

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	)	
	)	
Plaintiff,	)	Civil Action No. 14-0685
	)	
v.	)	
	)	
EVGENIY MIKHAILOVICH BOGACHEV,	)	
et al.	)	
	)	
Defendants.	)	

MOTION FOR ENTRY OF DEFAULT

The United States of America, by and through its attorneys David J. Hickton, United States Attorney for the Western District of Pennsylvania and Leslie R. Caldwell, Assistant Attorney General, hereby requests that the Clerk enter the default of Defendants Evgeniy Mikhailovich Bogachev, “Temp Special”, “Ded”, “Chingiz 911” a/k/a “Chingiz”, and “Mr. Kykypyky” for failure to plead or otherwise defend this action in a timely manner.

On May 28, 2014, Judge Schwab signed a Temporary Restraining Order (“TRO”) against the Defendants. Among other provisions, the TRO authorized the Government to serve the Defendants with the Government’s Complaint and other pleadings filed in this case through alternative means, which were specified in Paragraph 13 of the TRO.

On June 2, 2014, the Government filed its Proof of Service (D.E. # 15), detailing the Government’s compliance with the alternative service methods specified by the Court. As described in the Proof of Service, the Government served the pleadings in this case upon the Defendants via: 1) DHL Express delivery to defendant Bogachev’s home; 2) via postal mail to all valid physical addresses provided by the registrants of the active Gameover Zeus and Cryptolocker domains; 3) via electronic mail to each electronic mail address provided by the

registrants of each active Gameover Zeus and Cryptolocker domain name; 4) via electronic mail to *charajiang16@gmail.com* and *bollinger.evgeniy@yandex.ru*, known email addresses used by defendants “Chingiz 911” and Bogachev; and 5) via publication on the websites of the U.S. Department of Justice and the Federal Bureau of Investigation. See Declaration of Ethan Arenson, attached hereto as Exhibit 1 (“Arenson Decl.”), at ¶ 2.

More than 21 days have elapsed since the Defendants were served with the pleadings in this case and the Defendants have failed to answer the Government’s Complaint or otherwise respond. Arenson Decl. at ¶ 3. Moreover, there is no evidence that the Defendants are infants, in the United States military, or incompetent persons. Id. at ¶ 4. Accordingly, pursuant to Fed. R. Civ. P. 55(a), entry of default against the Defendants is warranted.

Dated: July 11, 2014

Respectfully submitted,

DAVID J. HICKTON

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Defendants.	)	

ENTRY OF DEFAULT

The United States of America has moved for entry of default pursuant to Rule 55(a) of the Federal Rules of Civil Procedure against Defendants Evgeniy Mikhailovich Bogachev, “Temp Special”, “Ded”, “Chingiz 911” a/k/a “Chingiz”, and “Mr. Kykypyky” for failure to plead or otherwise defend this action in a timely manner.

IT APPEARING TO THE COURT that Defendants Evgeniy Mikhailovich Bogachev, “Temp Special”, “Ded”, “Chingiz 911” a/k/a “Chingiz”, and “Mr. Kykypyky” are in default for failing to plead or otherwise defend this action as required by law.

NOW THEREFORE, on this _____ of _____, 2014, default is hereby entered against Defendants Evgeniy Mikhailovich Bogachev, “Temp Special”, “Ded”, “Chingiz 911” a/k/a “Chingiz”, and “Mr. Kykypyky”.

Robert V. Barth, Jr.
Clerk of Court