

EXHIBIT 1

eBay Presentation on “Federal Corporate Principles” to the
Office of the U.S. Attorney for Massachusetts
Concerning the August 2019 Crimes Committed by
Former eBay Employees Against the Natick Couple

March 16, 2021



Introduction

- The government has charged 7 individual defendants for crimes committed against Ina and David Steiner.
- eBay realizes that, under the facts and legal principles (e.g., *respondeat superior*), DOJ could take enforcement action against the company. You have broad discretion in this determination under the 11 Principles of Federal Prosecution.
- Purpose of this presentation:
 - Explain why we believe that the Principles and facts here support a decision not to take enforcement action against eBay.
 - That decision is in the interest of justice, the victims, and the public.

Executive Summary

Five main points:

1. eBay acknowledges the seriousness of the misconduct and the company's responsibility. The conduct of the seven defendants was clearly criminal, and eBay is troubled by the role here of its former-CEO and former-Chief Communications Officer in particular. We hope the government agrees that their actions do not warrant criminal charges against the company.
2. All the wrongdoers deliberately hid their misconduct from eBay because they knew the company would not condone it. They even said explicitly before the crimes that eBay would fire them if it found out.
3. eBay had a robust compliance program before the Natick events and has taken significant steps to buttress that program and revamp the Safety & Security unit to prevent anything like this from happening again.
4. eBay's cooperation with the government has been voluntary, swift, proactive, unconditional, and complete.
5. In the end, we hope to persuade you that, eBay – the company -- acted in a manner that the government would want other companies to model and that a decision not to take enforcement action against eBay is in the interests of justice, the victims, and the public.

Presentation Roadmap: The 11 Principles

(we will address all 11, not all in numerical order)

1. Nature of offenses
- 2. Pervasiveness of wrongdoing**
3. Company history of similar misconduct
- 4. Company's willingness to cooperate**
- 5. Adequacy of compliance at time of wrongdoing and charging decision**
- 6. Company's timely and voluntary disclosure**
- 7. Company's remedial actions**
8. Collateral consequences
9. Adequacy of other remedies
10. Adequacy of prosecution of responsible individuals
- 11. Interests of the Victims**

Principle 1

Seriousness of Offenses

Nature and seriousness of the offense, including risk of harm to the public, and applicable policies and priorities, if any, governing the prosecution of corporations for particular categories of crime (JM 9-28.400)

1. The wrongdoers committed serious crimes against the two victims.
2. The crimes did not risk broader harm to the public.
3. The crimes were very unusual: the government does not have applicable policies or priorities for them.

Principle 3

No History of Similar Misconduct

Company's history of similar misconduct, including prior criminal, civil, and regulatory enforcement actions against it (JM 9-28.600)

1. eBay has been in business 25 years.
2. eBay has no history of similar misconduct.
3. eBay has no history of any criminal misconduct.

Principle 2

Pervasiveness of Wrongdoing

Pervasiveness of wrongdoing within company, including management complicity in, or condoning of, the wrongdoing (JM 9-28.500)

We will address pervasiveness on three different levels:

1. Overall at the company
2. Specific to the Safety & Security team
3. The responsibility of the former-CEO and former-Chief Communications Officer

1. Companywide, overall, the conduct was not pervasive or condoned.

eBay is an international company with **30,000** employees and contractors in **54 offices** across **31 countries**. These crimes were committed by **7** members in **1 unit** from **1 office**.

Principle 2, cont.

Pervasiveness

2. Safety & Security Team: the wrongdoing was pervasive in Baugh's hand-picked group, but not more broadly among the 100+ members of Safety & Security unit.

- Baugh was Senior Director of the Safety & Security unit. He hand-picked people he thought he could control from different teams within the unit
 - Intel (Popp, Zea, Stockwell), Resilience (Harville), Physical Security (Gilbert and Cooke)
- He deliberately excluded and concealed his plans from managers who would stop him.
 - e.g. Dan Cory, Alicia-Maria Domingos
- Two junior Safety & Security members he recruited refused to participate (Alford and Mount).
- The hand-picked group knew eBay would not condone – and would severely punish the misconduct.

Principle 2, cont.

Not Pervasive/Condoned by eBay

- They showed by their words and actions that they knew eBay did not condone their wrongdoing and would punish it severely:
 - On August 11 on WhatsApp Baugh wrote, before the crimes were committed: **“Once you read it delete this entire thread and don’t save to your phone or we will all get fired.”**
 - Throughout, they tried to hide all their misconduct from eBay:
 - Booked travel “off the grid”
 - Lied to coworkers (and even family)
 - Created false covers and documents, doctored records
 - Communicated over WhatsApp so eBay could not trace
 - Deleted records and messages
 - Used burner devices and non-company cash cards
 - Conspired to lie extensively, and did lie extensively, to eBay investigators

Principle 2, cont.

Pervasiveness

3. Wenig/Wymer set an improper tone between themselves that was critical of Ms. Steiner and her website.

- In 2019, Wenig & Wymer exchanged texts criticizing her and her website (i.e., “hate her” “take her down”).
- We found no evidence that they sent these texts to other executives or ELT members. Their improper tone was not pervasive among other executives. Only these two were preoccupied with Ina Steiner and eCommercebytes.
- eBay recognizes that their improper tone contributed significantly to the crimes in Natick.
- Wenig’s tone was improper and unacceptable. But we did not find evidence that he directed or knew that criminal acts would occur.
- Wymer’s tone was much worse. Inexcusable from any employee, much less an ELT member.
 - We did not find evidence he actually directed or knew that criminal acts would follow.
 - But: his words were extremely reckless and irresponsible AND eBay fired him for cause.
 - Significant: Wymer hid his August 1 Baugh texts from everyone – General Counsel; Chief of Litigation; and apparently even Wenig.
 - Why? Because he knew they were wrong and would not be condoned by anyone else at eBay.
 - August 7 Wymer email: “Utterly vexed...Whatever. It. Takes.”
 - Wymer: January 2019 hire: too green/inexperienced to push back on CEO tone, sought to curry favor.

Principle 2, cont.

Not Condoned by eBay

4. The Corporate response upon learning of the crimes also demonstrates that eBay did not condone the wrongdoing.

- eBay General Counsel, Chief People Officer, and Chief Compliance Officer took decisive action.
 - They immediately launched/pursued a thorough investigation, with unhindered scope and access.
 - Chief Compliance Officer (Molly Finn) rejected Baugh's effort to obstruct.
- Investigators determined the facts and roles, regardless of position or title.
 - Marshalled records.
 - Cut through coordinated lies and false documents with numerous interviews.
- eBay terminated all those responsible.
- ELT/Board of Directors immediately directed: full report to and assist government.
- eBay reported all facts to the government, including roles of CEO and Chief Communications Officer.

Principles 4 & 6

Immediate Disclosure and Cooperation

- 4. Company willingness to cooperate, including as to potential wrongdoing by its agents (JM 9-28.700)***
- 6. Company's timely and voluntary disclosure of wrongdoing (JM 9-28.900)***

- DOJ Manual seeks:
 - “early voluntary disclosure”
 - “timeliness of the cooperation”
 - “diligence, thoroughness and speed of the internal investigation”
 - “proactive nature of the cooperation”
- eBay met all parts of these criteria

- Speed: 32 Days from Notice to full eBay report to USAO
 - Aug. 22: eBay learned of inquiry, launched investigation, contacted NPD.
 - Aug. 23-Sep. 23: documents, interviews, devices, forensics, etc.
 - Sep. 11-20: eBay contacted NPD, FBI, AUSAs.
 - eBay will voluntarily report
 - No subpoenas needed
 - Sep. 24: eBay disclosed all facts and persons to USAO

Principles 4 & 6, cont.

Cooperation: Extensive, Thorough, Continuing

1. Continuous: September 2019 through the present
2. Produced in response to every government request (no request denied)
3. Made further proactive disclosures/productions (witnesses, phones, et al.)
4. 12 main productions, +12,000 pages
5. Devices and images
6. Forensic results/reports
7. Additional company network searches run as requested
8. Appendix 1: Cooperation – Partial Chronology next slides:

Appendix 1

Cooperation: Partial Chronology

*This chronology is only partial: it does not capture numerous eBay/AUSA calls and emails where eBay provided other assistance.

*The cooperation continues through the present.

2019

Aug. 22	eBay received NPD inquiry, launched investigation, called NPD detective
Sep. 11-20	eBay called FBI, spoke with AUSAs Kosto and Burkart: explained status, requested meeting to fully report investigation facts, no subpoenas needed
Sep. 24	Full eBay report to AUSAs Burkart, Kosto
Oct. 9	eBay production #1, up to Bates # E_000468. Key docs, including org chart, expense records, electronic records, device review facts/information, imagings, forensic results/reviews, texts, emails, email review summaries, and witness-specific records.
Oct. 18	eBay production #2, up to E_000656. Native docs, internet search reports, web history reports, expense reimbursements. eBay identified M. Alford, newly-discovered witness with relevant information
Oct. 25	eBay production #3 up to E_000819. Expense and travel reports, native emails.
Oct. 29	eBay produced results of network searches for specific data regarding IP addresses and domain names searched during misconduct by requested persons.
Nov. 1	eBay production #4, up to E_000830. Phone call logs, installed-apps reports for employee phones, status of IP address and domain name searches.
Nov. 4	eBay produced M. Alford for USAO interview.
Nov. 15	eBay production #5, up to E_000831. Report of web browsing activity from eBay networked devices for 8 requested people and contact information for contract employee's company.
Nov. 21	eBay production #6, up to E_001090. Date and time of every travel reservation booked for six requested former employees, reports of web browsing activity of 8 requested people, natives of emails from eBay's production #1.
Nov. 29	eBay produced R. Moore for USAO interview.
Dec. 11	eBay production #7, up to E_001097. Forensics from Cooke's ebay cell phone.
Dec. 17	eBay produced P. Cooke for USAO interview.
Dec. 27	eBay production #8, up to E_010127. Outlook calendars for 8 requested people.

Appendix 1, cont.

Cooperation: Partial Chronology

2020

Feb. 19	eBay production #9, up to E_010142. Responses regarding defendants' work phones, 3 additional phones, and Popp notebook Delivery to government of Harville eBay phone.
June 15	USAO announcement of charges against 6 defendants
Oct. 13	eBay fact proffer re: eBay investigator's three August 2019 Harville interviews.
Oct. 13	eBay fact proffer re: eBay investigator's several August 2019 Baugh interviews.
Oct. 16	eBay fact proffer re: eBay investigator's regarding two late-August Wymer interviews
Nov. 6	eBay production #10, up to E_010194. Badge access records for requested defendants, data on receipt and dissemination of Natick Police Department's August 2019 communications to eBay.
Nov. 3	Grand jury indicts Baugh and Harville on additional charges.
Nov. 24	eBay provided requested bank acct info re: Baugh
Dec. 4	eBay sent Wymer's eBay phone image to the government, with chain of custody. eBay also provided search consents for work phones.
Dec. 5	eBay Production #11, up to E_010196. Floor plans/schematics of requested eBay office space and locations of access-card readers.
Dec. 14	eBay provided salary information for requested defendants
Dec. 29	eBay Production #12, up to E_012340. All Wymer emails as requested for 8/23/19 to 9/1/19.

2021

Feb. 23	eBay produced for interview eBay investigator who interviewed Baugh and Harville several times each in late August 2019.
March 12	eBay produced Harville's original system record and the forged record (up to E_012347) Harville sent to the eBay investigator in August 2019.

Principles 4 & 6, cont.

Cooperation: Full & Thorough

- eBay cooperation was without any preconditions.
- eBay disclosed all relevant facts, including potential agent wrongdoing.
- Government confirmed accuracy of all facts.
- eBay did not omit, conceal, minimize any fact or actor, including then-CEO and Chief Communications Officer.

Principle 5

Company's Compliance Program

Adequacy and effectiveness of company's compliance program at times of the offense and charging decisions. (JM 9-28.800)

- DOJ Manual: **“Compliance programs should be designed to detect the particular types of misconduct most likely to occur in a particular corporation's line of business.”**
 - The misconduct here was not “likely to occur” in eBay’s line of business
 - eBay never experienced this kind of conduct.
 - We do not believe any company has experienced this -- ever.
- And: there was no “gap” in eBay’s compliance program that missed this.

Principle 5, cont.

Company's Compliance Program

- eBay already had a robust compliance program as of August 2019, with a long-established and well-developed Code of Business Conduct & Ethics:

Table of Contents		eBay Code of Business Conduct & Ethics
2 A Message from Our CEO	28 We are Driven	52 We are Richly Diverse
4 Introduction	29 Safeguarding Our Marketplace	53 Embracing Our Diversity
5 We are Committed to Our Purpose	30 Managing Company Assets and Information	54 Leading Our Teams
6 Following the Law	33 Securing Our Data	56 Preventing Harassment in Our Workplaces
7 Making Ethical Decisions	35 Competing Fairly	58 Keeping Our People Safe
8 Understanding the Importance of Speaking Up	36 Following Trade Laws	59 Being Responsible About Drugs and Alcohol
10 Maintaining Accurate Accounts and Records	37 Preventing Money Laundering	60 Respecting and Supporting Outside Causes
12 Refraining from Insider Trading	38 We are Inventive	61 How we Carry Out Our Purpose
15 Participating in Political Activities	39 Collecting Competitive Intelligence	62 Following Our Code and Getting Help
17 Interacting with the Government	40 Respecting the Intellectual Property of Others	63 Investigating Code Violations
18 We are Courageous	41 Pursuing Corporate Opportunities	64 Preventing Retaliation
19 Protecting Against Conflicts of Interest	42 Participating in Industry Associations	65 Disciplining Infractions
20 Navigating Investments and Business Relationships	43 Contributing to Our Community	66 Waiving Provisions of the Code
22 Mixing Business and Personal Relationships	44 Stewarding Our Environment	
24 Engaging in Appropriate Gifting and Entertainment	45 We are Our Brand	
26 Avoiding Bribery and Corruption	46 Marketing and Advertising Honestly	
	47 Making Public Statements and Endorsements	
	48 Posting on Social Media	
	50 Serving on Boards and Advisory Boards	
	51 Holding Outside Employment	

Principle 5, cont.

Company's Compliance Program

Verbatim from Section 1 of eBay's August 2019 Code of Business Conduct & Ethics:

Following the Law

- We are accountable for our actions, and we honor our commitments. Our success as a company is driven by our shared goals of honest and ethical action.
- We are committed to ensuring that every action we take is in full compliance with the law — and in keeping with our high ethical standards.
- Report suspected violations of the Code, eBay policies, or the law to your manager, a Business Ethics Officer or other resource available for assistance. You can email askethics@ebay.com; or submit an anonymous inquiry, by calling eBay's Integrity Helpline at 800.461.9330.

Making Ethical Decisions

- When you face difficult decisions at eBay, take the time to think and consider the ethical and legal consequences. Don't give in to pressure and rush your decision. Carefully consider the implications of your actions.
- Always Ask: Is it honest and fair? Is it consistent with the law and the Code? Is it consistent with our values? Does it make you feel good about yourself and the Company? Would you feel comfortable reading about your action in the news?
- If you answered yes to all of these questions, chances are that you're probably okay to proceed. If you hesitated in answering "yes" to even one of these questions, then it's best to get a second opinion from your manager or a Business Ethics Officer.
- Most importantly, ask for help when you need it.

Understanding the Importance of Speaking Up

- A culture that encourages us to voice our opinions and concerns will help keep eBay a great place to work. If something does not feel right, each of us should feel empowered to take action.
- When you see or suspect misconduct, speak up promptly. Doing so will allow the Company an opportunity to deal with the issue and correct it, ideally before it becomes a violation of law or a risk to health, security or the Company's reputation.

Principle 5, cont.

Adequacy of Compliance

- eBay constantly emphasized the importance of the Code, via:

- Periodic Trainings
- Surveys on Ethics
- Annual Compliance Trainings
- Posters around campus
- eBay's Intranet Home Page (Hub)
- Regular Ethics & Compliance reminder emails. E.g.

- eBay also reports quarterly on Ethics to Board/Audit Committee

From: 'eBay Business Ethics and Compliance' <EthicsandCompliance@ebay.com>

Date: Monday, April 15, 2019 at 3:08 PM

To:

Subject: Complete eBay's 2019 Ethics Survey by April 26

[Take a minute to share your feedback about ethics at eBay.](#)

Our Company

Global team,

Our [Code of Business Conduct and Ethics](#) guides how we conduct business every day. Your feedback about how we're doing on eBay's 2019 Ethics Survey is critically important and helps ensure we stay aligned with our values.

Earlier today you received an invitation from Glint (survey@glintinc.com) with your unique survey link. **If you can't find the message, look in your "Clutter" or "Junk" folders.** The survey will be open through 11:59 p.m. Pacific on April 26, and takes just a minute on your computer or mobile device. Your responses are confidential and reported in aggregate, unless you identify yourself in your comments.

If you spot something which doesn't seem right, you can make an anonymous report through the [Integrity Helpline](#) – the link is at the bottom of every page on the Hub. And, if you ever have questions, you can always contact askethics@ebay.com.

Thank you for participating in this important survey,

eBay Business Ethics and Compliance

Distribution: Global Employees

Principle 5, cont.

Specific/Recency of Compliance Training

- In June/July 2019, just before these events, the defendants all completed their 2019 Annual Compliance Training, including attesting to the Code and methods of reporting:
 - Jim Baugh – 7/5/2019
 - Stephanie Popp – 6/21/2019
 - Brian Gilbert – 7/8/2019
 - Phil Cooke – Completed 2018/2019 *New Hire Compliance Training* on 7/8/2019
 - David Harville – 7/7/2019
 - Stephanie Stockwell – 6/27/2019
 - Veronica Zea – 6/26/2019
- Eighty-eight percent (15 of 17) of Baugh’s team had also completed the April 2019 Ethics Survey, and made no negative or concerning comments.
- Steve Wymer completed 2018/2019 New Hire Compliance Training on 4/9/2019
- Devin Wenig completed 2019 direct/in-person 2019 Annual Compliance Training on 4/30/2019

Principle 5, cont.

Adequacy of Compliance

eBay had robust reporting channels for the misconduct that occurred here.

- Here, all that was required was for 1 person to report. “If you see something, say something”
- Many channels to report.
 - eBay hotlines (including anonymous): - Phone - Intranet - Email - Internet
 - eBay/PFC supervisors
 - Any legal or compliance employee, including Business Ethics Officers (BEOs)
 - Any People Team member (HR)
- **But no one reported.**
 - Intimidation – the investigation uncovered new information about Baugh’s unsuitability as a manager
 - eBay reviewed Baugh’s hiring/personnel file and S&S team review and 3x/year survey files: no red flags
 - Baugh “spun” to the defendants Wymer’s August texts and email
 - Self-interest?

Principle 7

Remedial Actions

Company's remedial actions, including efforts to implement an adequate and effective compliance program or improve existing one, replace responsible management, discipline or terminate wrongdoers, or pay restitution. (JM 9-28.1000)

1. Additional eBay reviews (in addition to independent investigation)

- Reviewed all 2019 Wenig and Wymer emails, used search terms specific to Natick. (Vonsover, Macauley, eDiscovery, Phelan)
- Interviewed remaining Safety & Security members. (Finn, Vonsover, Macauley, Phelan)
- Metrics (all reviews combined):
 - Interviews: 98
 - Witnesses: 63
 - Records searched/reviewed: excess of 1,200,000

Principle 7, cont.

Remedial Actions

2. Management Changes and 10 Terminations due to Natick events:

- a. Wymer
- b. Baugh
- c. Harville
- d. Popp
- e. Gilbert
- f. Stockwell
- g. Zea
- h. Fitzgerald
- i. Cooke
- j. Barrett

Principle 7, cont.

Remedial Actions

3. Safety and Security Team: Specific Changes

- a. Safety & Security unit moved to the Legal Department from Global Operations division.
 - Reports to eBay Legal VP, Chief of Litigation (who is liaison with law enforcement to prevent fraud on eBay's platform)
- b. New Safety & Security Senior Director: Dan Cory. Well regarded, favorably vetted by independent security firm in 2020 (post-Natick).
- c. New Hire: Senior Manager, Americas Region (32-years Scotland Yard).
- d. Michelle Alford re-hired as full-time employee after eBay learned of termination.
- e. End-to-end review by Independent security firm of Safety & Security (policies & procedures, vendor management, hiring/talent acquisition, financial oversight).
- f. The role of the Safety & Security team has been made very clear: it is limited now to address only physical security.
- g. Independent security firm working to develop Security Management Plan: policies/procedures per professional standards of the American Society for Industrial Security (ASIS).
- h. eBay outsourced POI (Person of Interest) work to third party security vendor with monthly cross-functional reviews (Legal, Compliance, Investor Relations, Safety & Security).

Principle 7, cont.

Remedial Efforts

4. Other Structural/Policy Improvements

- a. Reframed 5 Core Beliefs of eBay to include: “Act with Integrity.”
- b. Broad expansion of Business Ethics Officers (BEOs). Now in every office, business line, and across seniority levels.
- c. More training on duty to report and accessibility of reporting channels (e.g. BEOs, ethics hotlines, periodic reminders, etc.).
- d. Tone From The Top Initiative
 - Enhanced program to require leaders to talk on compliance topics quarterly.
 - e.g. include larger group of leaders to give ethics talks, track completion, and include ELT accountability
- e. Vendor identifying improvements to Alternative Work Force (i.e. non-employees) procedures/controls and training.
 - e.g., closed AWF expensing loophole discovered in Natick matter.
- f. Vendor RFPs and Master Service Agreements: will be required to comply with, and certify to, ethics requirements.

Principle 7, cont.

Remedial Efforts

5. Multiple uses of Natick facts for training/discussion.

- eBay-wide “Fireside Chat” with CEO, GC, Chief Compliance Officer, ethics expert
- Multiple trainings for leaders (Directors and above) with ethics expert and ELT members
- Multiple business unit all-hands meetings (e.g., Americas, Information Security, Legal, Safety & Security)
- Multiple written communications

Principle 11

Interests of Victims

The interests of the victims (JM 9-28.1400)

Since September 2019, eBay has sought to address the harm caused to the victims.

- eBay raised this in first government meeting and several times after. The Government asked eBay to wait given the ongoing investigation. eBay complied.
- Immediately after public charges announced, eBay publicly apologized and eBay's new CEO sent an apology letter to the Steiners.
- Counsel sought contact through the government. Victims' counsel responded that they did not currently wish to communicate with eBay.
- eBay remains ready to address restitution with the victims

Principle 8

Collateral Consequences

Collateral consequences, including whether there is disproportionate harm to shareholders, pension holders, employees, and others not proven personally culpable, and impact on public arising from prosecution (JM 9-28.1100)

- eBay is a good company.
 - Vast majority of employees act ethically.
 - eBay is a company that: enables millions of people to earn or supplement their living; promotes and supports American small businesses; has donated over \$1 billion to charity.
- The misconduct and crimes here by a handful of wrongdoers has caused eBay significant reputational harm.
 - This reputational harm was warranted given the facts.
- But, eBay submits that, what is not warranted is additional harm from criminal charges/enforcement.
 - eBay – the company – did all the right things – discussed in the Principles above – before and when it learned of the crimes and misconduct.
- **eBay's conduct throughout is the type of corporate conduct to reinforce by not bringing enforcement action.**

Principle 9

Adequacy of Other Remedies

Adequacy of remedies such as civil or regulatory enforcement actions, including remedies resulting from the corporation's cooperation with relevant government agencies (JM 9-28.1200)

- The remedies resulting from eBay's cooperation are extensive.
 - a. eBay facilitated the government's ability to quickly charge the 7 culpable defendants
 - b. 5 already pled guilty; eBay will continue to assist with regard to any trial of the other defendants.
 - c. eBay gave the government all the evidence eBay had collected to assist the government in determining whether Wymer or Wenig also were criminally responsible.
 - d. The evidence eBay provided in its cooperation will also help the victims recover to the extent they pursue available civil remedies:
 - against the 7 defendants
 - against Wymer and Wenig, if warranted
 - against eBay, if not mutually resolved

Principle 10

Prosecution of Culpable Individuals

Adequacy of the prosecution of individuals responsible for the corporation's malfeasance (JM 9-28.1300)

- The 7 defendants went to great lengths to hide their misconduct from eBay.
 - This shows that they knew the company did not condone that conduct.
 - By all their concealments, they prevented eBay from stopping them ahead of time.
- eBay's voluntary and extensive cooperation helped the government quickly bring the culpable ones to justice.
- eBay has made clear its intention to provide restitution.
- DOJ Manual 9-28.100: **"prosecutors should be mindful of the common cause we share with responsible corporate leaders who seek to promote trust and confidence."**
 - The responsible corporate leaders at eBay demonstrated here the "common cause" that should be shared with prosecutors

Conclusion / Questions / Follow-Up

- eBay had a robust compliance program before the events.
- Consistent with that program, eBay then:
 1. investigated and reported immediately;
 2. assisted the government in bringing those responsible to account;
 3. changed management;
 4. fired the wrongdoers;
 5. buttressed its compliance program;
 6. made structural changes to, and overhauled, the Safety & Security team; and
 7. sought to provide restitution to the victims.
- eBay respectfully suggests that the government should want other companies to model eBay conduct here.

Appendix 2

Wenig/Wymer Table

Wenig	Wymer
Texts with Wymer about Steiner/ECB were bad/improper	Same (Wymer texts with Wenig)
No apparent texts with Baugh about Steiner/ECB 1 text with Baugh about Unsuckebay – substance ok -on some parts of Unsuckebay email chain with GC, SW, JB - substance ok	-Multiple texts with Baugh about Steiner/ECB, inflammatory and can support inference to take bad action (sin, ashes, whatever it takes, etc.) -Concealed his Baugh texts before Natick -Concealed his Baugh texts after Natick
Did not delete texts about Steiner/ECB with Wymer	Deleted all texts about Steiners/ECB
No apparent communications with Baugh or Wymer post-Natick	Monitored events with Baugh post-Natick
Apparent cooperation in investigation. -No apparent withholding of knowledge/comms -No deletion of August texts with Wymer -No deletion of Baugh Unsuckebay text	Non-cooperation in investigation. -Failed to report for 7 days <u>after</u> knew of NPD/eBay investigations -Withheld knowledge/evidence 1 st interview (Aug. 27) -Admitted Baugh texts only when confronted in 2 nd interview (Aug. 28). -Deleted all Wenig texts -Deleted all Baugh texts, incl. Aug. 24 detailed “Op” text -Deleted forensics of 2 calls with Baugh Aug. 22 & 24 (+10 min.)