

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/02/2005

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b7C

To: San Diego

From: San Diego
Squad 19 - Cyber
Contact: SA [redacted]

Approved By: [redacted]

Drafted By: [redacted] KS

Case ID #: 295B-SD-NEW (Pending)

Title: OPERATION: D-ELITE

Synopsis: To recommend the opening of a IPR infringement case regarding captioned matter.

Details: On 02/15/2005, [redacted] Worldwide Enforcement, Motion Picture Association of America (MPAA),

[redacted] and [redacted] MPAA, United States Anti-Piracy Operations, [redacted] briefed members of the United States Attorneys Office (USAO), Southern District of California, and Special Agents with the Federal Bureau of Investigation (FBI) on an organization of individuals who administer and provide original material for the online trading of copyrighted media. These individuals belong to a group know as Elite Torrent, and have over 130,000 members worldwide.

[redacted] provided information from a database tracking server which detailed data made available, downloaded and uploaded from each individual. The information identified system administrators, content originators and low level members who participate in the online trading of copyrighted material. The MPAA inquired to the possibility of a criminal referral to target the key individuals located in the United States for criminal prosecution. The USAO was supportive of issuing search warrants, and would want an analysis of the data to make a prosecution decision.

San Diego requests the opening of the above captioned case to investigate the Intellectual Property Rights (IPR) violations further.

◆◆

OeA 295B
to Co-Case Agents
SA
SA
SA
No CPT Code
JEM
03/2/05
2/2/05

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/09/2005

To: San Diego

From: San Diego
Squad 19 - Cyber

Contact: SA [Redacted]

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Approved By: [Redacted]

Drafted By: [Redacted]

Case ID #: 295B-SD-67338; 2 (Pending)

295B-SD-67338-65; 1

Title: OPERATION: D-ELITE

Synopsis: Request San Diego open above captioned subfile.

Details: Request San Diego open Grand Jury Material subfile for
investigative information. Subfile to be designated 295B-SD-
67338-GJ.

♦♦

Open Subj GT
3/9/05 ABM
or 3/9/05

295B-SD-67338; 2

089 KSO2.EC
KS mde

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/29/2005

To: Cyber	Attn: Intellectual Property Rights Unit Criminal Computer Intrusion Unit
Buffalo	Attn: SA [redacted]
Chicago	Attn: SSA [redacted]
Denver	Attn: SA [redacted]
Jackson	Attn: SA [redacted]
Kansas City	Attn: SSA [redacted]
Milwaukee	Attn: SSA [redacted]
Philadelphia	Attn: SA [redacted]
Phoenix	Attn: SSA [redacted]
Pittsburgh	Attn: SA [redacted]
Richmond	Attn: SSRA [redacted]
San Antonio	Attn: SA [redacted]

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b7C

From: San Diego
 Squad 19 - Cyber
Contact: SA [redacted]

Approved By: [redacted]
Drafted By: [redacted] KS

Case ID #: 295B-SD-67338³ (Pending)

Title: OPERATION: D-ELITE

Synopsis: Set leads to prepare and conduct coordinated search warrants and interviews on 04/27/2005 related to Intellectual Property Rights Theft investigation.

Details: The FBI received a complaint from the Motion Picture Association of America (MPAA) on March 1, 2005 wherein the MPAA stated they began an investigation of the Elite Torrents (ET) organization, an illegal online piracy group, in August 2004. [redacted]

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[redacted] provided the MPAA with a complete copy of the data logs from the ET tracker which collected the login names, IP addresses, and other piracy transaction information from its members. The logs included information on individuals in the United States including three high level system administrators of ET, eleven individuals who are identified and credited as being the original Uploaders of copyrighted material to the organization, and numerous individuals who are identified as being leachers/seeders of the organization, those who obtained the copyrighted material and allowed it to be uploaded from their computer system to other users.

To: Cyber From: San Diego
Re: 295B-SD-67338, 03/29/2005

Leachers are individuals who are sharing a file but do not have a full copy of the movie/program/game they are downloading. Seeders are individuals who have obtained 100% of the item they are downloading, and are now providing it to the other members. Uploaders are individuals who have been given the responsibility to obtain new material for the organization, create the torrent files, and share the files with the other members.

In the early 1990s, computer hackers and other individuals organized themselves into various international groups that became an underground Internet society known as the "warez scene." The leading warez groups compete against each other to attain the reputation as the fastest provider of high-quality pirated computer software, including utility and application software, console games, and movies. These warez groups specialize in being the first to release new pirated software to the warez community for unauthorized reproduction and distribution worldwide.

The new mainstream technology and terminology quickly replacing the "warez" underworld is known as "BitTorrent" which has been touted by computer experts as one of the the biggest advances in Internet technology. BitTorrent was introduced as a program that allowed computer users to share and swap files, specifically music and movies, through a centralized file server. Preparing new pirated movies, music, games and software for release and distribution to the BitTorrent scene generally requires a number of different steps. Mechanically, files shared over a BitTorrent system are broken down into separate parts that are separately shared. A user downloading over a BitTorrent network will begin sharing the parts of a file as he acquires them, which is even before he has acquired all of the parts of the larger file. The BitTorrent system is designed so that users will obtain the missing parts of the files they are acquiring faster if they upload the parts they acquire simultaneously as they download and acquire them. This combination of partial-sharing and tit-for-tat techniques generally results, especially for larger files such as movies, in BitTorrent providing faster downloads than competing peer-to-peer file transfer systems.

There are two types of programs that comprise the BitTorrent system: "clients" and "trackers." Clients are programs that users run to download and upload files. Trackers are programs that certain motivated parties run to tell the clients where they can located the files they want. This file-location service is critical to the functioning of the BitTorrent system. A tracker tracks clients and maintains a list, or index,

To: Cyber From: San Diego
Re: 295B-SD-67338, 03/29/2005

of which clients are online sharing which files. Trackers do not store or relay the files themselves, but instead introduce clients to one another to make file sharing by individuals easier. A client communicates with a tracker to ask it for the Internet Protocol (IP) addresses of clients sharing the file that the client wishes to download. The client then automatically communicates directly with those other clients to download the desired file from them.

The BitTorrent system enables users to download many types of files, including movies, music, and software, which are called "content" files. In order to download a content file with BitTorrent, a user must first find and download an associated "torrent" file. Torrent files contain the information BitTorrent clients need to download associated content files. Namely, a torrent file includes the address of a tracker, the name of a content file, the size of the content file, the size of the parts into which the file is divided, and unique file identifiers for each part. Torrent files are small files that essentially tell one computer where and how to get a content file directly from another computer.

The key philosophy of BitTorrent is that users should upload (transmit outbound) at the same time they are downloading (receiving inbound.) In this manner, network bandwidth is utilized as efficiently as possible. BitTorrent is designed to work better as the number of people interested in a certain file increases, in contrast to other file transfer protocols. To date, it is the fastest way to download music and movies, illegally, on the Internet.

This is a joint investigation with the San Diego Computer and Technology Crime High-Tech (CATCH) Response Team, and the US Department of Immigration and Customs Enforcement (ICE). Local Agents from ICE will be contacting the recipients of this EC to assist in the preparation and execution of the search warrants. If it is determined that the subject of the lead is not in the Division being notified, an EC will be generated to inform the affected Division.

A draft affidavit is being prepared and will be forwarded electronically to the separate divisions in preparation for the coordinated search warrants. Separate from the affidavit, an excel spread sheet listing subject information and the initial target information packet provided by the MPAA will be forwarded to the lead Agent. Closer to the time of the search warrant, questions to ask the subject during the interview will be prepared and provided to each Division. It is anticipated that numerous computer systems or large storage configurations

To: Cyber From: San Diego
Re: 295B-SD-67338, 03/29/2005

may be found at the search locations due to the number of files and volume of data each subject has downloaded or allowed to be uploaded from their computer system.

The planned execution date for the coordinated search warrants is scheduled for 04/27/2005. Surveillance of the targets daily routine will assist in the coordination for serving of the warrants. Please report pertinent information to Case Agent.

To: Cyber From: San Diego
Re: 295B-SD-67338, 03/29/2005

LEAD(s) :

Set Lead 1: (Info)

CYBER

AT WASHINGTON D.C.

Read and clear.

Set Lead 2: (Action)

BUFFALO

AT ELMIRA, NEW YORK

Assign lead agent to coordinate with San Diego and respective Field Office in preparation for multiple division execution of search warrants. Conduct local background investigation of below listed individual, and determine work/school patterns. Coordinate with respective Division resources to have either CART, RCFL, or properly trained Agents available to assist in seizing computer systems during the search warrant execution. Coordinate with local ICE agent for additional resources.

The anticipated target of the search warrant in your division is identified as follows:



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Set Lead 3: (Action)

CHICAGO

AT CHICAGO, ILLINOIS

Assign lead agent to coordinate with San Diego and respective Field Office in preparation for multiple division execution of search warrants. Conduct local background investigation of below listed individual, and determine work/school patterns. Coordinate with respective Division resources to have either CART, RCFL, or properly trained Agents

To: Cyber From: San Diego
Re: 295B-SD-67338, 03/29/2005

available to assist in seizing computer systems during the search warrant execution. Coordinate with local ICE agent for additional resources.

The anticipated target of the search warrant in your division is identified as follows:



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b7C

Set Lead 4: (Action)

DENVER

AT FT. COLLINS, COLORADO

Assign lead agent to coordinate with San Diego and respective Field Office in preparation for multiple division execution of search warrants. Conduct local background investigation of below listed individual, and determine work/school patterns. Coordinate with respective Division resources to have either CART, RCFL, or properly trained Agents available to assist in seizing computer systems during the search warrant execution. Coordinate with local ICE agent for additional resources.

The anticipated target of the search warrant in your division is identified as follows:



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To: Cyber From: San Diego
Re: 295B-SD-67338, 03/29/2005

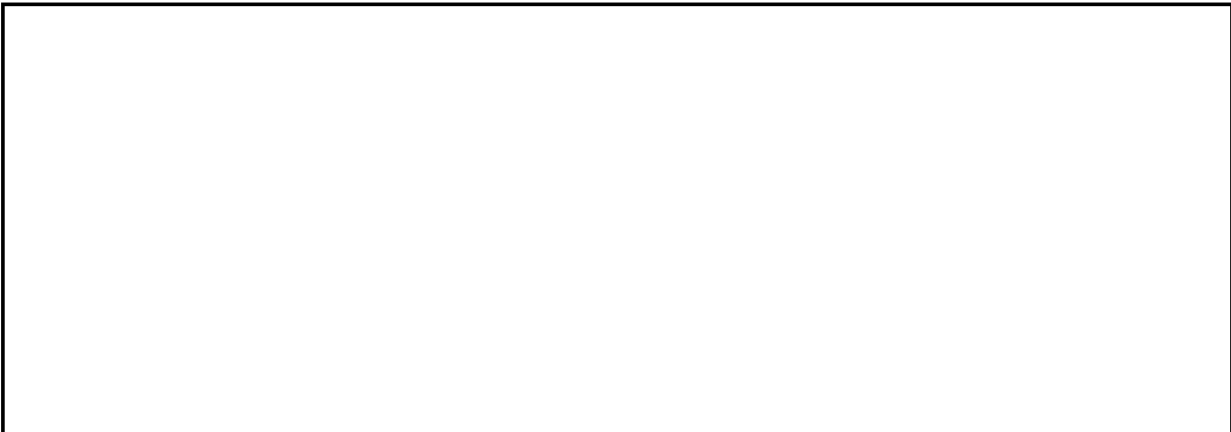
Set Lead 5: (Action)

JACKSON

AT GULFPORT, MISSISSIPPI

Assign lead agent to coordinate with San Diego and respective Field Office in preparation for multiple division execution of search warrants. Conduct local background investigation of below listed individual, and determine work/school patterns. Coordinate with respective Division resources to have either CART, RCFL, or properly trained Agents available to assist in seizing computer systems during the search warrant execution. Coordinate with local ICE agent for additional resources.

The anticipated target of the search warrant in your division is identified as follows:



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Set Lead 6: (Action)

KANSAS CITY

AT KANSAS CITY, MISSOURI

Assign lead agent to coordinate with San Diego and respective Field Office in preparation for multiple division execution of search warrants. Conduct local background investigation of below listed individual, and determine work/school patterns. Coordinate with respective Division resources to have either CART, RCFL, or properly trained Agents available to assist in seizing computer systems during the search warrant execution. Coordinate with local ICE agent for additional resources.

To: Cyber From: San Diego
Re: 295B-SD-67338, 03/29/2005

The anticipated target of the search warrant in your division is identified as follows:



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Set Lead 7: (Action)

MILWAUKEE

AT MILWAUKEE, WISCONSIN

Assign lead agent to coordinate with San Diego and respective Field Office in preparation for multiple division execution of search warrants. Conduct local background investigation of below listed individual, and determine work/school patterns. Coordinate with respective Division resources to have either CART, RCFL, or properly trained Agents available to assist in seizing computer systems during the search warrant execution. Coordinate with local ICE agent for additional resources.

The anticipated target of the search warrant in your division is identified as follows:



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b7C

Set Lead 8: (Action)

MILWAUKEE

AT MILWAUKEE, WISCONSIN

Assign lead agent to coordinate with San Diego and respective Field Office in preparation for multiple division execution of search warrants. Conduct local background investigation of below listed individual, and determine work/school patterns. Coordinate with respective Division resources to have either CART, RCFL, or properly trained Agents available to assist in seizing computer systems during the search

To: Cyber From: San Diego
Re: 295B-SD-67338, 03/29/2005

warrant execution. Coordinate with local ICE agent for additional resources.

The anticipated target of the search warrant in your division is identified as follows:



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Set Lead 9: (Action)

PHILADELPHIA

AT FT. WASHINGTON, PENNSYLVANIA

Assign lead agent to coordinate with San Diego and respective Field Office in preparation for multiple division execution of search warrants. Conduct local background investigation of below listed individual, and determine work/school patterns. Coordinate with respective Division resources to have either CART, RCFL, or properly trained Agents available to assist in seizing computer systems during the search warrant execution. Coordinate with local ICE agent for additional resources.

The anticipated target of the search warrant in your division is identified as follows:



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To: Cyber From: San Diego
Re: 295B-SD-67338, 03/29/2005

Set Lead 10: (Action)

PHOENIX

AT PHOENIX, ARIZONA

Assign lead agent to coordinate with San Diego and respective Field Office in preparation for multiple division execution of search warrants. Conduct local background investigation of below listed individual, and determine work/school patterns. Coordinate with respective Division resources to have either CART, RCFL, or properly trained Agents available to assist in seizing computer systems during the search warrant execution. Coordinate with local ICE agent for additional resources.

The anticipated target of the search warrant in your division is identified as follows:



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Set Lead 11: (Action)

PHOENIX

AT PHOENIX, ARIZONA

Assign lead agent to coordinate with San Diego and respective Field Office in preparation for multiple division execution of search warrants. Conduct local background investigation of below listed individual, and determine work/school patterns. Coordinate with respective Division resources to have either CART, RCFL, or properly trained Agents available to assist in seizing computer systems during the search warrant execution. Coordinate with local ICE agent for additional resources.

The anticipated target of the search warrant in your division is identified as follows:

To: Cyber From: San Diego
Re: 295B-SD-67338, 03/29/2005



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Set Lead 12: (Action)

PITTSBURGH

AT ERIE, PENNSYLVANIA

Assign lead agent to coordinate with San Diego and respective Field Office in preparation for multiple division execution of search warrants. Conduct local background investigation of below listed individual, and determine work/school patterns. Coordinate with respective Division resources to have either CART, RCFL, or properly trained Agents available to assist in seizing computer systems during the search warrant execution. Coordinate with local ICE agent for additional resources.

The anticipated target of the search warrant in your division is identified as follows:



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Set Lead 13: (Action)

RICHMOND

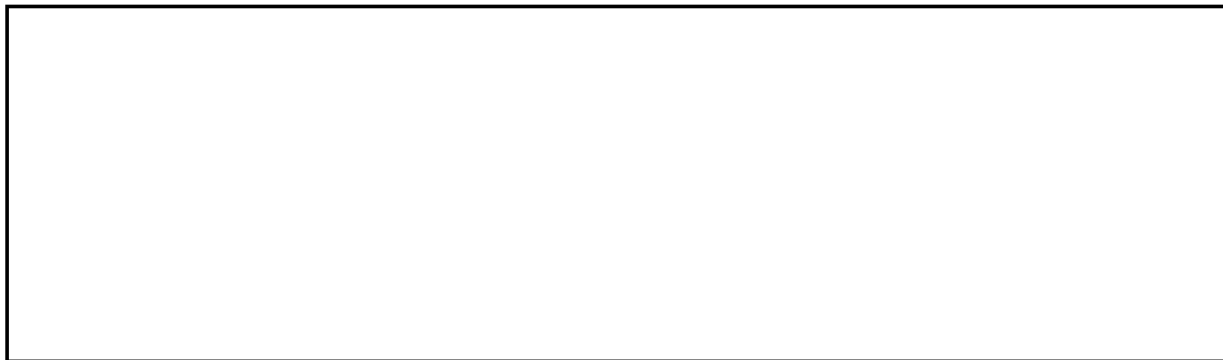
AT ROANOKE, VIRGINIA

Assign lead agent to coordinate with San Diego and respective Field Office in preparation for multiple division execution of search warrants. Conduct local background investigation of below listed individual, and determine

To: Cyber From: San Diego
Re: 295B-SD-67338, 03/29/2005

work/school patterns. Coordinate with respective Division resources to have either CART, RCFL, or properly trained Agents available to assist in seizing computer systems during the search warrant execution. Coordinate with local ICE agent for additional resources.

The anticipated target of the search warrant in your division is identified as follows:



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Set Lead 14: (Action)

RICHMOND

AT ROANOKE, VIRGINIA

Assign lead agent to coordinate with San Diego and respective Field Office in preparation for multiple division execution of search warrants. Conduct local background investigation of below listed individual, and determine work/school patterns. Coordinate with respective Division resources to have either CART, RCFL, or properly trained Agents available to assist in seizing computer systems during the search warrant execution. Coordinate with local ICE agent for additional resources.

The anticipated target of the search warrant in your division is identified as follows:



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To: Cyber From: San Diego
Re: 295B-SD-67338, 03/29/2005

Set Lead 15: (Action)

SAN ANTONIO

AT AUSTIN, TEXAS

Assign lead agent to coordinate with San Diego and respective Field Office in preparation for multiple division execution of search warrants. Conduct local background investigation of below listed individual, and determine work/school patterns. Coordinate with respective Division resources to have either CART, RCFL, or properly trained Agents available to assist in seizing computer systems during the search warrant execution. Coordinate with local ICE agent for additional resources.

The anticipated target of the search warrant in your division is identified as follows:



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(X) KS

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/31/2005

To: Cyber

Attn: UC [redacted]

From: San Diego

Squad 19 - Cyber

Contact: SA [redacted]

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Approved By: [redacted]

Drafted By: [redacted]

File copy

Case ID #: 66F-HQ-A1451247' 158 (Pending)
295B-SD-67338 ; 4 (Pending)

*Cyber copy
and 66F copy
mailed out 4/01*

Title: Cyber Crime/Intellectual Property Rights
Programs Matters

Synopsis: To advise CYBER-IPRU of San Diego Divisions inability to investigate the Warez Peer-to-Peer Website referral based on the pending major takedown involving a significant Bit Torrent trafficking organization.

Reference: 66F-HQ-A1451247 Serial 126 dated 01/10/2005.

Details: Shortly after receiving the above referenced lead involving an RIAA Warez Peer-to-Peer (P2P) referral, the Motion Picture Association of America (MPAA) provided information on a piracy organization, Elite Torrents (ET), which is believed to be providing material to individuals associated with the Warez P2P network. While the Warez P2P network trades in songs and videos, the organization the MPAA identified trades in software and full movie DVD and theatrical releases.

The MPAA provided transaction logs for a Bit Torrent tracker website, www.elitetorrents.com, which identified by IP address, individuals who were transferring copyrighted material. An investigation was opened to identify potential targets of the ET organization, which includes over 125,000 members from around the world. This takedown will involve approximately 21 search warrants executed in 12 Divisions targeting Administrators, Uploaders and File Traffickers. The takedown will be one of the first major efforts by law enforcement to dismantle a Bit Torrent organization. The knowledge gained from the ET investigation will be utilized to initiate a Group II operation targeting additional Bit Torrent traffickers, Uploaders and Site Administrators.

295B-SD-67338 ; 4

To: Cyber From: San Diego
Re: 66F-HQ-A1451247, 03/31/2005

Regretfully, San Diego is not in a position to investigate the Warez P2P website at this time due to manpower limitations given the pending major takedown, and considers the lead covered.

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295B-SD-67338
KS:ks

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Special Agent (SA) [redacted] conducted the following investigative activity:

On 03/16/2005, SA [redacted] received a telephone call from [redacted] concerning the two hard drives from the Elite Torrent (ET) tracker server. [redacted] stated that he would be shipping the drives to SA [redacted] for evidence, as directed by [redacted] Worldwide Enforcement, Motion Picture Association of America (MPAA), [redacted]

On 3/17/2005, SA [redacted] received a UPS box from [redacted] which contained two 20GB hard drives. Included with the hard drives was the original United States Postal Service (USPS) shipping labels from [redacted] [redacted] included a letter which stated that he received the drives [redacted]

[redacted] The two hard drives were then entered into FBI evidence. The packing labels from the USPS box, and the letter from [redacted] will be maintained in the 1A section of the file in an FD-340 envelope.

On 03/21/2005, SA [redacted] provided the two hard drives to the Regional Computer Forensic Laboratory (RCFL), and requested they be imaged, and an image of the drives be provided to the Case Agent for forensic review. The RCFL case number assigned to this investigation is 05-0100, and the request for imaging the drives is 05-0100-A-01.

295B-SD-67338; 5

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 04/18/2005

To: San Diego

Attn: ELSUR Unit

From: San Diego

Squad 19 - Cyber

Contact: [Redacted]

Approved By: [Redacted]

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(X)
[Signature]

Drafted By: [Redacted]

Case ID #: 295B-SD-67338 (Pending); 6
295E-SD-67338-ELATEL (Pending); 1

Title: OPERATION: D-ELITE

Synopsis: To request the opening of subfile "ELATEL".

Details: Writer is requesting subfile "ELATEL" be opened and maintained in ELSUR for all Pen Register matters.

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done
4/19/05
[Signature]
Open Subfile ELATEL
4-18-05 JBM

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 04/05/2005

Special Agent (SA) [redacted] conducted the following investigational activity:

During a meeting with the Motion Picture Association of America (MPAA) on 03/17/2005, writer requested authorization from MPAA member companies for permission to exchange copyrighted material which is already being offered on Bit Torrent (BT) websites. The only stipulation was that the FBI would not be originators of newly released material. [redacted] Worldwide Enforcement, MPAA, [redacted] stated that he would request authorization and forward the documents to writer.

On 04/05/2005, SA [redacted] received via FEDEX, from the MPAA, documents from the member companies of the MPAA authorizing the FBI to exchange motion pictures via the BT network during investigations. The following is a list of the member companies and the individual authorizing the FBI to exchange copyrighted material:

The Walt Disney Company, [redacted] Counsel;

Twentieth Century Fox, [redacted]
Content Protection;

Metro Goldwyn Mayer, [redacted] Intellectual
Property Enforcement;

Paramount Pictures, [redacted] Business
Affairs and Legal;

Sony Pictures, [redacted]

Universal Studios, [redacted] Worldwide Anti-
Piracy Operations;

Warner Bros. Entertainment, [redacted]
Intellectual Property Counsel.

The original documents will be maintained in the 1A section of the 295B-SD-67212 case file in an FD-340 envelope.

Investigation on 04/05/2005 at San Diego, California

File # 295B-SD-67212, 295B-SD-67338 Date dictated _____

by SA [redacted] *KS*

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FEDERAL BUREAU OF INVESTIGATION

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Precedence: ROUTINE

Date: 04/25/2005

To: ✓ San Diego

Attn: SA [redacted]

From: Milwaukee
Squad 9

Attn: SA [redacted]

Contact: ISS [redacted]

Approved By: [redacted] ✓

Drafted By: [redacted]

Case ID #: 295B-SD-67338-^u (Pending)

Title: OPERATION D-ELITE

Synopsis: Milwaukee report leads covered, provide background information.

Reference: 29B-SD-67338 Serial 3

Enclosure(s): Enclosed is copy of Wisconsin Driver License photo for subject as well as attachment listing the restrictions for the photo per the Wisconsin Department of Transportation.

Details: The following investigation was conducted by ISS [redacted] at Milwaukee, Wisconsin.

Review was conducted of the computerized records of the Wisconsin Department of Transportation, Driver Record Files.

[redacted]

Wisconsin Department of Transportation, Vehicle Record Files reflect [redacted]

[redacted]

NCIC and Wisconsin Criminal history check has been conducted for the subject with negative results.

116mca.ec 295B-SD-67338,9

To: San Diego From: Milwaukee
Re: 295B-SD-67338, 04/25/2005

A confidential source from another government agency provided the following information for subject. [REDACTED]

[REDACTED]

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Review of the Milwaukee White Pages found the subject has the following telephone number: [REDACTED]

[REDACTED]

To: San Diego From: Milwaukee
Re: 295B-SD-67338, 04/25/2005

LEAD(s):

Set Lead 1: (Info)

SAN DIEGO

AT SAN DIEGO

Read and Clear.

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 04/28/2005

To: Cyber	Attn: Intellectual Property Rights Unit Criminal Computer Intrusion Unit
Buffalo	Attn: SA [redacted]
Chicago	Attn: SA [redacted]
Cleveland	Attn: SA [redacted]
Denver	Attn: SA [redacted]
Jackson	Attn: SA [redacted]
Kansas City	Attn: SA [redacted]
Milwaukee	Attn: SSA [redacted]
Philadelphia	Attn: SA [redacted]
Phoenix	Attn: SA [redacted]
Pittsburgh	Attn: SA [redacted]
Richmond	Attn: SSRA [redacted]
San Antonio	Attn: SA [redacted]

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From: San Diego
Squad 19 - Cyber
Contact: SA [redacted]

Approved By: [redacted] ^{ABN}

Drafted By: [redacted] ⁴⁵

Case ID #: 295B-SD-67338;10 (Pending)

Title: OPERATION: D-ELITE

Synopsis: Discontinue leads to Milwaukee, Phoenix and Buffalo. Set lead to Cleveland to prepare and conduct coordinated search warrants and interviews on 05/25/2005 related to Intellectual Property Rights Theft investigation.

Reference: 295B-SD-67338 Serial 3

Details: The Department of Justice Computer Crime and Intellectual Property Section (CCIPS) has accepted the responsibility of overseeing the preparation of the search warrants, and prosecution of the subjects identified in this EC and the above referenced EC dated March 30 2005. After CCIPS reviews the draft affidavit, it will be provided to the necessary Divisions.

Review of the most recent information from the Elite Torrent (ET) website tracker shows that most of the individuals identified in the reference EC as major members in the organization are still active. [redacted] and

295B-SD-67338;10

To: Cyber From: San Diego
Re: 295B-SD-67338, 04/28/2005

[redacted] have lost their status in the organization, and will not be targeted at this time. Respectively, Milwaukee and Phoenix will loose one lead, and Buffalo will loose their lead. The location of [redacted] has been changed from Jackson to Cleveland. The lead section of this EC will reflect all changes.

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[redacted]

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In planning this operation with the US Department of Immigration and Customs Enforcement (ICE), I am requesting that each Division reach out to the local ICE Special Agent assigned to assist, and utilize the Agent in the planning and preparation for the search warrant. The local ICE Agent will receive the name and number of the FBI Agent assigned this lead so that they may coordinate efforts. A future joint Group II operation between the FBI and ICE will be based on the coordination and cooperation between the different agencies in the different divisions.

A draft affidavit is being prepared and will be forwarded electronically to the separate divisions in preparation for the coordinated search warrants. Separate from the affidavit, an excel spread sheet listing subject information, the initial target information packet provided by the MPAA, and a user analyses from the web tracker will be forwarded to the lead Agent. All of these items will be sent by 04/29/2005 via Bu-email. Closer to the time of the search warrant, questions to ask the subjects during the interview will be prepared and provided to each Division. It is anticipated that numerous computer systems or large storage configurations may be found at the search locations due to the number of files and volume of data each subject has downloaded or allowed to be uploaded from their computer system.

The planned execution date for the coordinated search warrants is scheduled for 05/25/2005. Surveillance of the targets daily routine will assist in the coordination for serving of the warrants. Please report pertinent information to Case Agent.

To: Cyber From: San Diego
Re: 295B-SD-67338, 04/28/2005

LEAD(s) :

Set Lead 1: (Info)

CYBER

AT WASHINGTON D.C.

Read and clear.

Set Lead 2: (Action)

BUFFALO

AT ELMIRA, NEW YORK

Discontinue lead.

Set Lead 3: (Info)

CHICAGO

AT CHICAGO, ILLINOIS

Read and clear.

Set Lead 4: (Action)

CLEVELAND

AT CLEVELAND, OHIO

Assign lead agent to coordinate with San Diego and respective Field Office in preparation for multiple division execution of search warrants. Conduct local background investigation of below listed individual, and determine work/school patterns. Coordinate with respective Division resources to have either CART, RCFL, or properly trained Agents available to assist in seizing computer systems during the search warrant execution. Coordinate with local ICE agent for additional resources.

The anticipated target of the search warrant in your division is identified as follows:

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To: Cyber From: San Diego
Re: 295B-SD-67338, 04/28/2005

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Set Lead 5: (Action)

DENVER

AT FT. COLLINS, COLORADO

Discontinue lead.

Set Lead 6: (Action)

JACKSON

AT GULFPORT, MISSISSIPPI

Discontinue lead.

Set Lead 7: (Info)

KANSAS CITY

AT KANSAS CITY, MISSOURI

Read and clear.

Set Lead 8: (Action)

MILWAUKEE

AT MILWAUKEE, WISCONSIN

Discontinue lead 8. Lead associated with subject



Set Lead 9: (Info)

PHILADELPHIA

AT FT. WASHINGTON, PENNSYLVANIA

Read and clear.

Set Lead 10: (Action)

To: Cyber From: San Diego
Re: 295B-SD-67338, 04/28/2005

PHOENIX

AT PHOENIX, ARIZONA

Discontinue lead 11. Lead associated with subject



b6
b7C

Set Lead 11: (Info)

PITTSBURGH

AT ERIE, PENNSYLVANIA

Read and clear.

Set Lead 12: (Info)

RICHMOND

AT ROANOKE, VIRGINIA

Read and clear.

Set Lead 13: (Info)

RICHMOND

AT ROANOKE, VIRGINIA

Read and clear.

Set Lead 14: (Info)

SAN ANTONIO

AT AUSTIN, TEXAS

Read and clear.

◆◆

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 05/05/2005

To: Chicago

Attn: [Redacted]

b6
b7C
b7E

From: San Diego
Squad 19 - Cyber
Contact: SA [Redacted]

Approved By: [Redacted]

Drafted By: [Redacted]

Case ID #: 295B-SD-67338 (Pending)

Title: OPERATION: D-ELITE

Synopsis: Set lead for Chicago RCFL to image computer server at FDCservers.net containing IP address [Redacted]

Details: On May 5, 2005, writer learned that one of the subjects of the above captioned investigation, was notified that another server owned by the subject had been shut down due to a court order. The subject was informed by FDCservers.net that "his customer should start looking for an attorney, and that FDCservers.net had no further information." The subject was reminded to "inform his new and existing customers to uphold the terms of service and acceptable usage policy, and violating US law is a big NO NO."

FDCservers.net informed writer via telephone conversation that the customer, Fused Network, resells server space at FDCservers.net, and Fused Network has at least 25 active servers at this time. FDCservers.net stated that law enforcement had permission to image any server related to the investigation. FDCservers.net estimated that an 80 GB hard drive would be required to copy the server associated with IP address [Redacted]

Writer requests that Chicago FBI contact [Redacted] at FDCservers.net, (312) 399-2359, 141 West Jackson Blvd, #1125, Chicago, IL 60604, to image the server associated with IP address [Redacted] as soon as possible. [Redacted]

It is believed that the subject who subleases the server space from FDCservers.net knows two additional subjects who have accessed the server in question.

To: Chicago From: San Diego
Re: 295B-SD-67338, 05/05/2005

LEAD(s):

Set Lead 1: (Action)

CHICAGO

AT CHICAGO, ILLINOIS

San Diego requests that Special Agent [redacted] and Chicago RCFL contact and coordinate with [redacted] at FDCservers.net, (312) 399-2359, 141 West Jackson Blvd, #1125, Chicago, IL 60604, to obtain written consent and image the server associated with IP address [redacted] as soon as possible. San Diego requests the server image be forwarded to San Diego for analysis. FDCservers.net estimated that an 80 GB hard drive will be required to copy the requested server.

b6
b7c

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 05/11/2005

To: Pittsburgh

Attn: [redacted] CART,
Squad 16

✓ San Diego

Attn: [redacted] Squad 19

From: Pittsburgh
Squad 8/Erie RA

Contact: [redacted]

b6
b7C

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: ✓ 295B-SD-67338 (Pending)

Title: OPERATION: D-ELITE

Synopsis: To set lead for Pittsburgh CART in order to help facilitate search warrant scheduled for May 25, 2005.

Reference: 295B-SD-67338 Serial 10

Details: The FBI received a complaint from the Motion Picture Association of America (MPAA) on March 1, 2005, wherein the MPAA stated they began an investigation of the Elite Torrents (ET) organization, an illegal online piracy group, in August, 2004.

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b7C
b7D

[redacted] provided the MPAA with a complete copy of the data logs from the ET tracker which collected the login names, IP addresses, and other piracy transaction information from its members. The logs included information on individuals in the United States including three high level system administrators of ET, eleven individuals who are identified and credited as being the original Uploaders of copyrighted material to the organization, and numerous individuals who are identified as being leachers/seeders of the organization, those who obtained the copyrighted material and allowed it to be uploaded from their computer system to other users.

This is a joint investigation being worked out of FBI San Diego Division, along with the San Diego Computer and Technology Crime High-Tech (CATCH) Response Team, and the US Department of Immigration and Customs Enforcement (ICE).

FBI San Diego Division is in the process of obtaining multiple division search warrants which are to be conducted on May 25, 2005.

295B-SD-67338-12
S. [redacted] / [redacted] / [redacted]

To: Pittsburgh From: Pittsburgh
Re: 295B-SD-67338, 05/11/2005

Pittsburgh Division, Erie RA, has been requested to execute a search warrant and conduct an interview of [REDACTED]

[REDACTED] As of February 12, 2005, [REDACTED] was responsible for downloading 115 GB and allowing 1545 GB of data to be transferred from his computer system. [REDACTED] has been identified as one of three US Admins for the ET organization and website. [REDACTED] is believed to be very computer savvy.

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b7c

It is anticipated that numerous computer systems or large storage configurations may be found at the search locations due to the number of files and volume of data each subject has downloaded or allowed to be uploaded from their computer system.

In order to facilitate in the execution of the search warrant for [REDACTED] the following leads are being set:

To: Pittsburgh From: Pittsburgh
Re: 295B-SD-67338, 05/11/2005

LEAD(s) :

Set Lead 1: (Action)

PITTSBURGH

AT PITTSBURGH

Provide two CART Examiners to assist in the May 25, 2005 search warrant to be executed on [REDACTED] residence, [REDACTED]

b6
b7c

Set Lead 2: (Info)

SAN DIEGO

AT SAN DIEGO

Read and Clear.

◆◆

To: SAC SAN FRANCISCO
~~XXXXXXXXXX~~
(Attn: Photographic Processing Unit, Rm. 1B903 TL151)

AIRTEL

From: SAC PHOENIX
295B-SD-67338

Cost Code: 3530

Date: 05-26-2005

Subject: OPERATION D-ELITE
[Redacted]

Unclassified Confidential Secret

ENCLOSURES:

CONTACT FOR INFORMATION:

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b7c

	Size	Type	Quantity
Film	35mm	color	7
Negatives			
Prints			
Other (specify)			

FTS- [Redacted]

(color and black & white work will not be accepted on same request)

WORK REQUESTED:

Develop and print ² ea. 3 1/2 x 5
Other:

Please develop all photos no matter what may be wrong with them. if anything.

JUSTIFICATION: Search Warrant Photographs.

PHOTO TECHNICIAN (Int.)

[Handwritten signature]

295B-SD-67338-515

Searchd 6/23/05 [Handwritten initials]

Enclosure

(19)

[Redacted]

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 05/27/2005

To: 1 San Antonio

Attn: CART

b6

b7C

OTHER Sealed Pursuant to Court Order

From: San Antonio

Squad 8 / Austin Resident Agency (ARA)

Contact: SA [redacted]

Approved By: [redacted] *ka*

Drafted By: [redacted] *at*

Case ID #: 295B-SD-67338⁻¹⁷ (Pending)
66F-SA-C47797-~~122~~ (Pending)

Title: OPERATION D:ELITE

Synopsis: Request assistance of CART to analyze evidence from above captioned case.

Package Copy: Being forwarded under separate cover to San Antonio are the following items of evidence:

- 1) Item 1B25 - [redacted]
- 2) Item 1B27 - [redacted]
[redacted]
- 3) Item 1B27 - [redacted]

Details: On May 25, 2005, SA [redacted] and Agents of the FBI and ICE, accompanied by ERT and CART personnel, conducted a search of

[redacted]

[redacted] The captioned case performed numerous simultaneous searches on this day to disrupt an entire ring of copyright media pirates operating the organization Elite Torrents (ET). ET utilized BitTorrent technology to quickly and efficiently share copyrighted material from one computer to another.

During the search, [redacted]
[redacted]
[redacted] SA [redacted] will evaluate [redacted] for evidentiary value.

Assign lead to
[redacted]
one

5/31/05

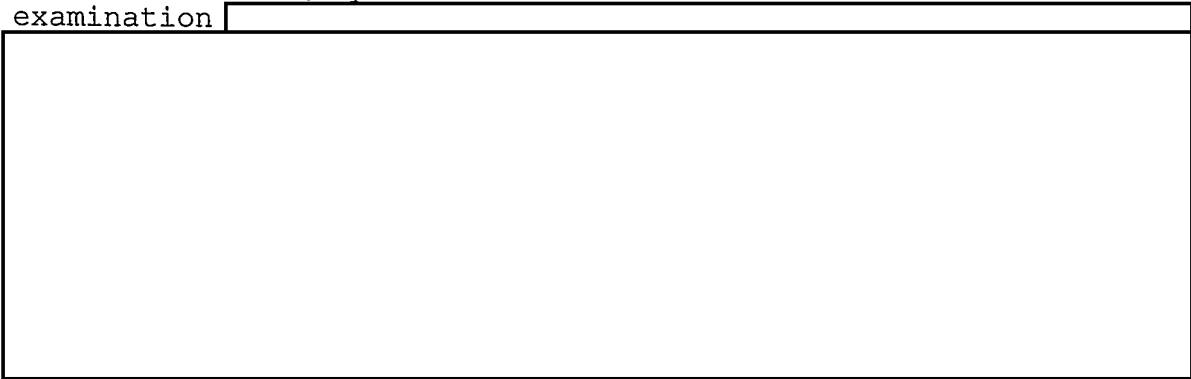
295B-SD-67338-17

14704100
MS 8-02-05 AKJ (19) [redacted]

To: San Antonio From: San Antonio
Re: 295B-SD-67338, 05/27/2005

b6
b7C
OTHER Sealed Pursuant to Court Order

It is requested that CART conduct a forensic
examination



To: San Antonio From: San Antonio
Re: 295B-SD-67338, 05/27/2005

b6
b7C
OTHER Sealed Pursuant to Court Order

LEAD(s) :

Set Lead 1: (Action)

SAN ANTONIO

AT SAN ANTONIO, TEXAS

It is requested that CART conduct a forensic examination of



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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 05/25/2005

On May 25, 2005, a Search Warrant was executed on the [redacted] Executing the warrant were Federal Bureau of Investigation (FBI) Special Agent (SA) [redacted] SA [redacted] SA [redacted] SA [redacted] [redacted] Detective [redacted] [redacted] Patrolman [redacted] Patrolman [redacted] Immigration and Customs Enforcement (ICE) SA [redacted] ICE SA [redacted] and ICE SA [redacted]

1
FD

Below are the approximate times of the significant events surrounding the execution of the Search Warrant:

7:00am - Entry made into residence. On the premises were [redacted]

7:05am - [redacted] arrived on the premises.

9:00am - Search team completes search and exits the residence. SA [redacted] and SA [redacted] remain to verify that [redacted] would not contact [redacted]. This presence was maintained at the request of SA [redacted] FBI San Diego Division, based upon exigent circumstances and safety considerations involving search efforts being coordinated at other locations.

9:45am - SA [redacted] and SA [redacted] were notified that all safety concerns have been addressed, and exit the search location.

During the search, photographs were taken. A Receipt for Property Received was maintained to document the general items of evidence seized during the search.

Investigation on 05/25/2005 at [redacted]

File # 295B-SD-67338 -18

Date dictated 05/25/2005

by SA [redacted]

295B-SD-67338

Continuation of FD-302 of _____, On 05/25/2005, Page 2

The Receipt for Property Received and a compact disc containing the photographs will be maintained in the 1A section of the case file.

A copy of the Search Warrant and a copy of the Receipt for Property Received were left with

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 05/25/2005

On May 25, 2005, [redacted]

[redacted] was interviewed at her residence. After being advised of the identity of the interviewing agents, and the purpose of the interview, [redacted] provided the following information:

[redacted] stated that she did not know his current address.

[redacted] No additional information was provided in regards to other possible associates of [redacted]

[redacted] did not recognize the name "Elite Torrent", and stated that [redacted] uses the online user name [redacted] and spent "a lot of time online."

[redacted]

[redacted] took one or two computers with him when he moved, including a laptop computer and possibly a desktop computer. He had left a box in his room, and stated that he would send money to have the box shipped to him.

[redacted]

At the time of the interview, there were two computers in the residence that were used by the family. [redacted] would use the computers for games and research, [redacted] used the

Investigation on 05/25/2005 at [redacted]
File # 295B-SD-67338 ¹⁹ Date dictated 05/25/2005
by SA [redacted]

295B-SD-67338

Continuation of FD-302 of [redacted], On 05/25/2005, Page 2

computers for online banking. [redacted] used the
computers for email. [redacted]

[redacted]

The cable provider for the household, for approximately
the last two to three years, has been WIDE OPEN WEST (WOW),
registered under the name of [redacted]

FEDERAL BUREAU OF INVESTIGATION

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Precedence: ROUTINE

Date: 05/31/2005

To: San Diego
Cleveland

Attn: Squad 19
[Redacted]
Attn: Squad 3

From: Cleveland
Squad 3

Contact: SA [Redacted]

Approved By: [Redacted]

Drafted By: [Redacted]

Case ID #: 295B-SD-67338 (Pending) - 20

Title: OPERATION: D-ELITE

Synopsis: To document the covering of a lead by execution of a Search Warrant.

Reference: 295B-SD-67338 Serial 10

Enclosure(s): Copies of FD-302s detailing the execution of a Search Warrant at [Redacted] an interview of [Redacted] and an interview of [Redacted]

Details: On May 25, 2005, a Search Warrant was executed on [Redacted] as part of Operation: D-ELITE. [Redacted] was not on the premises at the time of the search.

[Redacted]
[Redacted] was interviewed and provided information regarding [Redacted] location.

[Redacted] was interviewed at the Federal Bureau of Investigation, Cleveland, Ohio. [Redacted] stated that he had no knowledge of "ELITE TORRENTS" or [Redacted]

Cleveland Division considers this matter closed.

Copies of the FD-302s documenting the search, the interview of [Redacted] and the interview of [Redacted] are enclosed, along with FD-340 (1A) envelopes

IS1TAD01.EC ✓

To: San Diego From: Cleveland
Re: 295B-SD-67338, 05/31/2005

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containing the original notes from the interviews and the
inventory and photo log from the search of [REDACTED]
[REDACTED]

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 05/26/2005

[redacted]

[redacted] was interviewed at her residence regarding her knowledge and participation in the exchanging of copyrighted materials using the EliteTorrents website (www.elitetorrents.org). After being advised of the identity of the interviewing agent and the purpose of the interview, [redacted] voluntarily provided the following information:

X
RS

[redacted]

[redacted] owns a laptop computer but at the time of the interview it was not in her possession. She had recently loaned it to a friend, [redacted] described the laptop as a DELL with built in wireless connectivity.

[redacted] uses the laptop only for homework and does go online from her residence when she uses the laptop at home.

[redacted] does occasionally use a desktop computer belonging to [redacted] in the apartment. [redacted] has a separate bedroom in the residence. [redacted] does not know anything about the EliteTorrents website, file sharing or the existence of copyrighted materials on any computers in the residence. [redacted] is unaware of anyone else in the apartment exchanging movies, television episodes or games via the Internet.

CRW

Investigation on 05/25/2005 at [redacted]

INDEXED

File # 295B-SD-67338 -21

Date dictated 05/26/2005

by SA [redacted]

LS/Kub

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 05/26/2005

[redacted]

[redacted] was interviewed at his residence regarding his knowledge and participation in the exchanging of copyrighted materials using the EliteTorrents website (www.elitetorrents.org). After being advised of the identity of the interviewing agent and the purpose of the interview, [redacted] voluntarily provided the following information:

(Handwritten mark: a circle with an 'X' and 'KS' below it)

[redacted]

[redacted] owns a laptop computer described as a DELL with wireless connectivity. This computer was given to him [redacted]

[redacted]

[redacted] does not use the laptop extensively. Occasionally at home to exchange email or do research for work.

[redacted] does occasionally use a desktop computer belonging to [redacted] and located in [redacted] bedroom in the apartment [redacted] does not know anything about the EliteTorrents website, file sharing or the existence of copyrighted materials on any computers in the residence. [redacted] unaware of anyone else in the apartment exchanging movies, television episodes or games via the Internet.

CSW

Investigation on 05/25/2005 at [redacted]

SEARCHED INDEXED SERIALIZED FILED

File # 295B-SD-67338 *BR*

Date dictated 05/26/2005

by SA [redacted]

LA/KS

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

Searched 6/10/05 GDB SQ19 [redacted]

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b7C
OTHER Sealed Pursuant to Court Order

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 05/21/2003

Pursuant to an authorized search warrant [redacted]

[redacted]

The search team consisted of the following law enforcement personnel:

- SA [redacted] FBI
- SA [redacted] FBI
- SA [redacted] FBI
- SA [redacted] FBI
- SSA [redacted] ICE
- SA [redacted] ICE

CFM

Present during the search were residents [redacted]

[redacted]

The search commenced at approximately 7:05 a.m. and was concluded at approximately 8:10 a.m.

Agents rang the doorbell and knocked several times at the street level metal gate door but no response was received. Agents forcibly opened the door causing damage to its plexiglass and decorative metal front. Agents were then able to reach through to the inside and open the door with the interior door knob. No damage was done to the door's frame or locking mechanism.

A copy of the search warrant and FD-597 (Receipt for Property Seized) was left with [redacted] at the residence.

CFM

Investigation on 05/25/2005 at [redacted]

File # 295B-SD-67338-23

Date dictated 05/26/2005

by SA [redacted]

SEARCHED [initials] INDEXED [initials]
SERIALIZED [initials]
JUN 0 2005
FBI- [redacted] [initials]

MOUNT CLIPPING IN SPACE BELOW

File-swapping Web site shut down

Movie piracy

Federal agents shut down a Web site that they say allowed people to download movies and other copyright material free. **Business, C1**

Elite Torrents raided in digital-piracy probe

By **Jonathan Sidener**
STAFF WRITER

Last week, federal investigators in San Diego watched as "Star Wars: Episode III — Revenge of the Sith," turned up on a prominent file-sharing

Web site several hours before the movie opened in theaters. And they counted as more than 10,000 visitors downloaded illegal copies of the movie in 24 hours.

Then yesterday, the U.S. Justice Department responded with what could be called "Revenge of the Copyright Holders," serving search warrants in 10 cities against suspected administrators of the Web site,

Elite Torrents. No arrests were made; however, the site was shut down.

Investigators here say they have the names of nearly 140,000 Elite Torrent users. But prosecutors aren't saying whether those rank-and-file participants could face charges.

The raids mark an escalation in the battle against illegal movie and music sharing. Unlike the more re-

Indicate page,
newspaper, city, state:

A1 & C5

The San Diego Union-Tribune

Date: 05/26/2005

Edition: Daily

Title: "File-swapping Web site shut down"

Character
or

Classification:

Submitting
Office:

San Diego

Indexing:

SAC Dzwilewski

ASAC

ASAC

ASAC

SSA

SA

SA

SA

Case File

80-SD-A61835-3; 4576

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295B-SD-67338-24

781

strained response to Napster and Kazaa and other preceding technologies, authorities are launching criminal investigations to tackle the newly dominant file-sharing technology, BitTorrent.

And Justice Department officials in Washington turned to San Diego investigators to crack the case.

SEE Web, C5

▶ WEB

CONTINUED FROM PAGE C1

New BitTorrent technology is targeted

The battle against earlier file-sharing networks such as Napster and San Diego's MP3.com was fought primarily through civil suits filed by the recording and movie industries. Then BitTorrent came along with a technology that speeds the process of sharing movies and music files. By some estimates, BitTorrent file transfers account for up to 30 percent of all Internet traffic, with the vast majority of transfers assumed to be of copyrighted material.

At the same time BitTorrent was growing in popularity, the Justice Department became increasingly aggressive against digital piracy.

"When we have a technology that speeds up the process like this, we have a little more sense of urgency," department spokesman Bryan Sierra said.

Sierra said yesterday's raids focused on the leaders of the prominent BitTorrent site. He declined to comment on the fate of the thousands of site visitors who were identified through the investigation.

"Intellectual-property theft is illegal," he said. "A crime is a crime. People who use the Internet need to be aware of criminal activity and proceed with caution."

Like other so-called peer-to-peer networks, BitTorrent allows users to transfer files back and forth with other users. Unlike previous networks, BitTorrent does not transfer a file directly between two users. Instead, it sends multiple pieces of a file from several users to a single recipient, which speeds the process.

Because the files are not stored on any centralized servers, it is difficult to stop through legal action. But individuals sharing files can be identified and sued or prosecuted.

Elite Torrent was one of thousands of sites that provide downloads of BitTorrent software and help users search for files being shared by other users.

But Motion Picture Association of America investigators singled out the site as one of the first to provide pre-release movies such as "Revenge of the Sith," said Jim Sevel, San Diego superintendent of cybercrime investigations for the Department of Homeland Security's Immigration and Customs Enforcement agency.

The MPAA took its information to the Justice Department in February, and the case was referred to San Diego, Sevel said.

In addition to federal cyberinvestigators, San Diego has the Computer and Technology Crime High Tech Response Team, or CATCH, which is led by the San Diego County District Attorney's Office and includes local, state and federal law enforcement agencies.

One investigator from Sevel's office, an FBI agent and several CATCH members worked on the case, Sevel said.

"Elite Torrents was a very prominent site," he said. "They were among the first to have pre-release movies, which means they were close to the source of the theft."

He said that administrators of the site were each sharing up to 30 terabytes of pirated material. A terabyte is roughly 1,000 gigabytes.

The group's Web site, EliteTorrents.org, was essentially shut down yesterday. Justice Department officials redirected Web traffic to a new page that announced the site had been closed by the FBI.

"Individuals involved in the operation and use of the Elite Torrents network are under investigation for criminal copyright infringement," the replacement page said.

Search warrants were served in Arizona, Illinois, Kansas, Ohio, Pennsylvania, Texas, Virginia and Wisconsin.

The actual site was stored on servers in Sweden, Sevel said. Customs agents are working with Swedish investigators to pursue the case, he said.

Because Internet crimes are often international, cybercases are considered to be without boundaries and are often referred to the U.S. Customs Enforcement agency.

Sevel said that as part of the investigation, he viewed some of "Revenge of the Sith," but not enough to spoil the plot.

"I went out and paid \$9.50 to see it in a theater," he said.

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 06/03/2005

To: Cleveland

Attn: CART
SA [redacted]

From: Cleveland
Squad 3

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b7c

Contact: SA [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 295B-SD-67338 (Pending)-25

Title: OPERATION: D-ELITE

Synopsis: To document the request for Encase images of hard drives to be sent to San Diego Division for Encase/FTK examination.

Reference: 295B-SD-67338 Serial 10

Details: Forensic copies of the hard drives seized during the May 25, 2005, search of [redacted] are requested to be sent to San Diego for Encase/FTK examination.

SA [redacted] San Diego Division, telephone number [redacted] will coordinate with the San Diego RCFL to obtain the media required for this request.

154 TAD 01. EC ✓

To: Cleveland From: Cleveland
Re: 295B-SD-67338, 06/03/2005

LEAD(s) :

Set Lead 1: (Action)

CLEVELAND

AT CLEVELAND

Provide forensic copies of the hard drives seized during the May 25, 2005, search of [REDACTED] Ohio, to San Diego Division for Encase/FTK examination. Notify SA [REDACTED] San Diego Division, of the media requirements for creating the images.

b6
b7C

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 06/03/2005

To: Pittsburgh
San Diego

Attn: [redacted] CART,
Squad 16
Attn: [redacted] Squad 19

From: Pittsburgh
Squad 8/Erie RA
Contact: [redacted]

b6
b7c

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 295B-SD-67338 (Pending)-210
288A-PG-C64315-1750

Title: OPERATION: D-ELITE

Synopsis: To set lead for Pittsburgh CART to image hard drives seized from 05/25/2005 search warrant.

Details: Captioned case was initiated by a complaint from the Motion Picture Association of America (MPAA) alleging that members of an illegal online piracy group known as the Elite Torrents (ET) have been providing copyrighted material to their organization via BitTorrent technology.

[redacted] was identified as one of the US Admins for the ET organization.

Pursuant to a search warrant [redacted]
[redacted] a search was conducted on 05/25/2005 at the residence of [redacted] by Agents and personnel from Immigration and Customs Enforcement (ICE) and the FBI.

Among items seized from [redacted] pursuant to the search warrant were:

One custom computer tower, Serial Number (S/N) [redacted]

One Toshiba laptop computer (with battery and power supply), S/N [redacted]

295B-SD-67338-210

To: Pittsburgh From: Pittsburgh
Re: 295B-SD-67338, 06/03/2005

[redacted] One Sony Clie model PDA (with power supply), S/N [redacted]
One IBM Deskstar hard drive, S/N [redacted] and
One Maxtor DiamondMax Plus 9 hard drive, S/N [redacted]

FBI CART personnel were able to image the following hard drive which was also entered into evidence:

One image copy of a Western Digital Caviar hard drive, S/N [redacted] The image copy was made to a Western Digital Caviar hard drive, S/N [redacted]

San Diego Division is requesting image copies of all of the above listed hard drives recovered in the search, to include hard drive(s) from the custom computer tower, S/N [redacted] hard drive(s) from the Toshiba laptop computer, S/N [redacted] hard drive(s) from the Sony Clie PDA, S/N [redacted] the IBM Deskstar hard drive, S/N [redacted] the Maxtor DiamondMax Plus 9 hard drive, S/N [redacted] and the imaged copy of the Western Digital Caviar hard drive, S/N [redacted]

The images are to be [redacted]
[redacted]

San Diego Division is also requesting to be notified on the amount of media needed to image the drives. San Diego will be putting together an order to replace everything with case funds from the above captioned case.

Other items recovered from the search, such as CDs/DVDs are to be held onto pending a decision on where the investigation will be prosecuted.

All images are to be sent to SA [redacted] San Diego Division,, telephone number [redacted]

When the reporting Agent returned the signed copy of the search warrant [redacted] she requested that the hard drives belonging to [redacted] be returned to him as soon as they have been analyzed.

In order to facilitate its investigation, FBI Pittsburgh, Squad 8, Erie RA is setting the following leads:

To: Pittsburgh From: Pittsburgh
Re: 295B-SD-67338, 06/03/2005

b6
b7C
b7E

LEAD(s) :

Set Lead 1: (Action)

PITTSBURGH

AT PITTSBURGH

Image copy the following hard drives recovered from a 05/25/2005 search, to include hard drive(s) from the custom computer tower, S/N [redacted] hard drive(s) from the Toshiba laptop computer, S/N [redacted] hard drive(s) from the Sony Clie PDA, S/N [redacted] the IBM Deskstar hard drive, S/N [redacted] the Maxtor DiamondMax Plus 9 hard drive, S/N [redacted] and the imaged copy of the Western Digital Caviar hard drive, S/N [redacted]

The images are to be [redacted]
[redacted]

Provide all imaged copies to SA [redacted] San Diego Division, telephone number [redacted]

Notify SA [redacted] San Diego Division on the amount of media needed to image the drives in order to have the media replaced through case funds.

Set Lead 2: (Action)

SAN DIEGO

AT SAN DIEGO

Pursuant to a request to the reporting Agent [redacted]
[redacted]

[redacted] notify the reporting Agent when/if the following hard drives can be returned to [redacted] the IBM Deskstar hard drive, S/N [redacted] and the Maxtor DiamondMax Plus 9 hard drive, S/N [redacted]

◆◆

295B-SD-67338-27
MC:mc

b6
b7C
b7D

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The following investigation was conducted by
Investigative Analyst [redacted] at Milwaukee, Wisconsin on
May 23, 2005:

A confidential source provided the following [redacted]
[redacted] information:

[redacted]

Subscriber, since 04/04, is [redacted]

[redacted]

A search under the name [redacted] was conducted and
found negative results.

295B-SD-67338-27

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 05/23/2005

To: San Diego

Attn: SA [redacted]

From: Milwaukee

Attn: SA [redacted]

Squad 9

Contact: ISS [redacted]

b6
b7C

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 295B-SD-67338 (Pending) 28

Title: OPERATION D-ELITE

Synopsis: Milwaukee report leads covered, provide background information.

Reference: 29B-SD-67338 Serial 3

Enclosure(s): Enclosed are three (3) Wisconsin Driver License photos for three (3) subjects as well as attachment listing the restrictions for the photos per the Wisconsin Department of Transportation.

Details: The following investigation was conducted by ISS [redacted] at Milwaukee, Wisconsin.

Review was conducted of the computerized records of the Wisconsin Department of Transportation, Driver Record Files. These records reflect [redacted]

[redacted]

Wisconsin Department of Transportation, Driver Record Files. These records reflect [redacted]

[redacted]

295B-SD-67338; 28

To: San Diego From: Milwaukee
Re: 295B-SD-67338, 05/23/2005

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Wisconsin Department of Transportation, Driver Record
Files. These records reflect [redacted]

[redacted]

Wisconsin Department of Transportation, Vehicle Record
Files reflect [redacted]

[redacted]

NCIC and Wisconsin Criminal history checks have been
conducted for all three (3) subjects [redacted]

A confidential source from another government agency
provided the following information for [redacted]

[redacted]

To: San Diego From: Milwaukee
Re: 295B-SD-67338, 05/23/2005

LEAD(s) :

Set Lead 1: (Info)

SAN DIEGO

AT SAN DIEGO

Read and Clear.

◆◆

Date: 05/23/05

SA

[Redacted]

Attached is the Wisconsin driver's license photos that you requested on :

[Redacted]

This photo is the subject to the following requirements and restrictions:

- The photo **cannot** be serialized or placed in a 1A.
The photo **cannot** be used in a photo array or lineup.
- When the photo is no longer needed for investigative purposes, all copies must be destroyed. Notify ISS [Redacted] upon destruction.
- Disclosure of the photo can only be made if it is necessary to perform a law enforcement function. If disclosed to another agency, the above statement must be attached as well as a copy of the 1997 Wisconsin Act 119.
- Violation of the above could result in termination of our privilege and/or a \$500 fine per photograph.

Thanks,

[Redacted]

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 05/25/2005

[Redacted]

[Redacted] was interviewed at [Redacted] regarding his knowledge and participation in the exchanging of copyrighted materials using the EliteTorrents website (www.elitetorrents.org). After being advised of the identities of the interviewing agents and the purpose of the interview, [Redacted] voluntarily provided the following information:

[Redacted]

[Redacted] readily and immediately admits to knowingly possessing, on his home computer, copyrighted recordings of several movies, television episodes and games. He named Terminator, White Noise, Smallville and episodes of American Idol as examples of movies and television shows he has. He says there are others but several have been on in the past and removed and others added so he was uncertain of what was were currently on his computer.

[Redacted] does not sell or gain any profit from his exchanging of the recordings. He said he did it "just for me" [Redacted] realizes others were downloading from him but that was how the EliteTorrents downloading/uploading works.

[Redacted] provided three EliteTorrents user names he registered and used. [Redacted] registered [Redacted] whose classifications were "downloader" [Redacted] who was an "uploader" [Redacted] said an "uploader" received the copyrighted materials first and could make it available to others for download.

[Redacted] said the "administrators" provided the content to the uploaders and named [Redacted] as three administrators that have provided [Redacted] content.

[Redacted] uses the EliteTorrents client called Bitcomet to exchange the copyrighted materials he possesses.

Investigation on 05/25/2005 at [Redacted]

File # 295B-SD-67338 - 29

Date dictated 05/25/2005

by SSA [Redacted] ICE FBI

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 03 2005	
FBI - [Redacted]	

CRW

LAS / usg

295B-SD-67338

Continuation of FD-302 of _____, On 05/25/2005, Page 2

_____ has also downloaded some materials (i.e. movies and TV episodes) from Warez groups but never uploaded to them. He does not hold a position or affiliation with any Warez or newsgroup.

_____ also said that he had downloaded from at least one FTP server. He said the EliteTorrents "administrator" _____ runs an FTP server from which DO has downloaded copyrighted materials. _____ username on the server is _____ and his password is _____. He advised there may be one or two other FTP servers from which he has downloaded but those, and _____ he saved on his computer and doesn't know the FTP addresses or other usernames and passwords.

_____ stated his username _____ was "kicked off" the EliteTorrents system a few weeks ago for lack of activity _____ that he was so busy _____ that he was not downloading/uploading and so the "administrator" _____ kicked him off. _____ said his usernames _____ both "downloaders", were still able to sign in to the EliteTorrents system.

_____ uses AOL Instant Messenger (AIM) as a chat client to communicate with friends and classmates. His AIM username is _____ and his password is _____. _____ also chats using IRC and his nick is _____. He has downloaded some copyrighted materials via IRC including some episodes of Smallville and a few .mp3 music files.

_____ user name on his home computer is _____ and his password is _____. There is most likely a default and hidden administrator account on that computer _____ does not know the password. The _____ account is also an administrator account on the PC. _____ probably knows the username and password to access _____ home PC but has no knowledge or interest or ability regarding _____ activities exchanging the copyrighted materials.

_____ main email account is _____. He also uses the email address _____ as a secondary email account.

_____ advised that all the copyrighted materials he possessed or shared was either provided by the EliteTorrents "administrators" or downloaded from the EliteTorrents IRC channel.

_____ stated that after he was kicked off the EliteTorrents system as _____ he posted all three of his usernames and

295B-SD-67338

Continuation of FD-302 of

[REDACTED]

On 05/25/2005 , Page 3

passwords in the EliteTorrents forum so that other users could log in as him.

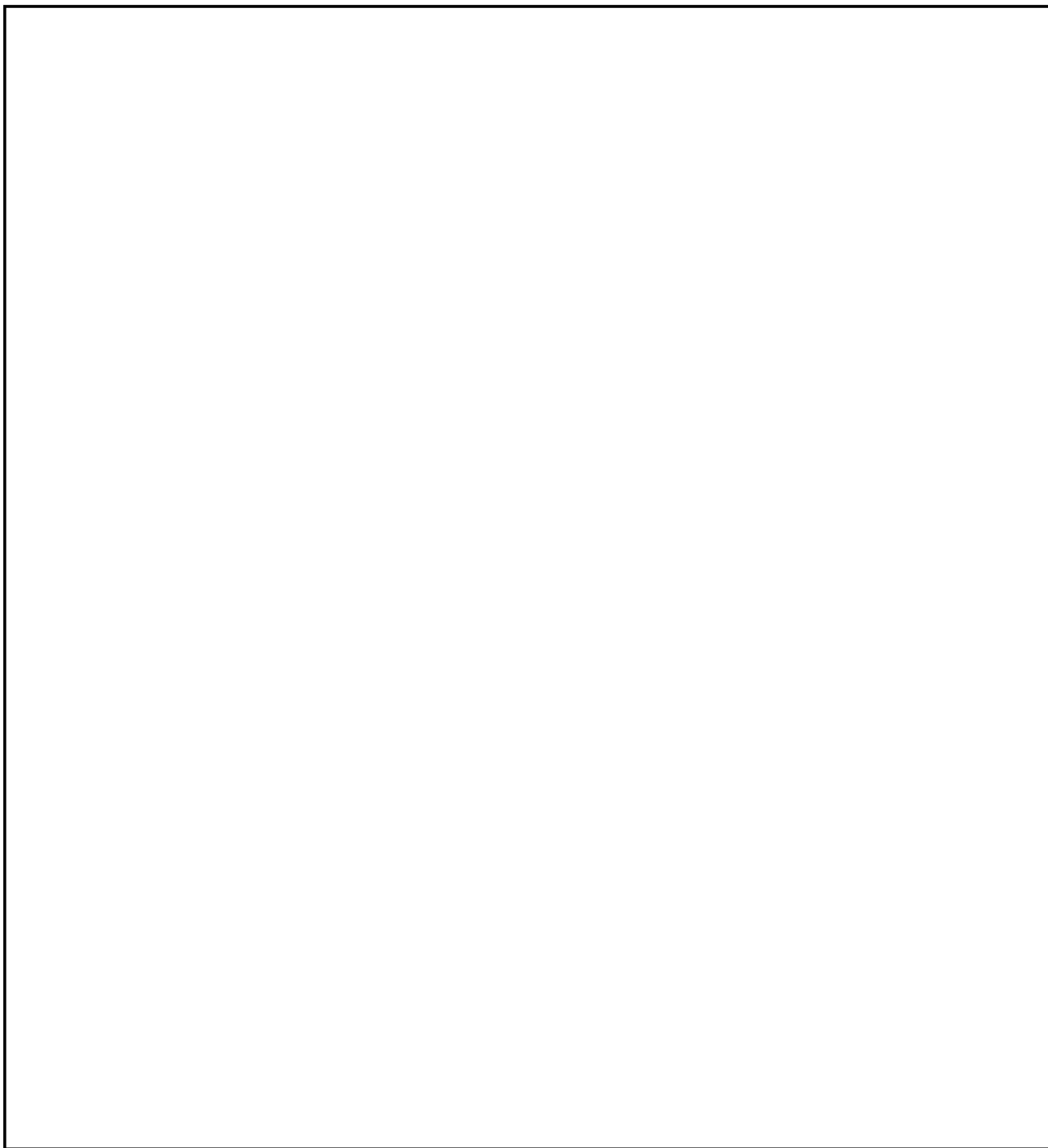
[REDACTED] said he last logged in to the EliteTorrents system approximately one week ago and downloaded a Japanese television show called Naruto.

[REDACTED] readily admitted that he knew what he was doing was illegal but continued his activity.

295A-SD-67338

OTHER Sealed Pursuant to Court Order

Continuation of FD-302 of CAR1 Examination, On 06/04/2005, Page 2



295A-SD-67338

OTHER Sealed Pursuant to Court Order

Continuation of FD-302 of CART Examination, On 06/04/2005, Page 3



All above Specimens were returned to evidence control. All Derivative Evidence was submitted to evidence control. Examiner notes will be maintained in an FD-340 envelope as part of the CART control file.

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 06/06/2005

To: San Diego
Richmond

Attn: SA [redacted]

From: Richmond
Squad 3

Contact: SA [redacted]

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Approved By: [redacted] *ML*

Drafted By: [redacted]

Case ID #:

295A-SD-67338-³² (Pending)
66F-RH-47050-⁴⁵⁵ (Pending)

Title: OPERATION D-ELITE

Synopsis: Report of CART examination.

Enclosure(s): Enclosed for San Diego are the original and one copy of an FD-302 prepared in this matter.

Details: On 05/25/2005, a search was conducted [redacted]

[redacted] Per request of San Diego, [redacted]

OTHER Sealed Pursuant to Court Order

All CART examination by Richmond regarding this search location is complete.

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Searched 6-20-05 *AK* (19) [redacted]

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~~P. 1~~
b6
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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 05/31/2005

[Redacted]

[Redacted] was interviewed at the Federal Bureau of Investigation by Special Agent [Redacted] and Special Agent [Redacted]. After being advised of the official identity of the interviewing agents and the purpose of the interview, [Redacted] provided the following information:

[Redacted]

[Redacted] did not understand the terms, "IRC" or "MIRC Channels", and stated he only plays some video games on the computer in the basement.

[Redacted]

[Redacted] company called FUSED NETWORKS. FUSED NETWORKS primary would lease space on servers then sublease that server space to clients. [Redacted] mainly used his laptop in the his bedroom which had a DVD burner. [Redacted] advised the movies in the house where probably burned using [Redacted] laptop.

[Redacted]

[Redacted] has never heard the term "ELITE TORRENTS" or [Redacted] online nickname of [Redacted]

[Redacted] advised [Redacted] moved [Redacted] and his cell number is [Redacted]

Investigation on 05/27/2005 at [Redacted]

File # 295B-SD-67338-33

Date dictated 05/31/2005

by SA [Redacted]
SA [Redacted]

✓ 151, mro 2.302

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 05/25/2005

[redacted]
 [redacted] was met at his residence at approximately 8:06 a.m. by Special Agent (SA) [redacted] Senior Special Agent [redacted] United States Department of Homeland Security, Immigration and Customs Enforcement, [redacted] had already initiated the interview and obtained a consent to search from [redacted] prior to SA [redacted] arrival. SA [redacted] was present throughout the remainder of the interview. After being advised of the identity of the interviewing agents and the nature of the interview [redacted] provided the following information:

[redacted] resided [redacted] prior to his relocation [redacted] lived at [redacted] address [redacted] until his recent move. [redacted]

[redacted] advised that his custom computer is the only computer that was used to download movies from the Internet. [redacted] has a laptop computer that contains a music library, but [redacted] stated the music was obtained legally. [redacted] also explained that the computers located at [redacted] were a gift from him, and they do not contain any evidence of illegal activity.

[redacted] admitted to downloading movies illegally from the Internet and stated that he knew "from the get go" that his downloading activities were copyright infringement. [redacted] utilized Bit Torrents, a peer to peer network, to facilitate the uploading and downloading of unreleased movies. [redacted] does not know how many people he has traded with, but advised that he could have traded with thousands of people.

[redacted] of a business called FusedNetwork.com, a company that sells and rents dedicated servers and offers web hosting services to numerous

Investigation on 05/25/2005 at [redacted]
 File # 295B-SD-67338-34 Date dictated _____
 by SA [redacted]

Searched 6-20-05 [initials] (19) [redacted]

[redacted] BDF

295B-SD-67338

Continuation of FD-302 of _____, On 05/25/2005, Page 2

_____ advised _____ is not involved in any illegal downloading, but may be "vaguely aware" of the activity. _____ FusedNetwork.com was established in 2001 by _____ became involved on or about August 2004.

Through his dealings with elitetorrents.org, _____ knows that some of his clients that use his web servers are "probably using it for illegal purposes." _____ advised that these individuals are using his web servers to share movies. The names, physical addresses, and Internet Protocol (IP) addresses of the aforementioned clients can be obtained from FusedNetwork.com's database server located in Dallas, Texas. _____ believes a couple of the clients are located in Phoenix, Arizona. _____ also noted that FusedNetwork.com utilized terms and conditions which are agreed to by the clients prior to using the dedicated servers and web hosting services. The agreement between FusedNetwork.com and the client states the individual is responsible for their own activity and FusedNetwork.com is not liable for the actions of the user.

_____ explained that FusedNetwork.com utilized dedicated servers from FDCServers.net, located in Chicago, Illinois; ThePlanet.com, located in Dallas, Texas; and SagoNetworksLLC.com, located in Tampa, Florida. FDCServers.net leases FusedNetwork.com servers, who in turn, rents the servers to clients to make a profit. _____ charges anywhere between \$89.00 to \$5,000.00 per month to rent a dedicated server depending on the use required by the client. The client server for FusedNetwork.com billing is hosted by ThePlanet.com, and the web server for FusedNetwork.com is hosted by SagoNetworksLLC.com. _____ also advised that FDCServers.net is widely known for hosting servers for unmetered file transfers, which are commonly used for downloading movies from the Internet.

_____ utilized Bit Tornado and Bit Comet, client software, that are used to download specific text files which give instructions on how to obtain a requested movie. _____ identified the text files as having a ".torrent" file extension and the client software is used to read the text file and a specific tracker which enables access to the movie. _____ advised copies of Bit Tornado and Bit Comet software will be found on his computer.

295B-SD-67338

Continuation of FD-302 of [REDACTED]

On 05/25/2005 . Page 3

[REDACTED] advised that he used FlashFXP, File Transfer Protocol (FTP) software to transfer files.

[REDACTED] stated the movies he downloads are either "cams," illegal reproductions of movies obtained by taking a video camera into the movie theater, or "DVD rips," movies stripped from retail DVDs. The quality of "cams" and "DVD rips" are not as good as the retail copy. [REDACTED] advised that most of the movies he has downloaded, he eventually purchased and maintains a retail copy in his residence. [REDACTED] admitted to having a copy of "The Aviator" currently on his external hard drive. [REDACTED] admitted to downloading, on occasion, "T.V. rips." [REDACTED] defined "T.V. rips" as copies of recent television episodes that are not available to the public. [REDACTED] admitted to recently downloading an episode of "House," a television drama.

[REDACTED] has accessed the following websites in furtherance of his downloading activities: supranova.org, filelist.org, lowkitorrent.com, efnet.org and elitetorrents.org.

[REDACTED] knows that torrentbytes.com is also used to illegally download movies, but that torrentbytes.com is a members only site and he [REDACTED] did not have a login. [REDACTED] advised that lowkitorrent.com and supranova.org were recently shut down, and he [REDACTED] actively used elitetorrents.org and filelist.org. [REDACTED] uses efnet.org for chatting, and advised that website is big for trading movies. [REDACTED] stated that filelist.org was slow and he mainly utilized elitetorrents.org. [REDACTED] described his login status and access levels at elitetorrents.org as "higher than average" and he referred to himself as a "moderator" at elitetorrents.org.

[REDACTED] was asked about a box located in his bedroom in [REDACTED] labeled "Unreal Torrents." [REDACTED] explained that located in the box is an unused dedicated server for a client, [REDACTED] Arc Angel Networks, LLC, of Michigan. [REDACTED] advised [REDACTED] probably intended to use the server for file sharing to run a website for unrealtorrents.com. [REDACTED] advised [REDACTED] if there were any complaints from the Digital Media Copyright Act (DMCA) regarding [REDACTED] activity, his server will "be pulled." [REDACTED] also noted that the only thing on the server is an operating system and that the server has never been plugged in.

[REDACTED] advised that he knows [REDACTED] a torrentbytes.com user, to be a big uploader of movies. [REDACTED] knows this because he received a DMCA complaint regarding the

295B-SD-67338

Continuation of FD-302 of _____, On 05/25/2005, Page 4

activities of _____ rented a dedicated web server from FusedNetwork.com, which was pulled offline, after the receipt of the DMCA complaint. _____ also mentioned the owner of elitetorrents.org uses the nickname _____

_____ provided credit card information from two credit cards he uses online: _____

_____ also advised that he has extensive Pay Pal activity.

_____ advised that he has used the following nicknames/logins: _____

_____ and the following passwords: _____ does not know which passwords are associated with which logins because he uses "Fire Fox" to store his passwords.

_____ consented to the Federal Bureau of Investigation accessing all FTP servers using _____ logins and passwords. _____ also added that he would assist the FBI in any way he can, including providing names and addresses of other individuals involved in the online transfer of copyrighted material, as previously mentioned.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 06/14/2005

[Redacted]

[Redacted] was met at her residence by Special Agent (SA) [Redacted] and Senior Special Agent [Redacted] United States Department of Homeland Security, Immigration and Customs Enforcement. SA [Redacted] obtained a consent to search from [Redacted] prior to SA [Redacted] arrival and was present throughout the remainder of the interview. After being advised of the identity of the interviewing agents and the nature of the interview, [Redacted] provided the following information:

[Redacted]

[Redacted] was questioned regarding the illegal downloading of movies from the Internet. [Redacted] denied having any knowledge of such activity and further advised that she only knows how to "surf" the Internet.

[Redacted] stated [Redacted] has extensive computer knowledge and owns his own business that deals with web servers. [Redacted] identified [Redacted] business partner as [Redacted] and further advised [Redacted] has spoken to [Redacted] on the telephone, but has never met him in person.

[Redacted] further advised that she did not have any knowledge of [Redacted] engaging in criminal activity and informed the undersigned agents that she would be available for additional interviews.

Investigation on 05/25/2005 at [Redacted]

File # 295B-SD-67338 -35 Date dictated _____

by SA [Redacted]

Searched 6-20-05 [Signature] (19) [Redacted]

FEDERAL BUREAU OF INVESTIGATION

OTHER Sealed Pursuant to Court Order

Date of transcription 06/15/2005

On May 25, 2005, a Federal Search Warrant was conducted

[Redacted]

[Redacted]

The following computer items were seized:

[Large empty rectangular box for seized items]

Investigation on 5/25/2005 at [Redacted]

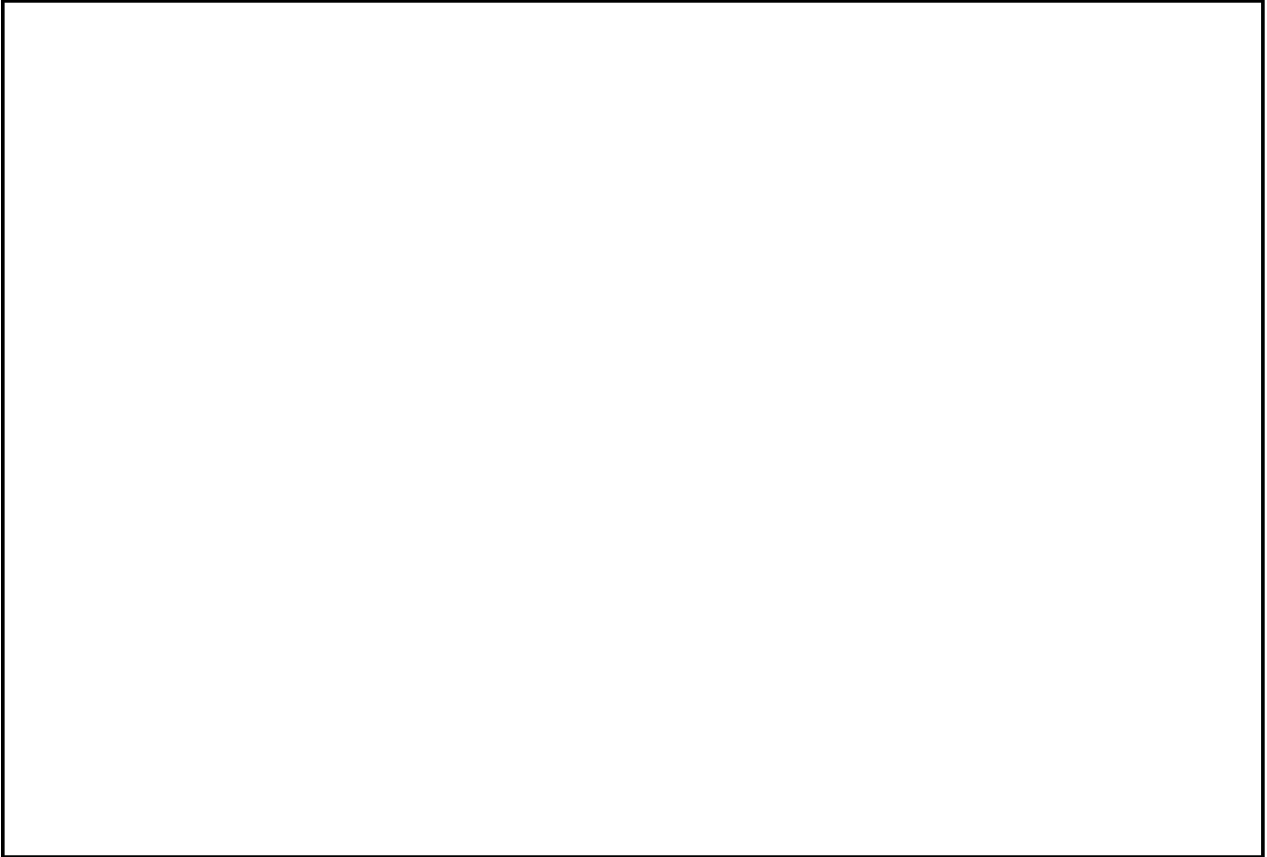
File # 295B-SD-67338-36 Date dictated 6/15/2005

by SA [Redacted] FE [Redacted] b6 b7C

295B-SD-67338

OTHER Sealed Pursuant to Court Order

Continuation of FD-302 of _____, On 6/15/2005, Page 2



FEDERAL BUREAU OF INVESTIGATION

Date of transcription 06/15/2005

Included herein are the results of a digital forensic examination performed by FBI CART Certified Forensic Examiner Special Agent (SA) [redacted] This examination has been performed in accordance with CART policies and procedures.

Specimens: [redacted]

Request: [redacted]

Summary of Results: [redacted]

Derivative Evidence (DE): [redacted]

Examination: The following [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

Investigation on 06/15/2005 at Johnson City, TN

File # 295B-SD-67338 - 37 Date dictated 06/14/2005

by SA [redacted]

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OTHER Sealed Pursuant to Court Order

295B-SD-67338

Continuation of FD-302 of CART Examination, On 06/15/2005, Page 2

Disposition of Evidence: [redacted]
[redacted] were provided to RH
lead Special Agent [redacted]

Administrative: [redacted]
[redacted]

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 06/15/2005

To: ✓ San Diego
Richmond

Attn: SA [redacted]
Squad 19
Attn: SART [redacted]
Squad 7/Bristol RA

From: Knoxville
Johnson City RA
Contact: SA [redacted]

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b7C

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 295B-SD-67338 - 3th

Title: OPERATION: D-ELITE

Synopsis: [redacted] CART examination conducted by KX, JCRA.

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Reference: 295B-SD-67338 Serial 30 OTHER Sealed Pursuant to Court Order

Administrative: Per referenced serial, Knoxville Division CART Field Examiner SA [redacted] Johnson City Resident Agency, was requested to assist the Richmond Division and provide CART search support [redacted]

[redacted] will be provided to Richmond to be sent under separate cover by Richmond to keep all of the results together.

Enclosure(s): Enclosed for the San Diego Division are the original and one copy of CART examination report [redacted]

Details: A Dell Axim PDA was seized from [redacted] and examined by Knoxville Division CART Field Examiner SA [redacted]

[redacted]

Knoxville lead is considered covered.

To: San Diego From: Knoxville
Re: 295B-SD-67338, 06/15/2005

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FEDERAL BUREAU OF INVESTIGATION

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Date of transcription 05/26/2005

[Redacted]

[Redacted] was interviewed at his residence. Agents and personnel from Immigration and Customs Enforcement (ICE) and the FBI were present at [Redacted] residence to execute a search warrant. [Redacted]

[Redacted] After being advised of the identity of the interviewing Agents and the nature of the interview, [Redacted] provided the following information:

[Redacted] was given a copy of the face of the warrant and Attachment 'A' which listed the property believed to be at [Redacted] residence. After providing [Redacted] an opportunity to read the warrant and the attachment, the reporting Agent asked [Redacted] if he knew why Agents were at his residence, to which he responded he did.

Present for parts of the interview were the following:

[Redacted]

After [Redacted] provided his descriptive data and stated he was not on any medication nor under a doctor's care, he was read his rights from a United States Customs Service 'Statement of Rights' form. The reporting Agent advised [Redacted] he was not under arrest. The reporting Agent read each paragraph from the 'Statement of Rights' form and asked [Redacted] if he understood what it meant. [Redacted] replied in the affirmative for each paragraph. [Redacted] waived his rights and signed the 'Statement of Rights' form at 7:21 AM on 05/25/2005.

Investigation on 05/25/2005 at [Redacted]

File # 295B-SD-67338 Date dictated 05/26/2005

by SA [Redacted]

C:\Documents\JANUARY 157\encl. 322
295B-50-67338-39

295B-SD-67338

Continuation of FD-302 of _____, On 05/25/2005, Page 2

_____ was asked what Agents were going to find on his computers. _____ stated "a little bit of everything." _____ advised he has the following on his computers: music, movies, and games (to include computer games, Play Station games, and XBox games).

_____ stated he does not engage in carding. The only credit card numbers on _____ computers would be his own.

_____ advised he does not sell copyrighted materials. _____ stated he has considered doing this but never acted on it.

_____ advised the following would be copyrighted content on his computers: movies, music, software, games, tv shows, and dvds.

_____ advised he is familiar with Warez groups, but is not involved in one. _____ stated he is willing to assist future investigations by giving directions to Warez distribution sites. _____ stated he is involved in peer-to-peer networks.

_____ advised he uses FlashFXP on his computers to send copyrighted materials back and forth on the Elite Torrents (ET) website.

_____ advised he does not have encrypted files on his computers.

_____ advised he uses the following online nicknames: _____ does not use an ident.

_____ stated his email address for Yahoo is _____
The password for this account is _____

_____ advised he uses an additional server for his website. _____ pays \$5/month for this server. _____ could not recall the IP address for the server and did not know the server's location. _____ stated Equaweb is the company operating the server. _____ advised FreeBSD is the type of server he uses from Equaweb. _____ could not recall any specific programs utilized on this server. _____ stated the programs he utilized on the server are what they normally use.

295B-SD-67338

Continuation of FD-302 of [REDACTED], On 05/25/2005, Page 3

[REDACTED] login for this server is [REDACTED] and his passwords are [REDACTED] accesses SSH through Putty and FTP through FlashFXP. [REDACTED] is the only person who has access to this server and stated he has just a couple of .php files and some image files on it.

[REDACTED] is familiar with the hacker alphabet but does not use it. [REDACTED] does not have a nick variation.

[REDACTED] stated his computer would have a lot of nick-names of others in the network. On the reporting Agents notebook, [REDACTED] wrote the nick-names he could think of as follows:

[REDACTED]

[REDACTED] stated [REDACTED] [REDACTED] advised [REDACTED] is the sysop or systems operator. [REDACTED] advised [REDACTED] has instant messenger with his name on the computer. [REDACTED] does not know where [REDACTED] lives but stated [REDACTED] server is in the Netherlands. [REDACTED] advised [REDACTED] accepts donations from other ET members.

[REDACTED] stated [REDACTED] is an administrator in ET, and is approximately [REDACTED] lives in [REDACTED] and works for [REDACTED]

[REDACTED] believed most of the people uploading material sell copyrighted material. [REDACTED] stated [REDACTED] has told him he [REDACTED] was selling Star Wars III: Revenge of the Sith. [REDACTED] advised the log files in his computer should still have this conversation.

[REDACTED] stated [REDACTED] and [REDACTED] are all administrators for ET who do coding for the site. [REDACTED] stated coding makes the site faster and more accessible.

[REDACTED] stated [REDACTED]

[REDACTED] advised [REDACTED] is an administrator for ET [REDACTED] was recently promoted because she has been with ET for a long while.

[REDACTED] advised [REDACTED] were all moderators. [REDACTED] stated [REDACTED]

[REDACTED]

295B-SD-67338

Continuation of FD-302 of _____, On 05/25/2005, Page 4

_____ stated he uses his laptop and desktop to get on the internet. _____ advised he occasionally uses _____ computer to check his e-mail. _____ does not use passwords nor usernames for his laptop and desktop.

_____ stated the same IP address is used for all computers in the house to include his laptop.

_____ advised only he and _____ use his laptop. _____ advised _____ uses his desktop to check E-Bay auctions. When asked about usage of the desktop, _____ stated he accounts for "99.9%" of its use.

_____ advised he uses his computers at various times during the day depending on school and work. _____ advised he uses his laptop a lot at work. _____ works several late night/early morning shifts.

When the reporting Agent asked about online accounts, _____ responded by stating "where do I start?" _____ advised he has one account at a lot of different places. _____ stated a lot of accounts will be found on his computer.

_____ advised _____ within ET. _____ uses the nick-name _____ and uses the nick-name _____

_____ believed there are eight administrators in ET. _____ stated he talks with all of the upper level moderators and administrators.

_____ stated all of the uploaders in ET have dedicated servers they use to upload content.

_____ advised he uses approximately 100 other P2P networks but does not hold any positions within them. _____ stated he obtains his content he uploads to ET from other torrent sites. _____ stated torrentbytes.net is the site where he can obtain content the quickest. _____ could not recall the names of any other sites. _____ mostly associates with ET.

_____ did not know any of the true names of ET members. Depending on who the other person is, _____ would communicate with them through IRC Instant Messenger.

295B-SD-67338

Continuation of FD-302 of _____, On 05/25/2005, Page 5

The only FTP sites _____ operates either directly or remotely are individual users who have FTP set up. On the reporting Agents notebook, _____ wrote the names of FTP sites he had access to: _____

_____ advised the sites.dat files would be on his computer.

_____ stated he has not allowed anyone else to utilize his username and password on any P2P site.

_____ advised he connects directly to his P2P and FTP sites. _____ does not use shells nor bouncers.

_____ stated he frequents the efnet server. Once he gets in this server, he gets hundreds of servers/channels to include: elitetorrents, etuploaders, et-mods, etstaff, etreleases, and etsupport.

_____ advised he is willing to do whatever he can to help the FBI and ICE in future and current investigations.

_____ stated he has other P2P/torrent sites in his bookmarks.

_____ stated he uses _____ as his login and password to access other torrent sites.

_____ advised he stays logged in all the time to ET IRC chat rooms on both his desktop and laptop.

_____ stated he has been obtaining copyrighted content for the last 4 to 5 years. _____ got involved in ET _____ when he stumbled across the site. _____ talked to the owner of the site and soon was promoted to moderator. _____ was promoted again and now makes decisions such as promotions for ET. _____ stated promotions are usually based on rapport and involvement in the group.

_____ believed there are 100,000 active members of ET. _____ stated someone who lives in _____ and attends _____ is a user within ET. _____ did not know this individual's name.

_____ originally advised he obtained Star Wars III: Revenge of the Sith three minutes after it was released to the public. _____ later stated he obtained it three hours before it was released to the public.

295B-SD-67338

Continuation of FD-302 of [redacted], On 05/25/2005, Page 6

[redacted] advised most movies are available on the internet several months before they are released on dvd. —
[redacted] advised music and games are available on the internet before they are available for sale. [redacted] advised he already has a new Star Wars game and the newest Coldplay cd.

On the advice of [redacted] requested an attorney at 12:22pm. All questioning of [redacted] ceased.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 05/26/2005

Pursuant to a search warrant issued [redacted]
[redacted] a search was conducted on
05/25/2005 on the residence known as [redacted]
[redacted] Agents and personnel from Immigration and Customs
Enforcement (ICE) and the FBI were accompanied by two uniformed
patrol officers from the [redacted] Police Department [redacted]

At 7:00 AM, Agents knocked and announced their presence
at [redacted] After being allowed access,
Agents conducted a protective sweep of the residence. At this
time, the [redacted] officers departed the area of the residence.

A copy of the face of the warrant and Attachment 'A' were
provided to [redacted]

Entry photographs were taken of the residence. A sketch
diagram of the residence was made and rooms were labeled.

The following items were recovered in Room A by FBI CART
ITS/FET [redacted]

One (1) custom computer tower, serial number
20010711

One (1) Toshiba laptop computer, serial number
[redacted] with battery and power supply.

One (1) Sony Clie model PDA, serial number [redacted]
with power supply.

The following items were recovered in Room A by Special
Agents (SAs) [redacted] and [redacted]

One (1) Case Logic case containing one hundred and
five (105) cds/dvds.

One (1) Mainstays case containing one hundred and
forty seven (147) cds/dvds.

Investigation on 05/25/2005 at [redacted]
295B-SD-67338 at [redacted] 05/26/2005
File # ICE SAs [redacted] FBI CART ITS/FE
by [redacted] FBI SAs: [redacted] jam *[signature]*

295B-SD-67338-40

295B-SD-67338

Continuation of FD-302 of [redacted], On 05/25/2005, Page 2

Sixteen (16) cds/dvds found loose.

The following items were recovered in Room B by SAs

[redacted] FBI CART ITS/FE [redacted]
and FBI CART ITS/FET [redacted]

Nine (9) 3.5" floppy discs found loose.

One (1) Mainstays case containing one hundred and ninety (190) cds/dvds.

One (1) blue in color case containing fifty three (53) cds/dvds.

Forty (40) cds/dvds (some contained in individual cases) found loose.

Thirteen (13) zip discs. Three (3) found loose, ten (10) found in one (1) disc rack.

Thirteen (13) cds/dvds found loose.

One (1) zip disc and one (1) 3.5" floppy disc found inside of a computer tower (the tower was labeled item six).

Multiple label copies.

Printout of music songs.

One (1) Case Logic case containing seven (7) cds/dvds.

The following items were recovered in Room B by FBI CART ITS/FE [redacted]

One (1) IBM Deskstar hard drive, serial number [redacted]

One (1) Maxtor DiamondMax Plus 9 hard drive, serial number [redacted]

The following item was an image copy made by FBI CART ITS/FE [redacted] from a hard drive located in item six (a computer tower). This item was recovered in Room B:

295B-SD-67338

Continuation of FD-302 of _____, On 05/25/2005, Page 3

One (1) image copy of a Western Digital Caviar hard drive bearing a serial number of _____ The image copy was made to a Western Digital Caviar hard drive, serial number _____

The following items were recovered in Room C by FBI CART ITS/FET _____

Forty seven (47) cds/dvds found in one (1) black in color case.

Five (5) cds/dvds found loose.

_____ was provided with and signed two pages of an FD-597, Receipt for Property Received.

While recounting the evidence at the offices of the FBI, _____ SA _____ FBI CART ITS/FE _____ and FBI CART ITS/FET _____ discovered that several of the items listed on the FD-597 were miscalculated.

On page 1 of the FD-597, Item #2 under the heading "Box 1" mistakenly listed 37 cds/dvds in evidence bag #180427. After a recount of these items, it was determined that there were 40 cds/dvds.

On page 1 of the FD-597, Item #4 under the heading "Box 1" mistakenly listed 52 cds/dvds in a blue in color cd case. After a recount of these items, it was determined that there were 53 cds/dvds.

On page 1 of the FD-597, Item #6 under the heading "Box 1" mistakenly listed 12 cds/dvds in evidence bag #18426. After a recount of these items, it was determined that there were 13 cds/dvds.

On page 2 of the FD-597, Item #2 under the heading "Room C, Bag 1" mistakenly listed 44 cds/dvds in a black in color case. After a recount of these items, it was determined that there were 47 cds/dvds.

SA _____ initialed and dated the changes on the FD-597s. SA _____ made two telephone calls to the _____ residence to advise them of the changes. The first call was left on an

295B-SD-67338

Continuation of FD-302 of , On 05/25/2005, Page 4

answering machine. During the second call, SA spoke with to advise him of the changes to the FD-597s.

Item #6 on page 1 of the FD-597 listed three hard drive images from generic computer. Due to the inability to image all three hard drives on site, only one of the drives was imaged. The other two drives were taken as evidence. All three drives are described and listed on page two of the FD-597.

At the conclusion of the search, exit photographs were taken. The search was concluded at 12:47 pm on 05/25/2005.

At this time, SA collected and accepted custody of all items recovered at the premises.

FEDERAL BUREAU OF INVESTIGATION

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Precedence: ROUTINE

Date: 06/21/2005

To: San Diego

Attn: ✓ SA [redacted] Squad 19

From: Pittsburgh
Squad 8/Erie RA
Contact: SA [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: ✓ 295B-SD-67338 (Pending)

Title: OPERATION: D-ELITE

Synopsis: To provide results of 05/25/2005 search warrant executed at [redacted]

Reference: 295B-SD-67338 Serials 3, 10

Enclosure(s): Enclosed for San Diego are the following: Three (3) FD-302s regarding the search warrant of [redacted] three (3) FD-302s of an interview of [redacted] one (1) 1A Envelope containing notes from [redacted] interview; one (1) 1A Envelope containing search photos of [redacted] residence (contained on a disc); one (1) 1A Envelope containing two (2) pages of FD-597s pursuant to the search; one (1) 1A Envelope containing a United States Customs Service Statement of Rights; one (1) 1A Envelope containing a photo log, a sketch of the residence, and a list of items seized pursuant to the search.

Details: Pursuant to a search warrant [redacted] a search was conducted on the residence known as [redacted] Agents and personnel from Immigration and Customs Enforcement (ICE) and the FBI conducted the search.

During the search, [redacted] was interviewed. [redacted] signed an ICE Statement of Rights and agreed to the interview.

[redacted] advised [redacted] uploader for the Elite Torrents (ET). [redacted] advised he uses the nick-name [redacted] and the nick-name [redacted] as an uploader.

295B-SD-67338; 41

To: San Diego From: Pittsburgh
Re: 295B-SD-67338, 06/21/2005

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[redacted] is one of 8 administrators in the ET. [redacted] stated [redacted] second highest rank in the ET only behind the systems operator [redacted]

[redacted] provided the nick-names of [redacted] administrators and moderators in the ET to include: [redacted]
[redacted]
and [redacted]

[redacted] advised he obtains his content which he uploads to the ET from other torrent sites to include torrentbytes.net.

[redacted] advised he uses an additional server for his website [redacted] and provided information relating to this server.

[redacted] stated he has been obtaining copyrighted content for the last 4 to 5 years. [redacted] got involved in ET [redacted]

[redacted] was extremely cooperative with Agents and personnel from the FBI and ICE. [redacted] is willing to help in current and future investigations.

On the advice of [redacted] requested an attorney. At that point, all questioning of [redacted] ceased.

Items seized pursuant to the search have been entered into evidence and transported to Pittsburgh. [redacted] [redacted] was provided with a list of items seized on two pages of an FD-597. [redacted] were notified of several minor miscalculations of items on the FD-597 via the telephone.

A total of 6 hard drives were seized in the search (to include one from a PDA belonging to [redacted] One of these hard drives was able to be imaged at the search site. A total of approximately 610 cds/dvds were also seized during the search.

On 06/03/2005, the reporting Agent set a lead for CART Pittsburgh to image all hard drives obtained in the search. [redacted] [redacted] requested the hard drives belonging to [redacted] be returned to him as soon as they have been analyzed.

To: San Diego From: Pittsburgh
Re: 295B-SD-67338, 06/21/2005

Pittsburgh Division, Erie RA, considers the lead set
for it covered.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 06/03/2005

On May 25, 2005, a Search Warrant issued [redacted] was executed at the residence of [redacted]

At approximately 6:01 a.m., Agents knocked at the front door of the residence and announced their presence. [redacted] opened the door giving the Agents access for the execution of the search warrant.

The following law enforcement personnel were involved in the entry and the search: Supervisory Special Agent [redacted] Special Agent (SA) [redacted] SA [redacted] SA [redacted] SA [redacted] SA [redacted] Information Technology Specialist, Field Examiner [redacted] and Photographer [redacted] of the Federal Bureau of Investigation. Present from the [redacted] Sheriff's Office were Deputies [redacted] badge number [redacted] and [redacted] badge number [redacted]. Also present were SA [redacted] SA [redacted] and SA [redacted] of the Department of Homeland Security, Bureau of Immigration and Customs Enforcement.

Special duties were performed by the following law enforcement personnel: [redacted] photographer; SA [redacted] photographic log and sketch; SA [redacted] search team leader.

Beginning at approximately 6:21 a.m., entry photographs were taken and a sketch of the residence was diagramed. At approximately 6:30 a.m., searchers began searching previously photographed areas.

At approximately 10:22 a.m., a copy of the search warrant had been provided to [redacted] the search was completed [redacted] an inventory was provided to [redacted] and the residence was exited and returned to [redacted]

Investigation on 05/25/2005 at [redacted]
File # 295B-SD-67338 43 Date dictated N/A
by SA [redacted]



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May 24, 2005

[Redacted]

Supervisory Special Agent
Federal Bureau of Investigation
9797 Aero Drive
San Diego, California 92123

Re: *Preservation Request #295B-SD-67338.*

Dear [Redacted]

We are in receipt of your preservation request for information relating to Internet Protocol addresses [Redacted] and [Redacted]. Regarding [Redacted] which was inactive on 04/23/05 we are unable to obtain any information off the server since it was reassigned to another customer. Regarding [Redacted] please note that our security department is unable to obtain any information off the server in question without disclosing the existence of this request to the customer.

In the meantime, we are still able to preserve all other requested information, including customer information from our accounting and billing department for both IP addresses. This information is available, and will be preserved for 90 calendar days commencing on May 24, 2005.

Please contact me if you have any question on that.

Very truly yours

[Redacted Signature]

Legal Counsel
ThePlanet.com Internet Services, Inc.

GWP:aza

1333 Stemmons Freeway, Ste 110
Dallas, Texas 75207
800.377.6103

Direct [Redacted]

Fax: 214.782.7756

[Redacted]@theplanet.com

295B-SD-67338 [Handwritten initials] 7/21/05



Back to Story - Help

U.S. Cracks Down on Internet Piracy

AP Associated Press

By MARK SHERMAN, Associated Press Writer

9 minutes ago

The government announced an 11-nation crackdown Thursday on Internet piracy organizations responsible for stealing copies of the latest Star Wars film and other movies, games and software programs worth at least \$50 million.

FBI agents and investigators in the other nations conducted 90 searches starting Wednesday, arresting four people, seizing hundreds of computers and shutting down at least eight major online distribution servers for pirated works.

The Justice Department "is striking at the top of the copyright piracy supply chain — a distribution chain that provides the vast majority of illegal digital content now available online," Attorney General Alberto Gonzales said.

Called Operation Site Down, the crackdown involved undercover FBI operations run out of Chicago, San Francisco and Charlotte, N.C., and involved help from authorities in Australia, Belgium, Canada, Denmark, France, Germany, Israel, the Netherlands, Portugal and the United Kingdom.

Among those arrested was Chirayu Patel of Fremont, Calif., on charges of violating federal copyright protection laws. Patel is alleged to be a member of a "warez" group, a kind of underground Internet co-op that is set up to trade in copyrighted materials.

Warez (pronounced "wares") groups are extraordinarily difficult to infiltrate because users talk only in encrypted chat rooms, their computer servers require passwords and many are located overseas, the FBI has said.

The investigations targeted "release groups" that are the original sources of pirated works that can be distributed worldwide in hours. Among the warez groups targeted are RiSCISO, Myth, TDA, LND, Goodfellaz, Hoodlum, Vengeance, Centropy, Wasted Time, Paranoid, Corrupt, Gamerz, AdmitONE, Hellbound, KGS, BBX, KHG, NOX, NFR, CDZ, TUN and BHP.

Those groups are believed responsible for stealing and distributing copyrighted works including films "Star War Episode III: Revenge of the Sith," and "Mr. and Mrs. Smith," and Autodesk's Autocad 2006 and Adobe's Photoshop software.

Warez groups differ from popular file-swapping networks, where millions of files are shared without precautions to limit access.

Last month, authorities shut down a popular Web site that facilitated the downloading of movies and other materials. Investigators said many of the copyright movies were available through the Elite Torrents site even before their commercial release. No arrests were announced at the time.

President Bush signed a new law last month setting tough penalties of up to 10 years in prison for anyone caught distributing a movie or song before its commercial release.

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7/20

On the Net:

Justice Department: www.usdoj.gov

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295B-SD-67338-Late+c

FEDERAL BUREAU OF INVESTIGATION

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Precedence: ROUTINE

Date: 07/12/2005

To: Philadelphia

Attn: Evidence Control Room

From: Philadelphia

Squad 4 - CART

Contact: SA [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 295B-SD-67338-47 (Pending)
66F-PH-C79910-1024

Title: OPERATION: D-ELITE

COMPUTER ANALYSIS RESPONSE TEAM (CART)
FIELD EXAMINER (FE) OPERATIONS

(J)
W

Synopsis: Late turn in of evidence to Evidence Control Room.

Details: One MSI Mainboard CPU, without a serial number, received by SA [redacted] on 5/25/2005, was inadvertently not turned into the Evidence Control Room with ten days.

The CPU was being held by the Computer Analysis Response Team for examination purposes.

SA [redacted] [redacted]
295B-SD-67338-47

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 07/07/2005

To: Operational Technology

From: Operational Technology
Digital Evidence Section
Cryptologic and Electronic Analysis Unit
Contact: [redacted]

Approved By: [redacted]

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Drafted By: [redacted]

Case ID #: 269-HQ-1363982-183
295B-SD-67338-48

Title: ELECTRONIC DEVICE ANALYSIS

Synopsis: Sending to file legal review of referenced Electronic Communication (EC).

Reference: 295B-SD-67338 Serial 42

Details: This response is to the request from the Cryptologic and Electronic Analysis Unit (CEAU) to the Office of General Counsel (OGC) for review of referenced EC to determine if legal authorization exists to support the request from the field for CEAU examination of [redacted] case cited above.

OGC review indicates that the provided search warrant (sealed) [redacted] is a sufficient legal basis for conducting the required examination.

OTHER Sealed Pursuant to Court Ord

CC: [redacted]

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UPLOADED
JUL 13 2005
S.D.J

Searched 7-20-05 [redacted] (19) [redacted]
Revised EC67338

295B-SD-67338; 48

Records Management Division
Records Policy and Administration Section
Records Management Centers Unit

Reference EC case ID: 242-HQ-A1078703-460, dated 10/21/97,
Re: Policy Changes - FBIHQ. Attached you will find a document
that needs to be handled and/or placed in the Office of Origin
(OO) Bureau File. Please handle accordingly.

Field Office: SD HQ Division: _____

Room: _____

Case ID: _____

- Document not uploaded
- Document needs to be serialized
- Document restricted
- Outside agency, please place in OO file
- Unable to upload attached material please file
- Additional case ID quoted, please serialize
- Place in OO file
- Please place in OO file - additional indexing

If you have any questions, please contact the following person:

Name:

Room: ERF, Quantico

Extension:

Date: 7-14-05

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SEARCHED FOIMS	SEARCHED MANUALLY	INDEXED	SERIALIZED	FILED
(revised 10/04/04)				
JUL 18 2005				
FBI - SAN DIEGO				

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/5/2005

Computer Analysis Response Team
Report of Examination

Included herein are the results of a digital forensic examination performed by a Federal Bureau of Investigation's Computer Analysis and Response Team (CART) Certified Forensic Examiner. This examination has been performed in accordance with CART policies and procedures.

Case Reference: N/A

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OTHER Sealed Pursuant to Court Order

Specimens:

OPH1

[Redacted]

OPH2

[Redacted]

OPH3

[Redacted]

OPH3_1

[Redacted]

WP

Investigation on 7-5-2005 at [Redacted]

File # 295B-SD-67338-49

Date dictated

by SA FE [Redacted]

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 12 2005	
7-5-2005	
FBI [Redacted]	

[Signature]

W

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OTHER Sealed Pursuant to Court Order

295B-SD-67338

Continuation of FD-302 of Computer Examination, On 7-5-2005, Page 2

OPH4

[Redacted]

OPH5

[Redacted]

OPH6

[Redacted]

OPH6_1

[Redacted]

OPH7

[Redacted]

OPH8

[Redacted]

Request: Case Agent SA [Redacted] a member of Squad 15, requested that a CART examination be conducted [Redacted] evidence in his case file number 295B-SD-67338. This request included:

1. [Redacted]
2. [Redacted]

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OTHER Sealed Pursuant to Court Order

295B-SD-67338

Continuation of FD-302 of Computer Examination, On 7-5-2005, Page 3

Summary of Results:

[Redacted]

The report contained the following findings:

1. [Redacted]
2. [Redacted]

Derivative Evidence (DE):

DEPH1 - [Redacted]

DEPH2 - [Redacted]

DEPH3 - [Redacted]

DEPH4 - [Redacted]

DEPH5 - [Redacted]

DEPH6 - [Redacted]

DEPH7 - [Redacted]

DEPH8 - [Redacted]

DEPH9 - [Redacted]

DEPH10 - [Redacted]

295B-SD-67338

Continuation of FD-302 of Computer Examination, On 7-5-2005, Page 4

DEPH11 - [Redacted]
[Redacted]

DEPH12 - [Redacted]
[Redacted]

DEPH13 - [Redacted]
[Redacted]

DEPH14 - [Redacted]
[Redacted]

Forensic Examination:

[Redacted]

[Redacted]

The following processes were performed:

[Redacted]

295B-SD-67338

Continuation of FD-302 of Computer Examination, On 7-5-2005, Page 5



After the examination, QPH1 thru QPH8, and DEPH1 thru DEPH14 were turned into the Evidence Control Room. Examination notes and all other administrative documents have been placed in a FD-340 1A envelope for placement in the case file.

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 07/6/2005

To: Philadelphia
San Diego

Attn: SA [redacted]
Squad 15

JCE/RSO

From: Philadelphia
Squad 4 - CART
Contact: SA FE [redacted]

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Approved By: [redacted] *m*

Drafted By: [redacted]

Case ID #: 295B-SD-67338 (Pending) *-30*
66F-PH-C79910 (Pending) *-1027*

Title: OPERATION: D-ELITE

COMPUTER ANALYSIS RESPONSE TEAM (CART)
FIELD EXAMINER (FE) OPERATIONS

LB

Synopsis: To report the results of the investigation at Philadelphia.

Reference: 295B-SD-67338 - Serial 2

Enclosure (s): One copy of the EC, the original and one copy of the FD-302 setting forth the results of the computer examination, and the FD-340 containing the Administrative review and computer examination notes.

Details: A CART Exam was conducted on the following items:

OPH1

[redacted]

OPH2

[redacted]

OTHER Sealed Pursuant to Court Order

OPH3

[redacted]

[redacted] b6
b7c

LB
295B-SD-67338-50

To: Philadelphia From: Philadelphia
Re: 295B-SD-67338, 07/6/2005

OTHER Sealed Pursuant to Court Ord

[Redacted]

OPH3_1

[Redacted]

OPH4

[Redacted]

OPH5

[Redacted]

OPH6

[Redacted]

OPH6_1

[Redacted]

OPH7

[Redacted]

OPH8

[Redacted]

The following Derivative Evidence was produced in this case:

To: Philadelphia From: Philadelphia
Re: 295B-SD-67338, 07/6/2005

OTHER Sealed Pursuant to Court Or

DEPH1 - [REDACTED]
[REDACTED]

DEPH2 - [REDACTED]
[REDACTED]

DEPH3 - [REDACTED]
[REDACTED]

DEPH4 - [REDACTED]
[REDACTED]

DEPH5 - [REDACTED]
[REDACTED]

DEPH6 - [REDACTED]
[REDACTED]

DEPH7 - [REDACTED]
[REDACTED]

DEPH8 - [REDACTED]
[REDACTED]

DEPH9 - [REDACTED]
[REDACTED]

DEPH10 - [REDACTED]
[REDACTED]

DEPH11 - [REDACTED]
[REDACTED]

DEPH12 - [REDACTED]
[REDACTED]

DEPH13 - [REDACTED]
[REDACTED]

DEPH14 - [REDACTED]
[REDACTED]

To: Philadelphia From: Philadelphia
Re: 295B-SD-67338, 07/6/2005

After the examination, QPH1 thru QPH8, and DEPH1 thru DEPH14 were turned into the Evidence Control Room. Examination notes and all other administrative documents have been placed in a FD-340 1A envelope for placement in the case file.

As all investigative actions in Philadelphia are complete, Lead One and Lead Two of referenced EC is considered covered and this matter is considered RUC.

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On 5/25/2005, INTELLIGENCE ANALYST(IA) [redacted]
[redacted] FEDERAL BUREAU OF INVESTIGATION, was contacted
telephonically at his place of employment, [redacted] At the
request of SPECIAL AGENT(SA) [redacted] FBI, IA [redacted]
searched for more information on [redacted] aka [redacted]
[redacted] IA [redacted] located a web page stating that [redacted]
[redacted] IA [redacted]
[redacted] advised that there was further contact information for [redacted]
[redacted] The contact information said to ask for
[redacted] Investigation of the phone number revealed that a street
address for it would be located in [redacted]
[redacted] IA [redacted] further searched for information on
[redacted] IA [redacted] located a possible address for [redacted]
family: [redacted] IA [redacted] identified
the other residents of those addresses as [redacted] and
[redacted]

295B-SD-67338 -52
CAS:pmg

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On 5/25/2005, SPECIAL AGENT(SA) [REDACTED]
FEDERAL BUREAU OF INVESTIGATION(FBI) was contacted telephonically
at [REDACTED] At the request of SA [REDACTED] FBI, SA
[REDACTED] entered provided keywords in the search engine at
www.google.com. SA [REDACTED] advised that he had located a page
at [REDACTED] At SA
[REDACTED] request, SA [REDACTED] printed a copy of this web page. Said
copy is maintained in the 1A section of this file.

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295B-SD - 67338;52 08

295B-SD-67338-53

PMG:pmg

1

On May 25, 2005, at approximately 11:00 AM [redacted] contacted SPECIAL AGENT(SA) [redacted] at his office phone number [redacted] left a voice mail requesting that the agent contact him at [redacted]

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On May 25, 2005, at approximately 12:30 PM, [redacted] again contacted SA [redacted] at his office phone number [redacted] left a voice mail advising that he had one followup question from the recent telephonic interview and asked that the agent contact him at [redacted]

Referral/Consult

On May 25, 2005, at approximately 2:00 PM, SA [redacted] contacted [redacted] on his cellular telephone, [redacted] advised that he wished to ask questions about the search warrant [redacted] agreed to meet SA [redacted] at 3:00 PM, May 25.

On May 26, 2005, at approximately 10:25 AM, SA [redacted] contacted [redacted] on his cellular telephone, [redacted] asked if he could call the agent back, and advised that he would do so within fifteen minutes.

On May 26, 2005, at approximately 10:35 AM, SA [redacted] was contacted at his office by [redacted] advised that he still wished to meet at 2PM, but he wished to consult with his parents first. [redacted] advised that he would contact SA [redacted] on the agent's cellular telephone if plans were to change.

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On May 26, 2005, SA [redacted] was contacted by [redacted] of ANGELINA PALMER AND CALZARETTA, PC, telephone 847-707-8851 or 847-413-8000 [redacted] advised that he was now the attorney for [redacted] and that [redacted] should be contacted before any attempt to interview [redacted] should take place.

On May 26, 2005, SA [redacted] was contacted by [redacted] of the LAW OFFICES OF BRENDA R. APPEL, PC, 707 Skokie Blvd., Suite 600-6007, Northbrook, Illinois, telephone 847-730-

295B-SD-67338;53

295B-SD-67338

2

4224 (office) or 847-730-4114 (fax) [redacted] advised that he was the attorney for [redacted] and that [redacted] should be contacted before any attempt to interview [redacted] should take place.

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FEDERAL BUREAU OF INVESTIGATION
FOIPA
DELETED PAGE INFORMATION SHEET

No Duplication Fees are charged for Deleted Page Information Sheet(s).

Total Deleted Page(s) ~ 35

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Page 25 ~ Referral/Direct

Page 26 ~ Referral/Direct

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Page 43 ~ b7E

Page 44 ~ b6, b7C, b7E

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