NEWS RELEASE

OFFICE OF THE UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF CALIFORNIA
San Diego, California

United States Attorney
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For Immediate Release

NEWS RELEASE SUMMARY - September 22, 2008

United States Attorney Karen P. Hewitt announced the unsealing of an indictment charging Bruce Mengler with computer intrusion and extortion. The sealed indictment was handed up by a federal grand jury sitting in San Diego on September 18, 2008 and was unsealed upon Mr. Mengler's arraignment today before United States Magistrate Judge Nita L. Stormes. Mr. Mengler was arrested by Federal Bureau of Investigation agents on September 19, 2008 pursuant to a bench warrant issued in connection with the indictment. Mr. Mengler was charged with one count of intentionally causing damage to a protected computer and four counts of extortion.

According to court documents, in early 2008, Maserati North America (MNA) mailed flyers to potential customers inviting recipients to test-drive Maserati vehicles and receive gift certificates redeemable at Omaha Steaks. The flyer directed the recipient to visit MNA's website and enter the unique Personal Identification Number (PIN) printed on the flyer in order to receive the gift certificate. Upon

entering a valid PIN, each customer was presented with and asked to update his/her name and contact information. Beginning on or about March 9, 2008, the indictment alleges that Mr. Mengler launched a brute force attack against MNA's website that identified valid PINs and downloaded the associated customer data. Mr. Mengler then sent a series of electronic mail communications to MNA threatening to publicize the security breach unless MNA satisfied Mr. Mengler's demands for payment.

Specifically, the indictment alleges that on or about March 9, 2008, Mr. Mengler, manually and by means of an automated program, used PINs that were not assigned to him to log in to MNA's website and, when Mr. Mengler successfully identified a valid PIN, he further used a program to download the associated customer data to his computer system. According to the indictment, as a result of the intrusion, MNA incurred a loss in excess of $5000. This conduct forms the basis for Count 1 of the indictment.

In addition, the indictment alleges that beginning on March 11, 2008 and continuing up to and including March 30, 2008, MNA received a series of threatening communications sent via electronic mail from "sol.beach@gmail.com ." The electronic mail also included the names, addresses and PINs of four San Diego area customers. This communication forms the basis for Count 2 of the indictment. Additional threatening communications sent from the same email address to MNA on March 20, 28, and 30, 2008 form the basis of Counts 3-5 of the indictment.

Maserati North America reported the computer intrusion and threatening communications to law enforcement authorities and cooperated fully with the investigation. This case was investigated by the Cybercrime Squad of the San Diego Division of the Federal Bureau of Investigation.

Mr. Mengler is scheduled next be in court on October 31, 2008 at 11:00 a.m., before United States District Court Judge Jeffrey T. Miller.

Bruce Mengler

SUMMARY OF CHARGES

Count 1 - Title 18, United States Code, Section 1030(a)(5)(i)- Intentionally Causing Damage to a Protected Computer
Maximum Penalties: 10 years' imprisonment and $250,000 fine per count

Counts 2 through 5 - Title 18, United States Code, Section 875(d) - Extortion
Maximum Penalties: Two years' imprisonment and $250,000 fine per count

AGENCY

Federal Bureau of Investigation

An indictment itself is not evidence that the defendant committed the crimes charged. The defendant is presumed innocent until the Government meets its burden in court of proving guilt beyond a reasonable doubt.