



communicate — frequently by e-mail -- in order to arrange shipment of and payment for the merchandise.

b. As part of the eBay registration process, all eBay users had to agree to comply with eBay's User Agreement. The User Agreement described the terms under which eBay offered users access to its online services. In the User Agreement, eBay specified various "restricted activities" from which all users agreed to refrain; included among the "restricted activities" was the sale of stolen items. Any eBay user that did not represent that he or she would abide by the restrictions contained in eBay's User Agreement was blocked from using eBay's auction services. Additionally, eBay advised all of its users in a separate policy statement on "prohibited and restricted items" that the sale of stolen property was "strictly prohibited" on eBay.

c. PayPal was an internet company that acted as an intermediary handling online payments between buyers and sellers on eBay. Paypal's service provided a way for buyers to make purchases with credit card and personal checking accounts without having to share account information with sellers. An eBay user wishing to make a purchase could set up an account with PayPal over the internet by providing PayPal with a credit card number or checking account number. Thereafter, the user could choose Paypal as a payment option if accepted by the seller. When that happened, PayPal used its wire services to charge the buyer's registered credit card or bank account for the purchase amount and to remit payment to the seller. Eventually, those proceeds were transferred over the wire services to a non-PayPal account designated by the seller, such as a checking account.

d. The server for eBay's website was located in San Jose, California, and all communications which utilized the eBay website passed through the eBay server in San Jose as internet wire transmissions coming from and going to other computers in various locations. This included, but was not limited to, posting items for sale, posting bids to purchase, and sending e-mail communications to eBay buyers and sellers.

e. The PayPal server was located in San Jose, California, and all communications which utilized PayPal also passed through the PayPal server in San Jose as internet wire transmissions coming from and going to other computers in various locations.

f. Roadrunner of Western Ohio was a provider of internet e-mail service. A registered user was assigned one or more e-mail addresses which enabled them to send and receive e-mail communications over the internet.

g. The server for Roadrunner of Western Ohio e-mail service was located in Columbus, Ohio, and all communications which utilized the a Roadrunner of Western Ohio e-mail account passed through the Roadrunner of Western Ohio e-mail server in Columbus, Ohio as internet wire transmissions coming from and going to other computers in various locations.

h. The defendant, GERALDINE OLDFIELD, lived in West Carrollton, Ohio, a suburban community in the Dayton, Ohio metropolitan area. She was also known by and often used the name Gerry Oldfield.

I. The defendant, GERALDINE OLDFIELD, worked at various Main Auto Parts retail locations in the Dayton, Ohio metropolitan area. For approximately the last ten years of her employment, the defendant, GERALDINE OLDFIELD was the manager of three of these Main Auto Parts stores, including one located at 157 North Main Street in Centerville, Ohio.

Two of the three stores managed by the defendant, GERALDINE OLDFIELD, had been closed due to shortages. The most recent store she managed, the Centerville store, was still open. During all of the periods she was a manager for Main Auto Parts, GERALDINE OLDFIELD had access to the inventory, cash on hand, collectible items, and other promotional items of the store she was managing.

#### THE SCHEME TO DEFRAUD

2. Beginning at an exact date unknown, but at least by January 25, 2001, and continuing until on or about January 20, 2004, in the Southern District of Ohio, the defendant, GERALDINE OLDFIELD, knowingly and wilfully devised and intended to devise a scheme and artifice to defraud and to obtain money and funds by means of false and fraudulent pretenses, representations, promises and material omissions, the defendant, GERALDINE OLDFIELD, knowing at the time that the pretenses and representations were false and fraudulent when made, and which scheme and artifice was as follows.

3. It was the scheme and artifice to defraud that the defendant, GERALDINE OLDFIELD, stole auto parts, collectibles, and other promotional items from her employer, Main Auto Parts, in the Dayton, Ohio metropolitan area; possessed and stored the stolen property in the Dayton metropolitan area, including at her home in the suburban community of West Carrollton, Ohio; and thereafter offered for sale and sold the stolen property to others throughout the United States, often using the internet auction website eBay. In this manner, beginning at an exact date unknown, but at least by sometime in late 2001, and continuing until on or about January 20, 2004, the defendant, GERALDINE OLDFIELD offered for sale and sold stolen property having an approximate retail value of at least \$ 12,360.00.

4. It was part of the scheme and artifice to defraud that the defendant, GERALDINE OLDFIELD, used the internet auction site Ebay and maintained and employed eBay user names which included, but were not necessarily limited to, the name "ihasto" to sell stolen property over the internet.

5. It was further part of the scheme and artifice to defraud that the defendant, GERALDINE OLDFIELD, stored merchandise that she knew had been stolen, these storage places including her residence and garage in the suburban community of West Carrollton, Ohio.

6. It was further part of the scheme and artifice to defraud that the defendant, GERALDINE OLDFIELD, maintained and employed e-mail accounts which included, but were not limited to, a Road Runner of Western Ohio account using the address goduddle@woh.rr.com for purposes such as tracking invoices and communicating with her eBay buyers and potential buyers of the stolen merchandise.

7. It was further part of the scheme and artifice to defraud that the defendant, GERALDINE OLDFIELD, caused the stolen items to be shipped to buyers via the United States Postal Service and private and commercial interstate mail carriers.

9. It was further part of the scheme and artifice to defraud that the defendant, GERALDINE OLDFIELD, caused buyers of stolen property to transmit the amount of the purchase price by various means, including PayPal's internet wire service and money orders sent through the mails.

10. It was further part of the scheme that beginning at an exact date unknown, but at least by late 2001, and continuing until on or about January 20, 2004, the defendant,

GERALDINE OLDFIELD, sold well over a hundred stolen items through auctions conducted under the eBay user name "ihasto," at sale prices totaling over \$5,000.00.

11. On or about January 8, 2004, in the Southern District of Ohio, and elsewhere, the defendant, GERALDINE OLDFIELD, for the purpose of executing the aforesaid scheme and artifice to defraud, knowingly caused to be transmitted in interstate commerce by wire communication from San Jose, California to Columbus, Ohio and the Las Vegas, Nevada area and elsewhere certain writings, signs, signals, and sounds, namely an e-mail communication containing an invoice for the winning bidder, identified as "lenny32," in the auction for a "Clear TRANSPARENT Spark Plug Wire HARLEY" (item # 2452483961) that the defendant, GERALDINE OLDFIELD, had posted for sale on eBay.

In violation of Title 18, United States Code, Sections 1343 and 2.

COUNT 2 (Wire Fraud)

Paragraphs 1 through 10 of Count 1 above are hereby incorporated and made a part of this Count as if completely realleged herein.

12. On or about January 10, 2004, in the Southern District of Ohio, and elsewhere, the defendant, GERALDINE OLDFIELD, for the purpose of executing the aforesaid scheme and artifice to defraud, knowingly caused to be transmitted in interstate commerce by wire communication from San Jose, California to Columbus, Ohio metropolitan area and to the Portland, Oregon area and elsewhere, certain writings, signs, signals, and sounds, namely an e-mail communication containing an invoice for the winning bidder, identified as "1931olds," in an

auction for an item described as "ANCO 9" NOS Wiper Blades 40-48 FORD CARS" (item # 2452292457) that the defendant, GERALDINE OLDFIELD, had posted for sale on eBay.

In violation of Title 18, United States Code, Sections 1343 and 2.

COUNT 3 (Mail Fraud)

Paragraphs 1 through 10 of Count 1 above are hereby incorporated and made a part of this Count as if completely realleged herein.

13. On or about January 12, 2004, in the Southern District of Ohio, the defendant, GERALDINE OLDFIELD, for the purpose of executing the aforesaid scheme and artifice to defraud, and attempting to do so, knowingly caused to be deposited and to be sent and delivered by the United States Postal Service, according to the directions thereon, an envelope addressed to Gerry Oldfield, 157 North Main St., Dayton, OH 45459, which was the address of the Centerville Main Auto Parts store where the defendant, GERALDINE OLDFIELD, was working at the time, which envelope was mailed as a result of eBay user ID "lenny32" being notified on or about January 8, 2004 that he was the winning bidder for a "Clear TRANSPARENT Spark Plug Wire HARLEY" (item # 2452483961) that the defendant, GERALDINE OLDFIELD, had posted for sale on eBay, and on which envelope was a post stamp from Las Vegas, NV, dated January 12, 2004, and a return address containing a name with the first name "Lenny" and the last name beginning "R," a street address, and the city and state of Las Vegas, NV.

In violation of Title 18, United States Code, Sections 1341 and 2.

COUNT 4 (Mail Fraud)

Paragraphs 1 through 10 of Count 1 above are hereby incorporated and made a part of this Count as if completely realleged herein.

14. On or about January 10, 2004, in the Southern District of Ohio, the defendant, GERALDINE OLDFIELD, for the purpose of executing the aforesaid scheme and artifice to defraud, and attempting to do so, knowingly caused to be delivered by the United States Postal Service, according to the directions thereon, an envelope containing a Traveler's Express Money Order in the amount of \$21.99, which envelope was addressed to Gerry Oldfield, 157 North Main St., Dayton, OH 45459, which was the address of the Centerville Main Auto Parts store where the defendant, GERALDINE OLDFIELD, was working at the time, and which envelope contained payment for her sale on eBay of an item described as "ANCO 9" NOS Wiper Blades 40-48 FORD CARS."

In violation of Title 18, United States Code, Sections 1341 and 2.

COUNT 5 (Possession of Piracy Equipment)

15. On or about January 20, 2004, in the Southern District of Ohio, the defendant, GERALDINE OLDFIELD, knowingly and with the intent to defraud had control of and custody of and possession of device making equipment, specifically, equipment designed to facilitate the unauthorized programming of cards used in the unauthorized decryption of satellite cable programming and direct-to-home satellite services.

In violation of Title 18, United States Code, Section 1029(a)(4).

COUNTS 6 - 22 (Satellite TV Piracy)

16. On or about the dates listed below, in the Southern District of Ohio, and elsewhere, the defendant, GERALDINE OLDFIELD, modified, sold, and distributed the electronic devices described below, knowing and having reason to know that the devices were primarily of assistance in the unauthorized decryption of satellite cable programming and direct-to-home satellite services:

<u>COUNT</u>	<u>DATE</u>	<u>DEVICE</u>
6	10/10/2002	A DirecTV access card, also known as an HU Card, which was one of two she offered for sale in an eBay auction ending on or about 10/10/2002
7	10/10/2002	A DirecTV access card, also known as an HU Card, which was one of two she offered for sale in an eBay auction ending on or about 10/10/2002
8	10/12/2002	A DirecTV access card, also known as an HU Card, which was one of two she offered for sale in an eBay auction ending on or about 10/12/2002
9	10/12/2002	A DirecTV access card, also known as an HU Card, which was one of two she offered for sale in an eBay auction ending on or about 10/12/2002
10	10/31/2002	A DirecTV access card, also known as an HU Card, which was one of four she offered for sale in an eBay auction ending on or about 10/31/2002
11	10/31/2002	A DirecTV access card, also known as an HU Card, which was one of four she offered for sale in an eBay auction ending on or about 10/31/2002

<u>COUNT</u>	<u>DATE</u>	<u>DEVICE</u>
12	10/31/2002	A DirecTV access card, also known as an HU Card, which was one of four she offered for sale in an eBay auction ending on or about 10/31/2002
13	10/31/2002	A DirecTV access card, also known as an HU Card, which was one of four she offered for sale in an eBay auction ending on or about 10/31/2002
14	03/21/2003	A Dish Network Smartcard which was one of two she offered for sale in an eBay auction ending on or about 03/21/2003
15	03/21/2003	A Dish Network Smartcard which was one of two she offered for sale in an eBay auction ending on or about 03/21/2003
16	01/20/2004	A DirecTV access card, also known as an HU Card, which was one of six which were located in her West Carrollton home on or about 01/20/2004
17	01/20/2004	A DirecTV access card, also known as an HU Card, which was one of six which were located in her West Carrollton home on or about 01/20/2004
18	01/20/2004	A DirecTV access card, also known as an HU Card, which was one of six which were located in her West Carrollton home on or about 01/20/2004
19	01/20/2004	A DirecTV access card, also known as an HU Card, which was one of six which were located in her West Carrollton home on or about 01/20/2004

<u>COUNT</u>	<u>DATE</u>	<u>DEVICE</u>
20	01/20/2004	A DirecTV access card, also known as an HU Card, which was one of six which were located in her West Carrollton home on or about 01/20/2004
21	01/20/2004	A DirecTV access card, also known as an HU Card, which was one of six which were located in her West Carrollton home on or about 01/20/2004
22	01/20/2004	A DirecTV access card, also known as a P4 Card, a Fourth Generation Card, a Generation Four Card, a Fourth Series Card, and a Series 4 Card, which was located in her West Carrollton home on or about 01/20/2004

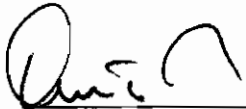
each device constituting a separate count and violation.

All in violation of Title 47, United States Code, Sections 605(e)(4).

A TRUE BILL

15/  
FOREPERSON

GREGORY G. LOCKHART  
United States Attorney



VIPAL J. PATEL  
Deputy Chief, Criminal Division