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FORMER IT MANAGER SENTENCED TO PRISON FOR HACKING INTO PREVIOUS EMPLOYER'S COMPUTER SYSTEM AND CAUSING DAMAGE

SAN FRANCISCO – United States Attorney Joseph P. Russoniello announced that Steven John Barnes was sentenced on October 30, 2008 to 12 months and 1 day in prison, followed by 3 months of home detention, and ordered to pay restitution in the amount of $54,005.76.

Mr. Barnes pleaded guilty on March 13, 2008 to unauthorized access into a protected computer recklessly causing damage, in violation of 18 U.S.C. §§ 1030(a)(5)(A)(ii) & 1030(a)(5)(B)(i). According to the plea agreement, Mr. Barnes admitted that he had been the Information Technology Manager for the victim company from September 2002 until his termination from the company in April 2003. As Information Technology Manager, Mr. Barnes was responsible for building the company's network and administering company's servers. He also had the highest level of access to the company's computer system. Mr. Barnes admitted that after he was fired from the victim company, he gained unauthorized access to his former employer's computer system on September 30, 2003 and October 1, 2003.

Mr. Barnes further admitted that after gaining unauthorized access to his former employer's computer system, he intentionally caused the company's mail server to act as an open mail server. This caused the victim company's mail server to send out SPAM messages. As a result, the company's email traffic was blacklisted as SPAM traffic, causing the company to lose productivity, and preventing company employees from communicating by email internally or with customers. Mr. Barnes also deleted the company's Microsoft Exchange email database and deleted the core boot files, thereby preventing the server from booting up. As a result of Mr. Barnes' actions, the victim company's employees could not access emails, and the company's engineers

could not access their work. At sentencing, Mr. Barnes agreed that his actions had caused $54,005.76 in loss to the company.

Mr. Barnes, 37 of Mill Valley, CA, was indicted by a federal grand jury on May 15, 2007. He was charged with gaining unauthorized access to the victim company's protected computer system on September 30, 2003 and October 1, 2003.

The sentence of 12 months and 1 day of imprisonment was handed down by U.S. District Court Judge Jeffrey S. White following a guilty plea on Count One of the Indictment, charging unauthorized access into a protected computer recklessly causing damage, in violation of 18

U.S.C. §§ 1030(a)(5)(A)(ii) & 1030(a)(5)(B)(i). Judge White also sentenced the defendant to a three-year period of supervised release, which includes the special condition of three months of home detention and directed the defendant to pay $54,005.76 to the victim company. The defendant will begin serving the sentence on January 8, 2009.

Shawna Yen is the Assistant U.S. Attorney who is prosecuting the case with the assistance of Legal Technician Tracey Andersen. The prosecution is the result of a five-year investigation by Special Agent Jon K. Chinn of the Federal Bureau of Investigations.

Further Information:

Case #:07-0300 JSW

A copy of this press release may be found on the U.S. Attorney's Office's website at www.usdoj.gov/usao/can.

Electronic court filings and further procedural and docket information are available at https://ecf.cand.uscourts.gov/cgi-bin/login.pl.

Judges' calendars with schedules for upcoming court hearings can be viewed on the court's website at www.cand.uscourts.gov.

All press inquiries to the U.S. Attorney's Office should be directed to Joshua Eaton at (415) 436-6958 or by email at Josh.Eaton@usdoj.gov.

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