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TWO TOP ADMINISTRATORS OF NINJAVIDEO WEBSITE PLEAD GUILTY TO CRIMINAL COPYRIGHT CONSPIRACY

WASHINGTON – Joshua David Evans, 34, of North Bend, Wash., and Jeremy Lynn Andrew, 33, of Eugene, Ore., pleaded guilty today for their roles in NinjaVideo.net, a website that provided millions of users with the ability to illegally download infringing copies of copyright-protected movies and television programs in high-quality formats.

The guilty pleas were accepted by U.S. District Judge Anthony J. Trenga in the Alexandria Division of the Eastern District of Virginia, and were announced by U.S. Attorney Neil H. MacBride for the Eastern District of Virginia, Assistant Attorney General Lanny A. Breuer of the Justice Department's Criminal Division and U.S. Immigration and Customs Enforcement Director John Morton.

Evans pleaded guilty to one count of conspiracy and one count of criminal copyright infringement related to his role in the Internet release of "Iron Man 2" before the movie reached U.S. theaters. Andrew pleaded guilty to a single count of conspiracy.

According to court documents, Evans was referred to as the "Head God" of the "uploaders," who were responsible for locating infringing content on the Internet and uploading the infringing content to servers used by the NinjaVideo.net website, some of which were located in the Eastern District of Virginia. Evans also regularly supervised other uploaders based in North America, who at times numbered more than 10.

Andrew was referred to as the "Ninja Head of Security," according to court documents. Andrew was one of the administrators of the NinjaVideo.net website, served as a moderator of the NinjaVideo.net forum boards, and assisted with issues related to servers used by NinjaVideo.net.

According to the statements of facts filed with both plea agreements, NinjaVideo.net generated a total of $505,000 in income from Internet advertising and visitor donations during the course of the conspiracy. Evans admitted that he personally received $26,660 of these funds, and Andrew admitted that he personally received $5,250 of these funds. Both defendants agreed to pay restitution in these amounts.

Evans, Andrew and three other alleged co-conspirators were indicted on Sept. 9, 2011, on six charges related to their work with NinjaVideo. Evans and Andrew are the third and fourth

co-defendants to plead guilty for their roles. Co-defendants Matthew David Howard Smith and Hana Amal Beshara pleaded guilty on Sept. 23, 2011, and Sept. 29, 2011, respectively, to conspiracy and criminal copyright infringement. Smith will be sentenced on Dec. 16, 2011, and Beshara will be sentenced on Jan. 6, 2012. An arrest warrant has been issued for the remaining co-defendant in the indictment, Zoi Mertzanis of Greece.

Evans faces a maximum penalty of five years in prison on each count of conspiracy and copyright infringement, as well as a $250,000 fine, restitution and three years of supervised release following any prison term. Evans' sentencing is scheduled for Jan. 27, 2012. Andrew faces a maximum penalty of five years in prison on the conspiracy count, as well as a $250,000 fine, restitution and three years of supervised release. Andrew's sentencing is scheduled for Feb. 3, 2012.

The case is being prosecuted by Assistant U.S. Attorneys Jay V. Prabhu and Lindsay A. Kelly of the U.S. Attorney's Office for the Eastern District of Virginia and Trial Attorney Glenn Alexander of the Criminal Division's Computer Crime & Intellectual Property Section.

The investigation was conducted by the National Intellectual Property Rights Coordination Center (IPR Center). The IPR Center is one of the U.S. government's key weapons in the fight against criminal counterfeiting and piracy. As a task force, the IPR Center uses the expertise of its 19 member agencies to share information, develop initiatives, coordinate enforcement actions, and conduct investigations related to IP theft. Through this strategic interagency partnership, the IPR Center protects the public's health and safety, the U.S. economy and the war fighters.

To report IP theft or to learn more about the IPR Center, visit www.IPRCenter.gov.

This case is part of efforts being undertaken by the Department of Justice Task Force on Intellectual Property (IP Task Force) to stop the theft of intellectual property. Attorney General Eric Holder created the IP Task Force to combat the growing number of domestic and international intellectual property crimes, protect the health and safety of American consumers, and safeguard the nation's economic security against those who seek to profit illegally from American creativity, innovation and hard work. The IP Task Force seeks to strengthen intellectual property rights protection through heightened criminal and civil enforcement, greater coordination among federal, state and local law enforcement partners, and increased focus on international enforcement efforts, including reinforcing relationships with key foreign partners and U.S. industry leaders. To learn more about the IP Task Force, go to www.justice.gov/dag/iptaskforce.

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