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Three Men Indicted for Hacking into Lowe's Companies' Computers with Intent to Steal Credit Card Information

CHARLOTTE, N.C. -- United States Attorney Robert J. Conrad, Jr. and Chris Swecker, Special Agent in Charge of the FBI in North Carolina, announced that BRIAN A. SALCEDO, ADAM W. BOTBYL, and PAUL G. TIMMINS were indicted November 19, 2003 by a federal grand jury on sixteen counts alleging conspiracy, wire fraud, computer fraud, unauthorized computer access, intentional transmission of computer code, and attempted possession of unauthorized access devices.

According to the indictment, from October 2003 through November 9, 2003, SALCEDO, BOTBYL, and TIMMINS conspired and schemed to gain unauthorized access to the nationwide computer system used by Lowe's Companies, Inc. and, after gaining access, to download and steal credit card account numbers from that computer system. In order to carry out this scheme, the defendants secretly compromised the wireless network at a Lowe's retail store in Southfield, Michigan, and thereby gained unauthorized access to Lowe's Companies, Inc.'s central computer system in North Wilkesboro, North Carolina and, ultimately, to computer systems located in Lowe's retail stores around the United States. Having gained this unauthorized access, the defendants then attempted to install and installed a computer program on the computer system of several Lowe's retail stores, which program was designed to capture the credit card information of customers conducting transactions with those stores.

SALCEDO, BOTBYL, and TIMMINS face maximum sentences of 170 years in prison if convicted on all counts. However, it is important to note that any sentence received upon conviction will be determined by the federal Sentencing Guidelines. Under the federal Sentencing Guidelines, the Court determines each defendant's actual sentence based upon a

formula that takes into account the severity and characteristics of the offense and each defendant's criminal history, if any. Of course, defendants in criminal cases are entitled to a presumption of innocence, and the Government has the burden of proving all charges beyond a reasonable doubt.

U.S. Attorney Conrad credits the Charlotte office of the Federal Bureau of Investigation ("FBI") with leading the investigation that resulted in the filing of these charges. In addition, U.S. Attorney Conrad credits the Detroit, Michigan field office of the FBI for assisting in this investigation. The Government is represented in this matter by Assistant U.S. Attorney Matthew T. Martens of the U.S. Attorney's Criminal Division in Charlotte.

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