

FEDERAL BUREAU OF INVESTIGATION  
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FOI/PA# 1386806-0

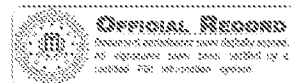
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**FEDERAL BUREAU OF INVESTIGATION****Electronic Communication****Title:** (U) Opening EC**Date:** 12/21/2015**From:** LOS ANGELES

LA-WCC6 (SSA [redacted])

**Contact:** [redacted]b6  
b7C**Approved By:** A/SSA [redacted]**Drafted By:** [redacted]**Case ID #:** 295C-LA-6787808

(U) UNSUBS;

The Weinstein Company - Victim;  
Copyright Infringement - Other

**Synopsis:** (U) Information was provided by The Weinstein Company (an independent film studio) that their film "The Hateful Eight" was illegally distributed.

**Full Investigation Initiated:** 12/21/2015**Details:**

Information was provided by The Weinstein Company (an independent film studio) that their film "The Hateful Eight" was illegally distributed.

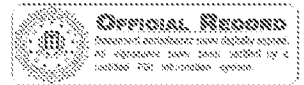
SA [redacted] spoke with SSA [redacted] and AUSA [redacted] who advised;

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It is requested that this case be opened and assigned to the writer.

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## FEDERAL BUREAU OF INVESTIGATION

Date of entry 12/23/2015

On December 21, 2015, [REDACTED] telephone number [REDACTED]

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[REDACTED]  
[REDACTED] for The Weinstein Company (TWC) was interviewed telephonically. Also present on the telephone call was [REDACTED]

[REDACTED] After being advised of the identities of the interviewing Agents and the nature of the interview, [REDACTED] provided the following information:

[REDACTED] stated that TWC is an independent American film studio that produced "The Hateful Eight", a movie that is scheduled to be released on December 25, 2015.

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[REDACTED] stated that TWC sends out screeners to all members of the Guild. TWC was notified on December 20th that "The Hateful Eight" was released online without the consent of TWC. [REDACTED] stated that the version that appeared online was watermarked as belonging to [REDACTED]

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[REDACTED] is a [REDACTED] at ALCON ENTERTAINMENT, located at 10390 Santa Monica Blvd, Suite 250 Los Angeles, CA and is a member of the Guild.

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[REDACTED] estimated that at this time the "The Hateful Eight" was downloaded approximately 100,000 times.

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[REDACTED] provided a copy of the Webwatch report (included in 1A).

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Investigation on 12/21/2015 at Los Angeles, California, United States (Phone)File # 295C-LA-6787808 Date drafted 12/23/2015

by [REDACTED]

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telephonic  
Interview of

by SA  
SA

12/21/15

at [redacted]  
[redacted] at [redacted] company

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- will send attach of web watch report
- send out screeners to members of Guilds
- one showed up online yesterday → [redacted] @ Alcon
- watermark verified
- as he understands leak @ Alcon
- hasn't talked w/ [redacted] or anyone @ Alcon
- civil action separately vs Alcon?
- has a vendor working on it 24/7
- <sup>released</sup> Christmas Day <sup>supposed to be</sup>
- multiple downloads → est 100,000
- unaware if they've worked w/ Alcon before → doesn't think so
- AMPUS screener, why the video was sent to him

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12/22/15

[redacted]

[redacted]

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Workstation outside his office has capability to burn DVD  
recalled different ppl using station during last 2 wks

[redacted]

that come & go

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who → \* [redacted] don't know

- called [redacted]

- he said → [redacted]

- burn

headed\* [redacted] asked him burn

[redacted] burned it, but file so big, couldn't put on hard

copy [redacted]

- copy in hard drive, couldn't successfully copy on DVD

- [redacted] left file on hard drive

- [redacted] worked here since [redacted]

- no other problems, [redacted]

- will close computer down & don't use

- never talked to [redacted] re: watermarks, etc

- policy → employee handbook → will give copy of employee handbook  
not unusual to take dir fr [redacted]

- [redacted] mistake to take orders fr [redacted]

- ton of screeners? → [redacted]

- some screeners come sealed & some don't

- DVD location at this point [redacted] knew

reopen  
Jan 7th




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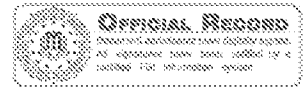


Alcon Media Group, LLC  
10390 Santa Monica Blvd., Suite 250  
Los Angeles, CA 90025

or:  t. 310.789.3060

  
[www.AlconEntertainment.com](http://www.AlconEntertainment.com)

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## FEDERAL BUREAU OF INVESTIGATION

Date of entry 12/29/2015

[redacted] of ALCON ENTERTAINMENT, LLC (ALCON), business address 10390 Santa Monica Boulevard, Suite 250, Los Angeles, California, 90025, business telephone number [redacted] business facsimile number (310) 789-3060, business website www.alconentertainment.com, business email address [redacted] was interviewed at his place of employment by FBI Special Agent (SA) [redacted] and SA [redacted] Attorney at [redacted] [redacted] business telephone number [redacted] business fax number [redacted] business website [redacted] business email address [redacted] was also present in the capacity of retained counsel for ALCON. [redacted] provided business cards to SA [redacted] which are attached to this report. After being advised of the identities of the interviewing Agents and the nature of the interview, [redacted] provided the following information:

[redacted] stated his [redacted] was [redacted] Over the last two weeks, [redacted] noticed [redacted] and others using a workstation outside of [redacted] office. [redacted] noted use at this workstation was higher than usual during the recent two week period. The workstation had the capability to burn DVDs.

Upon being informed of the FBI's investigation, [redacted] stated he called [redacted] to ask about the workstation. [redacted] told [redacted] that another employee, [redacted] handed the DVD screener for "The Hateful Eight" to [redacted] and asked [redacted] to burn a copy. [redacted] advised [redacted] he burned "The Hateful Eight" to the hard drive of the computer, however when [redacted] tried to burn the file on a blank DVD, the file was too large. [redacted] told [redacted] he left the file on the hard drive and handed the screener back to [redacted] stated it was not unusual for [redacted] to take direction from [redacted] worked for ALCON for a number of years and [redacted] However, [redacted] clarified it was [redacted] mistake to take this particular direction from [redacted] believed [redacted] was aware it was wrong to burn the DVD for [redacted] felt [redacted] should have known better because many screeners come to ALCON for [redacted] and/or [redacted] noted some screeners were sealed and others were not sealed. Screeners were addressed

Investigation on 12/22/2015 at Los Angeles, California, United States (In Person)File # 295C-LA-6787808 Date drafted 12/24/2015by [redacted]b6  
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295C-LA-6787808

Continuation of FD-302 of Interview of [REDACTED] 12.22.15, On 12/22/2015, Page 2 of 2

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for the intended recipient(s), [REDACTED] and/or [REDACTED] did not know the location of "The Hateful Eight" screener.

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[REDACTED] advised [REDACTED] started working at ALCON [REDACTED] [REDACTED] reported no prior employment problems regarding [REDACTED] never talked with [REDACTED] about watermarks on screeners.

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[REDACTED] stated he would provide SAs with a copy of ALCON's Employee Handbook. [REDACTED] stated he would close the workstation down and not utilize it during the investigation. [REDACTED] advised ALCON was set to reopen after the holidays on January 7, 2016.

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12/22/15



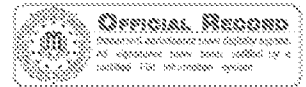
- hasn't viewed DVD
- since member of academy of screeners - he doesn't watch DVDs (falls asleep)
- [redacted] also Film Producers - producers Guild - <sup>has come to house</sup>
- tradition locked in file → by [redacted] <sup>has come here</sup>
- (take home)
- on last business day of yr
- Dec. 18, 2015

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- as far as know → DVDs in knapsack
- <sup>sent w/</sup> ~~sent~~ <sup>typical</sup> saw [redacted] copy
- comes [redacted] → you
- can be 3-4 weeks look through physical inbox
- let [redacted] open mail
- and sometimes flag mail [redacted] gives
- [redacted] can open package, not seal
- boxes → at home stored
- screeners → easily 20 per yr
- none you can think of
- The Hollywood Report [redacted]
- next wed dec 30th?

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1  
DVDs never make it to phys inbox



## FEDERAL BUREAU OF INVESTIGATION

Date of entry 12/29/2015b6  
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[redacted] of ALCON ENTERTAINMENT, LLC (ALCON), business address 10390 Santa Monica Boulevard, Suite 250, Los Angeles, California, 90025, business website www.alconentertainment.com, was interviewed at his place of employment by FBI Special Agent (SA) [redacted] and SA [redacted] [redacted] Attorney at [redacted] business address [redacted] [redacted] business telephone number [redacted] business fax number [redacted] business website [redacted] business email address [redacted] was also present in the capacity of retained counsel for ALCON. [redacted] provided a business card to SA [redacted] which is attached to this report. After being advised of the identities of the interviewing Agents and the nature of the interview, [redacted] provided the following information:

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[redacted] stated he did not view the DVD screener for "The Hateful Eight." [redacted] noted that although he was a member of the Academy of Screeners, he frequently did not watch DVD screeners. [redacted] advised that [redacted] [redacted] was also a member and received the same screeners he did. [redacted] was also a film producer and active in the Producer's Guild. [redacted] stated his DVD screeners were sent to ALCON and [redacted] screeners were sent to their marital residence.

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[redacted] explained that when screeners arrived at ALCON, the DVDS were traditionally locked in a file cabinet by one of [redacted] assistants, [redacted] estimated he received at least twenty screeners per year. Usually, on the last business day of the year, [redacted] transported DVD screeners to his residence. [redacted] advised the last business day of the year for ALCON should have been December 18, 2015. However, due to the release of "Point Break", ALCON's offices remained open after that date. [redacted] believed the DVD screeners for 2015 were packaged in a knapsack by [redacted] for transportation to his residence.

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[redacted] stated screeners were sometimes sent with a seal and at other times, did have a seal. [redacted] observed [redacted] screener of "The Hateful Eight" and a seal was present. [redacted] advised [redacted] were allowed to open his mail, but were not allowed to break seals on screeners. [redacted] stated he often did not review his physical inbox of mail for three to four

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Investigation on 12/22/2015 at Los Angeles, California, United States (In Person)File # 295C-LA-6787808 Date drafted 12/24/2015by [redacted]b6  
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295C-LA-6787808

Continuation of FD-302 of Interview of [REDACTED] 12.22.15, On 12/22/2015, Page 2 of 2

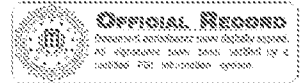
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weeks. However, screeners were not placed in his physical inbox; [REDACTED] or [REDACTED] directly placed screeners in the aforementioned locked file cabinet.

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[REDACTED] pledged his full cooperation with the investigation. [REDACTED] noted he was contacted earlier in the day by [REDACTED] [REDACTED] advised [REDACTED] an article would be forthcoming regarding the leak of "The Hateful Eight."

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**FEDERAL BUREAU OF INVESTIGATION****Import Form**

Form Type: OTHER

Date: 12/29/2015

Title: (U) [REDACTED] DMV and NCIC-12.23.15

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Approved By: SSA [REDACTED]

Drafted By: [REDACTED]

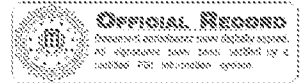
Case ID #: 295C-LA-6787808 (U) UNSUBS;  
The Weinstein Company - Victim;  
Copyright Infringement - Other

Synopsis: (U) [REDACTED] DMV and NCIC-12.23.15

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**FEDERAL BUREAU OF INVESTIGATION****Import Form**

Form Type: OTHER

Date: 12/29/2015

Title: (U) [REDACTED] Comprehensive Report-12.23.15

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Approved By: SSA [REDACTED]

Drafted By: [REDACTED]

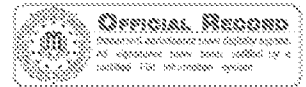
Case ID #: 295C-LA-6787808 (U) UNSUBS;  
The Weinstein Company - Victim;  
Copyright Infringement - Other

Synopsis: (U) [REDACTED] Comprehensive Report-12.23.15

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## FEDERAL BUREAU OF INVESTIGATION

Date of entry 01/04/2016b6  
b7C

[redacted] of  
ALCON ENTERTAINMENT, LLC (ALCON), business address 10390 Santa Monica  
Boulevard, Suite 250, Los Angeles, California, 90025, business telephone  
number [redacted] business facsimile number (310) 789-3060, business  
website www.alconentertainment.com, business email address

[redacted] was interviewed at his place of employment by FBI  
Special Agent (SA) [redacted] and SA [redacted]  
[redacted] Attorney at [redacted] business address [redacted]  
[redacted] business  
telephone number [redacted] business fax number [redacted]  
business website [redacted] business email address [redacted]  
was also present in the capacity of retained counsel for ALCON. [redacted]  
and [redacted] provided business cards to SA [redacted] which are attached to  
this report. [redacted] also provided an organizational chart of ALCON to SA  
[redacted] which is attached to this report. After being advised of the  
identities of the interviewing Agents and the nature of the interview,  
[redacted] provided the following information:

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[redacted] explained ALCON was broken down into three different groups:  
the film group, the management group and the television group. [redacted]  
advised the organizational chart provided specified the members of each  
group. The consultant's section of the chart worked operationally with the  
television group. The film group worked on the second floor of ALCON's  
business address whereas the management group and television group worked  
on the fourth floor. [redacted] noted several unpaid interns worked for  
ALCON. [redacted] stated the chart provided listed all current employees, and  
every employee listed had a computer.

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[redacted] advised some items delivered via mail to ALCON were not signed  
for; these items were simply left at a two-tiered reception desk. Mail  
deliveries were completed by several employees. [redacted] stated no  
particular employee was specifically tasked with delivering mail to other  
employees. [redacted] advised the front door to ALCON was always open and no  
buzzer or doorbell sounded when an individual entered the business.  
[redacted] further noted the reception desk was not permanently staffed and  
was usually vacant. [redacted] stated interns or [redacted]

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Investigation on 12/22/2015 at Los Angeles, California, United States (In Person)File # 295C-LA-6787808 Date drafted 12/24/2015by [redacted]b6  
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Continuation of FD-302 of Interview of [REDACTED]-12.22.15, On 12/22/2015, Page 2 of 2

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[REDACTED] sometimes sat at the reception desk and signed for mail. [REDACTED] stated packages were placed on the bottom portion of the reception desk.

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[REDACTED] stated ALCON never had an incident similar to the current investigation into the leak of "The Hateful Eight." [REDACTED] advised ALCON had no policy regarding use of digital media transfer devices, such as Universal Serial Bus (USB) sticks. [REDACTED] clarified that there was no policy to prohibit use of these devices. [REDACTED] was unaware if the CD ports on any or all of ALCON owned computers were blocked. [REDACTED] stated the server for ALCON was located onsite and contained a high level of protection. [REDACTED] advised the property manager had building surveillance cameras; however, no surveillance cameras were located inside ALCON's office space. [REDACTED] agreed to provide SAs with the name of ALCON's property manager at a later time.

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[REDACTED] stated there was no official clock in or check into work system such as on a computer login or physical time cards for employees. [REDACTED] explained ALCON was open to the public from 9:00 a.m. until 7:00 p.m. However, some departments within ALCON worked from 10:00 a.m. until 7:00 p.m. [REDACTED] advised typical business at ALCON included meetings and telephone calls. [REDACTED] stated there were meetings at ALCON every day in which members of the public attended. A bell was present at the reception desk, which members of the public could ring if no ALCON employees were present upon arrival to the business.

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[REDACTED] advised ALCON had conference rooms which contained televisions. However, [REDACTED] stated no employees at ALCON watched screeners in these rooms. [REDACTED] worked at ALCON on Wednesday, December 16, 2015 and confirmed that [REDACTED] was also working on this day. [REDACTED] stated [REDACTED] worked at ALCON [REDACTED] worked at ALCON [REDACTED] advised there was no official background check completed on ALCON employees. [REDACTED] stated ALCON hired employees based on calling references and conducting interviews. SA [REDACTED] requested [REDACTED] provide a list of employees working at ALCON on the following three days: December 16, 2015, December 17, 2015 and December 18, 2015. [REDACTED] stated he would provide this list.

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12/22/15

- allan ent group Film Group 2nd  
management group 4th
- no computer login/check in TV group 4th  
consultant
- ~~legit~~ interns unpaid

- some items not signed for, some left a reception
- deliveries done by all employees none specific doing deliveries
- front door open - no buzz in / no perm staffers
- open packages? → unsure

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{ sit at desk

- never had an incident like this happen before
- everyone on list has a computer/laptop
- no policy vs USB, CD blocked
- server is located onsite - high level of protection
- no policy to prohibit use
- yes surveillance on property - property manager
- no cameras inside here
- 9-7pm → open to public  
am
- some <sup>dept</sup> 10-7pm calls, meetings
- meetings here everyday, members of public
- packages sit on 2 tier reception desk bottom portion

- bell @ front desk → ring if no one here

- yes have conference room w/ TVs

- no one watches screeners

- DEC. <sup>WED</sup> 16th → working 2:30pm

- requested who working 16th-18th

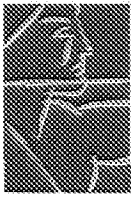
[ ] has been here [ ]

- 2nd [ ] less

- employee hiring - no official background check, call references

- he's worked here [ ]

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ALCON  
ENTERTAINMENT

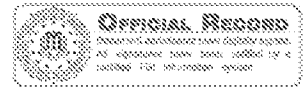


Alcon Entertainment, LLC  
10790 Santa Monica Blvd., Suite 250  
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or [redacted] (310) 789-3862

[redacted]  
[www.alconentertainment.com](http://www.alconentertainment.com)

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## FEDERAL BUREAU OF INVESTIGATION

Date of entry 01/04/2016

Following the interview of [REDACTED] verbally consented to a search of the screener file cabinet at ALCON ENTERTAINMENT, LLC (ALCON) and to the taking of photographs of the workstation. [REDACTED] provided verbal consent to FBI Special Agent (SA) [REDACTED] and SA [REDACTED] in the presence of [REDACTED] who was present in the capacity of counsel for ALCON.

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SA [REDACTED] and SA [REDACTED] were shown to the screener file cabinet by [REDACTED] was also present. The file cabinet was locked and the key was located inside a desk drawer nearby. The drawer was not secured and did not appear to have a locking mechanism. [REDACTED] unlocked the file cabinet for the SAs and asked his assistants, [REDACTED] if either had seen the screener for The Hateful Eight. [REDACTED] advised they had not seen the screener, nor placed it in the locked file cabinet as was standard operating procedure.

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SA [REDACTED] and SA [REDACTED] searched the screener file cabinet. SAs examined other screeners and DVDs. The vast majority of DVDs examined had unbroken seals on the cases. No screener for The Hateful Eight was found within the file cabinet. SA [REDACTED] locked the file cabinet and gave the key to [REDACTED] handed the key to [REDACTED] stated [REDACTED] was responsible for maintaining the key from that point on.

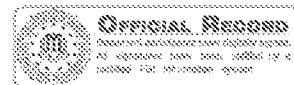
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SAs were shown to the workstation by [REDACTED] was also present. SA [REDACTED] took photographs of the tower and desktop of the workstation which are attached to this report. SAs requested to take the workstation computer into their possession; [REDACTED] did not allow this. SAs requested to image the computer and were told by [REDACTED] that could be completed on a later date. SA [REDACTED] was allowed take to the aforementioned photographs. SAs were not allowed to open any folders or icons on the desktop. As shown in the attached photographs, several CD/DVD burning programs were visible upon later review on the desktop as well as a folder labeled "Hateful" which appeared to contain files.

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Investigation on 12/22/2015 at Los Angeles, California, United States (In Person)File # 295C-LA-6787808 Date drafted 12/29/2015by [REDACTED]b6  
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UNCLASSIFIED

**FEDERAL BUREAU OF INVESTIGATION****Import Form**

Form Type: OTHER

Date: 01/08/2016

Title: (U) Alcon Employee Handbook-01.04.16 and Email from [REDACTED]  
[REDACTED]-01.04.16b6  
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Approved By: SSA [REDACTED]

Drafted By: [REDACTED]

Case ID #: 295C-LA-6787808

(U) UNSUBS;

The Weinstein Company - Victim;  
Copyright Infringement - OtherSynopsis: (U) Alcon Employee Handbook-01.04.16 and Email from [REDACTED]  
[REDACTED]-01.04.16b6  
b7C

Enclosure(s): Enclosed are the following items:

1. (U) Email from [REDACTED]-01.04.16

◆◆

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**From:** [REDACTED]  
**To:** [REDACTED] (LA) (FBI)  
**Cc:** [REDACTED]  
**Subject:** Alcon investigation  
**Date:** Monday, January 04, 2016 7:10:19 PM  
**Attachments:** [image001.jpg](#)  
[Alcon Employee Handbook.pdf](#)

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Dear Special Agent [REDACTED]

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Thank you for your call today. As you requested, and in furtherance of our client's ongoing efforts to cooperate with the FBI's investigation, I am attaching a copy of Alcon Entertainment's employee handbook. I will follow up with the other information that you requested when I have received it.

I look forward to speaking with you again tomorrow after you have had an opportunity to confer with your colleagues about the matters that we discussed today.

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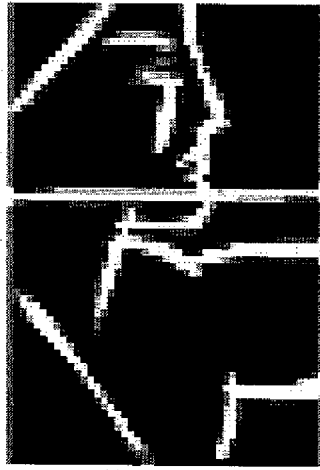
CONFIDENTIALITY NOTICE: This e-mail transmission, and any documents, files or previous e-mail messages attached to it may contain confidential information that is legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of any of the information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify the sender. Please destroy the original transmission and its attachments without reading or saving in any manner. Thank you, Loeb & Loeb LLP.

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[REDACTED]  
Partner

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[REDACTED]  
[REDACTED]  
Direct Dial: [REDACTED] Fax [REDACTED] Email: [REDACTED]



**A L C O N**  
**ENTERTAINMENT**

**EMPLOYEE HANDBOOK**

Alcon Entertainment, LLC

10390 Santa Monica Boulevard, Suite 250, Los Angeles, CA 90025  
Office: 310.789.3040 Fax: 310.789.3060



**A L C O N**  
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**Alcon Entertainment, LLC**  
**ABOUT THE HANDBOOK**

**Page 1**

Welcome to the Alcon Team.

This handbook was developed to describe some of the expectations for our employees and to outline the policies, programs and benefits available to eligible employees. Please read it thoroughly as it has been prepared for the information and guidance of all our employees. We hope it will answer most of your questions. If, however, you have additional questions about your job, Alcon Entertainment, LLC, or any policy or procedure stated in this handbook, please feel free to speak to us.

We hope that your experience here will be challenging, enjoyable and rewarding. Once again, welcome to Alcon Entertainment (referred to as "Alcon" or "the Company").



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## NATURE OF EMPLOYMENT

This handbook is intended to provide employees with a general understanding of the Company's personnel policies. However, this handbook cannot anticipate every situation or answer every question about employment. It is not an employment contract and is not intended to create contractual obligations of any kind. Throughout the course of your employment with the Company, you are free to leave your employment at any time, for any reason or for no reason, and we (Alcon) reserve a similar right. Thus, both you and the Company will have the right to end the employment relationship at any time, with or without cause and with or without notice, for any reason or for no reason. This is called "employment at-will," and no one other than the President or a designated Executive Officer of the Company has the authority to alter this arrangement, to enter into an agreement for employment for a specified period of time, or to make any agreement concerning the terms of your employment that is contrary to this policy. Furthermore, such an agreement must be in writing and signed by both you and the President or a designated Executive Officer of the Company. Certain employees of Alcon may be subject to written contracts of employment. In the event of any conflict between an employee's contract of employment and any term contained in this handbook, the written contract will control the terms and conditions of that employee's employment. *Except for the employment-at-will policy, the information in this handbook is subject to change at the sole discretion of Alcon and such changes may supersede, revise, or eliminate the policies contained in this Handbook.*

## EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of the Company to apply recruiting, hiring, promotion, compensation and professional development practices without regard to race, religion, color, national origin, ancestry, citizenship, sex, age, creed, physical or mental disability, medical condition, marital status, veteran status, sexual orientation, or any other legally protected characteristic except as may be permitted by law.

It is the intention of Alcon to extend equal employment opportunities to all applicants and employees on the basis of individual merit and qualifications.



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## **EMPLOYMENT APPLICATIONS/VERIFICATION OF STATUS**

Alcon relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

Federal immigration laws require that we verify an applicant's identity and legal ability to work before we can hire him or her. In keeping with this obligation, the Company must require and inspect documentation which complies with these laws and must require each applicant to complete an I-9 Form provided by the federal government. This form must be completed as soon as possible after an offer of employment is made and in no event more than the employee's ability to furnish satisfactory evidence of identity and legal authority to work in the United States.

## **INTRODUCTORY PERIOD**

The First 90 Calendar days after hire is an introductory period intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. Alcon uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or Alcon may end the employment relationship at will at any time during or after the introductory period, with or without cause or advance notice.

Any significant absence will automatically extend an introductory period by the length of the absence. If Alcon determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended for a specified period.

## **HIRING RELATIVES**

Your relatives may be hired at Alcon, provided there are no conflicts or other employment situations, which, in the opinion of Alcon, may impair efficient operations or working relationships.



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## **CONFIDENTIALITY**

### **NON-DISCLOSURE**

The protection of confidential information is vital to the interests and the success of the Company.

All employees of Alcon are privy to a great deal of confidential information. It is essential that all records and information be kept totally secure. We have in our files legal, personal and financial records, which are private. We expect our staff to respect and guard that information. Under no circumstance are any confidential matters to be discussed outside the office or with fellow employees not specifically concerned.

The obligation to maintain the confidentiality to private information remains even after the employee's employment relationship with Alcon ends.

In addition, the following rules should be observed:

- Keep all valuable papers or records out of sight and out of reach. Lock them up when you leave the office or when your desk or area is unattended.
- When there are visitors in your office, make sure that materials on your desk that pertain to other clients are removed from view.
- Don't discuss Alcon's business matters or clients in elevators, restaurants, etc.
- Never remove any records or documents, or copies of such, from Alcon's premises without approval of management.

## **OUTSIDE EMPLOYMENT**

We believe that Alcon's dedication to excellence and quality requires a special kind of energy and commitment. We realize, however, that in some circumstances, you may need to hold a second position elsewhere. Alcon does not object to outside employment as long as it does not interfere with your employment with us or the outside employment creates no conflict of interest, real or apparent, with Alcon's business interests. It is expected that your employment with Alcon will take priority over any outside employment and that this outside employment will not be considered as an excuse for poor performance, absenteeism or refusal to work overtime.



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**PERFORMANCE EVALUATION**

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. A performance evaluation will be conducted at the end of an employee's initial 90-day period of hire, known as the introductory period. Additional formal performance evaluations are conducted on the employee's anniversary date to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

Merit-based pay adjustments may be awarded by Alcon in an effort to recognize truly superior employee performance. The decision to award such an adjustment is dependant upon numerous factors, including the information documented by this formal performance evaluation process, and is entirely at the discretion of Alcon.

**EMPLOYEE BENEFITS**

Employees at the firm are provided a wide range of benefits, which are more fully described in the following sections. A number of the programs (such as Social Security, Worker's Compensation, State Disability and Unemployment Insurance) cover all employees in the manner prescribed by law.

**HEALTH INSURANCE**

After the 90-day introductory period has been completed, full-time employees will be eligible for Alcon's Health Insurance Coverage. Alcon currently offers comprehensive health, dental, life, vision, chiropractic and acupuncture insurance benefits for full-time employees and their dependants at full cost to Alcon.

Additionally, after the 90-day introductory period has been completed, full-time employees will be eligible for Group Long Term Disability at full cost to Alcon. Like all benefits, the Company reserves the right to modify, eliminate, delete or change any and all of these benefits at any time in its sole discretion.

All benefits are fully explained in documents provided to employees during orientation and at the time plan documents and/or benefits change. Current plan documents can be obtained from the Human Resources Department at any time. Employees may participate in the health insurance plan subject to all terms and conditions of the agreement between Alcon and the insurance carrier.



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**COBRA:** COBRA is a federal law, which provides eligible employees and certain family members the right to continue health coverage at their own expense under an employer's group plan. The right to continue coverage is triggered when specific events occur that would normally result in a loss of coverage. For more information about COBRA, please contact Human Resources.

**VACATION BENEFITS**

Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits.

The amount of paid vacation time employees receive each year depends on the length of their employment as shown in the following schedule:

- **During the Introductory Period or any extension thereof, employees shall accrue no vacation benefits.**
- **During a full-time employee's first (1<sup>st</sup>) year of post-introductory period of employment, such employee shall accrue vacation at the rate of .83 days per month of employment.**
- **During a full-time employee's second (2<sup>nd</sup>) year of employment, such employee shall accrue vacation leave at the rate of .92 days per month of employment.**
- **During a full-time employee's third (3<sup>rd</sup>) year of employment, such employee shall accrue vacation leave at the rate of 1.00 days per month of employment.**
- **During a full-time employee's fourth (4th) year of employment, such employee shall accrue vacation leave at the rate of 1.08 days per month of employment.**
- **During a full-time employee's fifth (5th) year of employment, such employee shall accrue vacation leave at the rate of 1.17 days per month of employment.**
- **During a full-time employee's sixth (6th) year of employment, such employee shall accrue vacation leave at the rate of 1.25 days per month of employment.**



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In the event that accrued vacation is not used by the end of the employee's anniversary date with Alcon, employees may carry unused vacation time forward in the next year. If the total amount of unused vacation time reaches a "cap" of fifteen (15) days, further vacation accrual will stop until the employee uses accrued vacation time and brings the available amount below the cap at which time vacation accrual will begin again. Upon termination of employment, employees will be paid for unused accrued vacation time that has been earned through the last day of employment.

In order to be eligible for vacation, full-time employees must email their Supervisors with a cc to Human Resources, which will be approved by their Supervisor and forwarded to the Human Resources Department. In order to satisfy the employee's preference as well as to meet the staffing needs of the department, all employees are encouraged to discuss vacation plans with your supervisor well in advance of their anticipated vacation date. Should there be conflicting requests submitted at approximately the same time, your supervisor's discretion will prevail in the event both requests cannot be approved.

The Company will consider on a case-by-case basis allowing an employee to take an advance of their unearned vacation time. The employee will be required to execute a written document (ie vacation request) stating that the employee understands that the vacation advance is "an advance on wages" until earned. If the employee resigns or is discharged before the vacation is earned, the employee will be considered to have been overpaid and the Company may deduct the money from employee's final paycheck.

## **HOLIDAYS**

Full-time employees are currently provided holiday pay. A list of holidays the Company will observe and the date of observance will be distributed to all employees in early January of each year. The fact that a certain holiday was observed in a given year does not guarantee that the same holiday will be observed in subsequent years.

For each recognized holiday, eligible employees will receive a day off with pay. However, the Company, in its discretion, may require you to work on a scheduled holiday and compensate you for your actual services in addition to providing you with holiday pay.



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In order to be eligible for holiday pay, eligible employees must work the last scheduled workday before and the first scheduled workday after the holiday or the absence must be pre-approved by the employee's supervisor.

**PERSONAL DAYS**

Full-time employees are granted two (2) personal days for either religious days of a personal significance, Birthdays or Family Business. There shall be no carry over from year to year of unused personal time. Unused personal time is not compensated upon termination from employment.

**SICK LEAVE BENEFITS**

After an employee has successfully completed his or her first 90 days of employment, all full-time employees are eligible for up to a maximum of ten (10) days paid sick leave during each calendar year. Please understand that we have instituted this policy to minimize the economic hardships that otherwise might result from unexpected short-term illness or injury. Because this benefit is designed only to assist an appointment, no sick leave benefits are paid upon termination of employment, nor can sick leave benefits be applied as extra vacation or taken as personal time. Alcon reserves the right to request verification from the employee's health care provider to confirm the necessity for any particular sick leave.

**BEREAVEMENT LEAVE**

In the event of a death in the immediate family, employees shall be granted up to three (3) days leave without loss in pay.

For the purpose of this policy, a member of the immediate family shall be considered to be employee's spouse, child, father, mother, brother, sister, grandfather, grandmother, father-in-law or mother-in-law.



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### **TIME OFF TO VOTE**

Alcon encourages employees to fulfill their civic responsibilities by participating in elections. Generally, employees are able to find time to vote either before or after their regular work schedule. If employees are unable to vote in an election during their non-working hours, Alcon will grant up to 2 hours of paid time off to vote.

Employees should request time off to vote from their supervisor at least two working days prior to the Election Day. Advance notice is required so that the necessary time off can be scheduled at the beginning or end of the work shift; whichever provides the least disruption to the normal work schedule.

Employees must submit a voter's receipt on the first working day following the election to qualify for paid time off.

### **JURY DUTY**

Alcon believes that every employee should serve on a jury when called. To encourage this participation in the community, Alcon will pay the difference between Jury Duty pay and regular base pay to all regular employees not to exceed one (1) week. When proximity and time allow, an employee is expected to report to work before and/or after the daily trial proceedings.

### **TIMEKEEPING**

It is each employee's responsibility to record his/her hours worked correctly, using the procedures adopted by Alcon management. The time record is your payroll record. Record hours at the beginning of each work day, at the beginning and end of your lunch break, and at the end of your workday. Do not record paid breaks.

- Do not ask anyone else to record your time for you, and do not record for anyone else. If corrections or modifications are necessary for your time record, both you and your Supervisor must verify the accuracy of the changes. Tampering, altering or falsifying time records may result in termination.





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- At the conclusion of your scheduled work period, employees are asked to leave Alcon premises.

## **OVERTIME**

Due to the nature of our business, it will sometimes become necessary for our employees to work overtime. Alcon will try to give each employee as much advance notice as possible. However, your cooperation in helping us meet our deadline is both expected and appreciated.

The first forty (40) hours of work during a pay period (Sunday through Saturday), worked by an employee is paid on a straight time basis. Non-exempt employees who work in excess of forty (40) hours during the week or eight (8) hours a day will be paid at the overtime rate of one and one-half (1-1/2) times the employee's regular hourly pay rate.

Employees who are exempt from overtime provisions of Federal and State laws will not be paid overtime.

## **DEFINITION OF NON-EXEMPT & EXEMPT EMPLOYEES**

**Non-Exempt** – Employees who are entitled by law to receive overtime pay. Employees who are entitled to overtime pay by law are all employees except executive, administrative or professional employees.

**Exempt** – Exempt employees are those employees not entitled to overtime pay by law.

## **PAYDAYS**

The payroll runs from Sunday through Saturday. Employees are paid regular pay every Friday for all time worked through the payday.



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Payroll is automatically deposited into your account every Friday unless otherwise desired. If employee does not wish their check to be deposited automatically, please contact the Payroll Director and arrangements will be made to issue a physical check every Friday.

Upon termination, employees will receive their final paycheck in the time required by law. The final paycheck for employees will be provided on their last day of work. Employees who resign without providing at least 72 hours advance notice will receive their final paycheck within 72 hours of their resignation. Employees who are terminated involuntarily will be provided their final paycheck on their last day of work. Any accrued but unused vacation time will also be paid at the time of termination. Company property such as keys, tools, and equipment, must be returned by each employee at the time the final paycheck is provided.

**SAFETY**

It is Alcon's policy to be vitally concerned with the general welfare and safety of all its employees. We feel that you, as an important part of our organization, should also be interested in safety and always do your work with safety in mind.

It is only through the joint efforts of all of us that accidents can be prevented and a safe working record achieved. It is our obligation to establish and enforce such rules and regulations as may be necessary to ensure this result. It is your responsibility to observe and follow these rules.

**USE OF PHONE**

Alcon's telephones are for business purposes. Please keep personal calls, whether using Alcon telephones or your personal cell phones, to a minimum. Personal cell phones should be kept off during your working hours.

**SMOKING**

For the sake of protecting the job safety of all employees, maintaining sanitary conditions, and for health considerations of fellow workers, smoking is prohibited throughout the workplace.



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## **REST AND MEAL PERIODS**

Each workday, full-time nonexempt employees are provided with 2 rest periods of 10 minutes in length. To the extent possible, rest periods will be provided in the middle of work periods. Since this time is counted and paid as time worked, employees must not be absent from their workstations beyond the allotted rest period time. A meal period of one (1) hour is also provided to each employee during each workday, subject to your Supervisor's scheduling.

## **BUSINESS TRAVEL AND ENTERTAINMENT EXPENSES**

Alcon will reimburse employees for reasonable business travel and entertainment expenses incurred while performing work assignments away from the normal work location or for approved entertainment of clients or other business-related individuals. All business travel must be approved in advance.

When approved, the actual costs of travel, meals, lodging and other expenses directly related to accomplishing business objectives will be reimbursed by Alcon. Employees are expected to limit expenses to reasonable amounts.

When travel is completed, employees should submit completed travel expense reports by the end of the month in which the expenses are incurred. Reports should be accompanied by receipts for all individual expenses.

## **COMPUTER USAGE**

It is Alcon's policy that its computer system, including both office computers and laptops provided to employees, and hardware, software, and data files, be operated in a secure environment and not be misused.

All computer programs or data purchased or licensed by or developed for Alcon are the property of Alcon's or its licensors and must be promptly returned to the appropriate person at Alcon upon project completion or termination. In no event shall any computer program, data, documentation, listing, source code, or object code be sold, licensed, released or loaned to individuals or entities outside Alcon.



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If employees learn of any misuse of hardware, software, documentation, or data within Alcon, they must notify their department head.

Management, in its sole discretion and without notice, may periodically monitor, review audit or control any aspect of access to or use of Alcon computer resources (e.g., any computers, lap-top computers, computer system, terminal, network, software, documentation, or file including individual employee computer files wherever located).

Employees whose employment with Alcon has terminated or whose duties no longer require use of Alcon systems or access to Alcon data must return to their supervisor all Alcon property and equipment used in connection with Alcon computer systems. Such items include, without limitation, keys, manuals, disks, tapes, parking cards and source listings. Supervisors are responsible for informing the security administrator for each system to which a terminating employee or contractor had access that the employee is no longer employed by Alcon so that such access can be terminated.

**EMAIL USAGE**

Alcon makes E-mail and Internet access available to its employees for conducting official business. The records created through the use of these systems are the property of Alcon. Alcon reserves the right to monitor the use and operation of these systems, to access all of the records within them, and to retain or dispose of records as it deems necessary.

Under no circumstances shall these systems be used for solicitation of religious, political, charitable, social or personal purposes or for advertising for personal enterprises.

Any violation of Alcon's policies and guidelines regarding use of the E-mail and Internet systems may result in disciplinary action, up to and including immediate termination of employment.

**Guidelines:**

- **The primary e-mail rule:** The content of your e-mail messages should be appropriate for a formal memo or letter. You should assume that any message you write, business or personal, will be recorded permanently and could be made public.



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- **Always comply with Company policies:** e-mail or Internet use that violates any of the Company's policies, including those prohibiting discrimination and harassment, will not be tolerated.
- **Be polite:** Remember that readers do not hear the tone of your voice when they read your message. A message you believe to be efficient and clear could be interpreted as curt and brusque.
- **Edit your messages:** Carefully proofread all messages and use the spell-check feature as needed. Although messages without capitals and proper punctuation are fairly common in e-mail, we discourage sending messages, which are not grammatically correct. Also, you should not write messages in all capital letters, as it represents the e-mail equivalent of shouting.
- **If you would not say it in person, do not say it in e-mail:** e-mail must not be used to send angry or rude messages, which fail to consider the interpersonal relationship involved and standards of courtesy and professionalism.
- **Do not use e-mail when you should use the telephone:** e-mail provides an efficient means for having brief exchanges of information. However, please keep in mind that a short conversation will generally be more efficient than exchanging several e-mail messages.
- **Do not access or forward offensive material:** Alcon will take immediate and appropriate disciplinary action against any employee who accesses or forwards any material that contain information that is inappropriate for the workplace.
- **Internet sites** which contain information that is inappropriate for the workplace, such as sites containing games, or sexually explicit content. Additionally, sending of forwarding offensive jokes, cartoons, racial or ethnic slurs, or inappropriate comments or graphics is strictly forbidden.
- **Never forward "Chain" e-mail:** "Chain" e-mail messages are like chain letters. They take up valuable space on the e-mail system and should be avoided.
- **Protect confidentiality:** Never send or disclose messages containing confidential or proprietary information to anyone who does not have a right to know. Also, never access the files or communications or others unless you have a legitimate business purpose and authorization to do so.
- **Internet e-mail is not secure:** While not common, there is always the potential for any Internet message and any documents or files, which are attached to the message to be intercepted and read.



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- **Deleting does not always mean destroying:** Alcon's entire e-mail system is backed up at regular intervals. Never assume that an e-mail message you have deleted is deleted for all purposes. A message deleted from your "in-box" may be available elsewhere on the network. Internet e-mail sent outside Alcon may remain on the recipient's system indefinitely.
- **Always Log off:** Log off the network when you are not using your computer. An unattended computer can be accessed by unauthorized persons.
- **Avoid acceptance of "ideas":** It is the long-standing policy of Alcon not to accept the submission to ideas without prior authorized invitation.
- **Never divulge your network login ID or password:** If a request appears asking for your network login ID or password (or any personal information), do not release the information.
- **Use caution before downloading *any file* from the Internet:** Keep in mind that you are on Alcon's computer network and the downloading of files may put Alcon's entire network at risk.
- **Be aware of the potential security risk of downloading working documents:** For example, Microsoft Word documents can be embedded with destructive macros. Virus-scan all files and documents downloaded from the Internet before accessing them.
- **Prevent copyright infringement:** The e-mail or Internet systems may not be used for unlawful activities, including sending copyrighted materials in violation of copyright laws or license agreements, or misusing software trial versions, shareware and any other software programs.

## **LEAVE OF ABSENCE**

Alcon may provide a formal leave of absence under certain conditions. Leaves of absence may be granted for medical, military or personal reasons. All leaves of absence must have prior approval from your Supervisor. An employee may take any available sick leave or vacation leave as part of the approved period of leave.

Requests for a leave of absence will be evaluated based on a number of factors, including anticipated workload requirements and staffing considerations during the proposed period of absence.



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Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon return to active employment.

When a leave of absence ends, every reasonable effort will be made to return the employee to the same position, if it is available, or to a similar available position for which the employee is qualified. However, Alcon cannot guarantee reinstatement in all cases.

If an employee fails to report to work promptly at the expiration of the approval leave period, Alcon will assume the employee has resigned.

**MATERNITY LEAVE**

Alcon provides maternity/pregnancy leave of absence to employees in connection with their own pregnancy, childbirth, or related medical conditions. Subject to the terms described below, such a leave may be taken for the employee's own disability surrounding her pregnancy, for conditions normal to the employee's pregnancy, or to care for the newborn child.

Employees should make requests for maternity/pregnancy leave to their supervisors at least thirty (30) days in advance of foreseeable events and as soon as possible for unforeseeable events.

In connection with maternity/pregnancy leave of absence necessitated by employee's disability, a health care provider's statement must be submitted in advance of the leave verifying the need for pregnancy disability leave, its beginning and expected ending dates, and the date the employee will return to work. Any changes in this information should be promptly reported to Alcon. Employees returning from pregnancy disability leave must submit a health care provider's verification of their fitness to return to work.

Employees are normally granted leave for the period of the maternity/pregnancy, up to a maximum of 16 weeks.



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Alcon will provide paid maternity/pregnancy leave only to the extent described below:

- 1) Any maternity/pregnancy leave commenced during the employee's Introductory Period (initial 90-days of employment) shall be unpaid. Paid maternity/pregnancy leave is only available to regular, full-time employees.
- 2) A maternity/pregnancy leave commenced following completion of the Introductory Period shall be paid, at the employee's normal weekly salary as follows:
  - A maximum period of six (6) weeks paid leave commenced during the first full year of employment following completion of the Introductory Period.
  - A maximum period of seven (7) weeks paid leave for leave commenced during the second full year of employment.
  - A maximum period of eight (8) weeks paid leave for leave commenced during the third full year of employment, or in any subsequent continuous year of employment.

Paid maternity/pregnancy leave shall be subject to the following conditions:

- 1) Paid Leave is provided for a single maternity/pregnancy to the extent provided above.
- 2) Once a regular full-time employee has exhausted their first paid maternity/pregnancy leave, whether it be six (6), seven (7), or eight (8) weeks; upon return to active employment, employee will be eligible to take a subsequent paid maternity/pregnancy leave for 6 weeks. In other words, employee begins a new accrual period after the first paid maternity/pregnancy leave starting at six (6) weeks, and may accrue an additional one (1) week paid Maternity/Pregnancy leave with each additional year of employment up to, and not to exceed eight (8) weeks.



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Eligible employees may substitute any accrued paid leave time (sick or vacation) for any period of unpaid leave.

Subject to the terms, conditions, and limitations of its applicable plans, Alcon will continue to provide health insurance benefits for the full period of the approved maternity/pregnancy disability leave.

Benefit accruals such as vacation, sick leave, or holiday benefits will be suspended during the leave and will resume upon return to active employment.

So that an employee's return to work can be properly scheduled, an employee on maternity/pregnancy leave is requested to provide Alcon with at least two weeks advanced notice of the date she intends to return to work.

Unused paid maternity/pregnancy leave benefits under this policy shall not be paid out at termination from employment.

When a maternity/pregnancy leave ends, the employee will be reinstated to the same position, unless either the job ceased to exist because of legitimate business reasons or each means of preserving the job would substantially undermine the ability to operate Alcon safely and efficiently. If the same position is not available, the employee will be offered a comparable position in terms of such issues as pay, location, job content, and promotional opportunities.

If an employee fails to report to work promptly at the end of the maternity/pregnancy leave, Alcon will treat the employee as a voluntary quit.

Employees are normally granted unpaid leave for the period of the disability, up to a maximum of 16 weeks within any 12-month period. Employees may substitute any accrued paid leave time for unpaid leave as part of the pregnancy disability leave period.

Subject to the terms, conditions, and limitations of the applicable plans, Alcon will continue to provide health insurance benefits for the full period of the approved pregnancy disability leave.



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ENTERTAINMENT 07/25/03

**Page 19**

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon return to active employment.

So that an employee's return to work can be properly scheduled, an employee on pregnancy disability leave is requested to provide Alcon with at least two weeks advance notice of the date she intends to return to work.

When a pregnancy disability leave ends, the employee will be reinstated to the same position, unless either the job ceases to exist because of legitimate business reasons or each means of preserving the job would substantially undermine the ability to operate Alcon safely and efficiently. If the same position is not available, the employee will be offered a comparable position in terms of such issues as pay, location, job content, and promotional opportunities.

If an employee fails to report to work promptly at the end of the pregnancy disability leave, Alcon will assume that the employee has resigned.

**EMPLOYEE CONDUCT AND WORK RULES**

To ensure orderly operations and provide the best possible work environment, Alcon expects employees to follow rules of conduct that will protect the interests and safety of all employees and the organization.

Although not all-inclusive, the following is a list of specific violations that may result in disciplinary action including dismissal without prior warning.

- Disruptive conduct while on duty or while on Alcon's premises
- Insubordination or refusal to follow instruction
- Fighting, intimidation, or threatening action
- Deliberate destruction or defacement of the Firm's property, facilities or equipment
- Violation of security or safety regulations
- Falsification of application or other Alcon-related documents
- Unauthorized possession of firearms or other dangerous weapons on Alcon property



**ALCON**  
ENTERTAINMENT 07/25/03

**Page 20**

- Possession, selling distribution, use of or being under the influence of drugs, alcohol, or other controlled substances, unless prescribed by a physician, while on duty or on Alcon property
- Fraudulent activities
- Theft
- Chronic absenteeism or tardiness

Employment with Alcon is at the mutual consent of Alcon and the employee, and either party may terminate that relationship at any time, with or without cause, and with or without advance notice.

**DRUG AND ALCOHOL USE**

It is Alcon's desire to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

While on Alcon's premises and while conducting business-related activities off Alcon's premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. Alcon recognizes that there are occasions where alcohol may be served or consumed at Alcon functions, and employees should always act with moderation. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment and legal prosecution.

**SEXUAL AND OTHER UNLAWFUL HARASSMENT**

It is the policy of Alcon that all of our employees and applicants of employment should be able to work in an environment free from all forms of harassment. Actions, words, jokes, or comments based on an individual's sex, race, ethnicity, age, disability, religion or any other legally protected characteristic will not be tolerated. As an example, sexual harassment (both overt and subtle) is a form of employee misconduct that is demeaning to another person, undermines the integrity of the employment relationship, and is strictly prohibited.



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**Page 21**

Sexual harassment refers to unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when submission to such conduct is made a term or condition of an individual's employment or the rejection of such conduct is used as a basis for employment decisions affecting the employee. Sexual harassment may also occur when such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

If you believe you have been the subject of harassment, you should report it immediately to your supervisor. If the supervisor is unavailable or the employee believes it would be inappropriate to contact that person, the employee should immediately contact any Senior Executive of Alcon. Employees can raise concerns and make reports without fear of retaliation.

Any supervisor or member of management who becomes aware of possible sexual or other unlawful harassment should promptly advise Alcon's managing partner who will handle the matter in a timely and confidential manner.

Alcon will actively investigate any allegations of harassment and, if it is determined that such conduct occurred, Alcon will take appropriate disciplinary action, up to and including discharge of the offender.

**ATTENDANCE AND PUNCTUALITY**

To ensure a smooth, efficient and economical operation, it is important that employees report to their workstation at the beginning of their work schedule. If you cannot report for work on the day assigned, or if you will be late, call your supervisor before your scheduled time to report for work. You must call each day you do not report for work unless you have a statement from your physician indicating you may not return until a specific date or unless you are on an approved Leave of Absence. After three days of absence due to illness, a statement from your physician verifying illness is required. An absence of three or more consecutive workdays without notification to the supervisor will be assumed to be a voluntary termination.



**ALCON**  
ENTERTAINMENT 07/25/03

**Page 22**

## **PERSONAL APPEARANCE**

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image Alcon presents to clients and visitors.

During business hours, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions. Employees who appear for work inappropriately dressed will be sent home and directed to return to work in proper attire. Under such circumstances, employees will not be compensated for the time away from work.

Consult your supervisor or department head if you have questions as to what constitutes appropriate attire.

## **SECURITY INSPECTIONS**

Alcon wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other improper materials. To this end, Alcon prohibits the possession, transfer, sale, or use of such materials on its premises. Alcon requires the cooperation of all employees in administering this policy.

Desks, credenzas, and other storage devices may be provided for the convenience of employees but remain the sole property of Alcon. Accordingly, they, as well as any articles found within them, can be inspected by any agent or representative of Alcon, at any time, either with or without prior notice.

Alcon likewise wishes to discourage theft or unauthorized possession of the property of employees, Alcon, visitors, and clients. To facilitate enforcement of this policy, Alcon or its representatives may inspect not only desks and credenzas but also persons entering and/or leaving the premises and any packages or other belongings. Any employee who wishes to avoid inspection or any articles or materials should not bring such items onto Alcon's premises.



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ENTERTAINMENT 07/25/03

**Page 23**

## **SOLICITATION**

It is a violation of Alcon's policy for employees to solicit or distribute literature to other employees or to be solicited or receive literature during their work time. Work time, as used in this policy, excludes meal and break periods.

Solicitation and distribution by non-employees on Alcon premises is prohibited at all times.

The only exceptions to this policy are Alcon-sponsored charity drives, such as United-Way and Child Reach.

No one should post or remove Alcon information or notices on any bulletin board without first obtaining approval from management.

## **PROBLEM RESOLUTION**

Alcon is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from Alcon's supervisors and management.

Alcon strives to ensure fair and honest treatment of all employees. All employees are expected to treat each other with mutual respect. Employees are encouraged to offer positive and constructive criticism.

If employees disagree with established rules of conduct, policies, or practices, they can express their concern through the problem resolution procedure. No employee will be penalized, formally or informally, for voicing a complaint with Alcon in a reasonable, business-like manner, or for using the problem resolution procedure.

If a situation occurs where you believe that a condition of employment or a decision affecting you is unfair or of concern, Alcon strongly encourages you to speak with your supervisor to whom you report first regarding your concern. If you are not satisfied with the response, or if for a particular reason you feel you cannot discuss your problem with



ALCON  
ENTERTAINMENT 07/25/03

**Page 24**

your manager or supervisor, you may come directly to the Director of Human Resources or another Senior Executive to discuss your situation.

Decisions concerning terminations, promotions and counseling are examples of typical issues raised. The process ensures prompt, confidential resolution of such issues. Employees who wish to utilize this process will not be subjected to any retaliatory action by management. Likewise, counseling or other management decisions will not be postponed as a result of utilizing this process.

**EMPLOYMENT TERMINATION**

Since employment with Alcon is based on mutual consent, both the employee and the firm have the right to terminate employment at will, with or without cause, at any time. Employees will receive their final pay in accordance with applicable law.

Employee benefits will be affected by employment termination in the following manner. All accrued, vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and the terms, conditions, and limitations of such continuance.

**RESIGNATION**

Should you wish to leave employment of Alcon, we request that you submit a written notice of resignation to your supervisor at least two weeks in advance. Your consideration in this regard will enable us to arrange for a replacement. Alcon reserves the right to shorten the length of your resignation period. You may be asked to provide us with feedback prior to the time you leave. We hope this constructive exchange will help us identify any areas that need further attention to provide the best possible work environment.

**RETURN OF PROPERTY**

Employees are responsible to all Alcon property, materials, or written information issued to them or in their possession or control. Employees must return all Alcon property immediately upon request or upon termination or employment.



**ALCON**  
ENTERTAINMENT 07/25/03

## **HANDBOOK ACKNOWLEDGEMENT AND AGREEMENT**

### ***"EMPLOYEE UNDERSTANDING"***

**I have received and read a copy of the Alcon Entertainment, LLC Handbook. I understand that except for the employment-at-will policy, the information in this handbook is subject to change at the sole discretion of Alcon and that such changes may supersede, revise, or eliminate the policies contained in this Handbook.**

**I understand that in consideration for my employment, I agree to become familiar with and to abide by the rules and regulations contained therein and that this Handbook is provided for my information only and is not considered in any way as creating any rights, contract or guarantee or employment with Alcon is "at-will" and may be terminated for any reason with or without cause and without notice, at any time, at the option of either Alcon or myself.**

**I further understand that no management representative has any authority to enter into any agreement that would limit either my right or Alcon's right to terminate our employment relationship at any time, as provided above, or to make any other agreement contrary to the foregoing.**

**Alcon is committed to providing a work environment free of harassment in any form including on the basis of sex, race, religion, national origin, color, disability, age or other protected class. Any employee found to have acted in violation of this policy will be subject to appropriate disciplinary action, up to and including termination.**

**I will treat every person I interact with while working for Alcon, including other employees and applicants for employment with Alcon and vendors and their employees, with dignity and respect, and in accordance with the Harassment-Free and Equal Opportunity policies, and state and federal laws prohibiting harassment and discrimination.**

\_\_\_\_\_  
(Employee's Signature)

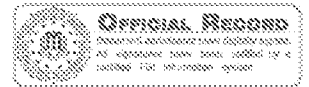
\_\_\_\_\_  
(Print Name)

DATE: \_\_\_\_\_

**(SIGNED COPY TO BE RETAINED IN THE EMPLOYEE'S PERSONNEL FILE)**







UNCLASSIFIED

**FEDERAL BUREAU OF INVESTIGATION****Import Form****Form Type:** OTHER**Date:** 01/08/2016**Title:** (U) Email from [REDACTED]-01.07.16b6  
b7C**Approved By:** SSA [REDACTED]**Drafted By:** [REDACTED]

**Case ID #:** 295C-LA-6787808 (U) UNSUBS;  
The Weinstein Company - Victim;  
Copyright Infringement - Other

**Synopsis:** (U) Email from [REDACTED]-01.07.16b6  
b7C

◆◆

UNCLASSIFIED

[redacted] (IMD) (CON)

b6  
b7C

**From:** [redacted]  
**Sent:** Thursday, January 07, 2016 2:44 PM  
**To:** [redacted] (LA) (FBI)  
**Cc:** [redacted]  
**Subject:** RE: Alcon investigation

Dear Special Agent [redacted]

b6  
b7C

Thanks for touching base. Sorry to hear you were sick; hope you're feeling better. Must be going around – I'm just getting over something myself.

I'll look forward to hearing from you whenever you're ready. In the meantime, below is the information about the property manager that you requested:



Best,

[redacted]



b6  
b7C

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**From:** [redacted] (LA) (FBI) [mailto:[redacted]]  
**Sent:** Thursday, January 07, 2016 10:25 AM  
**To:** [redacted]  
**Subject:** RE: Alcon investigation

b6  
b7C

Thanks [redacted] I was out sick yesterday and am working other matters today. We'll touch base tomorrow or next week. Thank you for the Employee Handbook. I will look for the additional information we requested. Have a nice day!

b6  
b7C

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**From:** [redacted] [mailto:[redacted]]  
**Sent:** Monday, January 04, 2016 4:10 PM  
**To:** [redacted] (LA) (FBI)  
**Cc:** [redacted]  
**Subject:** Alcon investigation

Dear Special Agent

b6  
b7C

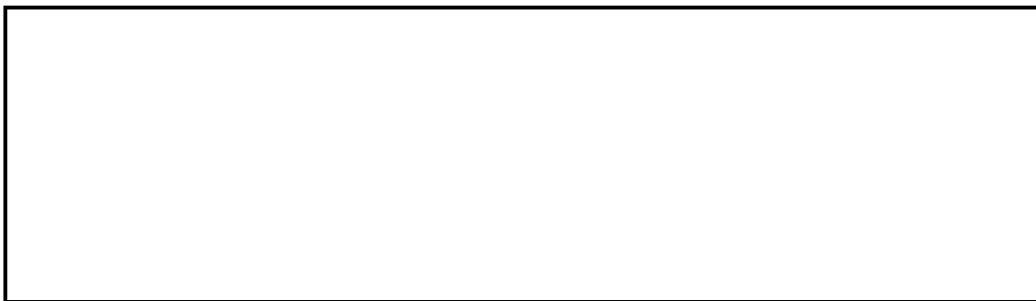
Thank you for your call today. As you requested, and in furtherance of our client's ongoing efforts to cooperate with the FBI's investigation, I am attaching a copy of Alcon Entertainment's employee handbook. I will follow up with the other information that you requested when I have received it.

I look forward to speaking with you again tomorrow after you have had an opportunity to confer with your colleagues about the matters that we discussed today.

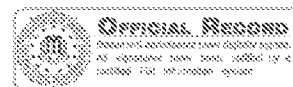
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CONFIDENTIALITY NOTICE: This e-mail transmission, and any documents, files or previous e-mail messages attached to it may contain confidential information that is legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of any of the information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify the sender. Please destroy the original transmission and its attachments without reading or saving in any manner. Thank you, Loeb & Loeb LLP.

---



b6  
b7C



## FEDERAL BUREAU OF INVESTIGATION

Date of entry 01/22/2016b6  
b7C

On January 14, 2016, [redacted]  
[redacted] at ALCON ENTERTAINMENT, LLC (ALCON), date of birth [redacted]  
[redacted] home address [redacted]  
[redacted] cellular telephone number [redacted] business address 10390 Santa  
Monica Boulevard, Suite 250, Los Angeles, California, 90025, business  
telephone number (310) 789-3040, was interviewed at his place of employment  
by FBI Special Agent (SA) [redacted] and SA [redacted]. After being  
advised of the identities of the interviewing Agents and the nature of the  
interview, [redacted] provided the following information:

b6  
b7C

[redacted] stated he had worked at ALCON [redacted] reporting to  
[redacted] primarily handled [redacted] as his primary job  
function. [redacted] advised there were 40-50 computers on site at ALCON. [redacted]  
stated ALCON had multiple servers that were segregated based on use. For  
example, [redacted] noted a separate server was used for production files, such as  
financial documentation and supporting documentation. [redacted] stated a few  
servers were set aside for administrative items, and everyone used the main  
server. [redacted] advised the servers were located on the second floor of ALCON.  
[redacted] stated most computers had a login and password requirement. [redacted]  
explained users had to login with their user account assigned by ALCON. [redacted]  
stated hard drive information on computers was not user specific, and USB  
ports on computers were open, meaning they were not blocked out in any way.  
[redacted] advised almost all of ALCON's computers had DVD burners and  
corresponding standard software.

b6  
b7C

[redacted] advised all ALCON computers had an internet connection. Also, there  
were no restrictions on websites that could be accessed. [redacted] stated ALCON  
had very limited firewalls. [redacted] explained no login information was required  
for the large workstation which contained multiple DVD drives. [redacted] stated  
the workstation contained two hard drives of less than 200 gigabytes. [redacted]  
never observed any ALCON employees using TOR. [redacted] stated ALCON computers  
used the Windows 7 operating system.

b6  
b7C

[redacted] never saw *The Hateful Eight* screener. [redacted] noted he usually is not  
involved with receiving mail at ALCON. [redacted] did not know if he signed for *Th  
e Hateful Eight* screener.

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Investigation on 01/14/2016 at Los Angeles, California, United States (In Person)File # 295C-LA-6787808 Date drafted 01/21/2016

by [redacted]

b6  
b7C

295C-LA-6787808

Continuation of FD-302 of Interview of  -01.14.16, On 01/14/2016, Page 2 of 2

b6  
b7c

[redacted]

01/14/2016

b6  
b7C

Jan 5 1990

[redacted]

b6  
b7C

cell

[redacted]

[redacted]

[redacted]

Job

[redacted]

MS boss

[redacted]

handle

[redacted]

→ sep server  
production  
files  
(financial doc,  
supporting doc)

- 40-50 computers @alcon

- multiple servers → segregated based on use

- servers located on 2nd FL

↓  
few  
server  
admin  
stuff

↓  
main  
server  
everyone  
else uses

- most comps have login/pw  
+ have to log in w/ user acct

- hard drive info net user specific

- USB ports are not blocked out

- almost all have DVD burners — software  
STANDARD

- The Hateful Eight

- any DVD ~~current~~  
can be burned on any  
computers

- internet on all computers — no restrictions  
on sites, very limited firewalls

- no login for lg workstation — 2 drives  
Less than 200 gigs

-never saw one using TOR

windows 7

usually he doesn't deal w/ mail  
doesn't know if he signed for that one  
usually signs full name

never saw The Hateful Eight screener



01/14/2016

04/07/82e

cell -

dual role w/

responsibilities →

b6  
b7C

- whatever needed

- delivers mail to us (for the most part)  
majority of time over 90-95% is bringing mail

b6  
b7C

- brings mail unopened - drop off on desk <sup>either for</sup>

b6  
b7C

- never saw the hateful right screener for

- unwrap screener, put in drawer behind desk

<sup>2 sep piles</sup>  
same drawer

- his desk closest to screener drawer

- key for drawer typically on corkboard to left of  
desk, hanging behind paper

- drawer <sup>key also sometimes</sup> → unlocked drawer

- key is unmarked

- log or list never  
kept

- never cracked seal of DVD

- most did not have seals

- [redacted] <sup>saw</sup> H8 → doesn't think had seal  
[redacted] couldn't wait for arrival  
[redacted] more lax about screeners

b6  
b7C

- never saw screeners where should<sup>f</sup> be

- typically bag up screeners @ end of yr

- thinks [redacted] took screeners

b6  
b7C

- 1 occasion when [redacted] brought screener over - "cl bet that's  
spotlight" ~ was it? (bleen <sup>may have</sup> week before 18th)

- all screeners @ end of yr (NOV-DEC) - as far as office

- personal opinion [redacted] seemed seedy lil' shady 3 general vibe

b6  
b7C

- nonchalant, [redacted] seems like he has  
a lot of "important" stuff going on in his life

<sup>didn't seem</sup>

<sup>week before</sup>  
<sup>before DEC 18</sup>  
- walked to front reception - saw him reach towards to bag moment he  
saw [redacted] - something popping out  
pushed into bag - recalling it being white

b6  
b7C

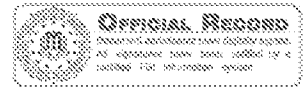
- white + red [redacted] hateful 8 screener was  
reception desk

- usually all the same

-hasn't heard anything about [ ] opening mail, etc.

b6  
b7c

-The Weinstein Company on outside of [ ] screen



## FEDERAL BUREAU OF INVESTIGATION

Date of entry 02/01/2016

On January 14, 2016, [redacted] date of birth [redacted] home address [redacted] telephone number [redacted] was interviewed at his place of employment, ALCON ENTERTAINMENT, LLC, 10390 Santa Monica Boulevard, Suite 250, Los Angeles, California. After being advised of the identities of the interviewing Agents and the nature of the interview, [redacted] provided the following information:

b6  
b7C

[redacted] stated that he is the Executive Assistant at ALCON for [redacted] [redacted] has been in this position since [redacted] [redacted] described his responsibilities as [redacted] [redacted]

b6  
b7C

[redacted] stated that [redacted] delivers the mail to him a majority of the time (90 - 95% of the time). [redacted] stated that when [redacted] delivers the mail, it is unopened.

b6  
b7C

[redacted] stated that he has never seen the copy of The HATEFUL EIGHT screener for [redacted]

b6  
b7C

[redacted] stated that the procedure for the screeners is that when he gets the screeners he opens the envelope that they were delivered in and then puts them in a locked drawer behind his desk. Most of the screeners don't have a seal, if there is a seal, [redacted] never breaks the seal. This drawer contains all the screener copies for both [redacted] in two separate piles. The key (which is not labeled) for this drawer is either in a separate drawer (which is unlocked) or hanging on a cork board behind some pieces of paper.

b6  
b7C

Investigation on 01/14/2016 at Los Angeles, California, United States (In Person)

File # 295C-LA-6787808 Date drafted 01/22/2016

by [redacted]

b6  
b7C

295C-LA-6787808

Continuation of FD-302 of [REDACTED], On 01/14/2016, Page 2 of 2

b6  
b7C

[REDACTED] stated that he did see [REDACTED] screener of The Hateful Eight.  
[REDACTED] stated that [REDACTED] was very anxious about receiving the screeners and that [REDACTED] is more relaxed.

b6  
b7C

[REDACTED] stated that he would typically put all [REDACTED] screeners in a bag and [REDACTED] would take them home at the end of the year.

b6  
b7C

[REDACTED] stated that he thinks [REDACTED] took the screener. [REDACTED] said that [REDACTED] was shady and got a bad vibe from him. [REDACTED] said that [REDACTED]  
[REDACTED]

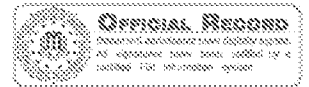
b6  
b7C

[REDACTED] recalls on one occasion, [REDACTED] brought a stack of mail to [REDACTED] and he said I bet that this is SPOTLIGHT. [REDACTED] came back later that day and asked [REDACTED] if it was SPOTLIGHT, [REDACTED] did not answer him. This occurred about a week before December 18, 2015. Also about the same time, [REDACTED] walked up to [REDACTED] in the front reception area and [REDACTED] was startled. There was a white and red item partially exposed and [REDACTED] quickly pushed that item back into his bag. [REDACTED] did not fully see the item but said that it was white and red, which were the colors observed on [REDACTED] copy of The HATEFUL EIGHT screener.

b6  
b7C

[REDACTED] never heard anything about [REDACTED] opening mail belonging to others.

b6  
b7C



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**FEDERAL BUREAU OF INVESTIGATION****Import Form****Form Type:** OTHER**Date:** 02/01/2016**Title:** (U) Alcon Roster and Employee Attendance-12.15.15-12.18.15**Approved By:** SSA b6  
b7C**Drafted By:** 

**Case ID #:** 295C-LA-6787808 (U) UNSUBS;  
The Weinstein Company - Victim;  
Copyright Infringement - Other

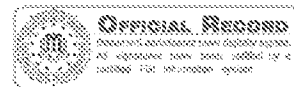
**Synopsis:** (U) Alcon Roster and Employee Attendance (Most  
Recent)-01.14.16

**Provided by** b6  
b7C**Enclosure(s):** Enclosed are the following items:

1. (U) Alcon Roster and Employee Attendance (Previous)-01.14.16

◆◆

UNCLASSIFIED



## FEDERAL BUREAU OF INVESTIGATION

Date of entry 02/01/2016

On January 14, 2016, [redacted] at ALCON ENTERTAINMENT, LLC (ALCON), date of birth [redacted] cellular telephone number [redacted] business address 10390 Santa Monica Boulevard, Suite 250, Los Angeles, California, 90025, business telephone number (310) 789-3040, was interviewed at his place of employment by FBI Special Agent (SA) [redacted] and SA [redacted]. After being advised of the identities of the interviewing Agents and the nature of the interview, [redacted] provided the following information:

b6  
b7C

[redacted] stated he had worked at ALCON since August 2014, reporting to [redacted] job responsibilities included [redacted]. [redacted] was also employed in the same employment capacity. [redacted] stated [redacted] started working at ALCON [redacted] to his employment.

b6  
b7C

[redacted] advised there was a computer at his desk which connected to the internet. A password was required to access the computer. [redacted] noted he did not sign for mail; [redacted] signed for mail. [redacted] explained [redacted] served as [redacted] who was referred to as the [redacted] as transported scripts and distributed mail. [redacted] stated he did not see The Hateful Eight screener belonging to [redacted] recalled seeing The Hateful Eight screener belonging to [redacted] noted [redacted] screener was addressed with his name on it. [redacted] stated most screeners sent to [redacted] were sealed. Screeners usually arrived via FEDEX or UPS.

b6  
b7C

[redacted] stated when he received a screener from [redacted] he first looked to see whether the screener belonged to [redacted] would then open the outer packaging of the screener's mailing envelope, open a drawer with a key and then place the screener within the drawer which was then

b6  
b7C

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Investigation on 01/14/2016 at Los Angeles, California, United States (In Person)File # 295C-LA-6787808 Date drafted 01/25/2016

by [redacted]

b6  
b7C

295C-LA-6787808

Continuation of FD-302 of [REDACTED] interview, On 01/14/2016, Page 2 of 2

b6  
b7C

locked with the key. [REDACTED] stated the key to the drawer containing screeners for [REDACTED] was located on a corkboard or in a separate drawer to the right of where the screeners were located. [REDACTED] advised the drawer which contained this key was unlocked.

b6  
b7C

[REDACTED] stated that either himself or [REDACTED] were usually present at a desk near the drawer containing screeners. [REDACTED] advised [REDACTED] screeners were stacked separately within the drawer from [REDACTED] screeners. At the end of each year, [REDACTED] asked [REDACTED] and/or [REDACTED] to package up the screeners. [REDACTED] then transported the screeners to his residence. [REDACTED] noted [REDACTED] was more active in the screener drawer area than [REDACTED] stated no list or log of items within the drawer containing screeners was kept.

b6  
b7C

[REDACTED] never saw [REDACTED] open the outer package of a screener. [REDACTED] explained that when screeners arrived to him, they had one layer of protection. [REDACTED] stated half of the screeners had seals and the other half did not. [REDACTED] never saw [REDACTED] up to anything he deemed suspicious. [REDACTED] advised [REDACTED] once saw [REDACTED] with a bag of screeners. [REDACTED] overheard within the office [REDACTED] had a history of opening mail that belonged to other people.

b6  
b7C



01/14/2016

cell phone

Aug 2 1981  
working since

-report

[redacted]

here [redacted] before him

-computer & desk connected to internet, pw to get in

-doesn't sign for mail [redacted] signs for mail - know  
as [redacted]

b6  
b7C

-The Hateful Eight -> didn't see [redacted] -> saw [redacted]  
most screeners sealed

b6  
b7C

screeners  
come  
red ex 1485

-DRESS: get screener, see who belongs to, open mails  
[redacted] screeners - open drawer w/ key

-key in drawer or corkboard  
right

-drawer where key kept unlocked

-usually one of them & desk [redacted]

b6  
b7C

- [redacted] screeners up yr for

[redacted] more active in drawer

-no list or log of items in drawers

- never seen [redacted] open a screener - outside package  
- 1 layer of protection

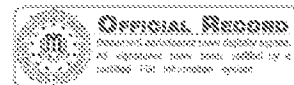
- 1/2 have seals, half don't

- haven't seen [redacted] up to anything suspicious

[redacted] saw [redacted] w/ bag of screeners

heard [redacted] has a history of opening up ppl's mail

UNCLASSIFIED

**FEDERAL BUREAU OF INVESTIGATION****Electronic Communication**

**Title:** (U) To request case funds in the amount of  
\$21.25

**Date:** 02/04/2016

**From:** LOS ANGELES

LA-WCC6 (SSA [redacted])

**Contact:** [redacted]

b6  
b7C

**Approved By:** SSA [redacted]

**Drafted By:** [redacted]

**Case ID #:** 295C-LA-6787808 (U) UNSUBS;  
The Weinstein Company - Victim;  
Copyright Infringement - Other

**Synopsis:** (U) To request case funds in the amount of \$21.25 for  
reimbursement of parking fees.

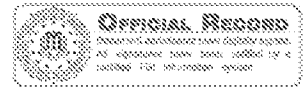
**Full Investigation Initiated:** 12/21/2015

**Details:**

To request case funds in the amount of \$21.25 for reimbursement of  
parking fees that were incurred while interviewing a witness.

◆◆

UNCLASSIFIED



## FEDERAL BUREAU OF INVESTIGATION

Date of entry 02/12/2016

b6  
b7C

[redacted] date of birth [redacted] of ALCON ENTERTAINMENT, LLC (ALCON), former business address 10390 Santa Monica Boulevard, Suite 250, Los Angeles, California 90025, home address [redacted] [redacted] cellular telephone number [redacted] was interviewed at the law office of [redacted] located at [redacted] by FBI Special Agent (SA) [redacted] and SA [redacted] on February 2, 2016. [redacted] Attorney at Law, business telephone number [redacted] business facsimile number [redacted] [redacted] email address [redacted] was present in the capacity of retained counsel for [redacted] Attorney at Law, business telephone number [redacted] cellular telephone number [redacted] [redacted] business facsimile number [redacted] email address [redacted] was also present in the capacity of assistance for [redacted] After being advised of the identities of the interviewing Agents and the nature of the interview, [redacted] provided the following information:

b6  
b7C

[redacted] began working at ALCON in the beginning of [redacted] [redacted] primary job duties included [redacted] [redacted] [redacted] had worked within the entertainment industry for several years at different studios. [redacted] noted when [redacted] was not in the office, [redacted] signed for packages in the course of his duties. [redacted] clarified he never sorted ALCON's mail. [redacted] stated [redacted] gave him mail which was addressed to [redacted] then provided the mail to [redacted] advised [redacted] handled ALCON's mail the majority of the time and [redacted] served as the runner who distributed received items to other employees.

b6  
b7C

[redacted] stated [redacted] handled the screener for The Hateful Eight which was addressed to [redacted] sometime during the week of December 16, 2015. [redacted] explained he did not exactly remember which day he

Investigation on 02/02/2016 at Los Angeles, California, United States (In Person)

File # 295C-LA-6787808 Date drafted 02/10/2016

by [redacted]

b6  
b7C

295C-LA-6787808

Continuation of FD-302 of Interview of [REDACTED] 02.02.16 , On 02/02/2016 , Page 2 of 4

b6  
b7C

[REDACTED] saw [REDACTED] with the screener. [REDACTED] asked [REDACTED] to burn The Hateful Eight onto the hard drive of a computer tower which had the capability to make copies of DVDs. [REDACTED] stated other screeners had been burned onto that particular hard drive in the past to make copies for other individuals. [REDACTED] noted that when [REDACTED] handed him the screener for The Hateful Eight, the blue seal had been opened. [REDACTED] explained the blue seal was similar to a sticker and was sitting a position where it could be re-closed. [REDACTED] told [REDACTED] "don't mess with the seal." [REDACTED] felt [REDACTED] said this because [REDACTED] planned on re-closing the seal to appear as if it had never been opened. [REDACTED] burned The Hateful Eight onto the hard drive as requested. The Hateful Eight was placed by [REDACTED] in a folder titled "collection" on the computer. [REDACTED] asked [REDACTED] to make a DVD copy of The Hateful Eight from the hard drive of the computer. [REDACTED] explained that The Hateful Eight was too large to create a copy of the movie on a single layer DVD. [REDACTED] stated he relayed this information to [REDACTED] and handed the original screener of The Hateful Eight back to [REDACTED]

b6  
b7C

[REDACTED] described [REDACTED] as well-liked and a "stand-up guy." [REDACTED] had spent time with [REDACTED] at movie premieres, but the two had no personal relationship outside of work.

b6  
b7C

[REDACTED] advised [REDACTED] at ALCON, approached him about getting a copy of The Hateful Eight. [REDACTED] stated he told [REDACTED] The Hateful Eight was too large for a single layer DVD. [REDACTED] converted The Hateful Eight to a video file and was able to give [REDACTED] a copy of The Hateful Eight on a USB drive. [REDACTED] said [REDACTED] asked if screeners for Joy, The Revenant or Concussion had been received yet. [REDACTED] explained it was common practice for him to burn copies of screeners for [REDACTED] was unaware as to whether or not [REDACTED] knew about those activities. [REDACTED] stated [REDACTED] knew about him burning screeners for [REDACTED] advised since he began working at ALCON, employees asked him about copies of screeners. [REDACTED] stated a preexisting folder entitled "collection" was on the J drive of the computer and contained burned copies of screeners. [REDACTED] estimated he observed forty different screeners within the "collection" folder. [REDACTED] stated he did not know whether [REDACTED] or [REDACTED] were aware of the "collection" folder. [REDACTED] noted he had only talked to [REDACTED] twice since he began work at ALCON.

b6  
b7Cb6  
b7C

[REDACTED] stated MADHOUSE was a management company owned under ALCON. Thus, MADHOUSE employees were also considered employees of ALCON. [REDACTED] stated employees at MADHOUSE made numerous copies of different screeners. [REDACTED] believed MADHOUSE employees were making copies for individuals outside of

b6  
b7C

295C-LA-6787808

Continuation of FD-302 of Interview of [REDACTED] 02.02.16 , On 02/02/2016 , Page 3 of 4

b6  
b7C

ALCON. [REDACTED] was led to believe this because [REDACTED] heard clients talking about it. [REDACTED] stated [REDACTED] ripped and/or burned copies of screeners. [REDACTED] stated employees made personal copies and he observed six to seven people, primarily assistants burning copies of screeners. [REDACTED] advised [REDACTED] [REDACTED] received screener copies. [REDACTED] noted [REDACTED] asked him to make copies of screeners.

b6  
b7C

[REDACTED] advised [REDACTED] sent him a copy of each of the following screeners: Joy, The Revenant and Concussion. The screeners for these movies had not been received at ALCON. [REDACTED] then provided [REDACTED] a copy of the screener for The Hateful Eight. [REDACTED] placed the copy of The Hateful Eight on GOOGLE DRIVE and sent it to [REDACTED] from his computer. Prior to sending to [REDACTED] noticed the resolution of the screener was off. [REDACTED] explained he moved the screener from the hard drive of a computer tower which had the capability to make copies of DVDs to his own computer to correct the problem. [REDACTED] advised he used the program HANDBRAKE when burning a copy of The Hateful Eight screener. [REDACTED] stated The Hateful Eight was the only copy of a screener he shared with anyone outside of ALCON. [REDACTED] stated he provided [REDACTED] with a copy of The Hateful Eight in order to obtain Joy, The Revenant, and Concussion. [REDACTED] stated he was verbally praised in front of other people by [REDACTED] for "bringing in" Joy, The Revenant, and Concussion. [REDACTED] recalled [REDACTED] stated [REDACTED] the only one pulling his weight around here."

b6  
b7C

[REDACTED] provided [REDACTED] with copies of all four screeners. [REDACTED] copied the screeners off [REDACTED] USB, where the screeners were placed. [REDACTED] advised he did not have the USB used to copy the screeners in his possession and believed it was at ALCON. [REDACTED] thought he removed the screeners from the USB. [REDACTED] emphasized that sharing copies of screeners was common in the industry and at ALCON. [REDACTED] understood screeners contained watermarks and knew [REDACTED] kept screeners locked up.

b6  
b7C

[REDACTED] stated [REDACTED] an ALCON employee copied The Hateful Eight onto her dropbox. [REDACTED] knew this because [REDACTED] left her account logged in to the shared computer workstation. When [REDACTED] went to use the computer, he saw where this had been done. [REDACTED] also believed [REDACTED] an ALCON employee also copied The Hateful Eight on onto a flash drive. [REDACTED] was unaware of a program called BITTORRENT being on any ALCON computers. [REDACTED] stated he would be very surprised if BITTORRENT was being

b6  
b7C

295C-LA-6787808

Continuation of FD-302 of Interview of [REDACTED] 02.02.16, On 02/02/2016, Page 4 of 4b6  
b7C

used at ALCON because it was a peer to peer file sharing program. [REDACTED]  
never saw any ALCON employees using the dark web or TOR servers.

b6  
b7C

02/02/16

May 10 1100

b6  
b7C

mean name of icon

cell

b6  
b7C

-Diana

mail → when [redacted] out, [redacted] would sign for packages

- never sorted mail

[redacted] gave mail guy to [redacted]

[redacted] almost all the time dealt w/ mail

- Screeners - The Hatful 8 handed by [redacted]

- had happened w/ other screeners

[redacted] asked to np on computer

→ additional copies

- The Hatful 8 - around 16th to ip to comp (normal to [redacted]) after done handed to [redacted]

- Seal had been opened → [redacted] said don't mess w/ seal (thought to [redacted] re-close)

- gave screeners back to [redacted]

- noticed too large for single layer DVD

- converted to vob file

→ Folder called "collection"

- copy would give to [redacted]

[redacted] → given copy on USB

- asked if Jay, Rev or concussion in yet

- common practice for [redacted] to burn copies for [redacted] (doesn't know if [redacted] knew) → [redacted] was aware of it

- people started asking about copies when he started

- "Collection" → est → 40 screeners - don't know if [redacted]

b6  
b7C

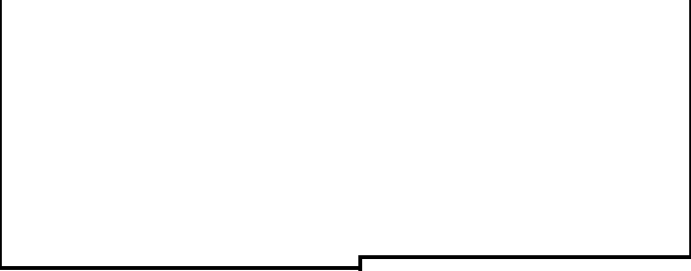


management co owned under Alcon - considered technically Alcon employees

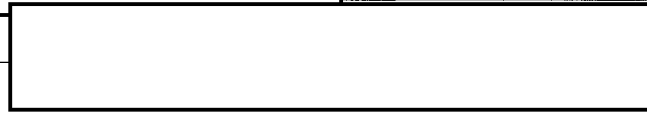
- madhouse did copying of screeners
- [redacted] - ripping or burning DVDs
- ripping DVDs → saw 6-7 ppl mainly assts ripping
- people did make personal copies

made tons of copies, believed making copies → outside Alcon  
heard for clients

- I →



asked to make some for



b6  
b7C

Paradigm → Sent Joy + Rev  
talent agency

→ sent H8 to [redacted] → put on Google Drive + sent to him for his computer

→ saw resolution off → reworked on tower →

→ moved fr tower to [redacted] comp

- only make shard w/ ppl before outside of Alcon (to get JJJ, Reverant, concussion)

- [redacted] gave to [redacted] - copied off his USB

b6  
b7C

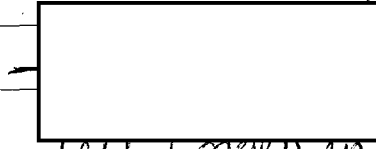
[redacted] keeps screeners locked up

- sharing movies w/in the same network of ppl → common

- USB @ office - prob cleared off movies Alcon

- aware watermarked

sent → [redacted] drive - copied several believed H8



b6  
b7C

left logged in

[ ] - well liked dist mail, runners, seems like a stand up guy, liked hanging w/ ad premieres, no relationship w/ outside work

b6  
b7c

- only talked to [ ] 2x

- burning was commonplace

[ ] → was aware of burning screeners

→ H8  
handbrake

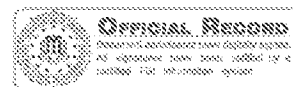
bit torrent → used for peer to peer file sharing → would be very surprised if on computer

- no TOR sewer/dark web

- was praised by [ ] for bringing Joy, Rev + Conclusion

b6  
b7c

[ ] praised by [ ]  
the only one pulling his weight around."



## FEDERAL BUREAU OF INVESTIGATION

Date of entry 03/02/2016

On February 12, 2016, [redacted] former employee of ALCON ENTERTAINMENT, LLC (ALCON), date of birth [redacted] home address [redacted] cellular telephone number [redacted] was interviewed at a park near his residence by FBI Special Agent (SA) [redacted] and SA [redacted]. After being advised of the identities of the interviewing Agents and the nature of the interview, [redacted] provided the following information:

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b7C

[redacted] began employment at ALCON in [redacted] and was hired by [redacted] who no longer works for ALCON. [redacted] worked at ALCON for [redacted] and was considered the [redacted] had many duties which included [redacted]. [redacted] stated he was trusted at ALCON and he signed for packages, including the majority of screeners which were delivered in packages from United Parcel Services (UPS). [redacted] sat at the front desk approximately 15% of the time and advised that he bounced around the office doing various tasks. [redacted] stated he signed for packages using an electronic keypad and he noted the UPS delivery man was also named [redacted] had been delivering packages to ALCON for [redacted] described [redacted] as an [redacted] stated [redacted] would often leave packages for [redacted] and sign on [redacted] behalf.

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b7C

[redacted] stated that in December of 2015, ALCON was renovating the office space. [redacted] did not know if he signed for the screener of The Hateful Eight when it arrived at ALCON. [redacted] last day at ALCON prior to traveling to New York was Friday, [redacted] stated he worked that day and then traveled to New York. [redacted] was made aware of the leak of The Hateful Eight when he was in New York when [redacted] [redacted] texted him. [redacted] referenced the news article in VARIETY.

b6  
b7C

[redacted] adamantly stated he never handled a copy of the screener of The

b6  
b7C

Investigation on 02/12/2016 at Los Angeles, California, United States (In Person)

File # 295C-LA-6787808 Date drafted 02/25/2016

by [redacted]

b6  
b7C

295C-LA-6787808

Continuation of FD-302 of [REDACTED] interview , On 02/12/2016 , Page 2 of 2

b6  
b7C

Hateful Eight. [REDACTED] stated copies of various screeners were burned by ALCON employees on a communal computer. [REDACTED] also stated employees at MADHOUSE (MADHOUSE) used that computer to burn copies of screeners. [REDACTED] advised he had copies of different screeners on DVDs which he took home for personal use. When [REDACTED] was finished with a screener he left it at his home or threw it away, but he stated that he never gave the screeners to anybody else. [REDACTED] stated that the practice of burning screeners for personal use was a known secret in the industry and studio employees knew about it. [REDACTED] emphasized the practice of burning screeners for personal use and swapping screeners was common knowledge at ALCON. [REDACTED] believed everyone at ALCON knew about this except perhaps [REDACTED] and [REDACTED]

b6  
b7C

[REDACTED] stated he had not viewed a screener of The Hateful Eight nor viewed the movie in a theater. [REDACTED] advised he never handed the screener of The Hateful Eight to [REDACTED] stated he had a professional relationship with [REDACTED] and other assistants at ALCON. [REDACTED] did not know if he "would trust" [REDACTED] stated he did not have any conversation about a screener being too large for a single-layer DVD. [REDACTED] stated he owned a 2005 MAC computer and did not know about the dark web. [REDACTED] stated he did not know about watermarks.

b6  
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[REDACTED] stated ALCON never had a problem like this before. [REDACTED] stated that five years ago ALCON had a family-like atmosphere but then the climate there changed. Since that time period, new employees were hired at ALCON. [REDACTED] advised he was [REDACTED] [REDACTED] stated he spoke with [REDACTED] official [REDACTED] Since [REDACTED] had only spoken with [REDACTED] regarding benefits. [REDACTED] stated no other ALCON employee had talked to him. [REDACTED] felt he was treated as "the fall guy" or "scapegoat" by ALCON.

b6  
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[redacted]

[redacted]

cell

[redacted]

09/29/75

02/12/2016

[redacted]

[redacted]

- trusted

- hired by

[redacted]

he's gone  
now

sign for everything

- sit at front desk 15% of time - bounce around

- early renovation  
Dec →

- signed for majority of screener

- not sure "The Hateful Eight"  
if signed  
for [redacted]

- 5 days later →

last  
day worked  
then flew  
out

[redacted]

sent something to

ALCON - she said he signed  
for it

[redacted]

texted him

- never handled copy of screener "The Hateful Eight"

- typically deliver screeners in packages

immunal computer → we would burn copies

[redacted]

never digitalized [redacted] or directed [redacted]

[redacted]

copies for himself + took home

known secret in industry

- every single person

ALCON

prob. besides



KNOWS the secret

b6  
b7c

- doesn't know re



- everyone in ~~every~~ studio knows

- never handed to



- hasn't seen The  
Hateful Eight  
screened or mov  
in theater

- never had a problem w/ this before

- 5 yrs ago → family atmosphere, then new ppl came in

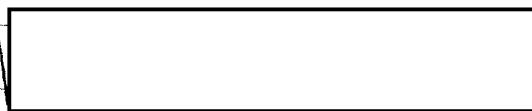
- madhouse people came down & used that computer

- never handed out copies of movies made

2005 mac computer

- never heard of dark web

- ok relationship w/



professional relationship

b6  
b7c



→ think he's ok, doesn't know if he'd trust him

- ②
- never any convo re: new <sup>too for</sup> big DVD
  - DVD/CD ← his burner copies (leave + throw away)

typically sign for packages → electronic keypad

- UPS guy [redacted] been there

- UPS guy would leave packages for him + just sign for him

poor judgement regarding screeners

- fall guy → scapegoat

- no one fr company has talked to him

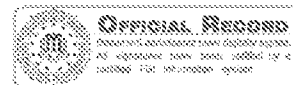
talked to [redacted] re: benefits

common know - swapping screeners, burning

- don't know watermark

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b7C

b6  
b7C



UNCLASSIFIED

**FEDERAL BUREAU OF INVESTIGATION****Collected Item Log**

Event Title: (U) DELA1: CART backup for

Date: 10/07/2016

b7E

Approved By: SSA

b6  
b7C

Drafted By:

Case ID #: 295C-LA-6787808

(U) UNSUBS;

The Weinstein Company - Victim;  
Copyright Infringement - Other

Full Investigation Initiated: 12/21/2015

Collected From: LAFO CART

Receipt Given?: No

Holding Office: LOS ANGELES

## Details:

DELA1: CART backup for

b7E

of the CART case folder.

containing the contents

Item Type

Description

UNCLASSIFIED



UNCLASSIFIED

Title: (U) DELA1: CART backup for [REDACTED]

b7E

Re: 295C-LA-6787808, 10/07/2016

1B Digital

(U) DELA1: CART backup for [REDACTED]

b6

b7C

b7E

[REDACTED] containing the contents of  
the CART case folder.

Collected On: 10/06/2016 01:00 PM EDT

Seizing Individual: [REDACTED]

Collected By: [REDACTED]

Location Area: LAFO CART

Specific Location: LAFO CART

Device Type: [REDACTED]

Make: [REDACTED]

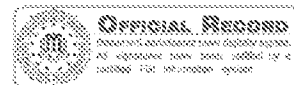
Serial Number: [REDACTED]

Data Capacity: [REDACTED]

Number of Devices Collected: [REDACTED]

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UNCLASSIFIED



UNCLASSIFIED

**FEDERAL BUREAU OF INVESTIGATION****Import Form**

Form Type: DEL-REX

Date: 10/13/2016

b6  
b7C  
b7E

Title: (U) DEL REX, [REDACTED] CART request completed.

Approved By: SSA [REDACTED]

Drafted By: [REDACTED]

Case ID #: 295C-LA-6787808 (U) UNSUBS;  
The Weinstein Company - Victim;  
Copyright Infringement - Other

Synopsis: (U) DEL REX, [REDACTED] CART Digital Evidence Laboratory Report of Examination. In addition, submitted as 1A items are CART request, CART stat, photos, and legal authority. CART request completed.

b7E

Enclosure(s): Enclosed are the following items:

1. (U) CART request
2. (U) CART stat
3. (U) Photos
4. (U) Legal Authority

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UNCLASSIFIED

DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

**CONSENT TO SEARCH**

1. I have been asked by Special Agents of the Federal Bureau of Investigation to permit a complete search of:

(Describe the person(s), place(s), or thing(s) to be searched.)

1. I have been asked by Special Agents of the Federal Bureau of Investigation to permit a complete search of:  
1. I have been asked by Special Agents of the Federal Bureau of Investigation to permit a complete search of:  
1. I have been asked by Special Agents of the Federal Bureau of Investigation to permit a complete search of:

2. I have been advised of my right to refuse consent.
3. I give this permission voluntarily.
4. I authorize these agents to take any items which they determine may be related to their investigation.

1/14/94  
Date

Witness

|  |
|--|
|  |
|  |

b6  
b7C