



1 United States, that conducted cyber attacks against individuals  
2 and entities that were perceived to be hostile to Anonymous and  
3 its members' interests. These attacks included, among other  
4 things, distributed denial of service ("DDoS") attacks, which  
5 would result in the victim computer and its network to become  
6 completely disabled and unable to perform their intended  
7 functions.

8 c. Defendant KEVIN GEORGE POE ("defendant POE"), also  
9 known as "spydr101," resided in Manchester, Connecticut, within  
10 the District of Connecticut, and was affiliated with Anonymous.

11 2. The following definitions apply to this Indictment:

12 a. A DDoS attack is a computer attack that renders a  
13 computer resource unavailable to its intended users. One common  
14 form of a DDoS attack attempts to saturate the target computer or  
15 network with external communications requests, such that the  
16 target computer cannot respond to legitimate traffic, or that the  
17 response is so slow as to render the target effectively  
18 unavailable.

19 b. Low Orbit Ion Cannon ("LOIC") is an open  
20 source computer program that is used as a tool in DDoS attacks by  
21 sending extremely large amounts of packets or requests over a  
22 network in an attempt to overwhelm a target computer. LOIC is  
23 configured in one of two ways: manual mode or "hive" mode. In  
24 manual mode, an individual attacker enters a specific target,  
25 such as the Internet Protocol ("IP") address or the domain name  
26 of a target computer. The LOIC hive mode enables an attacker to  
27 connect to an Internet Relay Chat ("IRC") server, which allows a  
28 third party to choose the target computer.

1           c.    An IRC is a system for Internet-based "chatting"  
2 that uses client/server software. Using IRC, one could start a  
3 chat group (called a "channel") or join an existing chat group.  
4 Generally, a channel is dedicated to a particular topic, which  
5 may be reflected by the channel's name. Participants in chat  
6 channels commonly use nicknames instead of their real names to  
7 identify themselves.

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COUNT ONE

[18 U.S.C. § 371]

3 3. The Grand Jury re-alleges and incorporates by reference  
4 the introductory allegations set forth in paragraphs one and two  
5 of this Indictment as if fully set forth herein.

6 A. THE OBJECT OF THE CONSPIRACY

7 4. Beginning on a date unknown and continuing through  
8 on or about October 22, 2010, in Los Angeles County, within the  
9 Central District of California, and elsewhere, defendant POE,  
10 together with others known and unknown to the Grand Jury,  
11 knowingly combined, conspired, and agreed to commit the following  
12 offense against the United States: To impair and cause damage to  
13 a protected computer without authorization, in violation of Title  
14 18, United States Code, Section 1030(a)(5)(A).

15 B. THE MANNER AND MEANS OF THE CONSPIRACY

16 5. The object of the conspiracy was carried out, and to be  
17 carried out, in substance, as follows:

18 a. Anonymous would instruct its members and  
19 affiliates to conduct a DDoS attack against specific websites or  
20 IP addresses and would make available, through Anonymous  
21 affiliated websites and IRC channels, the LOIC program to be used  
22 in the course of the attack.

23 b. Defendant POE, together with known and unknown co-  
24 conspirators, would visit the Anonymous IRC channels or websites,  
25 and download the LOIC program to run on his computer.

26 c. Defendant POE, together with known and unknown co-  
27 conspirators, would conduct a DDoS attack in either manual or  
28 hive mode against the GeneSimmons.com computer systems.

1 d. Defendant POE, together with known and unknown co-  
2 conspirators, would announce the attack against the  
3 GeneSimmons.com computer systems on various websites, such as  
4 myce.com, softpedia.com, and techworld.com.

5 C. OVERT ACTS

6 6. In furtherance of the conspiracy, and to accomplish its  
7 object, defendant POE, together with others known and unknown to  
8 the Grand Jury, committed and caused others to commit the  
9 following overt acts, among others, in the Central District of  
10 California and elsewhere:

11 Overt Act No. 1: In or before October 2010, defendant POE  
12 downloaded LOIC and configured it to launch a DDoS attack against  
13 the GeneSimmons.com computer systems.

14 Overt Act No. 2: From on or about October 18, 2010, through  
15 on or about October 22, 2010, defendant POE and other known and  
16 unknown co-conspirators conducted a DDoS attack against the  
17 GeneSimmons.com computer systems, sending tens of thousands of  
18 communication requests in order to overload the server and render  
19 the website useless.

20 Overt Act No. 3: From on or about October 16, 2010, through  
21 on or about October 20, 2010, Anonymous announced the attacks  
22 against GeneSimmons.com on several websites, including myce.com,  
23 softpedia.com, and techworld.com.

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COUNT TWO

[18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(B)(i), (c)(4)(A)(i)(I)]

7. The Grand Jury re-alleges and incorporates by reference the allegations set forth in paragraphs one, two, and five of this Indictment as if fully set forth herein.

8. From on or about October 18, 2010, through on or about October 22, 2010, in Los Angeles County, within the Central District of California, and elsewhere, defendant POE knowingly caused the transmission of programs, information, codes, and commands, and, as a result of such conduct, intentionally caused damage without authorization by impairing the integrity and availability of data, programs, systems, and information on a computer system that was used in and affecting interstate and foreign commerce and communication, specifically, the GeneSimmons.com computer systems located in Los Angeles County, California, thereby causing a loss to GeneSimmons.com aggregating

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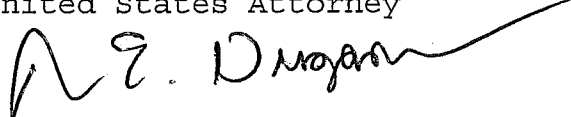
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1 at least \$5,000 in value during a one-year period beginning on or  
2 about October 18, 2010.

3  
4 A TRUE BILL

5 151  
6 Foreperson

7 ANDRÉ BIROTTE JR.  
8 United States Attorney

9   
10 ROBERT E. DUGDALE  
11 Assistant United States Attorney  
12 Chief, Criminal Division

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