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

UNITED STATES OF AMERICA : Hon. André Espinosa
v. :
ALAN WALLACE : Mag. No. **21-11073**
: **CRIMINAL COMPLAINT**

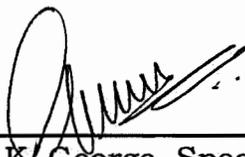
I, Godwin K. George, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

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 pages and made a part hereof.



Godwin K. George, Special Agent
Federal Bureau of Investigation

Special Agent George attested to this Complaint by telephone pursuant to FRCP 4.1(b)(2)(A) on April 28, 2021 in the District of New Jersey

HONORABLE ANDRÉ ESPINOSA
UNITED STATES MAGISTRATE JUDGE

André Espinosa

Signature of Judicial Officer

ATTACHMENT A
COUNTS ONE AND TWO
(Interstate Threats)

From in or around November 2020 through in or around March 2021, in the District of New Jersey and elsewhere, defendant

ALAN WALLACE

did knowingly and intentionally transmit in interstate commerce a communication containing a threat to injure the person of another, as set forth in the individual counts below:

Count	Approximate Date	Description
ONE	February 5, 2021	Email to Victim-1 with the subject line "Blood Bath"
TWO	February 12, 2021	Email to Victim-1 with the subject line "About one week"

In violation of Title 18, United States Code, Section 875(c).

ATTACHMENT B

I, Godwin K. George, being first duly sworn, depose and state the following:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the United States Department of Justice, Federal Bureau of Investigation ("FBI"), and have been so employed since August 2020. I am currently assigned to the Newark, New Jersey Field Office. I have received training and have gained experience in interview and interrogation techniques, arrest procedures, search warrant applications, the execution of searches and seizures, computer crimes, computer evidence identification, computer evidence seizure and processing, and various other criminal laws and procedures.

2. Since this Affidavit is submitted for the sole purpose of establishing probable cause to support the issuance of a federal criminal complaint and arrest warrant, I have not included each and every fact known by the Government concerning this investigation. Except as otherwise indicated, the actions, conversations, and statements of others identified in this Affidavit – even where they appear in quotations – are reported in substance and in part. Similarly, dates and times are approximations, and should be read as "on or about," "in or about," or "at or about" the date or time provided.

PROBABLE CAUSE

I. Individuals and Entities

3. At various times relevant to this Complaint:

- a. Alan WALLACE ("WALLACE") was a resident of Georgia.
- b. Company-1 was a publicly traded company with headquarters in New Jersey.
- c. Victim-1 was an executive officer of Company-1 and a resident of New Jersey.
- d. Individuals -1 and -2 were employees of Company-1.

II. The Threat Emails

4. Since in or around January 2021, the FBI has been investigating a series of threatening email communications (the "Threat Emails") directed to Victim-1. Victim-1's Company-1 email account (the "Victim Account") received the Threat Emails every few days, beginning on or about January 11, 2021 through early March 2021, with more sporadic emails arriving thereafter. Victim-1 accessed the Victim Account from New Jersey.

5. The Threat Emails threatened violence to Victim-1 and to Victim-1's family if Company-1's stock did not exceed a certain price within 30 days. The Threat Emails contained ominous subject lines such as, "Gun or Knife," "Blood Bath," and "You about sealed your family's fate," and content consistent with those subject lines. For example, a Threat Email received on or about January 31, 2021 read: "[Victim-1] - you are about to lose family due to your actions hurting others and inaction to elevate the stock price. Weep and remember."

6. The Threat Emails were sent from the anonymous email service "Mailspre", which purports to make it "possible to send emails without revealing your email address or any information about your identity." See <https://mailspre.com/> (last visited Apr. 28, 2021) (the "Mailspre Website"). Consistent with this claim, the header information that Company-1 supplied the FBI for the Threat Emails did not: (a) reveal the individual responsible for sending the Threat Emails; (b) identify the sender's email account (indicating instead that the Threat Emails originated from a generic message@mailspre[.]com account); or (c) supply the sender's IP address.

7. According to records lawfully obtained from Company-1, U.S. authorities are aware of the following Threat Emails, among others:

DATE RECEIVED	SUBJECT	MESSAGE
1/11/2021	[Company-1] Stock Performance	[Victim-1] - You have exactly 30 days to get the [Company-1] stock over \$200 or your family will pay the price. Test me. This is not a joke. You can fire every SVP you have if that's what it takes, but rest assured, your family IS what is at stake here.
1/12/2021	[Company-1] Stock Performance	[Victim-1], you may think I am kidding but I can assure you, I have already gathered addresses of your close family members. You have 29 days.
1/13/2021	Think I'm Joking	[Victim-1], I can assure you I am not joking. This is the most serious I have ever been in my life. Get the stock above \$200. You have 28 days left. Talk to anyone, you know what will happen. You have hurt far too many people. Again, this is the most serious I have ever been in my life. Your family depends on you making this happen.
1/14/2021	Gun or Kiife [sic]	Think very very carefully [Victim-1] about your family. Stock heading wrong way. The clock is ticking.
1/18/2021	Test Me	[Victim-1], I can assure you if you test me, your family is the cost. Your time is running out. Better start making things happen with the stock.

DATE RECEIVED	SUBJECT	MESSAGE
1/26/2021	Family Locations	[Victim-1], \$200 on stock or you know your choice harmed your family. Every immediate family member has been located and tracked already. Time is running out. Make it happen. Think I am kidding, just test me.
1/27/2021	You about sealed your family's fate	[Victim-1], your time is quickly running out to get the stock over \$200. Need I remind you what is at stake? Recall, the hurt you inflicted on so many employees and families for you own greed under the disguise of innovating at [Company-1]? Well, hurt on your family is coming very fast and you will have to live with that outcome knowing what you did to others and what you did not do to prevent your families [sic] fate. I surely do not care what happens to your family as you have ruined mine. Remember that every night as you try to sleep. It is coming for you.
1/29/2021	Assured Promise	[Victim-1], I feel by now either you think I am joking or you don't care about your family at all. If you don't get the [Company-1] Stock over \$200 in the time frame originally stated, then rest assured YOU and ONLY ONLY [sic] are responsible for what happens to your family. You hurt so many, I PROMISE you yours will feel greater pain.
1/29/2021	Not waiting, not playing	As you seem to not be dealing with the stock, your family won't get the benefit of the remaining time to get it to \$200. You aren't taking me seriously it seems. Maybe a remote family member "situation" will help encourage you.
1/31/2021	[Company-1] Stock and Family	[Victim-1] - you are about to lose family due to your actions hurting others and inaction to elevate the stock price. Weep and remember.
2/5/2021	Blood Bath	[Victim-1], it seems you don't care about your family. This will be an absolute blood bath if stock isn't over \$200 in 2 weeks. Your hurt so many, and now it is your turn to experience it.

DATE RECEIVED	SUBJECT	MESSAGE
2/5/2021	Fate now sealed	It seems today's [Company-1] stock decline has almost but certainly sealed the fate of family members close to you. You hurt so many employees. You hurt their families, their kids. Your personal compensation is certainly not worth more than peoples [sic] livelihoods and health. YOUR FAMILY WILL PAY for what you did in the most permanent non reversible way. Maybe my life is over, but I guarantee yours and your families [sic] will be too.
2/8/2021	Goodbyes	[Victim-1], clearly you think I am kidding. Stock is nowhere near \$200 a share. Your time is running out. Start saying your goodbyes to your immediate family. You shouldn't have hurt so many. You will get schooled in what that means to those you hurt first hand by means of your family.
2/12/2021	About one week	I only can guess you think I am bluffing. You have about a week left to get the [Company-1] stock over \$200 a share. You know what has been stated will happen if the stock does not do that. You hurt so many. You think I am bluffing? Watch and see. And then you will have regret and hate the rest of your life. Watch and see.
2/16/2021	Thi [sic] is the week	[Victim-1], so it seems you are not taking me seriously. You made decisions to hurt so many people and try to justify it as "streamlining" or "re-invention" or whatever makes you able to sleep with yourself at night. Bottom line is YOU hurt so many for unjustifiable reasons. I on the other hand have a very justifiable reason to repay to your family what you do to mine. You drew first blood, but I assure you you will regret seeing all the blood in your family when things are done. You missed your timeline to escape this Nothing else to do now but make it happen when you think it won't. And I assure you, it will happen, your family will be devastated, you will have regret for the rest of your life, and you won't have a second chance.

DATE RECEIVED	SUBJECT	MESSAGE
3/4/2021	Promise will be kept	[Victim-1], you were assured if you didn't get the stock over \$200 you find a close family member as the price. You have hurt so many, now it is your turn to experience pain and suffering, starting with your closest family. Had a scope on one recently. Get ready, your would is about to be shattered.
3/19/21	[Victim-1 Last Name] Family Weekend	This may be the weekend for the [Victim-1 Last Name] family to get shattered for what they have done to so many. Stock is going down. Family is going down. Reflect on what you did for the rest of your life and how you put the harm of your family in motion.
3/19/21	Think I am kidding...	There will be blood everywhere. You started this war. You think it is ok to hurt folks. I promise you will regret it if it is the last thing I do in this life. Say your family goodbyes now.

III. The 76 IP Address

8. The website TheLayoff.com (the "Layoff Website") is a public forum that purports to be a clearinghouse for "News, personal experiences, rumors and speculations about layoffs at your company." See <https://www.thelayoff.com/> (last visited April 28, 2021). A series of anonymous posts and responses to posts on the Layoff Website pertaining to the value of Company-1 stock contained distinctive verbiage similar to that used in several of the Threat Emails (the "Company-1 Posts").

9. For example, on or about February 12, 2021, Victim-1 received a Threat Email that read as follows (with emphasis added to the pertinent portions, which are italicized):

I only can guess you think I am bluffing. You have about a week left to get the [Company-1] stock over \$200 a share. You know what has been stated will happen if the stock does not do that. You hurt so

many. You think I am bluffing? *Watch and see.* And then you will have regret and hate the rest of your life. *Watch and see.*

10. According to a public posting on the Layoff Website, on or about January 13, 2021, an anonymous poster posted regarding Company-1's stock performance and management ("Layoff Post 1"). Layoff Post 1 contained the phrase "Watch and see." According to records obtained from the Layoff Website, Layoff Post 1 was made by an unknown visitor accessing the Layoff Website from IP address 76.240.18.150 (the "76 IP Address").

11. An open source search of records associated with the 76 IP address indicated that the account provider is AT&T. The open source information also indicated that the AT&T IP Address is a static IP address, which, as distinct from a dynamic IP address, means it is associated with a particular account (i.e., a residential broadband service account) for an extended period of time.

12. According to records obtained from Company-1, the 76 IP Address was used to access a secure website containing information about Company-1's 401(k) plan and to log-in to the customer account for a 401(k) plan belonging to WALLACE (the "WALLACE Account"). The 76 IP Address accessed the WALLACE Account on approximately 24 occasions between on or about November 11, 2020 and on or about February 10, 2021.

13. According to Company-1 records: (a) WALLACE was employed by Company-1 starting in or about 1999, worked at an Company-1 facility in Georgia, and had an address in Cumming, Georgia listed in his human resources file at Company-1 (the "First WALLACE Address"); (b) WALLACE was awarded Company-1 stock options on or about May 19, 1999 (although the current status of WALLACE's Company-1 stock holdings or other investments with Company-1 is not known by the FBI at this time); and (c) WALLACE's employment with Company-1 was involuntarily terminated on or about October 6, 2017.

14. According to public records, the 76 IP Address resolves to the First WALLACE Address. Further, according to records provided by AT&T, the 76 IP Address is associated with an AT&T account subscribed to by WALLACE (the "WALLACE AT&T Account") at the First WALLACE Address.

IV. Additional Threat Emails and Layoff Posts

15. Through this investigation, law enforcement was made aware of an additional anonymous threat email sent to another Company-1 employee, Individual-1, on or about November 17, 2020 at approximately 9:13 a.m. The email, which was sent using the anonymous email service "5ymail," read as follows (with emphasis added to the pertinent portions, which are italicized):

[Individual-1], *long knives are out now*. You hurt so many. [] is going to pay the price for your actions. It will be a very unfair and and unjustified event; however, [] is the cost. Your family will be rocked to the core and while you will never understand it, it is going to happen. Maybe it will just be because it is pay back. Lesson - NEVER hurt anyone or encourage hurting anyone for your or anyone elses benefit. You never know what how that will come back on your family. And it is coming like a freight train

According to a public posting on the Layoff Website, on the same day, November 17, 2020, at approximately 1:34 PM an anonymous poster posted regarding Company-1's management ("Layoff Post 2"). Layoff Post 2 included the phrase "knives are out." According to records obtained from the Layoff Website, Layoff Post 2 was made by an unknown visitor accessing the Layoff Website from the 76 IP Address, which, as described previously, resolved to the First WALLACE Address.

V. WALLACE'S Confession

16. On or about April 28, 2021, FBI agents encountered WALLACE during the execution of a search warrant at a residence in or about Atlanta, Georgia where WALLACE was known to be residing (the "Second WALLACE Address"). WALLACE submitted to a voluntary interview in which WALLACE: (a) confessed in a video recorded statement to having sent the Threat Emails; and (b) initialed a chart that set forth the date, time, and content of the Threat Emails, indicating his responsibility for having sent the Threat Emails.