

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -X
: INFORMATION
UNITED STATES OF AMERICA :
: 15 Cr. ____
- v. - :
ERIC SALDARRIAGA, :
a/k/a "Emmanuela Gelpi," :
: Defendant. :
: -X
- - - - -

COUNT ONE

(Conspiracy to Commit Computer Hacking)

The United States Attorney charges:

1. At all times relevant to this Information, ERIC SALDARRIAGA, a/k/a "Emmanuela Gelpi," the defendant, was a licensed private investigator in New York City. At all relevant times, through a particular company which he owned and controlled, and for which he was the sole private investigator, SALDARRIAGA provided private investigation services to members of the public for a fee.

2. Beginning in or about 2009, through certain services advertised on the internet (the "Hacking Services"), ERIC SALDARRIAGA, a/k/a "Emmanuela Gelpi," the defendant, hired individuals to hack into (i.e., to gain unlawful and secret electronic access to) the e-mail accounts of numerous individuals (collectively, the "Victims"), including individuals whom SALDARRIAGA was investigating on behalf of various clients,

and individuals in whom SALDARRIAGA was interested for personal reasons. In particular, SALDARRIAGA paid the Hacking Services to provide him with the login credentials, including the username and password, for the Victims' e-mail accounts. Thereafter, SALDARRIAGA unlawfully accessed and reviewed the Victims' e-mail communications, sometimes for the purpose of providing information gleaned from those communications to his clients, and sometimes for SALDARRIAGA's personal reasons. In total, SALDARRIAGA hired the Hacking Services to hack into, and provide SALDARRIAGA with unauthorized access to, at least 60 different e-mail accounts.

Statutory Allegations

3. From at least in or about 2009 up to and including in or about March 2014, in the Southern District of New York and elsewhere, ERIC SALDARRIAGA, a/k/a "Emmanuela Gelpi," the defendant, and others known and unknown, willfully and knowingly, combined, conspired, confederated, and agreed together and with each other to engage in computer hacking, in violation of Title 18, United States Code, Sections 1030(a)(2)(C), (c)(2)(A) and (c)(2)(B)(i).

4. It was a part and an object of the conspiracy that ERIC SALDARRIAGA, a/k/a "Emmanuela Gelpi," the defendant, and others known and unknown, would and did intentionally access a computer without authorization and exceed authorized access,

and thereby would and did obtain information from a protected computer, and the offense was committed for purposes of commercial advantage and private financial gain, to wit, SALDARRIAGA paid individuals to hack into and steal the login credentials for e-mail accounts of victims whom SALDARRIAGA was being paid to investigate, and thereafter SALDARRIAGA secretly and without the victims' authorization accessed information stored in those compromised e-mail accounts, in violation of Title 18, United States Code, Sections 1030(a)(2)(C) and (c)(2)(B)(i).

5. It was a part and an object of the conspiracy that ERIC SALDARRIAGA, a/k/a "Emmanuela Gelpi," the defendant, and others known and unknown, would and did intentionally access a computer without authorization and exceed authorized access, and thereby would and did obtain information from a protected computer, to wit, SALDARRIAGA paid individuals to hack into and steal login credentials for victims' e-mail accounts which SALDARRIAGA then used, secretly and without the victims' authorization, to access information stored in those compromised e-mail accounts, in violation of Title 18, United States Code, Sections 1030(a)(2)(C) and (c)(2)(A).

Overt Acts

6. In furtherance of the conspiracy and to effect

the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. In or about April 2013, ERIC SALDARRIAGA, a/k/a "Emmanuela Gelpi," the defendant, caused an individual working with a Hacking Service to send an e-mail to a victim ("Victim-1") in New York, New York for the purpose of enabling the Hacking Service to hack into and steal the password to Victim-1's e-mail account.

b. In or about April 2013, ERIC SALDARRIAGA, a/k/a "Emmanuela Gelpi," received the password to Victim-1's e-mail account from the Hacking Service.

(Title 18, United States Code, Section 1030(b).)

FORFEITURE ALLEGATION

7. As a result of committing the offense alleged in Count One of this Information, ERIC SALDARRIAGA, a/k/a "Emmanuela Gelpi," the defendant, shall forfeit to the United States, pursuant to 18 U.S.C. §§ 982(a)(2)(B) and 1030(i), a sum of money equal to the gross receipts traceable to or obtained as a result of the computer intrusion offense charged in Count One of the Information.

Substitute Assets Provision

8. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
 - b. has been transferred or sold to, or deposited with, a third person;
 - c. has been placed beyond the jurisdiction of the Court;
 - d. has been substantially diminished in value;
- or
- e. has been commingled with other property which cannot be subdivided without difficulty;
- it is the intent of the United States, pursuant to 18 U.S.C. § 982(b)(1) and 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 982 and 1030; and Title 21, United States Code, Section 853.)

Preet Bharara

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UNITED STATES ATTORNEY