The United States Attorney's Office

Southern District of Texas

News Release

Sept. 2, 2008

COMPUTER TECH PLEADS GUILTY TO IDENTITY THEFT OF CALPINE CORPORATION EXECUTIVE

(HOUSTON, Texas) – A former contract employee of the Calpine Corporation has been convicted following his guilty plea to stealing the identity of a Calpine executive, United States Attorney Don DeGabrielle announced today.

At a hearing before the Honorable U.S. District Judge David Hittner, Robert Smith, 28, admitted that from mid-2006 through April 29, 2007, he was assigned to Calpine as a contract employee to maintain desktop computer support services and entrusted with administrative privileges to perform these tasks. Thereafter, Smith exceeded his authorization and obtained biographical and financial data, which belonged to Calpine's Senior Vice-President of Human Resources. Smith then utilized the executive's personal information to apply for and receive fraudulent loans from various online financial loan institutions.

Smith pleaded to one count of fraud in connection with identification theft, stemming from an indictment returned by federal grand jury June 25, 2008. Smith is scheduled to be sentenced by Judge Hittner on Dec. 3, 2008. He faces up to a maximum punishment of 15 years imprisonment and/or a fine of up to $250,000. Smith will continue to remain on bond, in lieu of federal detention, while awaiting sentencing.

The investigation leading to the charges is the result of an investigation conducted by the Houston office of the FBI. The case is being prosecuted by Special Assistant U.S. Attorney Bret W. Davis.

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