

No.

CR-09 00719

RMW

RS

FILED

UNITED STATES DISTRICT COURT

JUL 15 P 1:31

RICHARD W. WIEKING
CLERK
DISTRICT COURT
NO. DIST. OF CAL. S. J.

SEALED BY ORDER
OF THE COURT
7/16/09
11:50 am

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

THE UNITED STATES OF AMERICA

vs.

GREGORY ALEXANDER

INDICTMENT

COUNTS ONE-THIRTY-FOUR: 18 U.S.C. § 1030(a)(2)(C) - Computer Intrusion

COUNT THIRTY-FIVE: 18 U.S.C. § 1028(A)(a)(1) and 1030(c)(2)(B)(ii)-
Aggravated Identity Theft

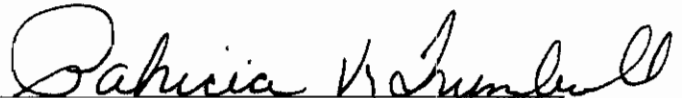
A true bill.



Foreperson

Filed in open court this 15th day of July

A.D. 2009



United States Magistrate Judge

Bail. \$ NO Bail



DOCUMENT NO	CSA's INITIALS
1	e
DISTRICT COURT CRIMINAL CASE PROCESSING	

1 JOSEPH P. RUSSONIELLO (CSBN 44332)
2 United States Attorney

FILED

2009 JUL 15 P 1:31

RICHARD W. WIEKING
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U.S. DISTRICT COURT
NO. DIST. OF CALIF.

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SEALED BY ORDER
OF THE COURT
Unsealed
7/17/09 R Soam
11:50am

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

RMS

CR - 09 00719
No.

RS

UNITED STATES OF AMERICA,
Plaintiff,
v.
GREGORY ALEXANDER,
Defendant.

VIOLATIONS: 18 U.S.C. § 1030(a)(2)(C)
and (c)(2)(B)(ii)-Intentionally Accessing a
Computer Without Authorization; 18 U.S.C.
§ 1028(A)(a)(1)-Aggravated Identity Theft

SAN JOSE VENUE

INDICTMENT

The Grand Jury charges:

INTRODUCTORY ALLEGATIONS

At all times relevant to this Indictment:

1. The United States Chess Federation (USCF), headquartered in Crossville, Tennessee, was a not-for-profit membership organization founded in 1939 for chess players and chess supporters consisting of over 80,000 members and 2,000 affiliated chess clubs and organizations.

2. Yahoo! (Yahoo) was an Electronic Communications Service Provider providing electronic mail ("e-mail") and other services to the public in the United States and abroad, and its

1 e-mail computers and servers for the yahoo.com domain were located in Sunnyvale, California.
2 Yahoo's e-mail accounts required the entry of the account holder's username and password
3 before access to the account was granted.

4 3. Randall Hough (Hough) was a resident of Alhambra, California and a member of
5 the USCF's Board of Directors. Hough was the subscriber of the e-mail account:
6 randallhough@yahoo.com provided by Yahoo. Hough did not authorize anyone to access his
7 Yahoo e-mail account.

8 4. Gregory Alexander (ALEXANDER) was a resident of Everett, Washington, and
9 worked in the Internet Technology offices of the University of Washington. ALEXANDER also
10 served as a volunteer web developer who maintained and moderated the Chess Discussion Forum
11 on the website known as chessdiscussion.com

12
13 COUNT ONE THROUGH THIRTY-FOUR: (18 U.S.C. 1030(a)(2)(C) and (c)(2)(B)(ii) -
14 Intentionally Accessing A Computer
Without Authorization)

15 6. The factual allegations in paragraphs 1 through 4 are re-alleged and incorporated
16 herein as if set forth in full.

17 7. On or about the dates set forth below, in the Northern District of California,
18 GREGORY ALEXANDER
19 intentionally and without authorization accessed a protected computer, to wit: the e-mail server
20 operated by Yahoo administering the e-mail account randallhough@yahoo.com, by means of
21 interstate communications, and thereby obtained information from said protected computer, on
22 the dates and times as set forth below:

23

Count	Date/Time of Unauthorized Access
1	Tue 23:49:44 (PST) 24-Jun-2008
2	Mon 00:17:27 (PST) 23-Jun-2008
3	Sat 00:54:31 (PST) 21-Jun-2008
4	Mon 07:52:46 (GMT) 02-Jun-2008

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5	Thu 06:53:44 (GMT) 29-May-2008
6	Sat 06:52:13 (GMT) 19-Apr-2008
7	Thu 06:56:55 (GMT) 18-Apr-2008
8	Wed 06:34:24 (GMT) 16-Apr-2008
9	Tue 00:43:49 (PST) 15-Apr-2008
10	Mon 07:22:59 (GMT) 14-Apr-2008
11	Sun 08:14:05 (GMT) 13-Apr-2008
12	Sat 08:22:24 (GMT) 12-Apr-2008
13	Fri 00:35:02 (PST) 11-Apr-2008
14	Thu 01:28:50 (PST) 10-Apr-2008
15	Fri 22:33:14 (PST) 10-Apr-2008
16	Wed 08:49:09 (GMT) 12-Mar-2008
17	Sun 11:02:28 (GMT) 09-Mar-2008
18	Sat 09:06:32 (GMT) 08-Mar-2008
19	Wed 08:02:06 (GMT) 05-Mar-2008
20	Tue 08:33:27 (GMT) 04-Mar-2008
21	Sun 08:53:12 (GMT) 02-Mar-2008
22	Sat 08:50:33 (GMT) 01-Mar-2008
23	Tue 09:24:49 (GMT) 26-Feb-2008
24	Sun 09:38:17 (GMT) 17-Feb-2008
25	Sun 09:30:06 (GMT) 17-Feb-2008
26	Sun 08:54:02 (GMT) 20-Jan-2008
27	Fri 07:59:00 (GMT) 18-Jan-2008

28	Thu 06:49:03 (GMT) 17-Jan-2008
29	Wed 09:34:00 (GMT) 02-Jan-2008
30	Sat 00:42:07 (PST) 01-Dec-2007
31	Fri 23:57:25 (PST) 29-Nov-2007
32	Wed 08:04:02 (GMT) 28-Nov-2007
33	Tue 08:03:31 (GMT) 27-Nov-2007
34	Mon 09:00:49 (GMT) 26-Nov-2007

All in violation of 18 U.S.C. §§ 1030(a)(2)(C) and (c)(2)(B)(ii).

COUNT THIRTY-FIVE: (18 U.S.C. § 1028A(a)(1)--Aggravated Identity Theft)

8. The factual allegations in paragraphs 1 through 4 are re-alleged and incorporated herein as if set forth in full.

9. On or about November 2007 and continuing through on or about August 2008, in the Northern District of California,

GREGORY ALEXANDER

did knowingly possess and use, without lawful authority, a means of identification of another person, that is, the username and password used to access information on a computer, during and in relation to an offense under 18 U.S.C. §§ 1030(a)(2)(C) and (c)(2)(B)(ii), namely, felony fraud

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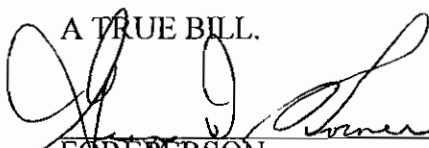
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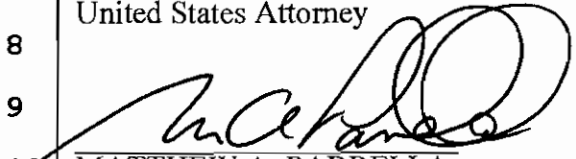
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1 in connection with computers, said offense being a felony enumerated in 18 U.S.C. §
2 1028A(a)(1).

3 DATED: 07/15/09

A TRUE BILL.

FOREPERSON

7 JOSEPH P. RUSSONIELLO
8 United States Attorney



10 MATTHEW A. PARRELLA
11 Chief, Computer Hacking and Intellectual Property Unit

12
13 (Approved as to form: 
14 AUSA RICHARD CHENG

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 CALIFORNIA

FILED

OFFENSE CHARGED

Counts 1-34: 18 U.S.C. § 1030(a)(2)(C) - Computer Intrusion
Count 35: 18 U.S.C. § 1028(A)(a)(1) and 1030 (c)(2)(B)(ii) - Aggravated Identity Theft

Petty
 Minor
 Misdemeanor
 Felony

PENALTY:

Counts 1-34 - 10 years imprisonment, \$250,000 fine, 3 years supervised release, \$100 special assessment fee
Count 35 - 2 year term of imprisonment to be imposed consecutively to any other term of imprisonment

SEALED BY ORDER OF THE COURT

DEFENDANT - USA

JUL 15 P 1:31

GREGORY ALEXANDER
RICHARD W. WIEKING CLERK
U.S. DISTRICT COURT
DISTRICT COURT NUMBER 00719

RMW

CR - 09 00719

RS

PROCEEDING

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

Kyle Haynes - U.S. Secret Service

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 re prosecution 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

JOSEPH P. RUSSONIELLO

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

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

AUSA RICHARD CHENG

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

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT Bail Amount: None

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: