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KEVIN V. RYAN (CASBN 118321)  
United States Attorney

**Filed**  
MAY 14 2003  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
BRENT ALAN WOODARD,  
Defendant.

**CR-03-20066**  
VIOLATIONS: **RMW** **PVT**  
18 U.S.C. §§ 1832(a)(1), (a)(2), (a)(3) and  
(a)(4) – Theft of Trade Secrets;

SAN JOSE VENUE

INDICTMENT

The Grand Jury charges:

BACKGROUND INFORMATION:

At all times relevant to this Indictment:

1. Lightwave Microsystems Corporation ("Lightwave"), San Jose, California, was a company engaged in the business of developing and producing optical integrated circuits for communications networks. These items were included in Lightwave products that were sold and shipped, and intended to be sold and shipped, in interstate and foreign commerce. JDS Uniphase Corporation ("JDSU"), with offices in Canada and the United States, including in Bloomfield, Connecticut, was a competitor of Lightwave in this field.

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INDICTMENT



1 and convey such information, and attempt to do so, and intending and knowing that his act would  
2 injure Lightwave.

3 All in violation of Title 18, United States Code, Sections 1832(a)(2) & (a)(4).

4 COUNT THREE: (18 U.S.C. §1832(a)(3) & (a)(4))

5 5. On or about and between a date unknown and December 16, 2002, in the Northern  
6 District of California, the defendant

7 BRENT ALAN WOODARD,

8 with intent to convert a trade secret to the economic benefit of someone other than the owner thereof,  
9 specifically, trade secrets including: the Metrology database containing Planar Lightwave-Circuit  
10 procedures, process control methods, and results; the Manufacturing Execution System database  
11 containing detailed instructions, execution tracking, and performance records; and the Enterprise  
12 Resource Planning database, all contained within computer system backup tapes belonging to  
13 Lightwave, found in defendant's residence at 3600 Richmond Ave., Oakland, California, which trade  
14 secrets were related to and included in a product that was produced for and placed in interstate and  
15 foreign commerce, without authorization did possess such information knowing it to have been  
16 stolen, appropriated, obtained, and converted, and attempt to do so, and intending and knowing that  
17 his act would injure Lightwave.

18 All in violation of Title 18, United States Code, Sections 1832(a)(3) & (a)(4).

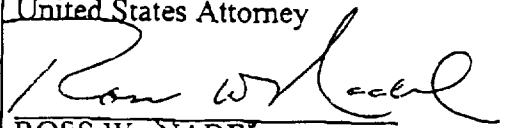
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20 DATED: May 14, 2003.

A TRUE BILL

  
FOREPERSON

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24 KEVIN V. RYAN  
United States Attorney

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26 ROSS W. NADEL  
Chief, San Jose Branch

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28 (Approved as to form:   
AUSA MATTHEW A. PARRELLA

INDICTMENT