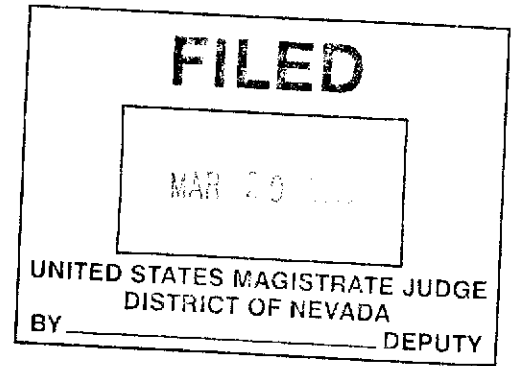


SEALED

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9 UNITED STATES DISTRICT COURT
10 FOR THE DISTRICT OF NEVADA

11 UNITED STATES OF AMERICA,
12
13 Plaintiff,
14
15 v.
16 NIKITA KISLITSIN,
17
18 Defendant.

CRIMINAL INDICTMENT

2:13-CR- 101

VIOLATIONS: 18 U.S.C. § 1030(a)(2) –
Obtaining Information By Computer from a
Protected Computer; 18 U.S.C. § 1029(a)(2)
– Trafficking in Unauthorized Access
Devices; 18 U.S.C. § 1029(a)(3) -
Possession of Fifteen or More Unauthorized
Access Devices; 18 U.S.C. § 2 – Aiding and
Abetting; 18 U.S.C. § 371, 18 U.S.C. §
1029(b)(2) & 18 U.S.C. § 1030(b) –
Conspiracy

19 The Grand Jury Charges that:

20 COUNT ONE
21 Conspiracy

22 1. From in or about June 2011, and ending no earlier than in or about July 2012, in the
23 District of Nevada and elsewhere,

24 **NIKITA KISLITSIN,**

defendant, did conspire and agree with others known and unknown to the grand jury to commit the
following offenses against the United States: obtaining information by computer from protected
computer, in violation of 18 U.S.C. § 1030(a)(2) and (c)(2)(B)(i), where the value of the information

1 obtained exceeded \$5,000, in violation of 18 U.S.C. § 1030(a)(2) and (c)(2)(B)(iii); trafficking in
2 unauthorized access devices, in violation of 18 U.S.C. § 1029(a)(2); and unlawful possession of
3 access devices, in violation of 18 U.S.C. § 1029(a)(3).

4 **The Objectives of the Conspiracy**

5 2. The conspirators' principal objectives were to possess access devices that did not
6 belong to them such as E-mail addresses, passwords and dates of birth, and to use such access
7 devices to obtain money, or property or services that they later sold or traded for their own benefit.

8 **Manner and Means**

9 3. Nikita Kislitsin and other persons known and unknown to the grand jury used the
10 following manner and means to achieve the objectives of their conspiracy.

11 4. It was part of the conspiracy that Kislitsin asked Co-conspirator A to access victim
12 companies' computers without authorization to steal customer data.

13 5. It was further part of the conspiracy that Co-conspirator A would receive payment for
14 providing this stolen data to Kislitsin.

15 6. It was further part of the conspiracy that Co-conspirator A accessed without
16 authorization the computers of Victim Company #1, located in Nevada.

17 7. It was further part of the conspiracy that Co-conspirator A offered to sell the data of
18 Victim Company #1 to Kislitsin.

19 8. It was further part of the conspiracy that Kislitsin counseled Co-conspirator A as to
20 what data to take from Victim Company #1.

21 9. It was further part of the conspiracy that Kislitsin offered to sell the data that was
22 being stolen from Victim Company #1 to another person.

23

24

1 Overt Acts

2 10. To further the conspiracy, and to accomplish its objectives, Nikita Kislitsin and Co-
3 conspirator A and/or others known and unknown to the grand jury committed (and caused others to
4 commit) the following overt acts, in the District of Nevada and elsewhere:

5 11. On or about January 11, 2012, Co-conspirator A accessed without authorization the
6 computers of Victim Company #1 located in Nevada.

7 12. On or about January 11, 2012, Co-conspirator A obtained information such as
8 customer E-mail addresses and dates of birth from the computers of Victim Company #1 located in
9 Nevada.

10 13. On or about January 12, 2012, Kislitsin communicated with a potential buyer, and
11 offered to sell the data that Co-conspirator A would steal from Victim Company #1.

12 14. On or about January 12, 2012, Kislitsin counseled Co-conspirator A to steal customer
13 addresses from the computers of Victim Company #1.

14 15. On or about January 12, 2012, Co-conspirator A tried to steal a database full of
15 customer addresses, but was only succeeded in stealing a fraction of the addresses (about 2 million
16 customers) that he attempted to steal.

17 All in violation of 18 U.S.C. § 371, 18 U.S.C. § 1030(b), and 18 U.S.C. § 1029(b)(2).

18 COUNT TWO

19 **Obtaining Information By Computer from a Protected Computer**

20 1. The allegations of Count One are hereby incorporated by reference as if fully set forth
21 herein.

22 2. From on or about January 9, 2012, through on or about January 13, 2012, in the
23 District of Nevada and elsewhere,

24 **NIKITA KISLITSIN,**

1 defendant, aiding and abetting another person known to the grand jury, did intentionally access a
2 computer without authorization, and thereby obtained information from a protected computer, and
3 did commit the offense for purposes of commercial advantage and private financial gain, in violation
4 of 18 U.S.C. § 1030(a)(2) and (c)(2)(B)(i), and the value of the information obtained exceeded
5 \$5,000, in violation of 18 U.S.C. § 1030(a)(2) and (c)(2)(B)(iii).

6
7 **COUNT THREE**

Possession of Fifteen or More Unauthorized Access Devices

8 1. The allegations of Count One and Two are hereby incorporated by reference as if
9 fully set forth herein.

10 2. From on or about January 9, 2012, through on or about January 13, 2012, in the
11 District of Nevada and elsewhere,

12 **NIKITA KISLITSIN,**

13 defendant, aiding and abetting another person known to the grand jury, did knowingly and with
14 intent to defraud, possess and attempt to possess E-mail addresses and passwords which constitute
15 unauthorized access devices as defined in subsection 18 U.S.C. § 1029(e)(3), said possession
16 affecting interstate and foreign commerce, in violation of 18 U.S.C. § 1029(a)(3) and (c)(1)(a)(i).

17
18 **COUNT FOUR**

Trafficking in Unauthorized Access Devices

19 3. The allegations of Count One through Three are hereby incorporated by reference as
20 if fully set forth herein.

21 4. From on or about January 9, 2012, through on or about January 13, 2012, in the
22 District of Nevada and elsewhere,

23 **NIKITA KISLITSIN,**

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defendant, aiding and abetting another person known to the grand jury, did knowingly and with intent to defraud, trafficked in unauthorized access devices as defined in 18 U.S.C. § 1029(e)(3) such as E-mail addresses and passwords, and by such conduct, from on or about January 1, 2012, and ending on or about December 31, 2012, obtained anything of value \$1,000 or more, said trafficking affecting interstate and foreign commerce, in violation of 18 U.S.C. § 1029(a)(2) and (c)(1)(a)(i).


DATED: this 20th day of March 2013.

A TRUE BILL:

/s/

FOREPERSON OF THE GRAND JURY

DANIEL G. BOGDEN
United States Attorney


MICHAEL CHU
PATRICK WALSH
Assistant United States Attorneys