of the attached email which evidences the fact you have violated Verio's legal rights. In this email, you stated that the mail server that this customer is using has a "security problem" and that Verio should contact your company so that you can assist us with fixing that "security problem." Since there is not a security problem, I am curious as to how you are going to assist Verio?

The real issue in this case was caused by a Perl script (formmail.pl); which was written and supplied by Matt's Script Archive. Verio did not write this script and does not offer, promote, sell, support, or in any other way use this script. When Verio was made aware that this "formmail.pl" script was being used to send spam, we immediately took appropriate measures to ensure that our customers could not use this script.

On more than one occasion, a member of Verio's abuse department contacted you to let you know the actions we have taken to prevent the use of this script. However, this request was met with hostility and you have refused to assist Verio. It is unclear what more we need to do to prove to you that we have rectified the situation. The best evidence we have is that there has not been one single instance since we took these measures where a Verio customer or malicious Internet user has used the Verio network to send unsolicited e-mail using a formmail script.

I would also like to point out that the above IP address is not listed as having any security or open relay problems with any anti-spam or open relay databases. Some examples are below:

```
|Host: 208.55.91.59      |
|(208.55.91.59)        |
|relays.osirusoft.com|Not listed|
|spews.relays.osirusoft.com|Not listed|
|ft.com                |Not listed|
|xbl.selwerd.cx       |Not listed|
|orbs.dorkslayers.com|Not listed|
|bl.spamcop.net       |Not listed|
|relays.visi.com      |Not listed|
```

dev.null.dk	Not listed
spammers.v6net.org	Not listed
blackholes.five-ten- sg.com	Not listed
blackholes.wirehub.n et	Not listed
dynablock.wirehub.ne t	Not listed
block.blars.org	Not listed
ipwhois.rfc-ignorant .org	Not listed
spamguard.leadmon.ne t	Not listed
ztl.dorkslayers.com	Not listed
unconfirmed.dsbl.org	Not listed
sbl.spamhaus.org	Not listed

Please let this letter serve as a final demand to remove the above IP address and any other Verio maintained IP related to the formmail.pl issue. If you continue to block any Verio IPs, we will have no choice but to initiate legal action against you.

We look forward to your compliance and reply.

Sincerely,

Julie K. Adams
Associate Counsel

"There is a technical problem with the mail server at IP address 208.55.91.59. That server appears to be owned by a company called "verio.net".

You are using that server as your outgoing mail server and some sites are no longer accepting e-mail from that server because it has a security problem and it has been a source of a certain kind of spam in the past.

There is nothing that you as an end user can do to resolve this problem except to contact technical support at the ISP company mentioned above and ask them to contact us themselves, directly, so that we can assist them in resolving their security problem.

When you do so, please also direct their attention to the following URL, which may help to explain the nature of the problem to the staff at the ISP:

<http://www.monkeys.com/anti-spam/filtering/formmail.html>

Thank you for your cooperation and patience while this matter is being resolved.

Regards,

Administrator

Monkeys.Com"
