

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

MELINDA HAAG (CABN 132612)
United States Attorney

FILED

2011 JUL 13 P 2:33

SEALED BY ORDER
OF THE COURT

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
N.D. CALIF. SAN JOSE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CR11 00471

JF
PSG

UNITED STATES OF AMERICA,
Plaintiff,
v.
DENNIS COLLINS,
aka "Iowa,"
CHRISTOPHER WAYNE COOPER,
aka "Anthrophobic,"
JOSHUA JOHN COVELLI,
aka "Absolem, and, "Toxic,"
KEITH WILSON DOWNEY,
MERCEDES RENEE HAEFER,
aka "No," and "MMMM,"
DONALD HUSBAND,
aka "Ananon,"
VINCENT CHARLES KERSHAW,
aka "Trivette," "Triv," and "Reaper,"
ETHAN MILES,
JAMES C. MURPHY,
DREW ALAN PHILLIPS,
aka "Drew010,"
JEFFREY PUGLISI,
aka "Jeffer," "Jefferp," and "Ji,"
DANIEL SULLIVAN,
TRACY ANN VALENZUELA,
CHRISTOPHER QUANG VO,
Defendants.

No. CR-
VIOLATIONS: 18 U.S.C. §§1030(b),
(c)(4)(A)(i)(I) - Conspiracy, ; 18 U.S.C. §§
1030(a)(5)(A), (c)(4)(A)(i)(I), (c)(4)(B)(i) -
Intentional Damage to a Protected
Computer; 18 U.S.C. § 2 - Aiding and
Abetting.

(SAN JOSE VENUE)

Filed Under Seal

INDICTMENT

INDICTMENT

1 The Grand Jury charges:

2 Introductory Allegations:

3 At all times relevant to this Indictment:

4 1. PayPal, Inc. ("PayPal") was an e-commerce business, wholly-owned by eBay,
5 Inc., with headquarters and computer servers located in San Jose, California, that enabled
6 payments and money transfers to be made over the Internet. These online money transfers served
7 as electronic alternatives to traditional paper payment methods, such as checks and money orders.
8 PayPal required its customers to abide by its terms of service, and conducted business in
9 interstate and foreign commerce. PayPal's computers were used in and affecting interstate and
10 foreign commerce and communication.

11 2. WikiLeaks was an international non-profit organization that published
12 submissions of otherwise unavailable documents from anonymous sources. The WikiLeaks
13 website stated that WikiLeaks provided an innovative, secure, and anonymous way for
14 independent sources to leak information. WikiLeaks' only revenue stream was through
15 donations, and it conducted its collection of donations through PayPal, among others. Julian
16 Assange was the founder, main spokesperson, and editor-in-chief for WikiLeaks.

17 3. Anonymous, also known as AnonOps ("Anonymous"), was an online collective of
18 individuals that was associated with collaborative hacking attacks motivated by political and
19 social goals, often referred to as "hactivism."

20 4. A Distributed Denial of Service ("DDoS") was a hacking attack that attempted to
21 render a computer resource unavailable to its intended users. One common DDoS attack
22 attempted to saturate the target computer or network with external communications requests,
23 such that the target could not respond to legitimate traffic, or responded so slowly as to render the
24 target effectively unavailable.

25 5. A Low Orbit Ion Cannon ("LOIC") was an open source computer program that
26 was originally designed as a network stress testing application, but which was also used as a tool
27 by DDoS attackers. Attackers used LOIC to send extremely large amounts of packets or
28 requests over a network in an attempt to overwhelm a target. Attackers configured LOIC in two

1 ways: Manual mode or HIVE mode. In Manual mode, an individual attacker had to enter a
2 specific target, such as the IP address or the http address of the target. The HIVE mode enabled
3 an attacker to connect their LOIC to an Internet Relay Chat Server, which allowed a third party to
4 control at which specific target all HIVE-mode LOIC attackers would be aimed.

5 Anonymous DDoS Attacks on PayPal:

6 6. In late November 2010, WikiLeaks released a large amount of classified United
7 States State Department cables on its website. Citing violations of the PayPal terms of service,
8 and in response to WikiLeaks' release of the classified cables, PayPal suspended WikiLeaks'
9 accounts such that Wikileaks could no longer receive donations via PayPal. WikiLeaks' website
10 declared that PayPal's action "tried to economically strangle WikiLeaks."

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

15 COUNT ONE: (18 U.S.C. § 1030(b) – Conspiracy to Commit Intentional Damage to a
16 Protected Computer)

17 8. The factual allegations contained in Paragraphs 1 through 7 are realleged
18 and incorporated herein by reference as if set forth in full.

19 9. On or about a date unknown but at least by December 6, 2010, and continuing to
20 on or about December 10, 2010, in the Northern District of California and elsewhere, the
21 defendants,

- 22 DENNIS COLLINS,
- 23 aka "Iowa,"
- 24 CHRISTOPHER WAYNE COOPER,
- 25 aka "Anthrophobic,"
- 26 JOSHUA JOHN COVELLI,
- 27 aka "Absolem, and, "Toxic,"
- 28 KEITH WILSON DOWNEY,
- MERCEDES RENEE HAEFER,
- aka "No," and "MMMM,"
- DONALD HUSBAND,
- aka "Ananon,"
- VINCENT CHARLES KERSHAW,
- aka "Trivette," "Triv," and "Reaper,"

1 ETHAN MILES,
2 DREW ALAN PHILLIPS,
3 aka "Drew010,"
4 JEFFREY PUGLISI,
5 aka "Jeffer," "Jeferp," and "Ji,"
6 DANIEL SULLIVAN,
7 TRACY ANN VALENZUELA,
8 CHRISTOPHER QUANG VO,
9

10 did knowingly conspire and agree with each other and other persons known and unknown to the
11 Grand Jury to commit Intentional Damage to a Protected Computer, in violation of 18 U.S.C. §§
12 1030(a)(5)(A), (c)(4)(A)(i)(I), & (c)(4)(B)(I), that is to commit a DDoS attack on PayPal's
13 protected computers.

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

15 COUNT TWO: (18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(A)(i)(I), (c)(4)(B)(i) & (2) –
16 Intentional Damage to a Protected Computer, Aiding and Abetting)

17 10. The factual allegations contained in Paragraphs 1 through 7 are realleged
18 and incorporated herein by reference as if set forth in full.

19 On or about between December 6, 2010 and December 10, 2010 , in the Northern
20 District of California and elsewhere, the defendant,

21 DENNIS COLLINS,
22 aka "Iowa,"

23 knowingly caused the transmission of a program, information, code, and command, that is,
24 LOIC, and, as a result of such conduct, intentionally caused damage without authorization to
25 protected computers at PayPal, and caused loss to 1 or more persons during a 1-year period from
26 the defendant's course of conduct affecting protected computers aggregating at least \$5,000 in
27 value.

28 All in violation of Title 18, United States Code, Sections 1030(a)(5)(A), (c)(4)(A)(i)(I),
(c)(4)(B)(i), & 2.

COUNT THREE: (18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(A)(i)(I), (c)(4)(B)(i) & (2) –
Intentional Damage to a Protected Computer, Aiding and Abetting)

11. The factual allegations contained in Paragraphs 1 through 7 are realleged

1 and incorporated herein by reference as if set forth in full.

2 On or about between December 6, 2010 and December 10, 2010 , in the Northern
3 District of California and elsewhere, the defendant,

4 CHRISTOPHER WAYNE COOPER,
5 aka "Anthrophobic,"

6 knowingly caused the transmission of a program, information, code, and command, that is,
7 LOIC, and, as a result of such conduct, intentionally caused damage without authorization to
8 protected computers at PayPal, and caused loss to 1 or more persons during a 1-year period from
9 the defendant's course of conduct affecting protected computers aggregating at least \$5,000 in
10 value.

11 All in violation of Title 18, United States Code, Sections 1030(a)(5)(A), (c)(4)(A)(i)(I),
12 (c)(4)(B)(i), & 2.

13 COUNT FOUR: (18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(A)(i)(I), (c)(4)(B)(i) & (2) –
14 Intentional Damage to a Protected Computer, Aiding and Abetting)

15 12. The factual allegations contained in Paragraphs 1 through 7 are realleged
16 and incorporated herein by reference as if set forth in full.

17 On or about between December 6, 2010 and December 10, 2010 , in the Northern
18 District of California and elsewhere, the defendant,

19 JOSHUA JOHN COVELLI,
20 aka "Absolem, and, "Toxic,"

21 knowingly caused the transmission of a program, information, code, and command, that is,
22 LOIC, and, as a result of such conduct, intentionally caused damage without authorization to
23 protected computers at PayPal, and caused loss to 1 or more persons during a 1-year period from
24 the defendant's course of conduct affecting protected computers aggregating at least \$5,000 in
25 value.

26 All in violation of Title 18, United States Code, Sections 1030(a)(5)(A), (c)(4)(A)(i)(I),
27 (c)(4)(B)(i), & 2.

28 ///

1 COUNT FIVE: (18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(A)(i)(I), (c)(4)(B)(i) & (2) –
2 Intentional Damage to a Protected Computer, Aiding and Abetting)

3 13. The factual allegations contained in Paragraphs 1 through 7 are realleged
4 and incorporated herein by reference as if set forth in full.

5 On or about between December 6, 2010 and December 10, 2010 , in the Northern
6 District of California and elsewhere, the defendant,

7 KEITH WILSON DOWNEY,

8 knowingly caused the transmission of a program, information, code, and command, that is,
9 LOIC, and, as a result of such conduct, intentionally caused damage without authorization to
10 protected computers at PayPal, and caused loss to 1 or more persons during a 1-year period from
11 the defendant’s course of conduct affecting protected computers aggregating at least \$5,000 in
12 value.

13 All in violation of Title 18, United States Code, Sections 1030(a)(5)(A), (c)(4)(A)(i)(I),
14 (c)(4)(B)(i), & 2.

15 COUNT SIX: (18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(A)(i)(I), (c)(4)(B)(i) & (2) –
16 Intentional Damage to a Protected Computer, Aiding and Abetting)

17 14. The factual allegations contained in Paragraphs 1 through 7 are realleged
18 and incorporated herein by reference as if set forth in full.

19 On or about between December 6, 2010 and December 10, 2010 , in the Northern
20 District of California and elsewhere, the defendant,

21 MERCEDES RENEE HAEFER,
22 aka “No,” and “MMMM,”

23 knowingly caused the transmission of a program, information, code, and command, that is,
24 LOIC, and, as a result of such conduct, intentionally caused damage without authorization to
25 protected computers at PayPal, and caused loss to 1 or more persons during a 1-year period from
26 the defendant’s course of conduct affecting protected computers aggregating at least \$5,000 in
27 value.

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

1 (c)(4)(B)(i), & 2.

2 COUNT SEVEN: (18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(A)(i)(I), (c)(4)(B)(i) & (2) –
3 Intentional Damage to a Protected Computer, Aiding and Abetting)

4 15. The factual allegations contained in Paragraphs 1 through 7 are realleged
5 and incorporated herein by reference as if set forth in full.

6 On or about between December 6, 2010 and December 10, 2010 , in the Northern
7 District of California and elsewhere, the defendant,

8 DONALD HUSBAND,
9 aka "Ananon,"

10 knowingly caused the transmission of a program, information, code, and command, that is,
11 LOIC, and, as a result of such conduct, intentionally caused damage without authorization to
12 protected computers at PayPal, and caused loss to 1 or more persons during a 1-year period from
13 the defendant's course of conduct affecting protected computers aggregating at least \$5,000 in
14 value.

15 All in violation of Title 18, United States Code, Sections 1030(a)(5)(A), (c)(4)(A)(i)(I),
16 (c)(4)(B)(i), & 2.

17 COUNT EIGHT: (18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(A)(i)(I), (c)(4)(B)(i) & (2) –
18 Intentional Damage to a Protected Computer, Aiding and Abetting)

19 16. The factual allegations contained in Paragraphs 1 through 7 are realleged
20 and incorporated herein by reference as if set forth in full.

21 On or about between December 6, 2010 and December 10, 2010 , in the Northern
22 District of California and elsewhere, the defendant,

23 VINCENT CHARLES KERSHAW,
24 aka "Trivette," "Triv," and "Reaper,"

25 knowingly caused the transmission of a program, information, code, and command, that is,
26 LOIC, and, as a result of such conduct, intentionally caused damage without authorization to
27 protected computers at PayPal, and caused loss to 1 or more persons during a 1-year period from
28 the defendant's course of conduct affecting protected computers aggregating at least \$5,000 in

1 value.

2 All in violation of Title 18, United States Code, Sections 1030(a)(5)(A), (c)(4)(A)(i)(I),
3 (c)(4)(B)(i), & 2.

4 COUNT NINE: (18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(A)(i)(I), (c)(4)(B)(i) & (2) –
5 Intentional Damage to a Protected Computer, Aiding and Abetting)

6 17. The factual allegations contained in Paragraphs 1 through 7 are realleged
7 and incorporated herein by reference as if set forth in full.

8 On or about between December 6, 2010 and December 10, 2010 , in the Northern
9 District of California and elsewhere, the defendant,

10 ETHAN MILES,

11 knowingly caused the transmission of a program, information, code, and command, that is,
12 LOIC, and, as a result of such conduct, intentionally caused damage without authorization to
13 protected computers at PayPal, and caused loss to 1 or more persons during a 1-year period from
14 the defendant's course of conduct affecting protected computers aggregating at least \$5,000 in
15 value.

16 All in violation of Title 18, United States Code, Sections 1030(a)(5)(A), (c)(4)(A)(i)(I),
17 (c)(4)(B)(i), & 2.

18 COUNT TEN: (18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(A)(i)(I), (c)(4)(B)(i) & (2) –
19 Intentional Damage to a Protected Computer, Aiding and Abetting)

20 18. The factual allegations contained in Paragraphs 1 through 7 are realleged
21 and incorporated herein by reference as if set forth in full.

22 On or about between December 6, 2010 and December 10, 2010 , in the Northern
23 District of California and elsewhere, the defendant,

24 JAMES C. MURPHY,

25 knowingly caused the transmission of a program, information, code, and command, that is,
26 LOIC, and, as a result of such conduct, intentionally caused damage without authorization to
27 protected computers at PayPal, and caused loss to 1 or more persons during a 1-year period from
28 the defendant's course of conduct affecting protected computers aggregating at least \$5,000 in

1 value.

2 All in violation of Title 18, United States Code, Sections 1030(a)(5)(A), (c)(4)(A)(i)(I),
3 (c)(4)(B)(i), & 2.

4 COUNT ELEVEN: (18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(A)(i)(I), (c)(4)(B)(i) & (2) –
5 Intentional Damage to a Protected Computer, Aiding and Abetting)

6 19. The factual allegations contained in Paragraphs 1 through 7 are realleged
7 and incorporated herein by reference as if set forth in full.

8 On or about between December 6, 2010 and December 10, 2010 , in the Northern
9 District of California and elsewhere, the defendant,

10 DREW ALAN PHILLIPS,
11 aka "Drew010,"

12 knowingly caused the transmission of a program, information, code, and command, that is,
13 LOIC, and, as a result of such conduct, intentionally caused damage without authorization to
14 protected computers at PayPal, and caused loss to 1 or more persons during a 1-year period from
15 the defendant's course of conduct affecting protected computers aggregating at least \$5,000 in
16 value.

17 All in violation of Title 18, United States Code, Sections 1030(a)(5)(A), (c)(4)(A)(i)(I),
18 (c)(4)(B)(i), & 2.

19 COUNT TWELVE: (18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(A)(i)(I), (c)(4)(B)(i) & (2) –
20 Intentional Damage to a Protected Computer, Aiding and Abetting)

21 20. The factual allegations contained in Paragraphs 1 through 7 are realleged
22 and incorporated herein by reference as if set forth in full.

23 On or about between December 6, 2010 and December 10, 2010 , in the Northern
24 District of California and elsewhere, the defendant,

25 JEFFREY PUGLISI,
26 aka "Jeffer," "Jefferp," and "Ji,"

27 knowingly caused the transmission of a program, information, code, and command, that is,
28 LOIC, and, as a result of such conduct, intentionally caused damage without authorization to

1 protected computers at PayPal, and caused loss to 1 or more persons during a 1-year period from
2 the defendant's course of conduct affecting protected computers aggregating at least \$5,000 in
3 value.

4 All in violation of Title 18, United States Code, Sections 1030(a)(5)(A), (c)(4)(A)(i)(I),
5 (c)(4)(B)(i), & 2.

6 COUNT THIRTEEN: (18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(A)(i)(I), (c)(4)(B)(i) & (2) –
7 Intentional Damage to a Protected Computer, Aiding and Abetting)

8 21. The factual allegations contained in Paragraphs 1 through 7 are realleged
9 and incorporated herein by reference as if set forth in full.

10 On or about between December 6, 2010 and December 10, 2010 , in the Northern
11 District of California and elsewhere, the defendant,

12 DANIEL SULLIVAN,

13 knowingly caused the transmission of a program, information, code, and command, that is,
14 LOIC, and, as a result of such conduct, intentionally caused damage without authorization to
15 protected computers at PayPal, and caused loss to 1 or more persons during a 1-year period from
16 the defendant's course of conduct affecting protected computers aggregating at least \$5,000 in
17 value.

18 All in violation of Title 18, United States Code, Sections 1030(a)(5)(A), (c)(4)(A)(i)(I),
19 (c)(4)(B)(i), & 2.

20 COUNT FOURTEEN: (18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(A)(i)(I), (c)(4)(B)(i) & (2) –
21 Intentional Damage to a Protected Computer, Aiding and Abetting)

22 22. The factual allegations contained in Paragraphs 1 through 7 are realleged
23 and incorporated herein by reference as if set forth in full.

24 On or about between December 6, 2010 and December 10, 2010 , in the Northern
25 District of California and elsewhere, the defendant

26 TRACY ANN VALENZUELA,

27 knowingly caused the transmission of a program, information, code, and command, that is,
28 LOIC, and, as a result of such conduct, intentionally caused damage without authorization to
protected computers at PayPal, and caused loss to 1 or more persons during a 1-year period from

1 the defendant's course of conduct affecting protected computers aggregating at least \$5,000 in
2 value.

3 All in violation of Title 18, United States Code, Sections 1030(a)(5)(A), (c)(4)(A)(i)(I),
4 (c)(4)(B)(i), & 2.

5 COUNT FIFTEEN: (18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(A)(i)(I), (c)(4)(B)(i) & (2) –
6 Intentional Damage to a Protected Computer, Aiding and Abetting)

7 23. The factual allegations contained in Paragraphs 1 through 7 are realleged
8 and incorporated herein by reference as if set forth in full.

9 On or about between December 6, 2010 and December 10, 2010 , in the Northern
10 District of California and elsewhere, the defendant

11 CHRISTOPHER QUANG VO,

12 knowingly caused the transmission of a program, information, code, and command, that is,
13 LOIC, and, as a result of such conduct, intentionally caused damage without authorization to
14 protected computers at PayPal, and caused loss to 1 or more persons during a 1-year period from
15 the defendant's course of conduct affecting protected computers aggregating at least \$5,000 in
16 value.

17 All in violation of Title 18, United States Code, Sections 1030(a)(5)(A), (c)(4)(A)(i)(I),
18 (c)(4)(B)(i), & 2.

19
20 DATED:

A TRUE BILL

~~FOREPERSON~~

21
22
23 MELINDA HAAG
24 United States Attorney

25 MATTHEW A. PARRELLA
26 Chief, CHIP Unit

27 (Approved as to form: 
28 AUSAs PARRELLA & CHEW