MELINDA HAAG (CABN 132612) 1 United States Attorney 2 3 Filed 4 5 6 RICHARD W. WIEKING CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA 7 8 UNITED STATES DISTRICT COURT 9 NORTHERN DISTRICT OF CALIFORNIA 10 SAN JOSE DIVISION 11 CASE NO. CR 11-00471 DLJ UNITED STATES OF AMERICA, 12 VIOLATION: 18 U.S.C. §§ 1030(b), (c)(4)(A)(i)(I) -Plaintiff, 13 Conspiracy; 18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(G)(i) - Intentional Damage to a Protected Computer (Class 14 A Misdemeanor); 18 U.S.C. §§ 1030(a)(5)(B), (c)(4)(G)(i) – Reckless Damage to a Protected 15 CHRISTOPHER COOPER, JOSHUA JOHN COVELLI, KEITH DOWNEY, MERCEDES Computer (Class A Misdemeanor) HAEFER, DONALD HUSBAND, VINCENT 16 KERSHAW, ETHAN MILES, JAMES MURPHY, DREW ALLAN PHILLIPS 17 JEFFREY PUGLISI, DANIEL SULLIVAN, TRACY ANN VALENZUELA, and 18 CHRISTOPHER VO, 19 Defendants. 20 21 SUPERSEDING INFORMATION 22 The United States Attorney charges: 23 **Introductory Allegations:** 24 At all times relevant to this Indictment: 25 1. PayPal, Inc. ("PayPal") was an e-commerce business, wholly-owned by eBay, 26 Inc., with headquarters and computer servers located in San Jose, California, that enabled payments and 27 NO. CR 11-00471 DLJ 28 SUPERSEDING INFORMATION

money transfers to be made over the Internet. These online money transfers served as electronic alternatives to traditional paper payment methods, such as checks and money orders. PayPal required its customers to abide by its terms of service, and conducted business in interstate and foreign commerce. PayPal's computers were used in and affecting interstate and foreign commerce and communication.

- 2. WikiLeaks was an international non-profit organization that published submissions of otherwise unavailable documents from anonymous sources. The WikiLeaks website stated that WikiLeaks provided an innovative, secure, and anonymous way for independent sources to leak information. WikiLeaks' only revenue stream was through donations, and it conducted its collection of donations through PayPal, among others. Julian Assange was the founder, main spokesperson, and editor-in-chief for WikiLeaks.
- 3. Anonymous, also known as AnonOps ("Anonymous"), was an online collective of individuals that was associated with collaborative hacking attacks motivated by political and social goals, often referred to as "hactivism."
- 4. A Distributed Denial of Service ("DDoS") was a hacking attack that attempted to render a computer resource unavailable to its intended users. One common DDoS attack attempted to saturate the target computer or network with external communications requests, such that the target could not respond to legitimate traffic, or responded so slowly as to render the target effectively unavailable.
- 5. A Low Orbit Ion Cannon ("LOIC") was an open source computer program that was originally designed as a network stress testing application, but which was also used as a tool by DDoS attackers. Attackers used LOIC to send extremely large amounts of packets or requests over a network in an attempt to overwhelm a target. Attackers configured LOIC in two ways: Manual mode or HIVE mode. In Manual mode, an individual attacker had to enter a specific target, such as the IP address or the http address of the target. The HIVE mode enabled an attacker to connect their LOIC to an Internet Relay Chat Server, which allowed a third party to control at which specific target all HIVE-mode LOIC attackers would be aimed.
- Anonymous DDoS Attacks on PayPal:
 - 6. In late November 2010, WikiLeaks released a large amount of classified United States

State Department cables on its website. Citing violations of the PayPal terms of service, and in response to WikiLeaks' release of the classified cables, PayPal suspended WikiLeaks' accounts such that Wikileaks could no longer receive donations via PayPal. WikiLeaks' website declared that PayPal's action "tried to economically strangle WikiLeaks."

7. In retribution for PayPal's termination of WikiLeaks' donation account, Anonymous coordinated and executed DDoS attacks against PayPal's computer servers using LOIC. Anonymous referred to these co-ordinated attacks on PayPal as "Operation Avenge Assange."

 $\underline{\text{COUNT ONE}}: \qquad (18 \text{ U.S.C. } \S 1030(b), (c)(4)(A)(i)(I) - \text{Conspiracy})$

- 8. The factual allegations contained in Paragraphs 1 through 7 are realleged and incorporated herein by reference as if set forth in full.
- 9. On or about a date unknown but at least by December 6, 2010, and continuing to on or about December 10, 2010, in the Northern District of California and elsewhere, the defendants,

CHRISTOPHER COOPER,
JOSHUA JOHN COVELLI,
KEITH DOWNEY,
MERCEDES HAEFER,
DONALD HUSBAND,
VINCENT KERSHAW,
ETHAN MILES,
JAMES MURPHY,
DREW ALLAN PHILLIPS
JEFFREY PUGLISI,
DANIEL SULLIVAN,
CHRISTOPHER VO, and
TRACY ANN VALENZUELA,

did knowingly conspire and agree with each other and other persons known and unknown to commit Intentional Damage to a Protected Computer, in violation of 18 U.S.C. §§ 1030(a)(5)(A) & (c)(4)(A)(i)(I), that is to commit a DDoS attack on PayPal's protected computers.

All in violation of Title 18, United States Code, Sections 1030(b) & (c)(4)(A)(i)(I).

1 2	COUNT TWO: (18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(G)(i) – Intentional Damage to a Protected Computer)			
3	10. Between December 6, 2010 and December 10, 2010, in the Northern District of			
4	California and elsewhere, the defendant,			
	CHRISTOPHER COOPER,			
5	did knowingly cause the transmission of a program, information, code or command, to wit, the Low			
6	Orbit Ion Cannon (LOIC) software program, and as a result of such conduct, intentionally caused			
7	damage without authorization to a protected computer, to wit, the PayPal web server, a computer used in			
8	interstate and foreign commerce and communication.			
9	All in violation of Title 18, United States Code, Sections 1030(a)(5)(A), (c)(4)(G)(i), a Class A			
10	misdemeanor.			
11 12	COUNT THREE: (18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(G)(i) – Intentional Damage to a Protected Computer)			
13	11. Between December 6, 2010 and December 10, 2010, in the Northern District of			
14	California and elsewhere, the defendant,			
15	JOSHUA JOHN COVELLI,			
16	did knowingly cause the transmission of a program, information, code or command, to wit, the Low			
17	Orbit Ion Cannon (LOIC) software program, and as a result of such conduct, intentionally caused			
18	damage without authorization to a protected computer, to wit, the PayPal web server, a computer used in			
19	interstate and foreign commerce and communication.			
20	All in violation of Title 18, United States Code, Sections 1030(a)(5)(A), (c)(4)(G)(i), a Class A			
21	misdemeanor.			
22	COUNT FOUR: (18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(G)(i) – Intentional Damage to a Protected Computer)			
23	12. On or about December 16, 2010, in the Northern District of California and elsewhere, the			
24	defendant,			
25	JOSHUA JOHN COVELLI,			
26	did knowingly cause the transmission of a program, information, code or command, to wit, the High			
27				
28	NO. CR 11-00471 DLJ SUPERSEDING INFORMATION			

Orbit Ion Cannon (HOIC) software program, and as a result of such conduct, intentionally caused
damage without authorization to a protected computer, to wit, the Santa Cruz County web server, a
computer used in interstate and foreign commerce and communication.

All in violation of Title 18, United States Code, Sections 1030(a)(5)(A), (c)(4)(G)(i), a Class A misdemeanor.

COUNT FIVE:

(18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(G)(i) – Intentional Damage to a Protected Computer)

13. Between December 6, 2010 and December 10, 2010, in the Northern District of California and elsewhere, the defendant,

KEITH DOWNEY,

did knowingly cause the transmission of a program, information, code or command, to wit, the Low Orbit Ion Cannon (LOIC) software program, and as a result of such conduct, intentionally caused damage without authorization to a protected computer, to wit, the PayPal web server, a computer used in interstate and foreign commerce and communication.

All in violation of Title 18, United States Code, Sections 1030(a)(5)(A), (c)(4)(G)(i), a Class A misdemeanor.

COUNT SIX: (18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(G)(i) – Intentional Damage to a Protected Computer)

14. Between December 6, 2010 and December 10, 2010, in the Northern District of California and elsewhere, the defendant,

MERCEDES HAEFER,

did knowingly cause the transmission of a program, information, code or command, to wit, the Low Orbit Ion Cannon (LOIC) software program, and as a result of such conduct, intentionally caused damage without authorization to a protected computer, to wit, the PayPal web server, a computer used in interstate and foreign commerce and communication.

All in violation of Title 18, United States Code, Sections 1030(a)(5)(A), (c)(4)(G)(i), a Class A misdemeanor.

İ				
1 2	COUNT SEVEN: (18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(G)(i) – Intentional Damage to a Protected Computer)			
3	15. Between December 6, 2010 and December 10, 2010, in the Northern District of			
4	California and elsewhere, the defendant,			
	DONALD HUSBAND,			
5	did knowingly cause the transmission of a program, information, code or command, to wit, the Low			
6	Orbit Ion Cannon (LOIC) software program, and as a result of such conduct, intentionally caused			
7	damage without authorization to a protected computer, to wit, the PayPal web server, a computer used in			
8	interstate and foreign commerce and communication.			
9	All in violation of Title 18, United States Code, Sections 1030(a)(5)(A), (c)(4)(G)(i), a Class A			
10	misdemeanor.			
11	GOVERNOUS (10 M.G.C. 68 1020/ NS)(A) (NA)(G)(C) Intentional Demonstrate Protected			
12	COUNT EIGHT: (18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(G)(i) – Intentional Damage to a Protected Computer)			
13	16. Between December 6, 2010 and December 10, 2010, in the Northern District of			
14	California and elsewhere, the defendant,			
15	VINCENT KERSHAW,			
16	1			
17	Orbit Ion Cannon (LOIC) software program, and as a result of such conduct, intentionally caused			
18	damage without authorization to a protected computer, to wit, the PayPal web server, a computer used in			
19	interstate and foreign commerce and communication.			
20	All in violation of Title 18, United States Code, Sections 1030(a)(5)(A), (c)(4)(G)(i), a Class A			
21	misdemeanor.			
22				
23	COUNT NINE: (18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(G)(i) – Intentional Damage to a Protected Computer)			
24	17. Between December 6, 2010 and December 10, 2010, in the Northern District of			
25	California and elsewhere, the defendant,			
26	ETHAN MILES,			
27				
28	NO. CR 11-00471 DLJ SUPERSEDING INFORMATION			

did knowingly cause the transmission of a program, information, code or command, to wit, the Low Orbit Ion Cannon (LOIC) software program, and as a result of such conduct, intentionally caused damage without authorization to a protected computer, to wit, the PayPal web server, a computer used in interstate and foreign commerce and communication.

All in violation of Title 18, United States Code, Sections 1030(a)(5)(A), (c)(4)(G)(i), a Class A misdemeanor.

COUNT TEN: (18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(G)(i) – Intentional Damage to a Protected Computer)

18. Between December 6, 2010 and December 10, 2010, in the Northern District of California and elsewhere, the defendant,

JAMES MURPHY,

did knowingly cause the transmission of a program, information, code or command, to wit, the Low Orbit Ion Cannon (LOIC) software program, and as a result of such conduct, intentionally caused damage without authorization to a protected computer, to wit, the PayPal web server, a computer used in interstate and foreign commerce and communication.

All in violation of Title 18, United States Code, Sections 1030(a)(5)(A), (c)(4)(G)(i), a Class A misdemeanor.

COUNT ELEVEN: (18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(G)(i) – Intentional Damage to a Protected Computer)

19. Between December 6, 2010 and December 10, 2010, in the Northern District of California and elsewhere, the defendant,

DREW ALLAN PHILLIPS,

did knowingly cause the transmission of a program, information, code or command, to wit, the Low Orbit Ion Cannon (LOIC) software program, and as a result of such conduct, intentionally caused damage without authorization to a protected computer, to wit, the PayPal web server, a computer used in interstate and foreign commerce and communication.

All in violation of Title 18, United States Code, Sections 1030(a)(5)(A), (c)(4)(G)(i), a Class A

1	misdemeanor.			
2	COUNT TWELVE: (18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(G)(i) – Intentional Damage to a Protected Computer)			
4	20. Between December 6, 2010 and December 10, 2010, in the Northern District of			
5	California and elsewhere, the defendant,			
6	JEFFREY PUGLISI,			
7	did knowingly cause the transmission of a program, information, code or command, to wit, the Low			
8	Orbit Ion Cannon (LOIC) software program, and as a result of such conduct, intentionally caused			
9	damage without authorization to a protected computer, to wit, the PayPal web server, a computer used in			
	interstate and foreign commerce and communication.			
10	All in violation of Title 18, United States Code, Sections 1030(a)(5)(A), (c)(4)(G)(i), a Class A			
11 12	misdemeanor.			
13	COUNT THIRTEEN: (18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(G)(i) – Intentional Damage to a Protected Computer)			
14				
15	21. Between December 6, 2010 and December 10, 2010, in the Northern District of			
16	California and elsewhere, the defendant,			
17	DANIEL SULLIVAN,			
18	did knowingly cause the transmission of a program, information, code or command, to wit, the Low			
19	Orbit Ion Cannon (LOIC) software program, and as a result of such conduct, intentionally caused			
20	damage without authorization to a protected computer, to wit, the PayPal web server, a computer used in			
21	interstate and foreign commerce and communication.			
22	All in violation of Title 18, United States Code, Sections 1030(a)(5)(A), (c)(4)(G)(i), a Class A			
	misdemeanor.			
2324	COUNT FOURTEEN: (18 U.S.C. §§ 1030(a)(5)(B), (c)(4)(G)(i) – Reckless Damage to a Protected Computer)			
25	22. Between December 6, 2010 and December 10, 2010, in the Northern District of			
26	California and elsewhere, the defendant,			
27				
28	NO. CR 11-00471 DLJ SUPERSEDING INFORMATION			

TRACY ANN VALENZUELA,

knowingly and intentionally accessed a protected computer without authorization, to wit, Paypal's web server, and as a result of such conduct, recklessly caused damage to that computer.

All in violation of Title 18, United States Code, Sections 1030(a)(5)(B), (c)(4)(G)(i), a Class A misdemeanor.

COUNT FIFTEEN: (18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(G)(i) – Intentional Damage to a Protected Computer)

23. Between December 6, 2010 and December 10, 2010, in the Northern District of California and elsewhere, the defendant,

CHRISTOPHER VO,

did knowingly cause the transmission of a program, information, code or command, to wit, the Low Orbit Ion Cannon (LOIC) software program, and as a result of such conduct, intentionally caused damage without authorization to a protected computer, to wit, the PayPal web server, a computer used in interstate and foreign commerce and communication.

All in violation of Title 18, United States Code, Sections 1030(a)(5)(A), (c)(4)(G)(i), a Class A misdemeanor.

Dated: 12/3/13

MELINDA HAAG United States Attorney

MATTHEW A. PARRELLA Chief, CHIP Unit

DEFENDANT INFORMATION RELATIVE TO	A CRIMINAL ACTION - IN U.S. DISTRICT COURT
BY: COMPLAINT INFORMATION INDICTMENT	Name of District Court, and/or Judge/Magistrate Location
OFFENSE CHARGED SUPERSEDING	NORTHERN DISTRICT OF CALIFORNIA
	SAN JOSE DIVISION
Intentional Damage to a Protected Computer -	DEFENDANT - U.S
Reckless Damage to a Protected Computer - Mische	UEU 3 - 2013
18 U.S.C. 1030(a)(5)(B), (c)(4)(G)(i)	Christopher Cooper RICHARD W. WILLIAM
X Felon	DISTRICT COURT WASHINGT OF CAUSON
PENALTY: Count 1 -5 years imprisonment; \$250,000 fine, 3 years supervised release; \$100 mandatory special assessment	11-00471 DLJ
Counts 2-16 - 1 year imprisonment; \$100,000 fine; 1 year supervised release; \$25 mandatory assessment each count	
	DEFENDANT
PROCEEDING	IS NOT IN CUSTODY
Name of Complaintant Agency, or Person (& Title, if any)	Has not been arrested, pending outcome this proceeding. 1) ⊠ If not detained give date any prior
FBI Special Agent Melanie Adams	summons was served on above charges
person is awaiting trial in another Federal or State Court,	· 2)
give name of court	
	3) Is on Bail or Release from (show District)
this person/proceeding is transferred from another district	
per (circle one) FRCrp 20, 21, or 40. Show District	IS IN CUSTODY
	4) On this charge
this is a reprosecution of	
charges previously dismissed which were dismissed on motion	5) On another conviction Federal State
of: DOCKET NO.	6) Awaiting trial on other charges
U.S. ATTORNEY DEFENSE	If answer to (6) is "Yes", show name of institution
this prosecution relates to a	
pending case involving this same	Has detainer Yes If "Yes" give date
defendant MAGISTRATE CASE NO.	
prior proceedings or appearance(s)	DATE OF Month/Day/Year ARREST
before U.S. Magistrate regarding this defendant were recorded under	Or if Arresting Agency & Warrant were not
Name and Office of Person	DATE TRANSFERRED Month/Day/Year
Furnishing Information on this form MELINDA HAAG	TO U.S. CUSTODY
☑ U.S. Attorney ☐ Other U.S. Agency	•
Name of Assistant U.S. Attorney (if assigned) Matthew Parrella	This report amends AO 257 previously submitted
ADDITIONAL INF	ORMATION OR COMMENTS —
PROCESS:	
☐ SUMMONS ☑ NO PROCESS* ☐ WARRANT	Bail Amount:
If Summons, complete following: Arraignment Initial Appearance	* Where defendant previously apprehended on complaint, no new summons or
Defendant Address:	warrant needed, since Magistrate has scheduled arraignment
	Date/Time: Before Judge:
Comments:	

DEEMDANT INCODMATION DELATIVE TO	O A CRIMINAL ACTION - IN U.S. DISTRICT COURT
	A CRIMINAL ACTION - IN U.S. DISTRICT COURT
BY: COMPLAINT INFORMATION INDICTMENT	Name of Disact Sourt, and/or Judge/Magistrate Location
OFFENSE CHARGED X SUPERSEDIN	G NORTHERN DISTRICT OF CALIFORNIA
Conspiracy - 18 U.S.C. 1030(b), (c)(4)(A)(i)(l) Petty	SAN COLOR DIVISION
Intentional Damage to a Protected Computer - 18 U.S.C. 1030(a)(5)(A), (c)(4)(G)(i) Minor	DESENDANT - U
Reckless Damage to a Protected Computer - 18 U.S.C. 1030(a)(5)(B), (c)(4)(G)(i) Misde mean	or Nosbus Company DEC 3 = 2013
mean	JOSHUA DIOLOGO
Felon PENALTY: Count 1 -5 years imprisonment; \$250,000 fine, 3 years supervised	DISTRICT COURTS UMBERILLS, District Court
release; \$100 mandatory special assessment	11-00471 DLI Nerthern District of Califernia
Counts 2-16 - 1 year imprisonment; \$100,000 fine; 1 year supervised release; \$25 mandatory assessment each count	
	DEFENDANT
PROCEEDING	IS NOT IN CUSTODY
Name of Complaintant Agency, or Person (& Title, if any)	Has not been arrested, pending outcome this proceeding. 1) X If not detained give date any prior
FBI Special Agent Melanie Adams	summons was served on above charges
person is awaiting trial in another Federal or State Court,	2) s a Fugitive
give name of court	
	3) Is on Bail or Release from (show District)
this person/proceeding is transferred from another district	
per (circle one) FRCrp 20, 21, or 40. Show District	IS IN CUSTODY
	4) On this charge
this is a reprosecution of	The straige
charges previously dismissed which were dismissed on motion SHOW	5) On another conviction
of: DOCKET NO.	
U.S. ATTORNEY DEFENSE	If answer to (6) is "Yes", show name of institution
<u> </u>	
this prosecution relates to a pending case involving this same	Has detainer Yes If "Yes"
defendant MAGISTRATE	been filed? No Silve date filed
CASE NO. prior proceedings or appearance(s)	DATE OF Month/Day/Year
before U.S. Magistrate regarding this defendant were recorded under	ARREST 7
	Or if Arresting Agency & Warrant were not DATE TRANSFERRED Month/Day/Year
Name and Office of Person Furnishing Information on this form MELINDA HAAG	TO U.S. CUSTODY
☑ U.S. Attorney ☐ Other U.S. Agency	
Name of Assistant U.S.	This report amends AO 257 previously submitted
Attorney (if assigned) Matthew Parrella	
PROCESS: ADDITIONAL INF	FORMATION OR COMMENTS ————————————————————————————————————
SUMMONS NO PROCESS* WARRANT	Bail Amount:
If Summons, complete following:	* Where defendant previously apprehended on complaint, no new summons or
Arraignment Initial Appearance	warrant needed, since Magistrate has scheduled arraignment
Defendant Address:	But street
	Date/Time: Before Judge:
Comments:	$\wedge \mathcal{C}$

DEFENDANT INFORMATION RELATIVE	TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
Y: COMPLAINT INFORMATION INDICTME	NT Name of District Court, and/or Judge/Magistrate Location
OFFENSE CHARGED	DING PORTHERN DISTRICT OF CALIFORNIA
	etty Uru.
List and Daniel Report to a Duptostod Computor	linor NO CLERA PERENDANTIOS
Reckless Damage to a Protected Computer -	lisde-
18 U.S.C. 1030(a)(5)(B), (c)(4)(G)(i)	neanor Agent Towney G
10.01	elony DISTRICT COURT NOWBERU.S. District Court
DENALTY: Count 1-5 years imprisonment; \$250,000 fine, 3 years supen release; \$100 mandatory special assessment	vised 11-00471 DLJ Northern District of California San Jose
Counts 2-16 - 1 year imprisonment; \$100,000 fine; 1 year supervised release; \$25 mandatory assessment each count	
supervised release; \$25 mandatory assessment each count	DEFENDANT
	DEFENDANT ————
PROCEEDING —	IS NOT IN CUSTODY Has not been arrested, pending outcome this proceeding.
Name of Complaintant Agency, or Person (& Title, if any)	1) 🔀 If not detained give date any prior
FBI Special Agent Melanie Adams	summons was served on above charges
person is awaiting trial in another Federal or State Court	;, 2) 🔲 Is a Fugitive
☐ give name of court	
	3) Is on Bail or Release from (show District)
this person/proceeding is transferred from another distric	ct
per (circle one) FRCrp 20, 21, or 40. Show District	IS IN CUSTODY
<u> </u>	
	— 4) Don this charge
this is a reprosecution of charges previously dismissed	5) On another conviction
which were dismissed on motion SHOV	NO.
of: U.S. ATTORNEY DEFENSE	6) Awaiting trial on other charges
U.S. ATTORNET	If answer to (6) is "Yes", show name of institution
this prosecution relates to a	Yes If "Yes"
pending case involving this same defendant MAGISTR	heen filed?
CASE N	IO.
prior proceedings or appearance(s)	DATE OF Month/Day/Year ARREST
before U.S. Magistrate regarding this defendant were recorded under	Or if Arresting Agency & Warrant were not
Lawrence of Darroom	DATE TRANSFERRED Month/Day/Year
Name and Office of Person Furnishing Information on this form MELINDA HAAG	TO U.S. CUSTODY
🗵 U.S. Attorney 🔲 Other U.S. Age	ency
Name of Assistant U.S.	This report amends AO 257 previously submitted
Attorney (if assigned) Matthew Parrella	
PROCESS: ADDITIONAL	INFORMATION OR COMMENTS
	T Bail Amount:
SUMMONS NO PROCESS* WARRAN If Summons, complete following:	
☐ Arraignment ☐ Initial Appearance	* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment
Defendant Address:	พลเาสเน เกอชนอน, จแบบ เพลนูเจมสเซ เกลจ จบาเช่นน่อน สเาสเนูนเกเซาแ
	Date/Time: Before Judge:

DEFENDANT INFORMATION RELATIVE TO	A CRIMINAL ACTION - IN U.S. DISTRICT COURT
BY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTMENT	Name of District Court, and/or Judge/Magistrate Location
X SUPERSEDING	
OFFENSE CHARGED —	//c SAN OSE DIVISION
Conspiracy - 18 U.S.C. 1030(b), (c)(4)(A)(i)(l) Intentional Damage to a Protected Computer -	R/a 3 - 20
18 U.S.C. 1030(a)(5)(A), (c)(4)(G)(i) Minor Reckless Damage to a Protected Computer -	NONTHER KIND IN
18 U.S.C. 1030(a)(5)(B), (c)(4)(G)(i) Misdemeand	
▼ Felony	JOSE CALIFORNIA DESC
PENALTY: Count 1-5 years imprisonment; \$250,000 fine, 3 years supervised	DISTRICT COURT WANDER 3 = 2013
release; \$100 mandatory special assessment Counts 2-16 - 1 year imprisonment; \$100,000 fine; 1 year	11-00471 DLJ Richard W. Wieking
supervised release; \$25 mandatory assessment each count	Richard W. Wieking Clerk, U.S. District Court Normern District of California
	DEFENDANT
PROCEEDING	IS NOT IN CUSTODY Has not been arrested, pending outcome this proceeding.
Name of Complaintant Agency, or Person (& Title, if any)	1) X If not detained give date any prior
FBI Special Agent Melanie Adams	summons was served on above charges
person is awaiting trial in another Federal or State Court, give name of court	2) Is a Fugitive
	3) Is on Bail or Release from (show District)
this person/proceeding is transferred from another district	
per (circle one) FRCrp 20, 21, or 40. Show District	IS IN CUSTODY
	4) On this charge
this is a reprosecution of	
charges previously dismissed which were dismissed on motion SHOW	5) On another conviction
of: Ocket No.	6) Awaiting trial on other charges
U.S. ATTORNEY DEFENSE	If answer to (6) is "Yes", show name of institution
this prosecution relates to a	Yes I if "Yes"
pending case involving this same defendant MAGISTRATE	Has detainer Yes give date been filed? No
CASE NO.	DATE OF Month/Day/Year
prior proceedings or appearance(s) before U.S. Magistrate regarding this	ARREST
defendant were recorded under	Or if Arresting Agency & Warrant were not
Name and Office of Person	DATE TRANSFERRED Month/Day/Year
Furnishing Information on this form MELINDA HAAG	TO U.S. CUSTODY
☑ U.S. Attorney ☐ Other U.S. Agency	This report emends AC 257 proviously submitted
Name of Assistant U.S. Attorney (if assigned) Matthew Parrella	This report amends AO 257 previously submitted
PROCESS: ADDITIONAL INF	ORMATION OR COMMENTS
SUMMONS NO PROCESS* WARRANT	Bail Amount:
If Summons, complete following:	
Arraignment Initial Appearance	* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment
Defendant Address:	-
	Date/Time: Before Judge:
Comments:	15

AO 257 (Rev. 6/78) DEFENDANT INFORMATION RELATIVE TO	A CRIMINAL ACTION - IN U.S. DISTRICT COURT
BY: COMPLAINT X INFORMATION INDICTMENT	Name of District Court, and/or sugge/fragistrate Location
OFFENSE CHARGED SUPERSEDING	MONHERN DISTRIOT OF CAUFERING
Conspiracy - 18 U.S.C. 1030(b), (c)(4)(A)(i)(l) Intentional Damage to a Protected Computer - 18 U.S.C. 1030(a)(5)(A), (c)(4)(G)(i) Reckless Damage to a Protected Computer - 18 U.S.C. 1030(a)(5)(B), (c)(4)(G)(i) Minito Misde meand	OF SE STATES OF CALIFORNIA
PENALTY: Count 1 -5 years imprisonment; \$250,000 fine, 3 years supervised release; \$100 mandatory special assessment Counts 2-16 - 1 year imprisonment; \$100,000 fine; 1 year supervised release; \$25 mandatory assessment each count	DISTRICT COURT NUMBER
	DEFENDANT
PROCEEDING Name of Complaintant Agency, or Person (& Title, if any) FBI Special Agent Melanie Adams	IS NOT IN CUSTODY Has not been arrested, pending outcome this proceeding. 1) If not detained give date any prior summons was served on above charges
person is awaiting trial in another Federal or State Court,	2) S a Fugitive
this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District this is a reprosecution of charges previously dismissed which were dismissed on motion of: U.S. ATTORNEY DEFENSE	IS IN CUSTODY 4) On this charge 5) On another conviction 6) Awaiting trial on other charges If answer to (6) is "Yes", show name of institution
this prosecution relates to a pending case involving this same defendant prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under	Has detainer Yes If "Yes" give date filed DATE OF Month/Day/Year ARREST Or if Arresting Agency & Warrant were not
Name and Office of Person Furnishing Information on this form MELINDA HAAG	DATE TRANSFERRED Month/Day/Year TO U.S. CUSTODY
☑ U.S. Attorney ☐ Other U.S. Agency	
Name of Assistant U.S. Attorney (if assigned) Matthew Parrella	This report amends AO 257 previously submitted
	ORMATION OR COMMENTS
PROCESS: ☐ SUMMONS ☑ NO PROCESS* ☐ WARRANT	Bail Amount:
If Summons, complete following: Arraignment Initial Appearance Defendant Address:	* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment
	Date/Time: Before Judge:
Comments:	

DEFENDANT INFORMATION RELATIVE TO	A CRIMINAL ACTION - IN U.S. DISTRICT COURT
BY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTMENT	
SUPERSEDING	Name of District Court, and/or Judge/Magistrate Location NORTHERN DISTRICT OF CAUFORNIA
OFFENSE CHARGED - SOFERSEDING	SAN JOSE DIVISION
Conspiracy - 18 U.S.C. 1030(b), (c)(4)(A)(i)(l) Petty	UEU 3 2000
Intentional Damage to a Protected Computer - 18 U.S.C. 1030(a)(5)(A), (c)(4)(G)(i) Minor	C DEFENDANT - U.S - 2013
Reckless Damage to a Protected Computer - 18 U.S.C. 1030(a)(5)(B), (c)(4)(G)(i) Misdemean	PICHARD W. WIEKING OF VINCENT Kershaw NORTHERN DISTRICT COURT
▼ Felon	STRICT OF CAUGHT
PENALTY: Count 1-5 years imprisonment; \$250,000 fine, 3 years supervised	DISTRICT GOORT NOMBER
release; \$100 mandatory special assessment Counts 2-16 - 1 year imprisonment; \$100,000 fine; 1 year	11-00471 DLJ
supervised release; \$25 mandatory assessment each count	
	DEFENDANT
PROCEEDING —	IS NOT IN CUSTODY Has not been arrested, pending outcome this proceeding.
Name of Complaintant Agency, or Person (& Title, if any)	If not detained give date any prior summons was served on above charges
FBI Special Agent Melanie Adams	-
person is awaiting trial in another Federal or State Court, give name of court	2) Is a Fugitive
	3) Son Bail or Release from (show District)
this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District	
— per (direction) (No. p. 20, 21, or 40. Onon Biolist	IS IN CUSTODY
	4) On this charge
this is a reprosecution of charges previously dismissed	5) On another conviction
which were dismissed on motion SHOW	Federal State
or	6) Awaiting trial on other charges
U.S. ATTORNEY DEFENSE	If answer to (6) is "Yes", show name of institution
this prosecution relates to a	□ Ves 3 If "Yes"
pending case involving this same defendant MAGISTRATE	Has detainer Lifes give date
CASE NO.	DATE OF Month/Day/Year
prior proceedings or appearance(s) before U.S. Magistrate regarding this	ARREST
defendant were recorded under	Or if Arresting Agency & Warrant were not
Name and Office of Person	DATE TRANSFERRED Month/Day/Year
Furnishing Information on this form MELINDA HAAG	TO U.S. CUSTODY
☑ U.S. Attorney ☐ Other U.S. Agency	
Name of Assistant U.S. Attorney (if assigned) Matthew Parrella	This report amends AO 257 previously submitted
	FORMATION OR COMMENTS —
PROCESS:	Doll Amounts
☐ SUMMONS ☑ NO PROCESS* ☐ WARRANT	Bail Amount:
If Summons, complete following: Arraignment Initial Appearance	* Where defendant previously apprehended on complaint, no new summons or
Defendant Address:	warrant needed, since Magistrate has scheduled arraignment
	Date/Time: Before Judge:
	17
Comments:	/ \ /

DEFENDANT INCOMMATION DELATIVE T	O A ODIMINAL ACTION IN U.S. DISTRICT COURT
DEFENDANT INFORMATION RELATIVE TO	O A CRIMINAL ACTION - IN U.S. DISTRICT COURT
BY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTMENT	Name of District Court, and/or Judge/Magistrate Location
OFFENSE CHARGED SUPERSEDIN	NORTHERN DISTRICT OF CALIFORNIA
	SAN JOSE DIVERSION IN THE SAN JOSE DIVERSION
Intentional Damage to a Protected Computer -	
Reckless Damage to a Protected Computer -	DEI EIIDAITI G.G
18 U.S.C. 1030(a)(5)(B), (c)(4)(G)(i) Misde mear	non A Ethon Miles
∑ Felor	DISTRICT COURT NUMBER ERK, U.S. DISTRICT COURT NORTHERN DISTRICT COURT SAN JOSE Ethan Miles RICHARD W. WIEKING DISTRICT COURT SAN JOSE 11-00471 DLJ SAN JOSE
PENALTY: Count 1 -5 years imprisonment; \$250,000 fine, 3 years supervised release; \$100 mandatory special assessment	11-00471 DI J
Counts 2-16 - 1 year imprisonment; \$100,000 fine; 1 year	SAN JOSE CALIFORNIA
supervised release; \$25 mandatory assessment each count	
	DEFENDANT
PROCEEDING —	IS NOT IN CUSTODY Has not been arrested, pending outcome this proceeding.
Name of Complaintant Agency, or Person (& Title, if any)	1) 🗵 If not detained give date any prior
FBI Special Agent Melanie Adams	summons was served on above charges
person is awaiting trial in another Federal or State Court, give name of court	2) 🔲 Is a Fugitive
	3) Is on Bail or Release from (show District)
this was an /www.anading in transferred from another district	
this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District	
	IS IN CUSTODY
	4) On this charge
this is a reprosecution of charges previously dismissed	5) On another conviction
which were dismissed on motion SHOW	Federal State
OI	6) Awaiting trial on other charges
U.S. ATTORNEY DEFENSE	If answer to (6) is "Yes", show name of institution
this prosecution relates to a	Has detainer Yes 1 If "Yes"
pending case involving this same defendant MAGISTRATI	give date
CASE NO.	
prior proceedings or appearance(s) before U.S. Magistrate regarding this	DATE OF Month/Day/Year ARREST
defendant were recorded under	Or if Arresting Agency & Warrant were not
Name and Office of Person Furnishing Information on this form MELINDA HAAG	DATE TRANSFERRED Month/Day/Year TO U.S. CUSTODY
	
☑ U.S. Attorney ☐ Other U.S. Agency	
Name of Assistant U.S. Attorney (if assigned) Matthew Parrella	This report amends AO 257 previously submitted
PROCESS: ADDITIONAL INF	FORMATION OR COMMENTS ————————————————————————————————————
	Bail Amount:
SUMMONS NO PROCESS* WARRANT If Summons, complete following:	Built arround
Arraignment Initial Appearance	* Where defendant previously apprehended on complaint, no new summons or
Defendant Address:	warrant needed, since Magistrate has scheduled arraignment
	Date/Time: Before Judge:
Commonto:	/\ \

DEFENDANT INFORMATION RFI ATIVE	TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
BY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTME	Name of Pistrict Court, and of Gago Magicinate Econtion
OFFENSE CHARGED SUPERSE	
Conspiracy - 18 U.S.C. 1030(b), (c)(4)(A)(i)(l)	etty SAN JOSE DIVISIO
Intentional Damage to a Protected Computer - 18 U.S.C. 1030(a)(5)(A), (c)(4)(G)(i)	finor C DEFENDANT - U.S
Reckless Damage to a Protected Computer -	fisde-
18 U.S.C. 1030(a)(5)(B), (c)(4)(G)(i)	
	Telony vised DISTRICT COURT NUMBER SAN JOSE CALIFORNIA
PENALTY: Count 1-5 years imprisonment; \$250,000 fine, 3 years supervielease; \$100 mandatory special assessment	ised 11-00471 DLJ SAN JOSE CALIFORNIA
Counts 2-16 - 1 year imprisonment; \$100,000 fine; 1 year supervised release; \$25 mandatory assessment each count	
supervised release; \$25 mandatory assessment each count	
	DEFENDANT
PROCEEDING —	IS NOT IN CUSTODY Has not been arrested, pending outcome this proceeding.
Name of Complaintant Agency, or Person (& Title, if any)	1) 🔀 If not detained give date any prior
FBI Special Agent Melanie Adams	summons was served on above charges
person is awaiting trial in another Federal or State Court	2) 🔲 Is a Fugitive
└── give name of court	
	3) Is on Bail or Release from (show District)
this person/proceeding is transferred from another district.	ct
per (circle one) FRCrp 20, 21, or 40. Show District	
	IS IN CUSTODY
At it is a recommendation of	4) On this charge
this is a reprosecution of charges previously dismissed	5) On another conviction
which were dismissed on motion SHOW Of DOCKET	
Oi. 	6) Awaiting trial on other charges
U.S. ATTORNEY DEFENSE	If answer to (6) is "Yes", show name of institution
this prosecution relates to a	
pending case involving this same	Has detainer Lines are dive date
defendant MAGISTR CASE N	
prior proceedings or appearance(s)	DATE OF Month/Day/Year ARREST
before U.S. Magistrate regarding this defendant were recorded under	
	Or if Arresting Agency & Warrant were not
Name and Office of Person Furnishing Information on this form MELINDA HAAG	DATE TRANSFERRED Month/Day/Year TO U.S. CUSTODY
✓ U.S. Attorney ☐ Other U.S. Age	
	This report amends AO 257 previously submitted
Name of Assistant U.S. Attorney (if assigned) Matthew Parrella	It is report amends AO 257 previously submitted
	INFORMATION OR COMMENTS -
PROCESS:	
SUMMONS NO PROCESS* WARRANT	Fail Amount:
If Summons, complete following:	* Where defendant previously apprehended on complaint, no new summons or
Arraignment Initial Appearance	warrant needed, since Magistrate has scheduled arraignment
Defendant Address:	
	Date/Time: Before Judge:
Comments	$\wedge 9$

DEFENDANT INFORMATION RELATIVE TO	A CRIMINAL ACTION - IN U.S. DISTRICT COURT
BY: COMPLAINT INFORMATION INDICTMENT	Name of District Court, and/or Judge/Magistrate Location
OFFENSE CHARGED SUPERSEDING	NORTHERN DISTRICT OF CALIFORNIA
	SAN JOSE DIVISION
Intentional Damage to a Protected Computer -	DESCRIBANT H.S.
Pocklass Damage to a Protected Computer -	DEFENDANT - U.S
18 U.S.C. 1030(a)(5)(B), (c)(4)(G)(i) Misdemeano	1 1 -
ズ Felony	DISTRICT COURT NUMBER
PENALTY: Count 1 -5 years imprisonment; \$250,000 fine, 3 years supervised release; \$100 mandatory special assessment	DISTRICT COURT NUMBER HARD W. WIEKING 11-00471 DLJ NORTHERN DISTRICT COURT SAN JOSE
Counts 2-16 - 1 year imprisonment; \$100,000 fine; 1 year supervised release; \$25 mandatory assessment each count	SAN JOSE CALIFORNIA
supervised release; \$25 mandatory assessment each count	DEFENDANT
PROCEEDING	IS NOT IN CUSTODY
Name of Complaintant Agency, or Person (& Title, if any)	Has not been arrested, pending outcome this proceeding.
	1) X If not detained give date any prior summons was served on above charges
FBI Special Agent Melanie Adams	2) 🗔 le e Eugitive
person is awaiting trial in another Federal or State Court, give name of court	2) Is a Fugitive
	3) Is on Bail or Release from (show District)
district	
this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District	IS NO CUSTORY
	IS IN CUSTODY
di i	4) On this charge
this is a reprosecution of charges previously dismissed	5) On another conviction
which were dismissed on motion of:	,
U.S. ATTORNEY DEFENSE	6) Awaiting trial on other charges If answer to (6) is "Yes", show name of institution
	If answer to (b) is Tes , show harne of institution
this prosecution relates to a	Has detainer Yes If "Yes" give date
pending case involving this same defendant MAGISTRATE	
prior proceedings or appearance(s)	DATE OF Month/Day/Year
before U.S. Magistrate regarding this	ARREST 7
defendant were recorded under	Or if Arresting Agency & Warrant were not
Name and Office of Person Furnishing Information on this form MELINDA HAAG	DATE TRANSFERRED Month/Day/Year TO U.S. CUSTODY
□ U.S. Attorney □ Other U.S. Agency	
Name of Assistant U.S.	This report amends AO 257 previously submitted
Attorney (if assigned) Matthew Parrella	
PROCESS: ADDITIONAL INF	ORMATION OR COMMENTS
SUMMONS NO PROCESS* WARRANT	Bail Amount:
If Summons, complete following:	
Arraignment Initial Appearance	* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment
Defendant Address:	
	Date/Time: Before Judge:
Comments:	$\triangle 10$

DEFENDANT INFORMATION RELATIVE TO	A CRIMINAL ACTION - IN U.S. DISTRICT COURT
BY: COMPLAINT INFORMATION INDICTMENT	Name of District Court, and/or Judge/Magistrate Location
X SUPERSEDING	, , , , , , , , , , , , , , , , , , , ,
OFFENSE CHARGED	SAN JOSE DIVISION
Conspiracy - 18 U.S.C. 1030(b), (c)(4)(A)(i)(l) Intentional Damage to a Protected Computer -	
18 U.S.C. 1030(a)(5)(A), (c)(4)(G)(i)	DEFENDANT - U.S
18 U.S.C. 1030(a)(5)(B), (c)(4)(G)(i) Misdemeano	
★ Felony	DISTRICT COURT NUMBER 3 - 2013
PENALTY: Count 1 -5 years imprisonment; \$250,000 fine, 3 years supervised	
release; \$100 mandatory special assessment Counts 2-16 - 1 year imprisonment; \$100,000 fine; 1 year	W. WIEKING
supervised release; \$25 mandatory assessment each count	SAN JOSE
	DEFENDANT
PROCEEDING	IS NOT IN CUSTODY Has not been arrested, pending outcome this proceeding.
Name of Complaintant Agency, or Person (& Title, if any)	1) X If not detained give date any prior summons was served on above charges
FBI Special Agent Melanie Adams	Summons was served on above charges
person is awaiting trial in another Federal or State Court, give name of court	2) Is a Fugitive
in give name of court	3) Son Bail or Release from (show District)
this person/proceeding is transferred from another district	
☐ per (circle one) FRCrp 20, 21, or 40. Show District	IS IN CUSTODY
	4) On this charge
this is a reprosecution of charges previously dismissed	5) On another conviction
which were dismissed on motion SHOW DOCKET NO.	Federal State
or	6) Awaiting trial on other charges
U.S. ATTORNEY DEFENSE	If answer to (6) is "Yes", show name of institution
this prosecution relates to a	Has detainer Yes 1 If "Yes"
pending case involving this same defendant MAGISTRATE	Has detainer Ligited give date
defendant MAGISTRATE CASE NO.	nied
prior proceedings or appearance(s) before U.S. Magistrate regarding this	DATE OF Month/Day/Year ARREST
defendant were recorded under	Or if Arresting Agency & Warrant were not
Name and Office of Person	DATE TRANSFERRED Month/Day/Year
Furnishing Information on this form MELINDA HAAG	TO U.S. CUSTODY 7
U.S. Attorney Other U.S. Agency	
Name of Assistant U.S. Attorney (if assigned) Matthew Parrella	This report amends AO 257 previously submitted
Attorney (if decigned)	ORMATION OR COMMENTS
PROCESS:	
SUMMONS NO PROCESS* WARRANT	Bail Amount:
If Summons, complete following:	* Where defendant previously apprehended on complaint, no new summons or
Arraignment Initial Appearance	warrant needed, since Magistrate has scheduled arraignment
Defendant Address:	Poto/Timo: Potore ludge:
	Date/Time: Before Judge:
Comments:	/\11

DECENDANT INCOPMATION DELATIVE TO	A CRIMINAL ACTION - IN U.S. DISTRICT COURT
	A OKIMINAL ACTION - IN C.S. DICTRICT COCKT
BY: COMPLAINT INFORMATION INDICTMENT	Name of District Court, and/or Judge/Magistrate Location
OFFENSE CHARGED SUPERSEDING	¬
Conspiracy - 18 U.S.C. 1030(b), (c)(4)(A)(i)(l)	SAN JOSE DIVISION
Intentional Damage to a Protected Computer- 18 U.S.C. 1030(a)(5)(A), (c)(4)(G)(i) Reckless Damage to a Protected Computer- 18 U.S.C. 1030(a)(5)(B), (c)(4)(G)(i) Misdemeanor	
PENALTY: Count 1-5 years imprisonment; \$250,000 fine, 3 years supervised release; \$100 mandatory special assessment Counts 2-16 - 1 year imprisonment; \$100,000 fine; 1 year supervised release; \$25 mandatory assessment each count	DISTRICT COURT NUMBER HICHARD W. WIEKING 11-00471 DLI NORTHERN DISTRICT COURT SAN JOSE DEFENDANT
PROCEEDING	
PROCEEDING Name of Complaintant Agency, or Person (& Title, if any) FBI Special Agent Melanie Adams person is awaiting trial in another Federal or State Court, give name of court	IS NOT IN CUSTODY Has not been arrested, pending outcome this proceeding. 1) If not detained give date any prior summons was served on above charges 2) Is a Fugitive
this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District	3) Son Bail or Release from (show District) IS IN CUSTODY
this is a reprosecution of charges previously dismissed which were dismissed on motion of: U.S. ATTORNEY DEFENSE This prosecution relates to a	4) ☐ On this charge 5) ☐ On another conviction
pending case involving this same defendant prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under MAGISTRATE CASE NO.	Has detainer Yes If "Yes" give date filed DATE OF Month/Day/Year ARREST Or if Arresting Agency & Warrant were not
Name and Office of Person	DATE TRANSFERRED Month/Day/Year
Furnishing Information on this form MELINDA HAAG	TO U.S. CUSTODY
☑ U.S. Attorney ☐ Other U.S. Agency	
Name of Assistant U.S. Attorney (if assigned) Matthew Parrella	This report amends AO 257 previously submitted
PROCESS: ADDITIONAL INFO	ORMATION OR COMMENTS
SUMMONS NO PROCESS* WARRANT	Bail Amount:
If Summons, complete following:	
☐ Arraignment ☐ Initial Appearance Defendant Address:	* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment
20.0.02.00.000	Date/Time: Before Judge:
Comments:	Δ12

AO 257 (Nev. 070)	
DEFENDANT INFORMATION RELATIVE TO	A CRIMINAL ACTION - IN U.S. DISTRICT COURT
BY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTMENT	Name of District Court, and/or Judge/Magistrate Location
OFFENSE CHARGED SUPERSEDING	NORTHERN DISTRICATE CALIFORNIA
Conspiracy - 18 U.S.C. 1030(b), (c)(4)(A)(i)(l)	SAN JOSE DIVISION
Intentional Damage to a Protected Computer -	C DEFENDANT - U.S
Reckless Damage to a Protected Computer - Misde-	J - 2012
18 U.S.C. 1030(a)(5)(B), (c)(4)(G)(i)	Tracy Ann Valenzuela RICHARD W. WIEW.
▼ Felony	Tracy Ann Valenzuela RICHARD W. WIEKING NORTHERN U.S. DISTRICT COURT DISTRICT COURT NUMBER SAN JOSE 11 00 171 DL
PENALTY: Count 1-5 years imprisonment; \$250,000 fine, 3 years supervised release; \$100 mandatory special assessment	11-00471 DLJ
Counts 2-16 - 1 year imprisonment; \$100,000 fine; 1 year supervised release; \$25 mandatory assessment each count	
Supervised release, 325 mandatory assessment each count	DECEMBANT
	DEFENDANT
PROCEEDING	IS NOT IN CUSTODY Has not been arrested, pending outcome this proceeding.
Name of Complaintant Agency, or Person (& Title, if any)	1) X If not detained give date any prior summons was served on above charges
FBI Special Agent Melanie Adams	Summons was served on above energes
person is awaiting trial in another Federal or State Court, give name of court	2) Is a Fugitive
give hame or court	3) Is on Bail or Release from (show District)
this person/proceeding is transferred from another district	
per (circle one) FRCrp 20, 21, or 40. Show District	IS IN CUSTODY
	4) On this charge
this is a reprosecution of	
charges previously dismissed which were dismissed on motion	5) On another conviction Federal State
of: DOCKET NO.	6) Awaiting trial on other charges
U.S. ATTORNEY DEFENSE	If answer to (6) is "Yes", show name of institution
this prosecution relates to a	ACINA II
pending case involving this same	Has detainer Yes If "Yes" give date
defendant MAGISTRATE CASE NO.	
prior proceedings or appearance(s)	DATE OF Month/Day/Year ARREST
before U.S. Magistrate regarding this defendant were recorded under	Or if Arresting Agency & Warrant were not
Name and Office of Person	DATE TRANSFERRED Month/Day/Year
Furnishing Information on this form MELINDA HAAG	TO U.S. CUSTODY
☑ U.S. Attorney ☐ Other U.S. Agency	
Name of Assistant U.S.	This report amends AO 257 previously submitted
Attorney (if assigned) Matthew Parrella	ODMATION OF COMMENTS
PROCESS:	ORMATION OR COMMENTS
SUMMONS NO PROCESS* WARRANT	Bail Amount:
If Summons, complete following:	* Where defendant previously apprehended on complaint, no new summons or
Arraignment Initial Appearance	warrant needed, since Magistrate has scheduled arraignment
Defendant Address:	
· .	Date/Time: Before Judge:
Comments:	\l3

DEFENDANT INFORMATION RELATIVE TO	O A CRIMINAL ACTION - IN U.S. DISTRICT COURT
BY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTMENT	Name of District Court, and/or Judge/Magistrate Location
X SUPERSEDIN	
OFFENSE CHARGED	SAN JOSE DE SAN JO
Conspiracy - 18 U.S.C. 1030(b), (c)(4)(A)(i)(l) Intentional Damage to a Protected Computer -	FILEN
18 U.S.C. 1030(a)(5)(A), (c)(4)(G)(i) Reckless Damage to a Protected Computer -	DEFENDANT - U.S
18 U.S.C. 1030(a)(5)(B), (c)(4)(G)(i) Misdemean	or Christophor Vo
	DISTRICT COURT NUMBERK, U.S. DISTRICT COURT 11-00471 DLJ RICHARD W. WIEKING 11-00471 DLJ SAN JOSE RICHARD W. WIEKING 11-00471 DLJ SAN JOSE RICHARD W. WIEKING 11-00471 DLJ SAN JOSE
PENALTY: Count 1 -5 years imprisonment; \$250,000 fine, 3 years supervised release; \$100 mandatory special assessment	11-00471 DLI
Counts 2-16 - 1 year imprisonment; \$100,000 fine; 1 year	SAN JOSE CALIFORNIA
supervised release; \$25 mandatory assessment each count	
	DEFENDANT
PROCEEDING —	IS NOT IN CUSTODY Has not been arrested, pending outcome this proceeding.
Name of Complaintant Agency, or Person (& Title, if any)	1) X If not detained give date any prior
FBI Special Agent Melanie Adams	summons was served on above charges
person is awaiting trial in another Federal or State Court,	2) Is a Fugitive
give name of court	3) Is on Bail or Release from (show District)
	3) [15 of Ball of Release from (show 2.5thot)
this person/proceeding is transferred from another district	
per (circle one) FRCrp 20, 21, or 40. Show District	IS IN CUSTODY
	4) On this charge
this is a reprosecution of	
charges previously dismissed SHOW which were dismissed on motion	5) On another conviction
of: DOCKET NO	. 6) Awaiting trial on other charges
U.S. ATTORNEY DEFENSE	If answer to (6) is "Yes", show name of institution
<u>.</u>	
this prosecution relates to a	Has detainer Yes } If "Yes" give date
defendant MAGISTRATI	
prior proceedings or appearance(s)	DATE OF Month/Day/Year
before U.S. Magistrate regarding this	ARREST 7
defendant were recorded under	Or if Arresting Agency & Warrant were not
Name and Office of Person Furnishing Information on this form MELINDA HAAG	DATE TRANSFERRED Month/Day/Year TO U.S. CUSTODY
□ U.S. Attorney □ Other U.S. Agency	
Name of Assistant U.S.	This report amends AO 257 previously submitted
Attorney (if assigned) Matthew Parrella	
ADDITIONAL INI	FORMATION OR COMMENTS —
PROCESS: ☐ SUMMONS ☐ NO PROCESS* ☐ WARRANT	Bail Amount:
SUMMONS NO PROCESS* WARRANT If Summons, complete following:	Daily arround.
Arraignment Initial Appearance	* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment
Defendant Address:	Mariant Hoodes, entre imaginate mas seriodated analyminest
	Date/Time: Before Judge:
Comments:	