

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA  
CIVIL DIVISION

In Re: : No. 2013-SU-003853-13  
Change of Name :  
DANIEL MAC CURDY BURNET :

OFFICE OF PROthonARY  
2014 JAN -9 PM 1:52  
JUDICIAL CENTER  
YORK, PA

**MOTION TO WAIVE PUBLICATION**, or in the alternative.  
**TO GIVE NOTICE BY ALTERNATIVE MEANS**

Petitioner, Daniel Mac Curdy Burnet, requests that this Court waive the requirement of publication and for good cause states:

1. That Petitioner is currently actively pursuing a course of study in national security and counter-intelligence work, intends to be employed full-time in the field of national security/ counter-intelligence, is known among professionals in that field by the name he is seeking to make his legal name and has published and writes on national security topics under that name.

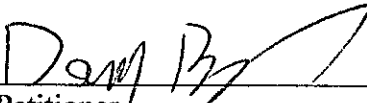
2. That Petitioner is concerned about possible harassment from extremist activists against his family and relatives as a result of his work in national security/counter-intelligence if a connection can be easily found through "Google" between his family birth name and his professional name.

3. That Petitioner has only one creditor to whom he owes money and is known to that creditor by his birth name.

4. That Petitioner is willing to provide a copy of his credit report and give notice by certified mail to any potentially interested parties.

WHEREFORE, Petitioner respectfully requests that this Court for safety reasons waive the requirement of publication in the York Legal Record and in a newspaper of general


circulation in York County and order that notice be given by alternative means.

  
\_\_\_\_\_  
Petitioner

**VERIFICATION**

I, Daniel Mac Curdy Burnet, verify that the statements made in the foregoing Motion are true and correct to the best of my knowledge or information and belief. I understand that this verification is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn fabrication to authorities, which provides that if I knowingly make false averments, I may be subject to criminal penalties.

Date: \_\_\_\_\_

  
\_\_\_\_\_  
Daniel Mac Curdy Burnet

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA  
CIVIL DIVISION

2013-11-9 PM 1:52  
CLERK OF COURT  
YORK, PA  
REGISTRY

Re: Mr. "Michael Best" (alias) No. 2013-SU-003853-13  
Change of Name  
DANIEL MAC CURDY BURNET

**AFFIDAVIT BY RACHEL MARSDEN**

I, the undersigned, RACHEL MARSDEN, am 38 years old, competent to testify and not a party in the above captioned action.

I am an internationally syndicated journalist, university Adjunct Professor, and businesswoman based in Paris, France, where I also teach at the Paris Institute of Political Studies (Sciences Po University). I write about a variety of topics, including international politics, intelligence, counterintelligence and national security matters. I have been employed in this capacity for over 10 years.

I have interacted with the Petitioner, exclusively online and under the identity of "Mr. Michael Best", as a result of our common interests. I am aware that he is petitioning the Court for a name change, to be able to use this professional name in all facets of his life.

I myself have been the victim of harassment as a direct result of my investigative work; Petitioner herein was also targeted as a result of his association with me, having authored a blog entry in defense of my work. I have been the victim of threats and harassment as a result of my work. My family, employers, and associates have been targeted, tormented, annoyed, badgered, hassled and persecuted.

For example, a self-proclaimed "patriot hacktivist" who goes by the moniker "The Jester" or "th3j35t3r", and whom I have publicly identified in my work as British resident and citizen, Mr. Mark Walker, had taken issue with the published article in which he was featured. He subsequently mounted a months-long and currently ongoing targeted

*RMM*  
23 NOV 2013

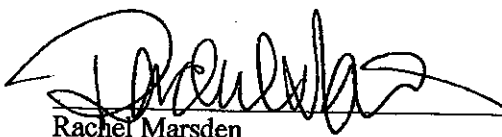
harassment campaign directed at me. Moreover, he has co-opted several American associates based in the United States to participate in his ongoing harassment campaign targeting me, my employers, my family and my associates. I am attaching copies of police reports documenting this matter.

The Petitioner has expressed to me a desire to pursue a career in the field of intelligence. As such, I support the Petitioner in his request to shield his birth identity, and the identities of his family and relatives, in an effort to protect them. I believe the fear of possible harassment against family and relatives as a result of work in national security/counterintelligence is realistic.

I SOLEMNLY DECLARE and/or AFFIRM, under the penalties of perjury, that the contents of the foregoing Affidavit are true and correct, to the best of knowledge, belief and information.

23 NOVEMBER 2013

Date



Rachel Marsden

1 RUE CAMILLE DESMOULIERS  
Address

LEVALLOIS-PERRET, FRANCE 92300  
Address

+33 619039381  
Telephone number

**MEMORANDUM****To:**  
DS 7621 MORGAN (TIDU)**Ref:****Ext:****From:**  
PS 1729 SWANN (FORCE CONTACT WS LPU)**Date:**  
25/09/13**SUBJECT:**  
**Ms Rachel MARSDEN**

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Hi Damian

Long time no see & I hope that you are well?

I was wondering if you could cast your eye over the attached sequence of events, that I understand, from speaking with one of your colleagues this morning, may well fall into your remit?

I appreciate that you are busy and that there is probably a lot of background work that might be required your end, but if you could update Ms MARSDEN (or myself & I will update her) soonest that would be appreciated as we are both keen to progress this matter.

**Brief History/Timeline**

1. Ms Rachel MARSDEN (Canadian/French National) currently residing in Paris, France as a Journalist writes an article re the 'Jester', a self publicising alleged cyber warrior/hacker, that is not (from his perspective) very flattering.
2. As a result of that article Ms MARSDEN, her friends on Twitter, & her employers are bombarded with inappropriate messages, emails etc all clearly designed to denigrate Ms MARSDEN, to ruin her reputation as a journalist, and to cast doubts about her academic qualifications with her employers. This is orchestrated it is alleged by the 'Jester' and his followers (a reasonable supposition in the circumstances).
3. This series of attacks culminates in Ms MARSDEN having her address details (in Paris France) posted by the 'Jester'.
4. In the 'Jesters court' (online) he, and his followers, attempt to ruin Ms MARDEN'S reputation and rehash old news stories about her in an attempt to ridicule her.
5. In her article Ms MARSDEN states that the 'Jester' is a Mark WALKER and that he is a UK national. This name is totally disowned by the 'Jester' practically as soon as the article is written.
6. As a result of this harassment and the upset caused to her (particularly the emails to her employers and the disclosure of her home address details) Ms MARSDEN contacted WMP (WS LPU) asking for help in this matter.
7. I subsequently spoke with Ms MARSDEN and we also exchanged a number of emails relating to this matter that I will cover separately under Investigation to date (see below).
8. I advised Ms MARSDEN to contact the French Police regarding this matter as (a) there are safeguarding issues that might need to be addressed in France and (b) they may wish to pursue the investigation themselves.
9. Ms MARSDEN has contacted the French Police who have stated that this is an investigation where the UK Police have primacy.

Investigation to date

1. From conversation with Ms MARSDEN she indicated that Mark WALKER was born in 1975, is a UK or (Anglo/Irish) male, residing in the Walsall or London area, and that he has been arrested for computer offences but never charged. There are 6 nominals in Walsall, 42 in Birmingham, and 125 in London sharing these details. There are no nominals matching this set of data on our Police, or on the National Police systems. The inference therefore could be that this name is not that of the 'Jester'; alternatively this name has not come to our notice.
2. I have researched the 'Jester' on the internet & there is a lot of open source information about him. He is a genuine individual, or group of individuals, with a large following. While there are some doubts about his alleged/professed abilities to wage war on jihadist websites clearly there are people 'out there' who believe that he is a credible hacker/threat/willing to action his requests/do his bidding.
3. I have researched Ms MARSDEN on the internet and she is a well known journalist/reporter. She has had a very high profile on occasion mostly relating to incidents that took place many years ago. In all my dealings with her she has been totally professional, appropriate, and forthcoming (and was more than willing for example to discuss her previous history). Ms MARSDEN comes across as a genuine concerned victim who is trying to run her life without unacceptable levels of harassment from the 'Jester' and his supporters.
4. Attached are 2 files. File A relates to the French Police taking an initial complaint from Ms MARSDEN and includes their Reference Number 2013/009618. It is of little value to us merely providing a Reference Number confirming that Ms MARSDEN has contacted the local Policing Agency. It does not appear as if any investigation has been undertaken by the French Police but they have at least stated that they will do what they can to safeguard Ms MARSDEN. File B contains a considerable amount of data provided by Ms MARSDEN including account details of the 'Jester', ISP details etc. It is within this data perhaps that we might be able to locate the 'Jester' and clarify ownership of the investigation into the harassment of Ms MARSDEN.

For your information contact details for Ms MARSDEN are [rachelmarsden@yahoo.com](mailto:rachelmarsden@yahoo.com) She is always helpful should you require clarification on anything.

Damian

Apologies if the above is all a bit thin at present. I appreciate that further specialist digging will be needed to try to identify the perpetrator(s) but this is something that we cannot successfully undertake here at LPU so your help is much appreciated.

Unfortunately the world of cyber crime is one where legislation and best practice are constantly playing catch up, but meanwhile we have victims who are slipping through the net, so any help you can provide will help.

Regards and thanks again,

Daryl

PS 1729 Swann  
Force Contact  
Walsall D Unit