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Michigan Man Gets 30 Months for Conspiracy to Order Destructive Computer Attacks on Business Competitors

NEWARK, N.J. -- A Michigan man was sentenced today to 30 months in prison for conspiring to conduct highly destructive computer attacks on competitors of his online sportswear business, including a web-based New Jersey company, U.S. Attorney Christopher J. Christie announced.

U.S. District Judge Joseph E. Irenas also ordered Jason Salah Arabo, 19, of Southfield, Michigan, to make restitution of $504,495 to his victims -- the websites he targeted as well as an Internet hosting company.

Arabo pleaded guilty today before Judge Irenas on April 12, to a one-count Information charging him with conspiracy to cause the transmission of a program, information, code, and command, and as a result of such conduct, intentionally cause damage without authorization, to a protected computer.

In pleading guilty, Arabo acknowledged that in 2004, he ran two web-based companies, www.customleader.com and www.jerseydomain.com, that sold sports apparel, including reproductions of sports uniforms, popularly known as "retro" or "throwback" jerseys.

"Arabo's 30-month prison sentence reflects the very serious and damaging nature of the computer attacks he orchestrated," said Christie. "This case went far beyond a teenager using his computer for online pranks. We will continue to investigate and aggressively prosecute the misuse of computers to commit crime."

According to Assistant U.S. Attorney Eric H. Jaso, who prosecuted the case, Arabo admitted that in online "instant message" conversations he met a New Jersey resident, Jasmine Singh, who communicated using the online name "Pherk." Arabo learned that Singh had covertly infected some two thousand personal computers with programs that enabled him to remotely control them. Singh demonstrated to Arabo online that he could command these computers to conduct

attacks, known as distributed denial of service, or "DDOS" attacks, on computer servers and disable websites supported by those servers. Arabo admitted that he asked Singh to take down the websites and online sales operations of certain of his competitors. Arabo promised to compensate Singh for the attacks with merchandise, including designer sneakers.

In August 2005 Singh, who was 16 at the time of the attacks, pleaded guilty as an adult to two counts of computer theft in New Jersey State Superior court. He has since been sentenced to five years in prison and ordered to pay $35,000 in restitution for damage caused by the attacks.

Arabo admitted that, starting in July 2004, he identified competitors' websites to Singh that he wanted taken down. One of these was Jersey-Joe.com, a New Jersey-based online business that, like Arabo's online businesses, sold "throwback" jerseys and other merchandise. Arabo believed that once his competitors' websites were disabled, his online business would improve. Arabo continued requesting these attacks until early December 2004, pressing Singh to disable the competitors' websites for as long as possible. Arabo sent Singh designer sneakers and other merchandise for conducting successful attacks. The attacks stopped in December 2004 when FBI agents and New Jersey State Police investigators conducted a search of Singh's Edison, New Jersey home and seized his computer.

Arabo was originally charged by criminal complaint on March 18, 2005. According to that complaint, the computer attacks were conducted by Singh from his home computer. Singh secretly infected thousands of computers with copies of a computer program known as a "bot" (short for "robot"). As described in the complaint, a "bot" can have legitimate functions, but can also be used to gain unauthorized access to and control over computers that they infect, and can thus cause the infected computers to attack other computers. "Bots" used for such illicit purposes are frequently disguised as MP3 music files or photographs that unsuspecting computer users download from public Internet sites. Having downloaded an infected file, a computer user is usually unaware of the presence of a "bot" on his or her computer.

In this case, according to the complaint, the infected computers included those of students on at least two college campuses in Massachusetts and Pennsylvania. Singh remotely ordered hundreds of the implanted "bots" to attack computer servers that supported Arabo's competitors' websites. The "bots" caused the infected computers to access the targeted website all at once, overloading the website's hosting computer server and causing it to "crash."

The complaint alleged that the attacks caused widespread harm and disruption to Internet and computer services far beyond the online businesses that Arabo targeted. According to the complaint, the Internet service providers that hosted the targeted websites also provided website hosting and other Internet services to a number of unrelated businesses which as a result were also harmed by the attacks.

The complaint alleged that the attacks affected businesses as far away as Europe, and caused disruption to the operations of major online retail businesses, banks, and companies that provide communications, data backup, and information services to the medical and pharmaceutical industries. The attacks disrupted crucial services to these companies that included Internet

access, corporate websites, email, data storage and disaster-recovery systems. The complaint did not include an estimate of the financial losses attributable to the attacks.

In determining an actual sentence for Arabo, Judge Irenas consulted the advisory U.S. Sentencing Guidelines, which provide appropriate sentencing ranges that take into account the severity and characteristics of the offense, the defendant's criminal history, if any, and other factors. The judge, however, was not bound by those guidelines in determining a sentence.

Parole has been abolished in the federal system. Defendants who are given custodial terms must serve nearly all that time.

The case was prosecuted by Assistant U.S. Attorney Jaso of the U.S. Attorney's Appeals Division.

The prosecution was the result of a six-month investigation. Christie credited Special Agents of the FBI, under the direction of Special Agent in Charge Leslie Wiser, Jr., in Newark, for its investigation. Christie also credited the New Jersey Attorney General’s Office Division of Criminal Justice, under the direction of Director Gregory Paw, and the New Jersey State Police, under the direction of Col. Rick Fuentes, for their assistance during the investigation.

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Defense counsel: Stacy Biancamano, Assistant Federal Public Defender

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