UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	: **SEALED INDICTMENT**
-v.-	:
	13 Cr.
ALEKSANDR KALININ,	:
a/k/a "Grig,"	
a/k/a "g"	:
a/k/a "tempo"	
	:
Defendant.	
	:

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COUNT ONE

(Computer Hacking)

The Grand Jury charges:

At all times relevant to this Indictment:

BACKGROUND

1.   ALEKSANDR KALININ, a/k/a "Grig," a/k/a "g," a/k/a
"tempo," the defendant, was a computer hacker who resided in the
vicinity of St. Petersburg, Russia.

2.   The NASDAQ OMX Group, Inc. was a corporation
organized under the laws of the State of Delaware and
headquartered in New York, New York. Among the subsidiaries of
NASDAQ OMX Group, Inc., was The NASDAQ Stock Market LLC, also
known as "the NASDAQ."

3.   The NASDAQ, one of the largest stock exchanges in the world, was based in New York, New York. The NASDAQ used computer servers to conduct its business operations, including, for example, to control internal communications and store data that could be accessed by its customers over the Internet. The NASDAQ also used computer servers (the "Trading Platform") to permit its customers to buy and sell various securities, including shares of stock in publicly traded corporations, through remote computer connections, including connections over the Internet.

THE HACK OF COMPUTER SERVERS USED BY NASDAQ

4.   From at least in or about November 2008, up to and including in or about October 2010, in the Southern District of New York and elsewhere, ALEKSANDR KALININ, a/k/a "grig," a/k/a "g," a/k/a "tempo," the defendant, obtained unauthorized access to (or "hacked") various computer servers (other than servers comprising the Trading Platform) used by the NASDAQ to conduct its business operations.

5.   During the course of this hack, ALEKSANDR KALININ, a/k/a "grig," a/k/a "g," a/k/a "tempo," the defendant, installed malicious software (or "malware") on those computer servers. That malware, among other things, permitted KALININ and others to surreptitiously access the infected NASDAQ servers

2

and execute commands on those servers, including commands to delete, change or steal data.

STATUTORY ALLEGATIONS

6.   From at least in or about November 2008, up to and including in or about October 2010, in the Southern District of New York and elsewhere, ALEKSANDR KALININ, a/k/a "grig," a/k/a "g," a/k/a "tempo," the defendant, knowingly caused the transmission of programs, information, codes and commands, and as a result of such conduct, intentionally caused damage without authorization, to protected computers, and thereby caused loss to one and more persons during any one-year period aggregating at least $5,000 in value, to wit, KALININ used commands to install malware without authorization on computer servers maintained by or for the benefit of the NASDAQ, and thereby caused damage and losses of at least $5,000 during a one-year period.

(Title 18, United States Code,
Sections 1030(a)(5)(A), 1030(c)(4)(B)(i), and
1030(c)(4)(A)(i)(I).)

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FOREPERSON

Preet Bharara
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PREET BHARARA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

ALEKSANDR KALININ,
a/k/a "grig,"
a/k/a "g,"
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Defendant.

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INDICTMENT

13 Cr.

18 U.S.C. §§ 1030(a)(5)(A), 1030(c)(4)(B)(I), and
1030(c)(4)(A)(i)

<u>PREET BHARARA</u>
United States Attorney.

A TRUE BILL

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Foreperson.

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