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

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UNITED STATES OF AMERICA : Hon. Joseph A. Dickson  
: :  
v. : Mag. No. 14-6555  
: :  
BRIAN W. HENDERSON : COMPLAINT

I, Sean M. McDermott, 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 page and made a part hereof.

  
\_\_\_\_\_  
Sean M. McDermott, Special Agent  
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,  
March 11, 2014 at Newark, New Jersey

HONORABLE JOSEPH A. DICKSON  
UNITED STATES MAGISTRATE JUDGE

  
\_\_\_\_\_  
Signature of Judicial Officer

Hon. Joseph A. Dickson  
United States Magistrate Judge

**ATTACHMENT A**

**COUNT ONE**

On or about July 28, 2013, in the District of New Jersey and elsewhere,  
defendant

BRIAN W. HENDERSON

knowingly threatened, under circumstances in which the threat may have reasonably been expected to be believed, that he would tamper with a consumer product that affects interstate or foreign commerce, or the labeling of, or container for, any such product with reckless disregard for the risk that another person would be placed in danger of death or bodily injury and under circumstances manifesting extreme indifference to such risk.

In violation of Title 18, United States Code, Section 1365(d).

**COUNT TWO**

On or about August 5, 2013, in the District of New Jersey and elsewhere,  
defendant

BRIAN W. HENDERSON

knowingly threatened, under circumstances in which the threat may have reasonably been expected to be believed, that he would tamper with a consumer product that affects interstate or foreign commerce, or the labeling of, or container for, any such product with reckless disregard for the risk that another person would be placed in danger of death or bodily injury and under circumstances manifesting extreme indifference to such risk.

In violation of Title 18, United States Code, Section 1365(d).

## ATTACHMENT B

I, Sean M. McDermott, have been a Special Agent of the Federal Bureau of Investigation for approximately 16 years, and I have been personally involved in the investigation of this matter. The information contained in the complaint is based upon my personal knowledge, as well as information obtained from other sources, including: (a) statements made or reported by various witnesses with knowledge of relevant facts; (b) my review of publicly available information relating to BRIAN W. HENDERSON, the defendant; and (c) my review of documents. Because this complaint is being submitted for the limited purpose of establishing probable cause, it does not include every fact that I have learned during the course of the investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

### Introduction

1. At all times relevant to this complaint:
  - a. Company 1 was a consumer products company with offices in New Jersey, whose products were sold in interstate and foreign commerce.
  - b. BRIAN W. HENDERSON ("HENDERSON") was a resident of Florida.

### The July 28<sup>th</sup> Extortion Demand and The August 5<sup>th</sup> Extortion Demand

2. On or about July 28, 2013, HENDERSON contacted Company 1 by sending a message to Company 1 through its on-line Customer Care Center and threatened to place 20 poisoned containers of products sold by Company 1 on the shelves of 20 different stores unless he was paid an unspecified sum of money (the "July 28<sup>th</sup> Extortion Demand"). The message was addressed to the Chairman of the Board of Directors and the Chief Executive Officer of Company 1.

3. The July 28<sup>th</sup> Extortion Demand read, in relevant part, as follows:

Attn: [REDACTED] Chairman of [Company 1]. I am the angel of death. I have put poison in 20 containers of your products. If you would like to stop me from putting them back on the shelves of 20 different stores, you will contact me at [REDACTED]. You will pay me what you owe me or I will cost you 1000â€™s [sic] of times as much. We can handle this quietly and cheaply, or loudly and very, very, expensively. You have until Fri. 8/2 at 5pm. EDT to respond.

4. On or about August 5, 2013, HENDERSON again contacted Company 1 by sending a message to Company 1 through its on-line Customer Care Center and again threatened to place 20 poisoned containers of products sold by Company 1 on the shelves of 20 different stores unless he was paid an unspecified sum of money (the "August 5<sup>th</sup> Extortion Demand").

5. The August 5<sup>th</sup> Extortion Demand read, in relevant part, as follows:

I am the angel of death. I have put poison in 20 packages of your products. I will put them back on the shelves unless you pay me what you owe me. Last week I gave you an e-mail address that no longer works. You will have until Thurs 8/8 at 5pm to reply to my new e-mail address or I will replace the products and alert the media. You can handle this quietly and cheaply or publicly and very very expensive.

6. A review of records produced by Company 1 revealed that the August 5<sup>th</sup> Extortion Demand was transmitted from a particular Internet Protocol ("IP") address.<sup>1</sup> Public database searches revealed that this particular IP address was owned by AT&T. Records produced by AT&T indicated that, on the dates and times it was used to send the August 5<sup>th</sup> Extortion Demand, the IP address was assigned to the wireless network of a restaurant in Dania, Florida (the "Dania Restaurant").

7. Security footage retrieved from the Dania Restaurant showed HENDERSON driving a blue scooter in the vicinity of the Dania Restaurant within minutes of the August 5<sup>th</sup> Extortion Demand being sent to Company 1.

### **The Bank Robbery**

8. On or about December 13, 2013, HENDERSON entered a bank in Dania Beach, Florida and gave the teller a handwritten demand note which, in substance and part, stated that an individual had placed a bomb around his neck and that the tellers should give him \$40,000 or the bomb would be detonated. Bank employees retrieved \$40,000 from the bank's vault and provided it to HENDERSON. HENDERSON then exited the bank branch.

9. Once outside, HENDERSON was confronted by law enforcement and ordered to the ground. HENDERSON told law enforcement, in substance and part, that he had a "live" bomb around his neck. While awaiting the arrival of bomb squad personnel, HENDERSON became non-compliant, and after

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<sup>1</sup> Because every device that connects to the Internet must use an IP address, IP address information can help to identify which computers or other devices were used to access the Internet at a particular time.

repeated orders and fearing for the safety of the public and other law enforcement officers, HENDERSON was shot by police. The bomb squad then removed the device from HENDERSON's body and he was transported to the hospital for treatment. The bomb squad determined that the device was not a functioning bomb.

10. The same day, after being advised of his rights by law enforcement and waiving them, HENDERSON stated that he owned a blue scooter. According to witnesses, HENDERSON was observed leaving his apartment that day on a blue scooter. HENDERSON's ownership of a blue scooter has been confirmed by the Florida Department of Motor Vehicles. The scooter is similar in appearance to the one HENDERSON was observed riding in the security footage from the Dania Restaurant.

11. On or about December 19, 2013, HENDERSON was charged in the Southern District of Florida with bank robbery in violation of 18 U.S.C. § 2113(a).

#### **The Search of HENDERSON's Residence**

12. On or about December 14, 2013, law enforcement executed a search warrant at Henderson's residence. I have reviewed electronic media seized during that search. During my review, I observed, among other things, a document created on or about August 1, 2013 that appears to be a draft extortion demand directed to Company 1. I further observed that on or about August 8, 2013, the user of a laptop recovered from HENDERSON's residence visited Company 1's website and bookmarked the web page for Company 1's on-line Customer Care Center, the same webpage that was used to communicate the July 28<sup>th</sup> Extortion Demand and the August 5<sup>th</sup> Extortion Demand.