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KEVIN V. RYAN (CSBN 118321)
United States Attorney

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

RMW PVT

UNITED STATES OF AMERICA,

No.

002

Plaintiff,

v.

DAVID JEANSONNE,

Defendant.

VIOLATIONS: 18 U.S.C. §§ 1030(a)(5)(A)(i),
1030(a)(5)(B)(iv) & 1030(c)(4)(A) –
Intentional Damage to a Protected Computer
Causing a Threat to Public Health and Safety;
18 U.S.C. §§ 1030(a)(5)(A)(i), 1030(a)(5)(B)(i)
& 1030(c)(4)(A) – Intentional Damage to a
Protected Computer Causing Loss Aggregating
At Least \$5,000

SAN JOSE VENUE UNDER SEAL

INDICTMENT

Background

At all times relevant to this Indictment:

1. WebTV was a product offered by Microsoft Corporation that allowed users to connect to the Internet using a standard television as an output device. WebTV users could send and receive e-mail once connected to the Internet. WebTV customers were required to purchase hardware and a service plan from WebTV. The hardware consisted of a WebTV “box,” which served as a computer and a keyboard and which included various interface wires. Microsoft was the Internet Service Provider for customers who purchased the WebTV product and service plan.

1 COUNT TWO: (18 U.S.C. §§ 1030(a)(5)(A)(i), 1030(a)(5)(B)(i) & 1030(c)(4)(A) –
2 Intentional Damage to a Protected Computer Causing Loss Aggregating
At Least \$5,000)

3 5. The facts alleged in paragraphs 1 and 2 are realleged and incorporated herein as if set
4 forth in full.

5 6. On or about July 14, 2002, in the Northern District of California and elsewhere, the
6 defendant

7 DAVID JEANSONNE

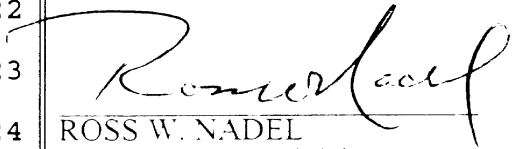
8 did knowingly cause the transmission of a program, information, code and command through
9 WebTV servers, to wit, the sending to certain WebTV users of e-mails with an executable
10 attachment containing computer code that reset the dial-in telephone numbers of their WebTV
11 boxes to "9-1-1," the emergency telephone number commonly connected to local police
12 dispatchers, and, as a result of such conduct, did intentionally cause damage without
13 authorization to protected computers, to wit, the users' WebTV boxes and WebTV's servers, and
14 thereby caused loss to at least one person aggregating at least \$5,000 in a one-year period.

15 All in violation of Title 18, United States Code, Sections 1030(a)(5)(A)(i), 1030(a)(5)(B)(i)
16 and 1030(c)(4)(A).

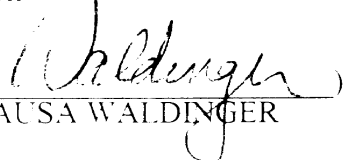
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18 DATED: A TRUE BILL.

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21 FOREPERSON

21 KEVIN V. RYAN
United States Attorney

22 
23

24 ROSS W. NADEL
Chief, Criminal Division

25
26 (Approved as to form: 
AUSA WALDINGER