

JS 45 (01/2008)

**Criminal Case Cover Sheet (REDACTED)****U.S. District Court**

**Place of Offense:** Ashburn, Virginia **Under Seal:** Yes ☐ No ☒ **Judge Assigned:** Judge O'Grady  
**City** Ashburn, Virginia **Superseding Indictment** ☒ **Criminal Number:** 1:12CR3  
**County/Parish** Loudoun County **Same Defendant** ☒ **New Defendant** ☐  
**Magistrate Judge Case Number** \_\_\_\_\_ **Arraignment Date:** \_\_\_\_\_  
**Search Warrant Case Number** \_\_\_\_\_  
**R 20/R 40 from District of** \_\_\_\_\_  
**Related Case Name and No:** \_\_\_\_\_

**Defendant Information:****Juvenile --** Yes ☐ No ☒ **FBI #** N/A**Defendant Name:** KIM DOTCOM **Alias Name(s)** KIM SCHMITZ; KIM TIM JIM VESTOR**Address:** Auckland, New Zealand**Employment:** N/A**Birth date** xx/xx/1974 **SS#** N/A **Sex** M **Def Race** White **Nationality** Finland & Germany **Place of Birth** Kiel, Germany**Height** 6'4" - 6'6" **Weight** 322 **Hair** Blonde **Eyes** Brown **Scars/Tattoos** \_\_\_\_\_**Interpreter:** X No ☒ Yes ☐ **List language and/or dialect:** N/A **Automobile Description** N/A**Location Status:****Arrest Date** 1/20/2012X **Already in Federal Custody as of** 1/20/2012 **in** New Zealand☐ **Already in State Custody** ☐ **On Pretrial Release** ☐ **Not in Custody**X **Arrest Warrant Requested** ☐ **Fugitive** ☐ **Summons Requested**☐ **Arrest Warrant Pending** X **Detention Sought** ☐ **Bond** \_\_\_\_\_**Defense Counsel Information:****Name:** \_\_\_\_\_ **Court Appointed** ☐ **Counsel conflicted out:** \_\_\_\_\_**Address:** \_\_\_\_\_ **Retained** ☐ \_\_\_\_\_**Telephone:** \_\_\_\_\_ **Public Defender** ☐ **Federal Public Defender's Office conflicted out:** \_\_\_\_\_**U.S. Attorney Information:****AUSA** Jay V. Prabhu **Telephone No:** (703) 299-3700 **Bar #** \_\_\_\_\_**Complainant Agency, Address & Phone Number or Person & Title:**Federal Bureau of Investigation, 2451 Crystal Drive, Arlington, Virginia 22202, (703) 603-0900, Michael C. Poston, Special Agent**U.S.C. Citations:**

	<b>Code/Section</b>	<b>Description of Offense Charged</b>	<b>Count(s)</b>	<b>Capital/Felony/Misd/Petty</b>
Set 1	18 U.S.C. § 1962(d)	Conspiracy to commit racketeering	1	Felony
Set 2	18 U.S.C. § 371	Conspiracy to commit copyright infringement	2	Felony
Set 3	18 U.S.C. § 1956(h)	Conspiracy to commit money laundering	3	Felony

(May be continued on reverse)

**Date:** 2/16/12 **Signature of AUSA:** 

JS 45 (07/2005) Reverse

District Court Case Number (To be filled by deputy clerk):

1:12CR3

## U.S.C. Citations (continued)

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count(s)</u>
Set 4	18 U.S.C. §§ 2, 2319; and 17 U.S.C. § 506	Criminal copyright infringement	4 - 8
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JS 45 (01/2008)

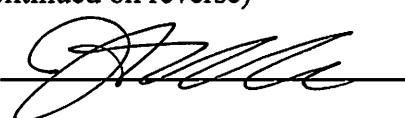
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**Place of Offense:** \_\_\_\_\_ **Under Seal:** Yes \_\_\_ No X **Judge Assigned:** Judge O'Grady  
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**Magistrate Judge Case Number** \_\_\_\_\_ **Arraignment Date:** \_\_\_\_\_  
**Search Warrant Case Number** \_\_\_\_\_  
**R 20/R 40 from District of** \_\_\_\_\_  
**Related Case Name and No:** \_\_\_\_\_

**Defendant Information:****Juvenile --** Yes \_\_\_ No X **FBI #** N/A**Defendant Name:** MEGAUPLOAD LIMITED **Alias Name(s)** \_\_\_\_\_**Address:** Wanchai, Hong Kong**Employment:** N/A**Birth date** N/A **SS#** N/A **Sex** \_\_\_ **Def Race** N/A **Nationality** N/A **Place of Birth** N/A**Height** N/A **Weight** \_\_\_ **Hair** N/A **Eyes** N/A **Scars/Tattoos** N/A**Interpreter:** \_\_\_ No \_\_\_ Yes **List language and/or dialect:** N/A **Automobile Description** N/A**Location Status:****Arrest Date** N/A\_\_\_ **Already in Federal Custody as of** \_\_\_\_\_ **in** \_\_\_\_\_\_\_\_ **Already in State Custody** \_\_\_ **On Pretrial Release** \_\_\_ **Not in Custody**\_\_\_ **Arrest Warrant Requested** \_\_\_ **Fugitive** \_\_\_ **Summons Requested**\_\_\_ **Arrest Warrant Pending** \_\_\_ **Detention Sought** \_\_\_ **Bond** \_\_\_\_\_**Defense Counsel Information:****Name:** \_\_\_\_\_ **Court Appointed** \_\_\_\_\_ **Counsel conflicted out:** \_\_\_\_\_**Address:** \_\_\_\_\_ **Retained** \_\_\_\_\_**Telephone:** \_\_\_\_\_ **Public Defender** \_\_\_\_\_ **Federal Public Defender's Office conflicted out:** \_\_\_\_\_**U.S. Attorney Information:****AUSA** Jay V. Prabhu **Telephone No:** (703) 299-3700 **Bar #** \_\_\_\_\_**Complainant Agency, Address & Phone Number or Person & Title:**Federal Bureau of Investigation, 2451 Crystal Drive, Arlington, Virginia 22202, (703) 603-0900, Michael C. Poston, Special Agent**U.S.C. Citations:**

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Set 2	<u>18 U.S.C. § 371</u>	<u>Conspiracy to commit copyright infringement</u>	<u>2</u>	<u>Felony</u>
Set 3	<u>18 U.S.C. § 1956(h)</u>	<u>Conspiracy to commit money laundering</u>	<u>3</u>	<u>Felony</u>

(May be continued on reverse)

**Date:** 2/16/12 **Signature of AUSA:** 

JS 45 (07/2005) Reverse

**District Court Case Number (To be filled by deputy clerk):**1:12CR3**U.S.C. Citations (continued)**

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Set 30			
Set 31			

**U.S. District Court**

**Defendant Information:**

**Employment:** N/A

**Interpreter:** No **Yes** **List language and/or dialect:** N/A **Automobile Description** N/A


Arrest Warrant Pending \_\_\_\_\_ Detention Sought \_\_\_\_\_ Bond \_\_\_\_\_

Telephone: \_\_\_\_\_ Public Defender Federal Public Defender's Office conflicted out: \_\_\_\_\_

Federal Bureau of Investigation, 2451 Crystal Drive, Arlington, Virginia 22202, (703) 603-0900, Michael C. Poston, Special Agent

	<u>Code/Section</u>	<u>Description of Offense Charged</u>	<u>Count(s)</u>	<u>Capital/Felony/Misd/Petty</u>
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Date: 2/16/12 Signature of AUSA:



JS 45 (07/2005) Reverse

**District Court Case Number (To be filled by deputy clerk)**1:12CR3**U.S.C. Citations (continued)**

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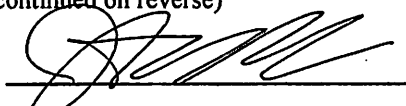
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**Place of Offense:** \_\_\_\_\_ **Under Seal:** Yes \_\_\_ No X **Judge Assigned:** Judge O'Grady  
**City** Ashburn, Virginia **Superseding Indictment** X **Criminal Number:** 1:12CR3  
**County/Parish** Loudoun County **Same Defendant** X **New Defendant** \_\_\_\_\_  
**Magistrate Judge Case Number** \_\_\_\_\_ **Arraignment Date:** \_\_\_\_\_  
**Search Warrant Case Number** \_\_\_\_\_  
**R 20/R 40 from District of** \_\_\_\_\_  
**Related Case Name and No:** \_\_\_\_\_

**Defendant Information:****Juvenile --** Yes \_\_\_ No X **FBI #** N/A**Defendant Name:** FINN HABIB BATATO **Alias Name(s)** \_\_\_\_\_**Address:** Munich, Germany**Employment:** N/A**Birth date** xx/xx/1973 **SS#** N/A **Sex** M **Def Race** White **Nationality** Germany **Place of Birth** Frankfurt, Germany**Height** \_\_\_\_\_ **Weight** \_\_\_\_\_ **Hair** \_\_\_\_\_ **Eyes** \_\_\_\_\_ **Scars/Tattoos** \_\_\_\_\_**Interpreter:** X No \_\_\_ Yes **List language and/or dialect:** N/A **Automobile Description** N/A**Location Status:****Arrest Date** 1/20/2012X **Already in Federal Custody as of** 1/20/2012 **in** New Zealand\_\_\_ **Already in State Custody** \_\_\_ **On Pretrial Release** \_\_\_ **Not in Custody**X **Arrest Warrant Requested** \_\_\_ **Fugitive** \_\_\_ **Summons Requested**\_\_\_ **Arrest Warrant Pending** X **Detention Sought** \_\_\_ **Bond** \_\_\_\_\_**Defense Counsel Information:****Name:** \_\_\_\_\_ **Court Appointed** \_\_\_\_\_ **Counsel conflicted out:** \_\_\_\_\_**Address:** \_\_\_\_\_ **Retained** \_\_\_\_\_**Telephone:** \_\_\_\_\_ **Public Defender** \_\_\_\_\_ **Federal Public Defender's Office conflicted out:** \_\_\_\_\_**U.S. Attorney Information:****AUSA** Jay V. Prabhu **Telephone No:** (703) 299-3700 **Bar #** \_\_\_\_\_**Complainant Agency, Address & Phone Number or Person & Title:**Federal Bureau of Investigation, 2451 Crystal Drive, Arlington, Virginia 22202, (703) 603-0900, Michael C. Poston, Special Agent**U.S.C. Citations:**

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Set 3	<u>18 U.S.C. § 1956(h)</u>	<u>Conspiracy to commit money laundering</u>	<u>3</u>	<u>Felony</u>

(May be continued on reverse)

**Date:** 2/16/12 **Signature of AUSA:** 

JS 45 (07/2005) Reverse

**District Court Case Number (To be filled by deputy clerk):**

1:12CR3

**U.S.C. Citations (continued)**

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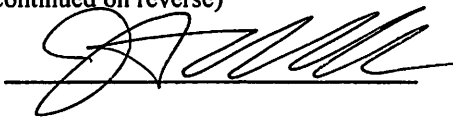
**Defendant Information:****Juvenile --** Yes \_\_\_ No X **FBI #** N/A**Defendant Name:** JULIUS BENCKO **Alias Name(s)** \_\_\_\_\_**Address:** Slovakia**Employment:** N/A

**Birth date** xx/xx/1976 **SS#** N/A **Sex** M **Def Race** White **Nationality** Slovakia **Place of Birth** Rožnava, Slovakia

**Height** \_\_\_\_\_ **Weight** \_\_\_\_\_ **Hair** Brown **Eyes** \_\_\_\_\_ **Scars/Tattoos** \_\_\_\_\_**Interpreter:** X No \_\_\_ Yes **List language and/or dialect:** N/A **Automobile Description** N/A**Location Status:****Arrest Date** \_\_\_\_\_\_\_\_ **Already in Federal Custody as of** \_\_\_\_\_ **in** \_\_\_\_\_\_\_\_ **Already in State Custody** \_\_\_ **On Pretrial Release** X **Not in Custody**X **Arrest Warrant Requested** \_\_\_ **Fugitive** \_\_\_ **Summons Requested**\_\_\_ **Arrest Warrant Pending** X **Detention Sought** \_\_\_ **Bond** \_\_\_\_\_**Defense Counsel Information:****Name:** \_\_\_\_\_ **Court Appointed** \_\_\_\_\_ **Counsel conflicted out:** \_\_\_\_\_**Address:** \_\_\_\_\_ **Retained** \_\_\_\_\_**Telephone:** \_\_\_\_\_ **Public Defender** \_\_\_\_\_ **Federal Public Defender's Office conflicted out:** \_\_\_\_\_**U.S. Attorney Information:****AUSA** Jay V. Prabhu **Telephone No:** (703) 299-3700 **Bar #** \_\_\_\_\_**Complainant Agency, Address & Phone Number or Person & Title:**Federal Bureau of Investigation, 2451 Crystal Drive, Arlington, Virginia 22202, (703) 603-0900, Michael C. Poston, Special Agent**U.S.C. Citations:**

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(May be continued on reverse)

**Date:** 2/16/12 **Signature of AUSA:** 

JS 45 (07/2005) Reverse

**District Court Case Number (To be filled by deputy clerk):**

1:12CR3

**U.S.C. Citations (continued)**

	<b><u>Index Key/Code</u></b>	<b><u>Description of Offense Charged</u></b>	<b><u>Count(s)</u></b>
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JS 45 (01/2008)

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 County/Parish County Same Defendant ☒ New Defendant \_\_\_\_\_  
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 Search Warrant Case Number \_\_\_\_\_  
 R 20/R 40 from District of \_\_\_\_\_  
 Related Case Name and No: \_\_\_\_\_

**Defendant Information:**Juvenile -- Yes ☐ No ☒ FBI # N/A

Defendant Name: SVEN ECHTERNACH Alias Name(s) SVEN HENDRIK MICHAEL THIES ECHTERNACH  
 Address: Frankfurt am Main, Germany  
 Employment: N/A

Birth date xx/xx/1972 SS# N/A Sex M Def Race White Nationality Germany Place of Birth Kassel, Germany  
 Height 6' Weight \_\_\_\_\_ Hair Brown Eyes \_\_\_\_\_ Scars/Tattoos \_\_\_\_\_  
 Interpreter: ☒ No ☐ Yes List language and/or dialect: N/A Automobile Description N/A

**Location Status:**

Arrest Date \_\_\_\_\_  
☐ Already in Federal Custody as of \_\_\_\_\_ in \_\_\_\_\_  
☐ Already in State Custody ☐ On Pretrial Release ☒ Not in Custody  
☒ Arrest Warrant Requested ☐ Fugitive ☐ Summons Requested  
☐ Arrest Warrant Pending ☒ Detention Sought ☐ Bond \_\_\_\_\_

**Defense Counsel Information:**

Name: \_\_\_\_\_ Court Appointed Counsel conflicted out: \_\_\_\_\_  
 Address: \_\_\_\_\_ Retained \_\_\_\_\_  
 Telephone: \_\_\_\_\_ Public Defender Federal Public Defender's Office conflicted out: \_\_\_\_\_

**U.S. Attorney Information:**

AUSA Jay V. Prabhu Telephone No: (703) 299-3700 Bar # \_\_\_\_\_

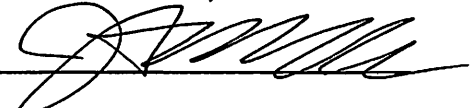
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JS 45 (07/2005) Reverse

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Search Warrant Case Number \_\_\_\_\_

R 20/R 40 from District of \_\_\_\_\_

Related Case Name and No: \_\_\_\_\_

**Defendant Information:****Juvenile --** Yes \_\_\_ No X **FBI #** N/A**Defendant Name:** MATHIAS ORTMANN **Alias Name(s)** \_\_\_\_\_**Address:** Wan Chai, Hong Kong**Employment:** N/A**Birth date** xx/xx/1971 **SS#** N/A **Sex** M **Def Race** White **Nationality** Germany **Place of Birth** Munich, Germany**Height** \_\_\_\_\_ **Weight** \_\_\_\_\_ **Hair** Brown **Eyes** \_\_\_\_\_ **Scars/Tattoos** \_\_\_\_\_**Interpreter:** X No \_\_\_ Yes **List language and/or dialect:** N/A **Automobile Description** N/A**Location Status:****Arrest Date** 1/20/2012X Already in Federal Custody as of 1/20/2012 in New Zealand

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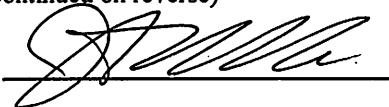
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(May be continued on reverse)

**Date:** 2/16/12 **Signature of AUSA:** 

JS 45 (07/2005) Reverse

**District Court Case Number (To be filled by deputy clerk):**

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**U.S.C. Citations (continued)**

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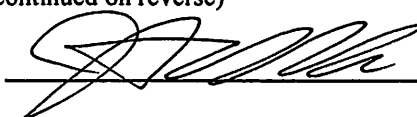
**Criminal Case Cover Sheet (REDACTED)****U.S. District Court**

**Place of Offense:** Ashburn, Virginia **Under Seal:** Yes ☐ No ☒ **Judge Assigned:** Judge O'Grady  
**City** Loudoun **Superseding Indictment** ☒ **Criminal Number:** 1:12CR3  
**County/Parish** County **Same Defendant** ☒ **New Defendant** ☐  
**Magistrate Judge Case Number** \_\_\_\_\_ **Arraignment Date:** \_\_\_\_\_  
**Search Warrant Case Number** \_\_\_\_\_  
**R 20/R 40 from District of** \_\_\_\_\_  
**Related Case Name and No:** \_\_\_\_\_

**Defendant Information:****Juvenile --** Yes ☐ No ☒ **FBI #** N/A**Defendant Name:** ANDRUS NOMM **Alias Name(s)** \_\_\_\_\_**Address:** Estonia**Employment:** N/A**Birth date** xx/xx/1979 **SS#** N/A **Sex** M **Def Race** White **Nationality** Estonia **Place of Birth** Estonia**Height** 6'1" **Weight** \_\_\_\_\_ **Hair** Blonde **Eyes** \_\_\_\_\_ **Scars/Tattoos** \_\_\_\_\_**Interpreter:** X No ☐ Yes ☐ **List language and/or dialect:** N/A **Automobile Description** N/A**Location Status:****Arrest Date** 1/21/2012X **Already in Federal Custody as of** 1/21/2012 **in** Netherlands☐ **Already in State Custody** ☐ **On Pretrial Release** ☐ **Not in Custody**X **Arrest Warrant Requested** ☐ **Fugitive** ☐ **Summons Requested**☐ **Arrest Warrant Pending** X **Detention Sought** ☐ **Bond** \_\_\_\_\_**Defense Counsel Information:****Name:** \_\_\_\_\_ **Court Appointed** ☐ **Counsel conflicted out:** \_\_\_\_\_**Address:** \_\_\_\_\_ **Retained** ☐ \_\_\_\_\_**Telephone:** \_\_\_\_\_ **Public Defender** ☐ **Federal Public Defender's Office conflicted out:** \_\_\_\_\_**U.S. Attorney Information:****AUSA** Jay V. Prabhu **Telephone No:** (703) 299-3700 **Bar #** \_\_\_\_\_**Complainant Agency, Address & Phone Number or Person & Title:**Federal Bureau of Investigation, 2451 Crystal Drive, Arlington, Virginia 22202, (703) 603-0900, Michael C. Poston, Special Agent**U.S.C. Citations:**

	<u>Code/Section</u>	<u>Description of Offense Charged</u>	<u>Count(s)</u>	<u>Capital/Felony/Misd/Petty</u>
Set 1	<u>18 U.S.C. § 1962(d)</u>	<u>Conspiracy to commit racketeering</u>	<u>1</u>	<u>Felony</u>
Set 2	<u>18 U.S.C. § 371</u>	<u>Conspiracy to commit copyright infringement</u>	<u>2</u>	<u>Felony</u>
Set 3	<u>18 U.S.C. § 1956(h)</u>	<u>Conspiracy to commit money laundering</u>	<u>3</u>	<u>Felony</u>

(May be continued on reverse)

**Date:** 2/16/12 **Signature of AUSA:** \_\_\_\_\_

JS 45 (07/2005) Reverse

District Court Case Number (To be filled by deputy clerk):

1:12CR3**U.S.C. Citations (continued)**

	<b><u>Index Key/Code</u></b>	<b><u>Description of Offense Charged</u></b>	<b><u>Count(s)</u></b>
Set 4	18 U.S.C. §§ 2, 2319; and 17 U.S.C. § 506	Criminal copyright infringement	4 - 8
Set 5	18 U.S.C. §§ 2, 1343	Fraud by wire, and aiding & abetting of fraud by wire	9 - 13
Set 6			
Set 7			
Set 8			
Set 9			
Set 10			
Set 11			
Set 12			
Set 13			
Set 14			
Set 15			
Set 16			
Set 17			
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Set 26			
Set 27			
Set 28			
Set 29			
Set 30			
Set 31			



JS 45 (01/2008)

**Criminal Case Cover Sheet (REDACTED)****U.S. District Court**

**Place of Offense:** Ashburn, Virginia **Under Seal:** Yes ☐ No ☒ **Judge Assigned:** Judge O'Grady  
**City** Loudoun **Superseding Indictment** ☒ **Criminal Number:** 1:12CR3  
**County/Parish** County **Same Defendant** ☒ **New Defendant** ☐  
**Magistrate Judge Case Number** \_\_\_\_\_ **Arraignment Date:** \_\_\_\_\_  
**Search Warrant Case Number** \_\_\_\_\_  
**R 20/R 40 from District of** \_\_\_\_\_  
**Related Case Name and No:** \_\_\_\_\_

**Defendant Information:****Juvenile --** Yes ☐ No ☒ **FBI #** N/A**Defendant Name:** BRAM VAN DER KOLK **Alias Name(s)** BRAMOS**Address:** Auckland, New Zealand**Employment:** N/A**Birth date** xx/xx/1982 **SS#** N/A **Sex** M **Def Race** White **Nationality** Dutch **Place of Birth** Zwolle, Netherlands**Height** 5'10" **Weight** \_\_\_\_\_ **Hair** Brown **Eyes** \_\_\_\_\_ **Scars/Tattoos** \_\_\_\_\_**Interpreter:** ☒ No ☐ Yes **List language and/or dialect:** N/A **Automobile Description** N/A**Location Status:****Arrest Date** 1/20/2012☒ **Already in Federal Custody as of** 1/20/2012 **in** New Zealand☐ **Already in State Custody** ☐ **On Pretrial Release** ☐ **Not in Custody**☒ **Arrest Warrant Requested** ☐ **Fugitive** ☐ **Summons Requested**☐ **Arrest Warrant Pending** ☒ **[Detention Sought** ☐ **Bond** \_\_\_\_\_**Defense Counsel Information:****Name:** \_\_\_\_\_ **Court Appointed** ☐ **Counsel conflicted out:** \_\_\_\_\_**Address:** \_\_\_\_\_ **Retained** ☐ \_\_\_\_\_**Telephone:** \_\_\_\_\_ **Public Defender** ☐ **Federal Public Defender's Office conflicted out:** \_\_\_\_\_**U.S. Attorney Information:****AUSA** Jay V. Prabhu **Telephone No:** (703) 299-3700 **Bar #** \_\_\_\_\_**Complainant Agency, Address & Phone Number or Person & Title:**Federal Bureau of Investigation, 2451 Crystal Drive, Arlington, Virginia 22202, (703) 603-0900, Michael C. Poston, Special Agent**U.S.C. Citations:**

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Set 2	<u>18 U.S.C. § 371</u>	<u>Conspiracy to commit copyright infringement</u>	<u>2</u>	<u>Felony</u>
Set 3	<u>18 U.S.C. § 1956(h)</u>	<u>Conspiracy to commit money laundering</u>	<u>3</u>	<u>Felony</u>

(May be continued on reverse)

**Date:** 2/16/12 **Signature of AUSA:** \_\_\_\_\_

JS 45 (07/2005) Reverse

**District Court Case Number (To be filled by deputy clerk):**

1:12CR3

**U.S.C. Citations (continued)**

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count(s)</u>
Set 4	18 U.S.C. §§ 2, 2319; and 17 U.S.C. § 506	Criminal copyright infringement	4 - 8
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