

[By Jason Lee Miller - Wed, 04/25/2007 - 5:42pm.](#)

<http://www.webpronews.com/topnews/2007/04/25/webmaster-settles-with-ia-goes-after-teenager>

### EXIBIT 3

One of the most bizarre Internet stories this year gets more bizarre. Internet Archive and Suzanne Shell have resolved their lawsuits against each other "amicably," a word that follows words like "theft" and "racketeering" about as well as toothpaste follows orange juice. Next on her list: a 15-year-old Canadian jokester.



The case came to light last month when IA sought a court ruling that its WayBack Machine, which crawls and indexes copies of websites for historical purposes, wasn't violating Shell's copyrights.

Shell, who claimed IA's web crawler entered into a contract while indexing, responded (quite reasonably, I might add) with a countersuit accusing IA of conversion, civil theft, breach of contract, and violations of both federal racketeering and Colorado organized crime legislation.

It was an important case, not necessarily because of its overall merit (all but one claim was immediately dismissed), but because the judge would have to consider whether or not spiders could enter a contract, and the world was listening.

Seems the judge won't be able to make that declaration any time soon, as IA and Shell seem to have kissed and made up, issuing a joint statement about the settlement.

"Internet Archive has no interest in including materials in the Wayback Machine of persons who do not wish to have their Web content archived," said an IA spokesperson in a statement.

"We recognize that Ms. Shell has a valid and enforceable copyright in her Web site and we regret that the inclusion of her Web site in the Wayback Machine resulted in this litigation. We are happy to have this case behind us."

Shell seems to have gotten over it, too. "I respect the historical value of Internet Archive's goal," she said. "I never intended to interfere with that goal nor cause it any harm," said Ms. Shell.

That's interesting...could have sworn she sued them for theft, racketeering, and organized criminal activity. But if both say they settled it amicably, then who am I to question? Maybe IA just didn't want to give the judge a chance to rule that web crawlers could actually enter a contract.

The statement ends with this gem:

Both parties sincerely regret any turmoil that the lawsuit may have caused for the other. Neither Internet Archive nor Ms. Shell condones any conduct which may have caused harm to either party arising out of the public attention to this lawsuit. The parties have not engaged in such conduct and request that the public response to the amicable resolution of this litigation be consistent with their wishes that no further harm or turmoil be caused to either party.

The turmoil they're talking about may include 15-year-old Canadian and Digg.com user Jeff Veillette, who issued a kind of online challenge to Shell by framing her entire site, daring her to take action against him. While brazen, Shell claims it went well beyond framing.

If you visit her website, [profane-justice.org](http://profane-justice.org) (careful, you're entering into a contract

with an anti-child protective services activist), Shell posts Veillette's name, home address, emails, and phone number after accusing him of hacking her website and setting up a pop-up spam campaign, viewable by 25 million people and defaming her. Shell says he expressly admitted to the hacking and spam campaign.

She includes blogger Billy Wiseman (a guy she really, really doesn't like) in the accusation, listing his address as well. The FBI Computer Crime Center was contacted.

However, in an interview with WebProNews, hacking and spamming came as news to Veillette, who says his personal information listed is outdated (remember, at 15, he's a minor -- is it legal to post a minor's information online? Maybe the FBI needs to give her a call). Jeff denies hacking her site or spamming anyone, but does admit to framing her site elsewhere, an act we reported when it happened.

As for Wiseman, Veillette says he had nothing to do with any of it. "Billy Wiseman wasn't part of the attacks," he said. "He was a blogger that was watching the Shell case and interviewed me."

"What happened was I put the site in a frame. How that's hacking I'll never know."

So Shell never lost control of her site?

"Nope," said Veillette. "She ran out of bandwidth for her hosting."

So, has the FBI been in touch?

"Nope. They probably laughed at this, too. What I'm wondering overall, though, is if she's for supporting kids, why is she going out of her way to try and ruin a 15-year-old's life?"

Good question, Jeff. I'm sure, though, she never meant any harm.

Financial terms of the settlement between Shell and Internet Archive were not disclosed.