

CR 05 00734 JW RS

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

FILED
NOV 16 2005
RICHARD W. WILSON
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

THE UNITED STATES OF AMERICA

vs.

**MOISES NUNEZ,
STEPHEN BROWN,
DESTON EVANS,
OSCAR MARTINEZ,
PAUL ALEMAN.**

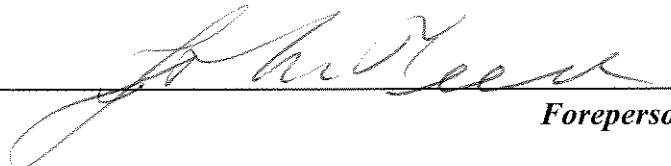
INDICTMENT

Count One: 18 U.S.C. § 371 - Conspiracy to Commit Criminal Copyright Infringement, Infringement By Electronic Means, Infringement By Distributing A Commercial Distribution Work, and Use Audiovisual Recording Devices to Make Unauthorized Copies Of Audiovisual Works;

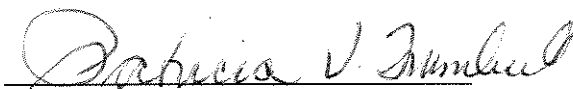
Counts Two Through Six: 17 U.S.C. § 506(a)(1)(B), 18 U.S.C. §§ 2319(c)(1) and 2 - Criminal Copyright Infringement By Electronic Means, and Aiding and Abetting.

FORFEITURE ALLEGATIONS: 17 U.S.C. §§ 506(b) and 509(a) - Criminal Forfeiture and Destruction.

A true bill.


Foreperson

Filed in open court this 16 day of November
A.D. 2005


United States Magistrate Judge

Bail. \$ Summons 12/15/05 before RS

9:30

1 KEVIN V. RYAN (CASBN 118321)
United States Attorney

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
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RICHARD W. WIERWILLE
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

11

CR 05 00734 JW

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 MOISES NUNEZ,
aka cartel, aka marvel, aka OTR,
16 STEPHEN BROWN,
aka blahz, aka sab,
17 DESTON EVANS,
aka hammer, aka 778889,
18 OSCAR MARTINEZ,
aka janeiro, aka xraided, aka sailorboy,
19 PAUL ALEMAN
aka panic, aka HEMi, aka panic_1,

20 Defendants.

21

No. CR
VIOLATIONS: 18 U.S.C. § 371 -
Conspiracy to Commit Criminal Copyright
Infringement, Infringement By Electronic
Means, Infringement By Distributing A
Commercial Distribution Work, and Use
Audiovisual Recording Devices to Make
Unauthorized Copies Of Audiovisual
Works; 17 U.S.C. § 506(a)(1)(B), 18 U.S.C.
§ 2319(c)(1) – Criminal Copyright
Infringement By Electronic Means; 17
U.S.C. § 506(a)(1)(C), 18 U.S.C. §
2319(d)(2) – Criminal Copyright
Infringement By Distributing a Copyrighted
Work on a Computer Network; 18 U.S.C. §
2319B(a)(1) - Unauthorized Recording of
Motion Pictures in a Motion Picture
Exhibition Facility; 18 U.S.C. § 2 - Aiding
and Abetting; 17 U.S.C. §§ 506(b) and
509(a) - Criminal Forfeiture and Destruction

RS

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SAN JOSE VENUE

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INDICTMENT

25 The Grand Jury charges:

26 A. INTRODUCTION

27 At all times relevant to this Indictment:

28 1. Defendants conspired and were engaged in the unauthorized duplication and

1 reproduction of copyrighted movies, games, music, and software in violation of federal copyright
2 laws. The defendants participated in a “warez conspiracy” – that is, individuals and organized
3 groups of individuals who engaged in the duplication, modification, reproduction, and
4 distribution of copyrighted software over the Internet, in violation of federal law.

5 “Warez” Sites: “LAD” and “CHUD”

6 2. Defendants communicated about and transferred pirated movies, games, music,
7 and software almost exclusively over the Internet, including at certain “warez” sites, consisting of
8 one or more computers connected to the Internet for the purpose of receiving, storing, and
9 distributing pirated software. The first warez site, originally known as HOT and later named
10 LAD, eventually became an archive site, holding older pirated movies, games, and software. The
11 second warez site, called CHUD, had more storage and was significantly faster than the LAD
12 warez site.

13 Additional Servers: “SNOWCAVE,” “VS” and “VS2”

14 3. Warez members provided equipment to enhance the warez sites and to store
15 pirated movies, games and software. Some of the equipment included hard drives, computer
16 parts, and computer servers. Three of the servers, among others, were known as
17 “SNOWCAVE,” and “VS” (aka Victoria Secret), and “VS2.” The combined servers, CHUD,
18 LAD, VS, VS2 and SNOWCAVE, expanded to include approximately 27 terabytes of pirated
19 movies, games, and software.

20 Defendants

21 4. Defendant MOISES NUNEZ, aka cartel, aka marvel, aka OTR, served as a “leech
22 user” on the warez server VS, and had “leech access” on the warez server CHUD.

23 5. Defendant STEPHEN BROWN, aka blahz, aka sab, served as a leech user of the
24 warez server CHUD, and had ratio access to the warez VS server.

25 6. Defendant DESTON EVANS, aka hammer, served as a ratio access user on the
26 warez server CHUD, had leech access on the warez server CHUD, had ratio access to the warez
27 servers LAD and SNOWCAVE, and also served as equipment supplier and broker for the warez
28 sites.

1 7. Defendant OSCAR MARTINEZ, aka janeiro, aka xraided, aka sailorboy, served
2 as a leech user on the warez servers CHUD and SNOWCAVE, and also provided funding to site
3 operators or administrators for access and server upgrades.

4 8. Defendant PAUL ALEMAN aka panic, aka HEMi, aka panic_1, served as a leech
5 user on the warez servers CHUD and VS, and also provided funding to site operators or
6 administrators for access and server upgrades.

7 Copyrighted Movies, Games and Software

8 9. During the warez conspiracy, more than 750 pirated movie titles were uploaded to
9 the CHUD and LAD sites; more than 1,250 copyrighted games were uploaded to the CHUD and
10 LAD sites; and more than 180 copyrighted software applications were uploaded to the CHUD
11 and LAD sites.

12 COUNT ONE: (18 U.S.C. § 371 - Conspiracy to Commit Criminal Copyright
13 Infringement, Infringement By Electronic Means, Infringement By
14 Distributing A Commercial Distribution Work, and Use Audiovisual
15 Recording Devices to Make Unauthorized Copies Of Audiovisual Works)

16 10. The allegations in paragraphs one through nine are re-alleged and incorporated
17 herein as if set forth in full.

18 11. Beginning at a time unknown, but not later than in or about June 2003, and
19 continuing thereafter up to and including the date of the Indictment, in the Northern District of
20 California, and elsewhere, the defendant,

21 MOISES NUNEZ,
22 aka cartel,
23 aka marvel,
24 aka otr,
25 STEPHEN BROWN,
26 aka blahz,
27 aka sab,
28 DESTON EVANS,
 aka hammer,
 aka 778889,
 OSCAR MARTINEZ,
 aka janeiro,
 aka xraided,
 aka sailorboy,
 PAUL ALEMAN,
 aka panic,
 aka HEMi,
 aka panic_1,

1 and others known and unknown to the Grand Jury, did knowingly agree, combine and conspire to
2 commit offenses against the United States, that is:

- 3 A. Criminal copyright infringement of a copyright by reproducing and distributing at
4 least ten infringing copies of one or more copyrighted works, with a total retail
5 value of more than \$2,500, during a 180-day period, for purposes of private
6 financial gain, in violation of Title 17, United States Code, Section 506(a)(1)(A),
7 and Title 18, United States Code, Section 2319(b);
- 8 B. Criminal copyright infringement of a copyright by reproducing and distributing,
9 including by electronic means, at least ten infringing copies of one or more
10 copyrighted works, with a total retail value of more than \$2,500, during a 180-day
11 period, in violation of Title 17, United States Code, Section 506(a)(1)(B), and
12 Title 18, United States Code, Section 2319(c);
- 13 C. Criminal copyright infringement of a copyright by the distribution of a work being
14 prepared for commercial distribution, by making it available on a computer
15 network accessible to members of the public, if such person knew or should have
16 known that the work was intended for commercial distribution, in violation of
17 Title 17, United States Code, Section 506(a)(1)(C), and Title 18, United States
18 Code, Section 2319(d);
- 19 D. Using, or attempting to use, an audiovisual recording device to transmit or make
20 an unauthorized copy of a motion picture and other audiovisual work protected
21 under Title 17, or any part thereof, from a performance of such work in a motion
22 picture exhibition facility, in violation of Title 18, United States Code, Section
23 2319B.

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II. WAYS AND MEANS OF THE CONSPIRACY

In furtherance of the conspiracy, defendants and others known and unknown to the Grand
Jury employed among others, the following ways and means:

Copyright Infringement

12. It was a part of the conspiracy that the conspirators obtained unauthorized copies
of copyrighted works, including movies, games, and software; did not own the copyrighted
works uploaded and downloaded on the warez sites; and did not have license, permission or other
authority from the owners of those copyrighted works to reproduce and distribute them or to
make them available for downloading from the warez sites.

Distinct Warez Conspiracy Roles

13. It was further a part of the conspiracy that the “warez conspiracy” consisted of a
highly structured, hierarchal organizations of individuals organized for the purpose of duplicating
and reproducing copyrighted movies, games, and software in violation of federal copyright law.

1 The conspirators fulfilled distinct roles and contributions to promote the success of the warez
2 conspiracy. While some members held multiple roles, other members were responsible for one
3 role each. Some of the distinct roles included, but were not limited to, the following:

4 a. "Founders" or "Leaders" originally formed the warez group and looked for
5 additional members who could provide something of value to the warez group. Warez leaders
6 operated and controlled the sites and established terms of membership and conditions governing
7 and restricting access.

8 b. "Site Operators" (SiteOps) served as site managers responsible for
9 maintaining, administering and supporting the warez site and controlling the daily operations of
10 the site and server. The SiteOp typically granted access to the server for warez individuals and
11 groups, supported the servers by purchasing, installing, and setting up hardware and site scripts,
12 and held root access to the warez site.

13 c. "Scripters" created, programmed, and helped build the warez site.

14 d. "Suppliers" provided an unauthorized copyrighted movie, game or
15 software.

16 e. "Cammers" used an audiovisual recording device (such as a camcorder) to
17 make an unauthorized copy of a motion picture or other audiovisual work that is protected by the
18 copyright laws.

19 f. "Equipment Suppliers" provided hardware (such as hard drives, computer
20 parts, and computer servers) to the warez site.

21 g. "Brokers" found groups to participate on the warez site.

22 h. "Couriers" charged with gathering computer software programs, games,
23 and movies and uploading them to the warez site.

24 i. "Encoders" (sometimes referred to as "rippers" and "crackers") were
25 responsible for circumventing the technological measures and protections of copyrighted works
26 on the DVDs to prevent unauthorized access and copying.

27 j. "Leeches" included warez members who were permitted site access based
28 on friendship, not group affiliation.

1 k. "Ratio" included a warez member who was required to fulfill a contribution
2 requirement in order to download copyright works; e.g., the most common ratio is one upload to
3 three downloads, permitting the warez member to download pirated material under a one to three
4 ratio.

5 l. "Affil" included a warez group that agreed to provide its first release of
6 movies, games, or software to a particular top warez site.

7 Obtaining and Encoding Copyrighted Works For Distribution

8 14. It was further part of the conspiracy that a "supplier" would provide a copyrighted
9 work which would ultimately be encoded and uploaded to the site controlled by the warez release
10 group. "Suppliers" included company and industry insiders who provided final versions of a new
11 product before its release to the public. Another supply source included unauthorized copies of a
12 motion picture or other audiovisual work made through the use of audiovisual recording devices
13 (such as camcorders).

14 15. It was further part of the conspiracy that once the new supply was posted to the
15 "drop" or "drop site," another individual, known as an "encoder," retrieved the copyrighted
16 material and removed its copyright protection controls (including technological measures
17 designed to protect the copyrighted works), and other security and identification controls
18 (including serial numbers, tags, duplication controls, and security locks). Once successfully
19 cracked, the copyrighted material was posted to the "drop" site, where it was distributed to others
20 from the warez site. A user with privileged access to the warez site, copied and duplicated (by
21 downloading) pirated material for personal or other uses.

22 Security Features

23 16. It was further part of the conspiracy that the warez sites were protected by a
24 variety of sophisticated security mechanisms to ensure that only authorized users could gain
25 access to the movies, games, and software titles stored on the warez sites. Authorization and
26 authentication of users occurred using a combination of screen name verification, password
27 authentication, port variation (usually non-standard port numbers), and IP address verification.
28 To be permitted access to either the CHUD or LAD sites, a warez member had to be invited to

1 the site. For example, the warez sites were only accessible to authorized users entering the site(s)
2 through known Internet Protocol (IP) addresses with pre-established IDs, log-in names, and
3 passwords. The warez site operators carefully limited the usage of its sites, which were not
4 available to the general public. No two users held the same FTP username. Only IP addresses
5 that the SiteOp included were able to access the system.

6 17. It was further part of the conspiracy that defendants would and did conceal the
7 nature and purposes of the conspiracy and the acts done in furtherance of it, in part by using, in
8 most of their communications, screen names instead of their true names.

9 Communication Channels

10 18. It was further part of the conspiracy that some warez members communicated
11 about the warez conspiracy's illegal activities with other warez members through the use of "real
12 time" software applications. These methods of communication included, and were not limited
13 to, Instant Messenger ("IM") and password-only Internet relay chat ("IRC"). Individuals using
14 the IRC channels were permitted access by invitation only. The following network channels
15 were created by the users of CHUD and LAD and used a secure socket layer (SSL)
16 communication (a protocol for securely transmitting documents via the Internet) which would
17 encrypt communications across all of the IRC channels. The IRC channels were referred to as:
18 #chud, #chudincorporated, #donottell, #?vs, #!vs, #laddy, #!__--!!!, #snowcave, #whoresrus,
19 and #itv.

20 19. It was further part of the conspiracy that some of the warez conspirators
21 communicated through various e-mail accounts, including but not limited to Google, Yahoo, and
22 Hotmail accounts, all located and accessed in the Northern District of California.

23 20. It was further part of the conspiracy that some of the warez conspirators
24 communicated through the use of the telephone, private carriers and the mails.

25 Private Financial Compensation

26 21. It was further a part of the conspiracy that some warez members received credits
27 for every upload, allowing them to download from the warez site based on the size of the upload.
28 For example, individuals used a credit ratio of one upload amount equal to three downloads (i.e.

1 one gigabyte/three gigabytes) as a means of private financial gain. In other words, an individual
2 who uploaded one movie could download three movies.

3 22. It was further a part of the conspiracy that some individuals were paid money for
4 supplying movies, games, or software, including pre-releases that were not available to the
5 public.

6 23. It was further a part of the conspiracy that some warez members provided
7 financial compensation to some individuals for pirated movies, games and software through
8 PayPal, located in the Northern District of California.

9 Circumvention Tools And Products

10 24. It was further part of the conspiracy that some warez members trafficked in
11 technologies, products, services, and devices which were primarily designed and produced for the
12 purpose of circumventing the access control and copy prevention systems embedded on digital
13 copies of copyrighted works.

14 25. It was further part of the conspiracy that some warez members circumvented
15 technological measures designed to protect or limit access to copyrighted materials, including but
16 not limited to new releases for movies, software and games. Once the technological measure was
17 circumvented, unauthorized access and copying was enabled.

18 Computer Access To Works Prepared For Commercial Distribution

19 26. It was further part of the conspiracy that defendants distributed copyrighted
20 movies, games and software that were being prepared for commercial distribution for sale to the
21 public, by making it available before their release on a computer network accessible to members
22 of the public.

23 Unauthorized Theatrical Recordings

24 27. It was further part of the conspiracy that defendants used, or attempted to use,
25 audiovisual recording devices to transmit or make an unauthorized copy of a motion picture and
26 other audiovisual copyrighted works from a performance of the copyrighted work in a motion
27 picture theater.

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1 III. OVERT ACTS

2 28. In furtherance of the conspiracy, and to effectuate its objects, defendant MOISES
3 NUNEZ, aka cartel, aka marvel, aka OTR, committed overt acts, in the Northern District of
4 California, and elsewhere, including:

5 a. In or about June 2005, defendant MOISES NUNEZ downloaded and
6 copies movies and sold them to others for profit.

7 b. On or about the dates listed in Count ^{Two} ~~Three~~, defendant Moises Nunez
8 uploaded or downloaded the listed copyrighted works from the warez sites.

9 c. On or about the following dates, defendant Moises Nunez accessed the
10 CHUD server and downloaded one or more copyrighted works as follows:

| | Date | Copyrighted Works |
|----|--------------------|---|
| 11 | (1) April 11, 2005 | Movie "Blade Trinity" |
| 12 | (2) April 20, 2005 | Software "Symantec Antivirus Corporate Version V10" |
| 13 | (3) May 1, 2005 | Movie "The Wedding Date" |
| 14 | (4) May 27, 2005 | Movie "Stars Wars Episode III Revenge of the Sith" |
| 15 | (5) June 27, 2005 | Movie "The Hitchhiker's Guide to the Galaxy" |

16 29. In furtherance of the conspiracy, and to effectuate its objects, defendant
17 STEPHEN BROWN, aka blahz, aka sab, committed overt acts, in the Northern District of
18 California, and elsewhere, including:

19 a. On or about the dates set forth below, defendant STEPHEN BROWN used
20 a shell account in a bounce server (cypher.rootbox.co.uk (CYPHER)) to upload copyrighted
21 movies and games:
22

| Date | Server or IP address | Copyrighted Works |
|------|----------------------|----------------------|
| 23 | April 3, 2005 | cypher.rootbox.co.uk |
| 24 | April 20, 2005 | cypher.rootbox.co.uk |
| 25 | June 4, 2005 | cypher.rootbox.co.uk |

26 b. On or about the dates listed in Count ^{THREE} ~~Two~~, defendant STEPHEN BROWN
27 uploaded or downloaded the listed copyrighted works from the warez sites.
28

1 c. On or about the following dates, defendant STEPHEN BROWN, accessed
2 the CHUD server and downloaded one or more copyrighted works as follows:

| | Date | Conduct/Copyrighted Works |
|---|--------------------|---|
| 3 | | |
| 4 | (1) March 27, 2005 | Software "Discreet Combustion v4.0" |
| 5 | (2) March 27, 2005 | Movie "The Ring" |
| 6 | (3) April 8, 2005 | Movie "Sin City" |
| 7 | (4) May 22, 2005 | Movie "Star Wars Episode III Revenge of the Sith" |
| 8 | (5) June 4, 2005 | Movie "Madagascar" |

9 30. In furtherance of the conspiracy, and to effectuate its objects, defendant DESTON
10 EVANS, aka hammer, aka 778889, committed overt acts, in the Northern District of California,
11 and elsewhere, including:

12 a. On or about the dates listed below, defendant DESTON EVANS paid a
13 coconspirator known to the Grand Jury through a PayPal account to support the costs of running
14 the warez site and for leech access to the warez site:

| Date | Amount | From Email Address | To Email Address |
|---------------|-----------|-----------------------|---------------------|
| 15 2/9/2005 | \$ 300.00 | hammeredc@hotmail.com | x000x@earthlink.net |
| 16 12/1/2004 | \$ 275.00 | hammeredc@hotmail.com | x000x@earthlink.net |
| 17 11/8/2004 | \$ 105.00 | hammeredc@hotmail.com | x000x@earthlink.net |
| 10/31/2004 | \$ 245.00 | hammeredc@hotmail.com | x000x@earthlink.net |
| 18 9/17/2004 | \$ 125.00 | hammeredc@hotmail.com | x000x@earthlink.net |
| 8/24/2004 | \$ 60.00 | hammeredc@hotmail.com | x000x@earthlink.net |
| 19 7/27/2004 | \$ 205.00 | hammeredc@hotmail.com | x000x@earthlink.net |
| 4/19/2004 | \$ 500.00 | hammeredc@hotmail.com | x000x@earthlink.net |
| 20 1/6/2004 | \$ 152.00 | hammeredc@hotmail.com | x000x@earthlink.net |
| 12/16/2003 | \$ 60.00 | hammeredc@hotmail.com | x000x@earthlink.net |
| 21 11/19/2003 | \$ 280.00 | hammeredc@hotmail.com | x000x@earthlink.net |
| 11/4/2003 | \$ 185.00 | hammeredc@hotmail.com | x000x@earthlink.net |
| 22 6/23/2003 | \$ 195.00 | hammeredc@hotmail.com | x000x@earthlink.net |
| 6/19/2003 | \$ 275.00 | hammeredc@hotmail.com | x000x@earthlink.net |

23 b. On or about the dates listed in Count Four, defendant DESTON EVANS
24 uploaded or downloaded the listed copyrighted works from the warez sites.

25 c. On or about the following dates, defendant DESTON EVANS accessed
26 the CHUD server and downloaded one or more copyrighted works as follows:
27

28 ///

| | Date | Copyrighted Works |
|---|--------------------|---|
| 1 | | |
| 2 | (1) April 27, 2005 | Movie "Assault On Precinct 13" |
| 3 | (2) May 11, 2005 | Movie "Crash" |
| 4 | (3) May 18, 2005 | Software "Autodesk discreet 3d studio max v7.0" |
| 5 | (4) May 25, 2005 | Movie "Star Wars Episode III Revenge of the Sith" |
| 6 | (5) May 25, 2005 | Software "Microsoft Windows XP Corporate Edition SP2" |

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8 31. In furtherance of the conspiracy, and to effectuate its objects, defendant OSCAR
9 MARTINEZ, aka janeiro, aka xraided, aka sailorboy, committed overt acts, in the Northern
10 District of California, and elsewhere, including:

11 a. On or about the dates listed in Count ^{FIVE} ~~Seven~~, defendant OSCAR
12 MARTINEZ uploaded or downloaded the listed copyrighted works from the warez sites.

13 b. On or about the following dates, defendant OSCAR MARTINEZ accessed
14 the CHUD server and uploaded or downloaded one or more copyrighted works as follows:

| | Date | Conduct/Copyrighted Works |
|----|--------------------|--------------------------------|
| 15 | | |
| 16 | (1) March 24, 2005 | Software "Avid Express Pro HD" |
| 17 | (2) April 2, 2005 | Movie "Blade Trinity" |
| 18 | (3) May 4, 2005 | Software "ADOBE PHOTOSHOP CS2" |
| 19 | (4) June 7, 2005 | Software "MasterCook Deluxe" |
| 20 | (5) May 23, 2005 | Movie "The Truman Show" |

21 32. In furtherance of the conspiracy, and to effectuate its objects, defendant PAUL
22 ALEMAN, aka panic, aka HEMi, aka panic_1, committed overt acts, in the Northern District of
23 California, and elsewhere, including:

24 a. In or about January 2005, defendant PAUL ALEMAN sent a server to
25 assist in building the warez site.

26 b. On or about the dates listed in Count ^{SIX} ~~Eight~~, defendant PAUL ALEMAN
27 uploaded or downloaded the listed copyrighted works from the warez sites.

28 ///

1 c. On or about the following dates, defendant PAUL ALEMAN uploaded or
2 downloaded one or more copyrighted works as follows:

| | Date | Conduct/Copyrighted Works |
|---|--------------------|---|
| 3 | | |
| 4 | (1) March 27, 2005 | Software "DISCREET COMBUSTION" |
| 5 | (2) March 30, 2005 | Accessed CHUD and downloaded the software "Microsoft Windows Server 2003 32Bit" |
| 6 | (3) April 17, 2005 | Software "IBM DB2 RELATIONSHIP RESOLUTION FOR DB2" |
| 7 | (4) June 28,2005 | Software "NI MOTION ASSISTANT" |
| 8 | (5) May 22, 2005 | Movie "Star Wars Episode III Revenge of the Sith" |

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10 COUNT TWO: (17 U.S.C. § 506(a)(1)(B), 18 U.S.C. §§ 2319(c)(1) and 2 - Criminal
11 Copyright Infringement By Electronic Means, and Aiding and Abetting)

12 33. On or about the dates set forth below, in the Northern District of California, and
13 elsewhere, defendant,

14 MOISES NUNEZ,
15 aka marvel,
16 aka OTR,
17 aka cartel,

18 did willfully infringe the copyrights of copyrighted works, that is, movies, games and software,
19 by the reproduction and distribution by electronic means, including via the Internet, during a
20 180-day period, of ten (10) or more copies of one or more of the copyrighted works, which had a
retail value of \$2,500 or more, including as set forth below:

| | Date | Title Of Copyrighted Work |
|----|-------------------|--------------------------------------|
| 21 | | |
| 22 | (1) March 2, 2005 | "The Life Aquatic with Steve Zissou" |
| 23 | (2) March 6, 2005 | "Suspect Zero" |
| 24 | (3) March 6, 2005 | "Racing Stripes" |
| 25 | (4) March 6, 2005 | "The Jacket" |
| 26 | (5) March 7, 2005 | "Road Kings" |
| 27 | (6) March 7, 2005 | "The Pacifier" |
| 28 | (7) March 8, 2005 | "The Goonies" |

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|------|----------------|---|
| (8) | March 10, 2005 | "National Treasure" |
| (9) | March 11, 2005 | "Racing Stripes" |
| (10) | March 11, 2005 | "Sideways" |
| (11) | March 13, 2005 | "Hostage" |
| (12) | March 13, 2005 | "Robots" |
| (13) | March 13, 2005 | "The Machinist" |
| (14) | March 13, 2005 | "Hostage" SVCD |
| (15) | March 14, 2005 | "Robots" SVCD |
| (16) | March 15, 2005 | "Driv3r" |
| (17) | March 16, 2005 | "Hostage" |
| (18) | March 16, 2005 | "Meet The Fockers" |
| (19) | March 20, 2005 | "Coach Carter" |
| (20) | March 20, 2005 | "Son Of The Mask" |
| (21) | March 23, 2005 | "Ice Princess" |
| (22) | March 23, 2005 | "The Ring Two" |
| (23) | April 1, 2005 | "LOTR Return Of The King" |
| (24) | April 5, 2005 | "Fever Pitch" |
| (25) | April 5, 2005 | "Hitch" |
| (26) | April 5, 2005 | "Millions" |
| (27) | April 7, 2005 | "Be Cool" |
| (28) | April 10, 2005 | "Hotel Rwanda" |
| (29) | April 10, 2005 | "Sahara" |
| (30) | April 11, 2005 | "Blade Trinity" |
| (31) | April 11, 2005 | "Lemony Snicket's A Series Of Unfortunate Events" |
| (32) | April 11, 2005 | "Sahara" |
| (33) | April 12, 2005 | "Spanglish" |
| (33) | April 12, 2005 | "Birth" |
| (34) | May 3, 2005 | "The Wedding Date" |
| (35) | May 3, 2005 | "Constantine" |
| (35) | May 4, 2005 | "Son Of The Mask" |
| (35) | May 4, 2005 | "White Noise" |

| | | | |
|----|------|---------------|---|
| 1 | (35) | May 4, 2005 | "Constantine" |
| 2 | (35) | May 4, 2005 | "Crash" |
| 3 | (36) | May 5, 2005 | "XXX State of the Union" |
| 4 | (37) | May 6, 2005 | "Team America World Police" |
| 5 | (38) | May 7, 2005 | "Adobe Creative Suite Premium Edition v2.0" |
| 6 | (40) | May 8, 2005 | "Adobe Photoshop cs2 v9.0" |
| 7 | (41) | May 14, 2005 | "Unleashed" |
| 8 | (42) | May 17, 2005 | "Kicking And Screaming" |
| 9 | (43) | May 22, 2005 | "Star Wars Episode 3 Revenge of the Sith" |
| 10 | (44) | May 27, 2005 | "Star Wars Episode III Revenge of the Sith RERIP" |
| 11 | (45) | May 31, 2005 | "Adobe Acrobat Professional v6" |
| 12 | (46) | May 31, 2005 | "Microsoft Windows XP Corporate Edition SP2" |
| 13 | (47) | June 1, 2005 | "Madagascar" |
| 14 | (48) | June 4, 2005 | "Hide and Seek" |
| 15 | (49) | June 6, 2005 | "D E B S " |
| 16 | (50) | June 13, 2005 | "Mr. and Mrs. Smith" |
| 17 | (51) | June 16, 2005 | "Batman Begins" |
| 18 | (52) | June 27, 2005 | "The Hitchhikers Guide To The Galaxy" |

18 All in violation of Title 17, United States Code, Section 506(a)(1)(B), Title 18,
 19 United States Code, Sections 2319(c)(1) and 2.

20 COUNT THREE: (17 U.S.C. § 506(a)(1)(B), 18 U.S.C. §§ 2319(c)(1) and 2 - Criminal
 Copyright Infringement By Electronic Means, and Aiding and Abetting)

21 34. On or about the dates set forth below, in the Northern District of California, and
 22 elsewhere, defendant,

23 STEPHEN BROWN
 aka blahz, aka sab,

24
 25 did willfully infringe the copyrights of copyrighted works, that is, movies, games and software,
 26 by the reproduction and distribution by electronic means, including via the Internet, during a
 27 180-day period, of ten (10) or more copies of one or more of the copyrighted works, which had a
 28 retail value of \$2,500 or more, including as set forth below:

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| | Date | Copyrighted Works |
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| (1) | March 3, 2005 | "Assault On Precinct 13" |
| (2) | March 3, 2005 | "Oceans Twelve" |
| (3) | March 3, 2005 | "White Noise" |
| (4) | March 7, 2005 | "The Pacifier" |
| (5) | March 8, 2005 | "Closer" DVDR |
| (6) | March 13, 2005 | "Grand Theft Auto Double Pack" |
| (7) | March 13, 2005 | "Halo 2" |
| (8) | March 13, 2005 | "Oddworld Strangers Wrath" |
| (9) | March 13, 2005 | "Street Fighter Anniversary" |
| (10) | March 13, 2005 | "Tournament Paintball" |
| (11) | March 13, 2005 | "Media Center 2005" |
| (12) | March 14, 2005 | "FIFA 2004" |
| (13) | March 14, 2005 | "Karaoke Revolution USA" |
| (14) | March 14, 2005 | "Need for Speed Underground 2" |
| (15) | March 14, 2005 | "NFL Street 2 " |
| (16) | March 14, 2005 | "Uefa Champions League 2004 2005 Pal Multi2" |
| (17) | March 14, 2005 | "World Championship Poker USA" |
| (18) | March 15, 2005 | "Driv3r" |
| (19) | March 16, 2005 | "Menace II Society |
| (20) | March 16, 2005 | "Hostage" |
| (21) | March 16, 2005 | "Meet The Fockers" |
| (22) | March 18, 2005 | "Mortal Kombat Deception Collectors Edition" |
| (23) | March 19, 2005 | "Chessmaster" |
| (24) | March 19, 2005 | "Sonic Mega Collection" |
| (25) | March 20, 2005 | "Crash N Burn" |
| (26) | March 20, 2005 | "Outrun 2" |
| (27) | March 20, 2005 | "The Incredibles" |
| (28) | March 20, 2005 | "Layer Cake" |
| (29) | March 20, 2005 | "Fade To Black" |
| (30) | March 20, 2005 | "Mortal Kombat Deception" |

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| (31) | March 20, 2005 | "Gotcha" |
| (32) | March 21, 2005 | "Fade To Black" |
| (33) | March 25, 2005 | "Dead Or Alive 3" |
| (34) | March 25, 2005 | "Winning Eleven 8 International" |
| (35) | March 25, 2005 | "Boogeyman" |
| (36) | March 26, 2005 | "Lord Of The Rings Return Of The King" |
| (37) | March 26, 2005 | "Splinter Cell Chaos Theory" |
| (38) | March 27, 2005 | "Discreet combustion v4" |
| (39) | March 27, 2005 | "The Ring 2002" |
| (40) | March 27, 2005 | "Pool Shark 2" |
| (41) | March 27, 2005 | "Spider-Man 2" |
| (42) | March 27, 2005 | "Star Trek Shattered Universe" |
| (43) | March 27, 2005 | "TimeSplitters Future Perfect" |
| (44) | March 30, 2005 | "Constantine" |
| (45) | April 1, 2005 | "Because of Winn Dixie" |
| (46) | April 1, 2005 | "Constantine" |
| (47) | April 1, 2005 | "Hitch" |
| (48) | April 2, 2005 | "Splinter Cell Pandora Tomorrow" |
| (49) | April 2, 2005 | "Splinter Cell Pandora Tomorrow" |
| (50) | April 2, 2005 | "Blade Trinity" |
| (51) | April 2, 2005 | "Lego Star Wars" |
| (52) | April 2, 2005 | "Stolen" |
| (53) | April 2, 2005 | "SuperPower 2" |
| (54) | April 3, 2005 | "Sin City" |
| (55) | April 5, 2005 | "Fever Pitch" |
| (56) | April 7, 2005 | "Be Cool" |
| (57) | April 8,2005 | "Sin City" |
| (58) | April 8, 2005 | "The Assassination Of Richard Nixon" |
| (59) | April 8, 2005 | "The Phantom of the Opera" |
| (60) | April 12, 2005 | "Racing Stripes" |
| (61) | April 20, 2005 | "Delta Force Xtreme" |

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| 1 | (62) | April 21, 2005 | "Miss Congeniality 2" |
| 2 | (63) | April 21, 2005 | "Wrestlemania 21" |
| 3 | (64) | April 29, 2005 | "Psychonauts" |
| 4 | (65) | April 30, 2005 | "XXX State Of The Union" |
| 5 | (66) | May 2, 2005 | "Psychonauts" |
| 6 | (67) | May 7, 2005 | "Pariah" |
| 7 | (68) | May 10, 2005 | "The Aviator" |
| 8 | (69) | May 22, 2005 | "Postal 2 Apocalypse Weekend" |
| 9 | (70) | May 22, 2005 | "Star Wars Episode III Revenge of the Sith" |
| 10 | (71) | May 27, 2005 | "Restricted Area" |
| 11 | (72) | June 2, 2005 | "Cursed" |
| 12 | (73) | June 4, 2005 | "Oceans Twelve" |
| 13 | (74) | June 4, 2005 | "Coach Carter" |
| 14 | (75) | June 4, 2005 | "Hostage" |
| 15 | (76) | June 4, 2005 | "Madagascar" |
| 16 | (77) | June 7, 2005 | "Grand Theft Auto San Andreas" |
| 17 | (78) | June 7, 2005 | "Batman Begins" |
| 18 | (79) | June 17, 2005 | "Cinderella Man" |
| 19 | (80) | June 19, 2005 | "Battlefield 2" |
| 20 | (81) | June 19, 2005 | "Battlefield 2" (Different version) |
| 21 | (82) | June 22, 2005 | "Mr. and Mrs. Smith" |

20 All in violation of Title 17, United States Code, Section 506(a)(1)(B), Title 18, United
 21 States Code, Sections 2319(c)(1) and 2.

22 COUNT FOUR: (17 U.S.C. § 506(a)(1)(B), 18 U.S.C. §§ 2319(c)(1) and 2 - Criminal
 23 Copyright Infringement By Electronic Means, and Aiding and Abetting)

24 35. On or about the dates set forth below, in the Northern District of California, and
 25 elsewhere, defendant,

26 DESTON EVANS
 27 aka hammer,
 28 aka 778889,

1 did willfully infringe the copyrights of copyrighted works, that is, movies, games and software, by
 2 the reproduction and distribution by electronic means, including via the Internet, during a 180-day
 3 period, of ten (10) or more copies of one or more of the copyrighted works, which had a retail value
 4 of \$2,500 or more, including as set forth below:

| | Date | Copyrighted Work |
|----|--------------------|--|
| 5 | | |
| 6 | (1) March 16, 2005 | "Being Julia" |
| 7 | (2) March 18, 2005 | "Finding Neverland" |
| 8 | (3) March 21, 2005 | "Hitch" |
| 9 | (4) March 30, 2005 | "Hotel Rwanda" |
| 10 | (5) April 3, 2005 | "Sin City" |
| 11 | (6) April 6, 2005 | "Microsoft Windows XP Professional x64" |
| 12 | (7) April 6, 2005 | "Autodesk Autocad v2006" |
| 13 | (8) April 27, 2005 | "Assault On Precinct 13" |
| 14 | (9) May 11, 2005 | "Crash" |
| 15 | (10) May 18, 2005 | "Autodesk Discreet 3d Studio Max v7.0" |
| 16 | (11) May 25, 2005 | "Star Wars Episode III Revenge of the Sith" |
| 17 | (12) May 25, 2005 | "Microsoft Windows XP Corporate Edition SP2" |
| 18 | (13) June 5, 2005 | "Coach Carter" |
| | (14) June 28, 2005 | "Million Dollar Baby" |

19 All in violation of Title 17, United States Code, Section 506(a)(1)(B), and Title 18,
 20 United States Code, Sections 2319(c)(1) and 2.

21 COUNT FIVE: (17 U.S.C. § 506(a)(1)(B), 18 U.S.C. §§ 2319(c)(1) and 2 - Criminal
 22 Copyright Infringement By Electronic Means, and Aiding and Abetting)

23 36. On or about the dates set forth below, in the Northern District of California, and
 24 elsewhere, defendant,

25 OSCAR MARTINEZ
 26 aka janeiro,
 27 aka xraided,
 28 aka sailorboy,

///

1 did willfully infringe the copyrights of copyrighted works, that is, movies, games and software, by
 2 the reproduction and distribution by electronic means, including via the Internet, during a 180-day
 3 period, of ten (10) or more copies of one or more of the copyrighted works, which had a retail value
 4 of \$2,500 or more, including as set forth below:

| | Date | Copyrighted Works |
|----|--------------------|--|
| 5 | | |
| 6 | (1) March 14, 2005 | "Alias Maya Unlimited V6.5" |
| 7 | (2) March 8, 2005 | "Ansys Workbench Suite V9.0 SP1" |
| 8 | (3) May 4, 2005 | "Adobe Photoshop CS2 V9.0" |
| 9 | (4) March 24, 2005 | "Ulead DVD Movie Factory V4.0" |
| 10 | (5) April 14, 2005 | "EMC Dantz Retrospect Business Edition V7.0" |
| 11 | (6) June 17, 2005 | "Avid Xpress Pro HD V5 1.5" |
| 12 | (7) May 24, 2005 | "Hitch" |
| 13 | (8) May 30, 2005 | "Spanglish" |
| 14 | (9) June 22, 2005 | "Millions" |
| | (10) May 23, 2005 | "The Truman Show" |

15 All in violation of Title 17, United States Code, Section 506(a)(1)(B), and Title 18, United
 16 States Code, Sections 2319(c)(1) and 2.

17 COUNT SIX: (17 U.S.C. § 506(a)(1)(B), 18, U.S.C. §§ 2319(c)(1) and 2 - Criminal Copyright
 18 Infringement By Electronic Means, and Aiding and Abetting)

19 37. On or about the dates set forth below, in the Northern District of California, and
 20 elsewhere, defendant,

21 PAUL ALEMAN,
 22 aka panic,
 23 aka HEMi,
 24 aka panic_1,

25 did willfully infringe the copyrights of copyrighted works, that is, movies, games and software, by
 26 the reproduction and distribution by electronic means, including via the Internet, during a 180-day
 27 period, of ten (10) or more copies of one or more of the copyrighted works, which had a retail value
 28 of \$2,500 or more, including as set forth below:

| | Date | Copyrighted Works |
|----|--------------------|-----------------------|
| 27 | | |
| 28 | (1) March 27, 2005 | "Discreet Combustion" |

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|---|------|----------------|---|
| 1 | (2) | March 30, 2005 | "Microsoft Windows Server 2003 32Bit" |
| 2 | (3) | April 17, 2005 | "IBM DB2 Relationship Resolution For DB2" |
| 3 | (4) | June 28,2005 | "Ni Motion Assistant" |
| 4 | (5) | May 22, 2005 | "Star Wars Episode III Revenge of the Sith" |
| 5 | (6) | March 19, 2005 | "Elektra" |
| 6 | (7) | April 2, 2005 | "Coach Carter" |
| 7 | (8) | June 2, 2005 | "The Pacifier" |
| 8 | (9) | June 14, 2005 | "The Sisterhood of the Traveling Pants" |
| 9 | (10) | March 22, 2005 | "Splinter Cell Chaos Theory" |

10 All in violation of Title 17, United States Code, Section 506(a)(1)(B), and Title 18,
 11 United States Code, Sections 2319(c)(1) and 2.

12 FORFEITURE ALLEGATIONS: (17 U.S.C. §§ 506(b) and 509(a) - Criminal Forfeiture and
 Destruction)

13 38. As a result of the offenses alleged in Counts One and Two of this indictment,
 14 defendant,

15 MOISES NUNEZ,
 aka marvel,
 16 aka OTR,
 aka cartel,

17 shall forfeit to the United States, pursuant to Title 17, United States Code, Sections 506(b) and
 18 509(a), all copies manufactured, reproduced, distributed, sold, or otherwise used, intended for use,
 19 or possessed with intent to use in violation of the offense under Section 506(a), and all plates, molds,
 20 matrices, masters, tapes, film negatives, or other articles by means of which such copies may be
 21 reproduced, and all electronic, mechanical, and other devices for manufacturing, reproducing, and
 22 assembling such copies, including but not limited to the items listed in Attachment A, which are re-
 23 alleged and incorporated herein as if set forth in full.

24 39. As a result of the offenses alleged in Counts One and Three of this indictment,
 25 defendant,

26 STEPHEN BROWN
 aka blahz,
 27 aka sab,

1 shall forfeit to the United States, pursuant to Title 17, United States Code, Sections 506(b) and
2 509(a), all copies manufactured, reproduced, distributed, sold, or otherwise used, intended for use,
3 or possessed with intent to use in violation of the offense under Section 506(a), and all plates, molds,
4 matrices, masters, tapes, film negatives, or other articles by means of which such copies may be
5 reproduced, and all electronic, mechanical, and other devices for manufacturing, reproducing, and
6 assembling such copies, including but not limited to the items listed in Attachment B, which are re-
7 alleged and incorporated herein as if set forth in full.

8 40. As a result of the offenses alleged in Counts One and Four of this indictment,
9 defendant,

10 DESTON EVANS
11 aka hammer,
12 aka 778889,

13 shall forfeit to the United States, pursuant to Title 17, United States Code, Sections 506(b) and
14 509(a), all copies manufactured, reproduced, distributed, sold, or otherwise used, intended for use,
15 or possessed with intent to use in violation of the offense under Section 506(a), and all plates, molds,
16 matrices, masters, tapes, film negatives, or other articles by means of which such copies may be
17 reproduced, and all electronic, mechanical, and other devices for manufacturing, reproducing, and
18 assembling such copies, including but not limited to the items listed in Attachment C, which are re-
alleged and incorporated herein as if set forth in full.

19 41. As a result of the offenses alleged in Counts One and Seven of this indictment,
20 defendant,

21 OSCAR MARTINEZ
22 aka janeiro,
23 aka xraided,
24 aka sailorboy,

25 shall forfeit to the United States, pursuant to Title 17, United States Code, Sections 506(b) and
26 509(a), all copies manufactured, reproduced, distributed, sold, or otherwise used, intended for use,
27 or possessed with intent to use in violation of the offense under Section 506(a), and all plates, molds,
28 matrices, masters, tapes, film negatives, or other articles by means of which such copies may be
reproduced, and all electronic, mechanical, and other devices for manufacturing, reproducing, and

1 assembling such copies, including but not limited to the items listed in Attachment D, which are re-
2 alleged and incorporated herein as if set forth in full.

3 42. As a result of the offenses alleged in Counts One and Eight of this indictment,
4 defendant,

5 PAUL ALEMAN,
6 aka panic,
7 aka HEMi,
8 aka panic_1,

9 shall forfeit to the United States, pursuant to Title 17, United States Code, Sections 506(b) and
10 509(a), all copies manufactured, reproduced, distributed, sold, or otherwise used, intended for use,
11 or possessed with intent to use in violation of the offense under Section 506(a), and all plates, molds,
12 matrices, masters, tapes, film negatives, or other articles by means of which such copies may be
13 reproduced, and all electronic, mechanical, and other devices for manufacturing, reproducing, and
14 assembling such copies, including but not limited to the items listed in Attachment E, which are re-
alleged and incorporated herein as if set forth in full.

15 DATED: 11-16-05

A TRUE BILL


Grand Jury Foreperson

19 KEVIN V. RYAN
United States Attorney

21 

22 MATTHEW A. PARRELLA
23 Chief, San Jose Branch Office

24
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26 (Approved as to form: )
AUSA MARK L. KROTOSKI

ATTACHMENT A

Defendant MOISES NUNEZ, aka cartel, aka marvel, aka OTR

FORFEITURE ALLEGATION: (17 U.S.C. §§ 506(b) and 509(a) - Criminal Forfeiture and Destruction)

- A. 1 BOX OF COPIED DVD MOVIES (52) & MOVIE LIST (2 PAGES)
- B. (2) CYLINDERS CONTAINING COPIED MUSIC DVD'S
- C. 1 CASE OF DVD SHIPPERS
- D. SEVEN VARIOUS DVDS, PAPER LISTING VARIOUS MOVIE NAMES, BANK STATEMENT, DEPOSIT SLIP
- E. ONE CISCO 2500 SERIES ROUTER (# 250985744), ONE CISCO 2600 SERIES ROUTER (#JAB050583MK), ONE MOTOROLA VAN GUARD 6430 (# 110833543)
- F. "CASEIT" CONTAINING COPIED DVD MOVIES
- G. DVD CONTAINERS W/"MILLION DOLLAR BABY" LABELS
- H. QLA1203 : MAXTOR 5T010H1 10 GB HD (S/N T1RBX5HC)
- I. BELKIN OMMI VIEW SE 4 - PORT, C/E 3014023836
- J. VARIOUS CONNECTION CABLES
- K. BLACK COMPUTER BAG W/HEWLETT PACKARD DESKJET 340 PORTABLE PRINTER SERIAL # SG591130J0; PAPER LOADER SERIAL #SG81E111GY; 1 GOVERNMENT FORM NAWCWPNS 7320 RECEIPT TO JOHN GRIGGERS
- L. MISC DVD LABELS
- M. 6 DVD'S - COPIED - IN DVD HOLDERS
- N. BAGGIE CONTAINING 12 DVD
- O. SONY CD WALKMAN D-EJ100 CD-R/RW SERIAL # 1226406, 16 MUSIC CD'S
- P. HP OFFICE JET R80, S/N SGF9AE08S9
- Q. GENERIC MED-TOWER COMPUTER (S/N P98A5202357)
- R. EMACHINE T2240 (S/N QIP33D0700979)
- S. GENERIC MID-TOWER COMPUTER W/3 HARD DRIVES, VIN POWER DIGITAL DUPLICATOR, S/N VIN 6011492

ATTACHMENT B

Defendant STEPHEN BROWN, aka blahz, aka sab

FORFEITURE ALLEGATION: (17 U.S.C. §§ 506(b) and 509(a) - Criminal Forfeiture and Destruction)

- A. LINKSYS WIRELESS ROUTER S/N: C2760CB26063
- B. XBOX WITH CONTROLLER S/N 1162765 21402. MODDED
- C. SANDISK MP-3 PLAYER MODEL SDMX1-256R
- D. BARRACUDA HARD DISK DRIVE S/N: 1G70224710
- E. QUANTUM FIREBALL HARD DISK DRIVE, S/N 182004454080.
- F. NEC HARD DISK DRIVE S/N 6473016082
- G. CONNER HARD DISK DRIVE, S/N: C31213
- H. WESTERN DIGITAL HARD DISK DRIVE, S/N WMA6R1209555
- I. SEAGATE HARD DRIVE S/N N3080044
- J. SEAGATE HARD DISK DRIVE S/N: JEC20062
- K. COMPUTER TOWER LABEL ON FRONT THAT IS MARKED WITH A RED "T" HOME BUILT. FLOPPY IN THE DRIVE, NO SERIAL NUMBER, BEIGE IN COLOR
- L. ASUS COMPUTER TOWER WITH 3.5" FLOPPY IN 3/5" FLOPPY DRIVE, NO SERIAL NUMBER, HOME BUILT, BLACK IN COLOR
- M. COMPUTER TOWER, S/N 031553506 , BLUE IN COLOR
- N. ACER COMPUTER TOWER S/N 2600567314, GRAY IN COLOR
- O. CASE WITH 3.5 INCH AND 5.25 INCH DISKETTES FROM THE CHINA CABINET
- P. VARIOUS CDS ON NIGHTSTAND
- Q. VARIOUS CDS AND DVD'S FROM CHINA CABINET
- R. ONE (1) 3.5 INCH DISKETTE
- S. ASSORTED PAPERS FROM DESK AREA
- T. ASSORTED PAPERS
- U. CASE LOGIC HOLDER WITH VARIOUS CD'S
- V. ONE (1) CD LABELED OZ S1
- W. (1) SPINDLE OF CDR'S
- X. ASSORTED DVD MOVIES
- Y. ADIDAS CD HOLDER WITH VARIOUS CD'S AND DVD'S
- Z. CASE-IT CASE WITH VARIOUS CD'S AND DVD'S
- AA. CHENG FEI CASE WITH VARIOUS CD'S AND DVD'S
- BB. SIX (6) SPINDLES OF CDRS
- CC. THREE SPINDLES OF CDRS
- DD. ASSORTED PORTABLE DIGITAL MEDIA
- EE. ONE (1) SPINDLE OF CDRS
- FF. ONE (1) SPINDLE OF CDRS
- GG. ONE (1) SPINDLE OF CDRS
- HH. ONE (1) CD CONTAINING WINXP PRO SP1
- II. ONE (1) SPINDLE OF CDRS
- JJ. ONE (1) SPINDLE OF CDRS
- KK. CASE LOGIC CD/DVD FOLIO CONTAINING NUMEROUS CD AND DVDS

ATTACHMENT C

Defendant DESTON EVANS, aka hammer, aka 778889,

FORFEITURE ALLEGATION: (17 U.S.C. §§ 506(b) and 509(a) - Criminal Forfeiture and Destruction)

- A. ONE (1) WIRED OFFICE KEYBOARD - MODEL WK2804
- B. ONE (1) SHARK CPU ASUS POWERED, NO MODEL # NO SERIAL#
- C. ONE (1) PROVUEW 735 MONITOR, MODEL# 786N, SERIAL# FAGU29068901U
- D. ONE (1) TSUNAMI DREAM ASUS POWERED CPU, NO MODEL#, NO SERIAL#
- E. ONE (1) LOGITECH ELITE KEYBOARD, SERIAL # MCT41800420
- F. ONE (1) VIEW SONIC VE710B MONITOR, SERIAL # P1Q042402467
- G. ONE (1) QPS-525 80GB USB EXTERNAL HARD DRIVE, SERIAL# A4GB7UTA
- H. ONE (1) E-MACHINE, MODEL# T4511, SERIAL # CG13470001060
- I. ONE (1) LOGITECH INTERNET KEYBOARD MODEL Y-BF37, SERIAL# MCT30521996
- J. ONE (1) VIEW SONIC MONITOR PROFESSIONAL SERIES P 225, MODEL# VCDTS21492, SERIAL#41K012700279
- K. BOX CONTAINING 72 DVDS
- L. BOX CONTAINING 70 DVDS
- M. BOX CONTAINING 70 DVDS
- N. BOX CONTAINING 70 DVDS
- O. BOX CONTAINING 70 DVDS
- P. BOX CONTAINING 71 DVDS
- Q. BOX CONTAINING 31 DVDS; 94 CD'S; ONE (1) VHS TAPE, ONE (1) MINI DISK
- R. BAG CONTAINING 275 DVDS WITH HANDWRITTEN TITLES
- S. ONE (1) VINYL CASE (BLACK) CONTAINING 154 CD-R'S WITH HANDWRITING ON THEM

ATTACHMENT D

OSCAR MARTINEZ, aka janeiro, aka xraided, aka sailorboy

FORFEITURE ALLEGATION: (17 U.S.C. §§ 506(b) and 509(a) - Criminal Forfeiture and Destruction)

- A. NUMEROUS DVDs, CDs, DVD-RS, AND MUSIC CDS AND PORN MOVIES
- B. NUMEROUS CD RACKS AND CD-RS AND DVD-RS IN TWO CASES
- C. PRINTER/FAX/COPIER, HEWLETT PACKARD OFFICE JET, MODEL 300, SERIAL NUMBER SG898F3039
- D. AMPTRON LS17 MONITOR, SERIAL NUMBER FHD000903481
- E. BIEGE TOWER COMPUTER - MICRO TRON 2000, S/N 02076970 - AND 2 EXTRA HDS
- F. SONY PLAYSTATION, S/N S9611555
- G. FIVE NINTENDO GAMES
- H. VHS TAPE "JUST KIDDING"
- I. MADCATZ RF ADAPTER
- J. RAZOR RF ADAPTER
- K. PERFORMANCE RFU ADAPTER FOR PLAYSTATION
- L. SEGA GENESIS CONTROLLER
- M. PLAYSTATION NUBY DECIMATOR CONTROLLER
- N. TWO NINTENDO CONTROLLERS
- O. PELICAN ACCESSORIES CONTROLLER
- P. MISCELLANEOUS CABLES
- Q. NINTENDO POWER SUPPLY
- R. NUMEROUS GAMES AND SOFTWARE APPLICATIONS/ PROGRAMS ON CD AND DVD
- S. LOOSE PAPER WITH PHRASE "JANEIRO13337 SS10:133TIANEIRO"
- T. SHEET OF PAPER IN TOP CENTER DRAWER UNDER COMPUTER LISTING MUSIC GROUPS
- U. MONEY OR RENT RECEIPT BOOK
- V. 32M MEMORY CARD (TOP OF DRESSER)
- W. GAME BOY ADVANCE MODEL #AGB-001, S/N AU4588013164
- X. PLAYSTATION 2 FROM CLOSET, SN FS3081140
- Y. PROVIEW COMPUTER MONITOR, MODEL 786N, S/N FZGU22034150U
- Z. KEYBOARD AND MOUSE (MICROSOFT), SN: 8812710163871
- AA. WIRELESS G 2.4G BROADBAND ROUTER, CABLE MODEM, KEYBOARD/MOUSE/CABLES AND CORDS
- BB. X-BOX AND HARDWARE AND GAME CONTROLS

ATTACHMENT E

PAUL ALEMAN, aka panic, aka HEMi, aka panic_1

FORFEITURE ALLEGATION: (17 U.S.C. §§ 506(b) and 509(a) - Criminal Forfeiture and Destruction)

- A. NUMEROUS DVDs, CDs, DVD-RS, MUSIC CDS, DISKS, AND 3.5" DISKETTE
- B. HP PRINTER, SERIAL NUMBER MY33I440WR
- C. LOGITECH SPEAKERS AND SURROUND SOUND CONTROLLER
- D. SANDISK FLASH CARD READER
- E. VIEWSONIC KEYBOARD SERIAL NUMBER G2G030704071
- F. MOUSE QTY TWO (2) AND KEYBOARD, SERIAL NUMBER 9907038640
- G. US LOGIC COMPUTER SPEAKER
- H. BELKIN POWER SURGE PROTECTOR
- I. PLAYSTATION 2 CONSOLE, TWO CONTROLLERS, PS2 MEMORY CARD, HEADSET
- J. SONY VIDEO CAMERA AND CASE, SERIAL NUMBER 75170
- K. SPRINT CELL PHONE LPM8200, SERIAL NUMBER 04500674809 AND CHARGER
- L. CD AND DVD CASES
- M. CANON DIGITAL CAMERA ELPH LT, SERIAL NUMBER 5400690, AND PAPERWORK
- N. MONITOR, SERIAL NUMBER AOR991000130
- O. GEM MONITOR, SERIAL NUMBER GA8SCN039008648
- P. TOWER CPU ZTEC
- Q. THERMALTAKE TOWER CPU, SILVER, PENTIUM IV
- R. LOGITECH SUBWOOFER, SERIAL NUMBER S0068A
- S. PROSTAR LAPTOP #D400S, SERIAL NUMBER PS203BJ23115

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

OFFENSE CHARGED

SEE ATTACHMENT

- Petty
- Minor
- Misdemeanor
- Felony

PENALTY:

SEE ATTACHMENT

CR 05

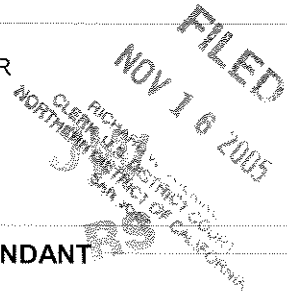
Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

MOISES NUNEZ

DISTRICT COURT NUMBER

00734



DEFENDANT

IS NOT IN CUSTODY

- 1) Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2) Is a Fugitive
- 3) Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) On this charge
 - 5) On another conviction
 - 6) Awaiting trial on other charges
- } Fed'l State
- If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes No } If "Yes" give date filed

DATE OF ARREST Month/Day/Year

Or... if Arresting Agency & Warrant were not Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY

This report amends AO 257 previously submitted

PROCEEDING

Name of Complainant Agency, or Person (&Title, if any)

S/A Julia Jolie - FBI

person is awaiting trial in another Federal or State Court, give name of court

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. Att'y Defense

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

SHOW DOCKET NO.

MAGISTRATE CASE NO.

Name and Office of Person Furnishing Information on THIS FORM

KEVIN V. RYAN

U.S. Att'y Other U.S. Agency

Name of Asst. U.S. Att'y (if assigned)

MARK L. KROTOSKI

ADDITIONAL INFORMATION 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: _____

ATTACHMENT PENALTY SHEET

United States v. Moises Nunez, Stephen Brown, Deston Evans, Oscar Martinez, and Paul Aleman

18 U.S.C. § 371 - Conspiracy to Commit Criminal Copyright Infringement, Infringement By Electronic Means, Infringement By Distributing A Commercial Distribution Work, and Use Audiovisual Recording Devices to Make Unauthorized Copies Of Audiovisual Works [Count One]

Charged collectively against each defendant

Penalty: Maximum 5 years imprisonment;
Maximum \$250,000 or twice the value of the property involved in the transaction, whichever is greater;
Maximum 3 years supervised release;
Mandatory \$100 Special Assessment.

17 U.S.C. § 506(a)(1)(B), 18 U.S.C. §§ 2319(c)(1) and 2 - Criminal Copyright Infringement By Electronic Means, and Aiding and Abetting. [Counts Two through Six]

Charged individually against each defendant

Penalty: Maximum 3 years imprisonment;
Maximum \$250,000 or twice the value of the property involved in the transaction, whichever is greater;
Maximum 2 years supervised release;
Mandatory \$100 Special Assessment.
Forfeiture - Ordered by the Court

17 U.S.C. § 506(b) and 509(a) - Criminal Forfeiture and Destruction.

Alleged against each defendant

Penalty: Forfeiture - Ordered by the Court

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

OFFENSE CHARGED

SEE ATTACHMENT

- Petty
- Minor
- Misdemeanor
- Felony

PENALTY:

SEE ATTACHMENT

CR 05 00734 DEFENDANT

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

STEPHEN BROWN

DISTRICT COURT NUMBER

FILED
NOV 16 2005

RICHARD W WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

PROCEEDING

Name of Complainant Agency, or Person (&Title, if any)

S/A Julia Jolie - FBI

person is awaiting trial in another Federal or State Court, give name of court

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. Att'y Defense

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

SHOW DOCKET NO.

MAGISTRATE CASE NO.

Name and Office of Person Furnishing Information on THIS FORM

KEVIN V. RYAN

U.S. Att'y Other U.S. Agency

Name of Asst. U.S. Att'y (if assigned)

MARK L. KROTOSKI

IS NOT IN CUSTODY

- 1) Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2) Is a Fugitive
- 3) Is on Bail or Release from (show District)

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

Has detainer been filed? Yes No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY

This report amends AO 257 previously submitted

ADDITIONAL INFORMATION 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: _____

ATTACHMENT PENALTY SHEET

United States v. Moises Nunez, Stephen Brown, Deston Evans, Oscar Martinez, and Paul Aleman

18 U.S.C. § 371 - Conspiracy to Commit Criminal Copyright Infringement, Infringement By Electronic Means, Infringement By Distributing A Commercial Distribution Work, and Use Audiovisual Recording Devices to Make Unauthorized Copies Of Audiovisual Works [Count One]

Charged collectively against each defendant

Penalty: Maximum 5 years imprisonment;
Maximum \$250,000 or twice the value of the property involved in the transaction, whichever is greater;
Maximum 3 years supervised release;
Mandatory \$100 Special Assessment.

17 U.S.C. § 506(a)(1)(B), 18 U.S.C. §§ 2319(c)(1) and 2 - Criminal Copyright Infringement By Electronic Means, and Aiding and Abetting. [Counts Two through Six]

Charged individually against each defendant

Penalty: Maximum 3 years imprisonment;
Maximum \$250,000 or twice the value of the property involved in the transaction, whichever is greater;
Maximum 2 years supervised release;
Mandatory \$100 Special Assessment.
Forfeiture - Ordered by the Court

17 U.S.C. § 506(b) and 509(a) - Criminal Forfeiture and Destruction.

Alleged against each defendant

Penalty: Forfeiture - Ordered by the Court

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT SUPERSEDING

OFFENSE CHARGED

SEE ATTACHMENT

- Petty
 Minor
 Misdemeanor
 Felony

PENALTY:

SEE ATTACHMENT

CR 05 00734 JW

PROCEEDING

Name of Complainant Agency, or Person (&Title, if any)

S/A Julia Jolie - FBI

person is awaiting trial in another Federal or State Court, give name of court

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. Att'y Defense

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

SHOW DOCKET NO.

MAGISTRATE CASE NO.

Name and Office of Person Furnishing Information on THIS FORM

KEVIN V. RYAN

U.S. Att'y Other U.S. Agency

Name of Asst. U.S. Att'y (if assigned)

MARK L. KROTOSKI

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

DESTON EVANS

DISTRICT COURT NUMBER

FILED
NOV 16 2005
RICHARD W WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

IS NOT IN CUSTODY

- 1) Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
2) Is a Fugitive
3) Is on Bail or Release from (show District)

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

Has detainer been filed? Yes No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY

This report amends AO 257 previously submitted

ADDITIONAL INFORMATION 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:

ATTACHMENT PENALTY SHEET

United States v. Moises Nunez, Stephen Brown, Deston Evans, Oscar Martinez, and Paul Aleman

18 U.S.C. § 371 - Conspiracy to Commit Criminal Copyright Infringement, Infringement By Electronic Means, Infringement By Distributing A Commercial Distribution Work, and Use Audiovisual Recording Devices to Make Unauthorized Copies Of Audiovisual Works [Count One]

Charged collectively against each defendant

Penalty: Maximum 5 years imprisonment;
Maximum \$250,000 or twice the value of the property involved in the transaction, whichever is greater;
Maximum 3 years supervised release;
Mandatory \$100 Special Assessment.

17 U.S.C. § 506(a)(1)(B), 18 U.S.C. §§ 2319(c)(1) and 2 - Criminal Copyright Infringement By Electronic Means, and Aiding and Abetting. [Counts Two through Six]

Charged individually against each defendant

Penalty: Maximum 3 years imprisonment;
Maximum \$250,000 or twice the value of the property involved in the transaction, whichever is greater;
Maximum 2 years supervised release;
Mandatory \$100 Special Assessment.
Forfeiture - Ordered by the Court

17 U.S.C. § 506(b) and 509(a) - Criminal Forfeiture and Destruction.

Alleged against each defendant

Penalty: Forfeiture - Ordered by the Court

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

OFFENSE CHARGED

SEE ATTACHMENT

- Petty
- Minor
- Misdemeanor
- Felony

PENALTY:

SEE ATTACHMENT

CR 05 00734

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

OSCAR MARTINEZ

DISTRICT COURT NUMBER

FILED
NOV 16 2005
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

PROCEEDING

Name of Complainant Agency, or Person (&Title, if any)

S/A Julia Jolie - FBI

person is awaiting trial in another Federal or State Court, give name of court

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. Att'y Defense

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

SHOW DOCKET NO.

MAGISTRATE CASE NO.

Name and Office of Person Furnishing Information on THIS FORM

KEVIN V. RYAN

U.S. Att'y Other U.S. Agency

Name of Asst. U.S. Att'y (if assigned)

MARK L. KROTOSKI

DEFENDANT

IS NOT IN CUSTODY

- 1) Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2) Is a Fugitive
- 3) Is on Bail or Release from (show District)

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

Has detainer been filed?

Yes No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY

This report amends AO 257 previously submitted

ADDITIONAL INFORMATION 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: _____

ATTACHMENT PENALTY SHEET

United States v. Moises Nunez, Stephen Brown, Deston Evans, Oscar Martinez, and Paul Aleman

18 U.S.C. § 371 - Conspiracy to Commit Criminal Copyright Infringement, Infringement By Electronic Means, Infringement By Distributing A Commercial Distribution Work, and Use Audiovisual Recording Devices to Make Unauthorized Copies Of Audiovisual Works [Count One]

Charged collectively against each defendant

Penalty: Maximum 5 years imprisonment;
Maximum \$250,000 or twice the value of the property involved in the transaction, whichever is greater;
Maximum 3 years supervised release;
Mandatory \$100 Special Assessment.

17 U.S.C. § 506(a)(1)(B), 18 U.S.C. §§ 2319(c)(1) and 2 - Criminal Copyright Infringement By Electronic Means, and Aiding and Abetting. [Counts Two through Six]

Charged individually against each defendant

Penalty: Maximum 3 years imprisonment;
Maximum \$250,000 or twice the value of the property involved in the transaction, whichever is greater;
Maximum 2 years supervised release;
Mandatory \$100 Special Assessment.
Forfeiture - Ordered by the Court

17 U.S.C. § 506(b) and 509(a) - Criminal Forfeiture and Destruction.

Alleged against each defendant

Penalty: Forfeiture - Ordered by the Court

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT SUPERSEDING

OFFENSE CHARGED

SEE ATTACHMENT

- Petty
 Minor
 Misdemeanor
 Felony

PENALTY:

SEE ATTACHMENT

CR 05

PROCEEDING

Name of Complainant Agency, or Person (&Title, if any)

S/A Julia Jolie - FBI

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

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U.S. Att'y Defense

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

SHOW DOCKET NO.

MAGISTRATE CASE NO.

Name and Office of Person Furnishing Information on THIS FORM

KEVIN V. RYAN

U.S. Att'y Other U.S. Agency

Name of Asst. U.S. Att'y (if assigned)

MARK L. KROTOSKI

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

PAUL ALEMAN

DISTRICT COURT NUMBER

00734

DEFENDANT

IS NOT IN CUSTODY

- Has not been arrested, pending outcome this proceeding.
If not detained give date any prior summons was served on above charges
Is a Fugitive
Is on Bail or Release from (show District)

IS IN CUSTODY

- On this charge
On another conviction
Awaiting trial on other charges
If answer to (6) is "Yes", show name of institution
Fed'l State

Has detainer been filed?

Yes No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY

This report amends AO 257 previously submitted

ADDITIONAL INFORMATION 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:

ATTACHMENT PENALTY SHEET

United States v. Moises Nunez, Stephen Brown, Deston Evans, Oscar Martinez, and Paul Aleman

18 U.S.C. § 371 - Conspiracy to Commit Criminal Copyright Infringement, Infringement By Electronic Means, Infringement By Distributing A Commercial Distribution Work, and Use Audiovisual Recording Devices to Make Unauthorized Copies Of Audiovisual Works [Count One]

Charged collectively against each defendant

Penalty: Maximum 5 years imprisonment;
Maximum \$250,000 or twice the value of the property involved in the transaction, whichever is greater;
Maximum 3 years supervised release;
Mandatory \$100 Special Assessment.

17 U.S.C. § 506(a)(1)(B), 18 U.S.C. §§ 2319(c)(1) and 2 - Criminal Copyright Infringement By Electronic Means, and Aiding and Abetting. [Counts Two through Six]

Charged individually against each defendant

Penalty: Maximum 3 years imprisonment;
Maximum \$250,000 or twice the value of the property involved in the transaction, whichever is greater;
Maximum 2 years supervised release;
Mandatory \$100 Special Assessment.
Forfeiture - Ordered by the Court

17 U.S.C. § 506(b) and 509(a) - Criminal Forfeiture and Destruction.

Alleged against each defendant

Penalty: Forfeiture - Ordered by the Court