
**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA :
 :
-v- : **AMENDED COMPLAINT**
 :
VIKTOR P. SAVTYREV, :
a/k/a "VIKTOR SAVTUREV" :
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I, Gerald Cotellesse, being duly sworn, state the following is true and correct to the best of my knowledge and belief. Between on or about November 6, 2008 and on or about November 8, 2008, in Middlesex County, in the District of New Jersey and elsewhere, defendant VIKTOR P. SAVTYREV, a/k/a "Victor Savturev", did:

SEE ATTACHMENT A

I further state that I am a Special Agent with the Federal Bureau of Investigation, and that this complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached page and made a part hereof.

Gerald Cotellesse, Special Agent
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,
November 10, 2008, in Essex County, New Jersey

HONORABLE PATTY SHWARTZ
UNITED STATES MAGISTRATE JUDGE

Signature of Judicial Officer

ATTACHMENT A

COUNT 1

On or about November 6, 2008, in Middlesex County in the District of New Jersey and elsewhere, defendant

VIKTOR P. SAVTYREV,
a/k/a "VICTOR SAVTUREV"

did knowingly and willfully, with intent to extort from persons money and other things of value, transmit in interstate and foreign commerce communications containing threats to cause damage to a protected computer, in violation of Title 18, United States Code, Section 1030(a)(7)(A).

COUNT 2

On or about November 8, 2008, in Middlesex County in the District of New Jersey and elsewhere, defendant

VIKTOR P. SAVTYREV,
a/k/a "VICTOR SAVTUREV"

did knowingly and willfully, with intent to extort from persons money and other things of value, transmit in interstate and foreign commerce communications containing demands and requests for money and other things of value in relation to damage to a protected computer, where such damage was caused to facilitate the extortion, in violation of Title 18, United States Code, Section 1030(a)(7)(C).

ATTACHMENT B

I, Gerald Cotellesse, a Special Agent of the Federal Bureau of Investigation, have knowledge of the following facts based upon information obtained via recorded conversations and discussions with witnesses and other law enforcement agents. Since this affidavit is submitted for the purpose of establishing probable cause to support the issuance of a complaint and arrest warrant, I have not included each and every fact known by the government concerning this investigation.

BACKGROUND

1. At various times relevant to this Complaint:
 - a. **MUTUAL FUND MANAGEMENT COMPANY:** A mutual fund management company identified herein as the “Mutual Fund Management Company,” located in or around New York, New York, which currently manages more than \$15 billion in assets, employed more than 75 individuals.
 - b. **VIKTOR SAVTYREV:** Viktor P. Savtyrev, a/k/a “Victor Savturev” (“defendant Savtyrev”), resided in Old Bridge, New Jersey, and was employed as a systems administrator by the Mutual Fund Management Company.

2. On or about November 5, 2008, the Mutual Fund Management Company laid off approximately fourteen employees. As part of the layoffs, the Mutual Fund Management Company provided a severance package to each of those employees. Defendant Savtyrev was among the individuals laid off.

THE EXTORTION

3. On or about November 6, 2008, at approximately 11:41 a.m., defendant Savtyrev, using a Google Gmail e-mail account, sent an e-mail to the general counsel and three employees at the Mutual Fund Management Company (the “November 6 E-Mail”). In the November 6 E-Mail, defendant Savtyrev stated that he “was not satisfied with the terms” of the severance package and threatened to cause extensive damage to the Mutual Fund Management Company’s computer servers if the company did not meet his demands.

4. Among the demands defendant Savtyrev made in the November 6 E-Mail were demands for additional severance pay and extended medical coverage. Defendant Savtyrev also demanded in the November 6 E-Mail that, “[e]xcellent references should be provided for anybody contacting you regarding my employment.”

5. Following his list of demands in the November 6 E-Mail, defendant Savtyrev offered “to be more persuasive” and threatened to cause extensive damage to the Mutual Fund

Management Company's computer system. He explained that: "My comrades for a small fee are able to help me out with bridging firewall security and carry out data destruction and virus outbreak. And lucky me to find out that [the company's firewall] is the cheapest firewall to crack!"

6. Defendant Savtyrev's November 6 E-mail further threatened:

I located the names and email addresses of editors of Wall Street Journal, Newsweek and Daily News, and all of them should be very interested in getting an article about a mutual fund loosing [sic] data because some "Crazy Russian" (this is the name of the article which I wrote last night), was fired after 5 years of loyal service. And that will give a very good marketing and advertisement campaign, I am sure clients would be reading it too. And in this hard times "services, reputation, financial status, business relationships" are the most critical, as you know, and so do I.

7. Upon receipt of the November 6 E-mail, Mutual Fund Management Company representatives contacted law enforcement personnel. At approximately 6:15 p.m. on or about November 6, 2008, Cooperating Witness ("CW"), an employee of the Mutual Fund Management Company and a recipient of the November 6 E-Mail, working at the direction of law enforcement, placed a consensually recorded telephone call to defendant Savtyrev. During the course of the call, defendant Savtyrev repeated his demands for a greater severance package and his threats of damage to the Mutual Fund Management Company's computers. Defendant Savtyrev further explained that he was going to get his "comrades from Belarus", who were well known hackers, to assist in the hacking.

8. On or about Friday, November 7, 2008, at approximately 4:31 p.m., defendant Savtyrev sent a second e-mail to the Mutual Fund Management Company that stated:

I gueses [sic] you never took my offer seriously. that's a shame, hope you have a good weekend! Viktor.

9. That evening, working at the direction of law enforcement, CW placed a second consensually monitored telephone call to defendant Savtyrev and stated, in substance and in part, that the Mutual Fund Management Company would meet defendant Savtyrev's demands provided that defendant Savtyrev met with the Mutual Fund Management Company and showed its representatives any weaknesses in its systems that defendant Savtyrev had intended to exploit. CW and defendant Savtyrev agreed to a meeting at the Mutual Fund Management Company at 3:00 p.m. on Monday, November 10, 2008.

10. On or about Saturday, November 8, 2008, at approximately 4:49 a.m., defendant Savtyrev sent a third e-mail to the Mutual Fund Management Company that stated, in pertinent part:

... I know you trying to gain time and tighten up the security, that won't help as I have several backdoors open and even for you will take months to figure it out. Please make sure the new agreement is on the table and signed by [the Mutual Fund Management Company's CEO] on monday, as I won't be talking without it.

Thank you.