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UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
October 2020 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

TASSILO HEINRICH,
aka "Tass,"
aka "BigBoy,"
aka "BigBoy#1828,"
aka "Pokeball,"

Defendant.

CR 8:21-cr-00022-JLS

I N D I C T M E N T

[18 U.S.C. § 1349: Conspiracy to Commit Wire Fraud; 18 U.S.C. § 1028A(a)(1): Aggravated Identity Theft; 18 U.S.C. §§ 981(a)(1)(C), 982, 1028 and 28 U.S.C. §2461(c): Criminal Forfeiture]

The Grand Jury charges:

COUNT ONE

[18 U.S.C. § 1349]

A. INTRODUCTORY ALLEGATIONS

At times relevant to this Indictment:

1. Defendant TASSILO HEINRICH, also known as "Tass," "BigBoy," "BigBoy#1828," and "Pokeball" ("HEINRICH"), resided in Orange County, within the Central District of California.

1 2. The Victim Company was an e-commerce platform for online
2 stores that offered services to online merchants, including payments,
3 marketing, shipping, and customer engagement tools.

4 3. Un-indicted Co-Conspirator 1 ("UCC1") was a Philippines-
5 based employee of a third-party contractor who provided customer
6 support services for the Victim Company.

7 4. UCC1 was authorized to access certain portions of the
8 Victim Company's internal network solely for the purpose of
9 performing customer service work for the Victim Company; UCC1 was not
10 authorized to access any portions of the Victim Company's internal
11 network for any other purpose.

12 5. Un-indicted Co-Conspirator 2 ("UCC2") resided in Portugal.

13 B. OBJECTS OF THE CONSPIRACY

14 Beginning on a date unknown and continuing until on or about
15 January 27, 2021, in Orange County and Los Angeles County, within the
16 Central District of California, and elsewhere, defendant HEINRICH
17 knowingly conspired with others known and unknown to the Grand Jury
18 to commit wire fraud, in violation of Title 18, United States Code,
19 Section 1343.

20 C. MEANS BY WHICH THE OBJECT OF THE CONSPIRACY WAS TO BE
21 ACCOMPLISHED

22 The object of the conspiracy was to be accomplished, in
23 substance, as follows:

24 1. UCC1 would fraudulently gain access to data relating to
25 merchants who used the services offered by the Victim Company, as
26 well as to customers of those merchants, without authorization.

27 2. UCC1 would steal the merchant and customer data from the
28 Victim Company's internal network by either taking screenshots of the

1 data or uploading the data to Google Drive; the stolen data would
2 include, without limitation, merchants' and customers' names,
3 customers' billing and shipping addresses, customers' email
4 addresses, items the customers purchased from the merchants, and
5 customers' payment methods.

6 3. UCC1 would transmit the stolen data to defendant HEINRICH
7 and UCC2.

8 4. In exchange for the stolen data, defendant HEINRICH and
9 UCC2 would either pay UCC1 or provide UCC1 false positive reviews by
10 impersonating merchants to whom UCC1 had provided customer service,
11 but who had not given UCC1 a review.

12 5. Defendant HEINRICH and UCC2 would use the stolen data for
13 their personal benefit, including (a) by setting up merchant pages
14 that were similar to the pages of the real merchants whose data had
15 been stolen in order to take business away from those merchants, and
16 (b) by selling the data to other co-conspirators who would use the
17 data to commit fraud against the merchants and their customers.

18 D. OVERT ACTS

19 In furtherance of the conspiracy and to accomplish its object,
20 on or about the following dates, defendant HEINRICH and others known
21 and unknown to the Grand Jury committed various overt acts in Orange
22 County and Los Angeles County, within the Central District of
23 California, and elsewhere, including, but not limited to, the
24 following:

25 1. On or about May 14, 2019, via e-mail, defendant HEINRICH
26 told UCC1 to add defendant HEINRICH as a "friend" on an online
27 communications platform.

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1 2. On or about May 15, 2019, via online messages, defendant
2 HEINRICH told UCC1 that defendant HEINRICH could give UCC1 many false
3 positive reviews and payment if UCC1 could help defendant HEINRICH
4 with some things, and asked UCC1 what powers UCC1 had through his
5 employment; UCC1 replied that there were a lot of things UCC1 could
6 do for defendant HEINRICH.

7 3. On or about May 15, 2019, via online messages, defendant
8 HEINRICH asked UCC1 if UCC1 could obtain information on merchants who
9 used the Victim Company's services and export data related to those
10 merchants, to which UCC1 replied that he could.

11 4. On or about May 15, 2019, via online messages, defendant
12 HEINRICH told UCC1 that defendant HEINRICH and UCC1 would make a lot
13 of money as long as UCC1 did not get caught.

14 5. On or about May 17, 2019, via online messages, defendant
15 HEINRICH asked UCC1 to send defendant HEINRICH data relating to a
16 merchant who used the Victim Company's services, and said that
17 defendant HEINRICH would pay UCC1 \$100 via PayPal or cryptocurrency
18 in exchange.

19 6. On or about May 19, 2019, via online messages, defendant
20 HEINRICH told UCC1 that defendant HEINRICH would communicate with
21 UCC1 on behalf of UCC2 from then on.

22 7. On or about May 19, 2019, via online messages, defendant
23 HEINRICH asked UCC1 for sales data relating to a merchant who used
24 the Victim Company's services, and said that defendant HEINRICH would
25 pay UCC1 \$400 in exchange; UCC1 agreed.

26 8. On or about May 20, 2019, via online messages, defendant
27 HEINRICH asked UCC1 how much payment UCC1 wanted for data related to
28 merchants who used the Victim Company's services; UCC1 responded that

1 he would accept \$150 for one type of file and \$180 for a different
2 type of file.

3 9. On or about May 20, 2019, via online messages, defendant
4 HEINRICH told UCC1 that UCC2 would give UCC1 good false positive
5 reviews; UCC1 replied that one false positive review a day would be
6 sufficient.

7 10. On or about May 20, 2019, via online messages, defendant
8 HEINRICH told UCC1 that defendant HEINRICH and UCC2 wanted to do a
9 lot of business with UCC1.

10 11. Between on or about May 20, 2019 and on or about September
11 15, 2020, UCC1 accessed without authorization data for merchants who
12 used the Victim Company's services.

13 12. On or about May 24, 2019, via online messages, UCC1
14 explained to defendant HEINRICH that exporting data from certain
15 merchants who used the Victim Company's services was risky because
16 UCC1 had to force the data to be exported, which could be traced;
17 defendant HEINRICH suggested that UCC1 use a friend's account to
18 export the data instead.

19 13. On or about May 27, 2019, via online messages, UCC1 asked
20 defendant HEINRICH and UCC2 to give UCC1 three false positive
21 reviews.

22 14. On or about May 29, 2019, via online messages, defendant
23 HEINRICH told UCC1 to ask UCC2 for additional false positive reviews,
24 and requested data relating to a merchant who used the Victim
25 Company's services.

26 15. On or about May 29, 2019, via online messages, defendant
27 HEINRICH asked if UCC1 could send screenshots of data relating to
28 merchants who used the Victim Company's services or if that was too

1 risky; UCC1 replied that he could not at that moment because his
2 management was present, in response to which defendant HEINRICH told
3 UCC1 not to get caught.

4 16. On or about May 30, 2019, via online messages, defendant
5 HEINRICH told UCC1 that defendant HEINRICH would pay UCC1 on Friday;
6 UCC1 replied that he would start uploading the requested data onto
7 Google Drive.

8 17. On or about June 3, 2019, via online messages, UCC1 told
9 defendant HEINRICH and UCC2 that UCC1 was working on defendant
10 HEINRICH's request for 365 days of data for merchants who used the
11 Victim Company's services.

12 18. On or about June 6, 2019, via online messages, UCC1 told
13 defendant HEINRICH and UCC2 that his company's IT staff checked his
14 work computer, but told them not to worry because UCC1 cleared his
15 browser history every day.

16 19. On or about June 11, 2019, via online messages, defendant
17 HEINRICH asked UCC1 if UCC1 knew anyone else who could provide to
18 defendant HEINRICH data related to merchants who used the Victim
19 Company's services in the event that something happened to UCC1.

20 20. On or about June 11, 2019, via online messages, defendant
21 HEINRICH said that he hoped UCC2 used a different Virtual Private
22 Network ("VPN") every time UCC2 submitted a false positive review for
23 UCC1.

24 21. On or about June 11, 2019, via online messages, UCC1 told
25 defendant HEINRICH and UCC2 that UCC1 was being investigated for
26 fraud due to the false positive reviews he received from UCC2, and
27 assured defendant HEINRICH and UCC2 that he denied knowing about or
28 having anything to do with the false positive reviews.

1 22. On or about July 17, 2019, via online messages, defendant
2 HEINRICH told UCC2 to use a VPN when giving UCC1 a false positive
3 review, and UCC2 replied that he used an Internet Protocol ("IP")
4 address from Mexico.

5 23. On or about September 4, 2019, via online messages,
6 defendant HEINRICH asked UCC1 to download all sales data for a
7 merchant who used the Victim Company's services; UCC1 agreed to do so
8 and asked defendant HEINRICH for a false positive review in exchange.

9 24. On or about September 7, 2019, via online messages, UCC1
10 sent defendant HEINRICH a Google Drive link to stolen data relating
11 to a merchant who used the Victim Company's services.

12 25. On or about September 7, 2019, via online messages,
13 defendant HEINRICH asked UCC1 to send defendant HEINRICH UCC1's
14 cryptocurrency address so that defendant HEINRICH could pay UCC1 \$150
15 in exchange for stolen data relating to a merchant who used the
16 Victim Company's services.

17 26. On or about October 17, 2019, via online messages,
18 defendant HEINRICH asked UCC1 for data relating to a merchant who
19 used the Victim Company's services.

20 27. On or about October 17, 2019, via online messages, UCC1
21 sent defendant HEINRICH two Google Drive links to stolen data
22 relating to a merchant who used the Victim Company's services, and
23 told defendant HEINRICH to send payment via cryptocurrency in
24 exchange, to which defendant HEINRICH agreed.

25 28. On or about October 23, 2019, via online messages, UCC1
26 told defendant HEINRICH that his new location was risky because his
27 managers could see what he was doing on his computer screen.

28

1 29. On or about November 14, 2019, via online messages,
2 defendant HEINRICH asked UCC1 for data relating to a merchant who
3 used the Victim Company's services.

4 30. On or about November 15, 2019, via online messages, UCC1
5 sent defendant HEINRICH a Google Drive link to stolen data relating
6 to a merchant who used the Victim Company's services.

7 31. On or about December 4, 2019, via online messages, UCC1
8 sent defendant HEINRICH two Google Drive links to stolen data
9 relating to merchants who used the Victim Company's services, along
10 with UCC1's cryptocurrency address so that defendant HEINRICH could
11 send payment in exchange.

12 32. On or about December 10, 2019, via online messages, UCC1
13 sent defendant HEINRICH a Google Drive link to stolen data relating
14 to a merchant who used the Victim Company's services, told defendant
15 HEINRICH that defendant HEINRICH owed UCC1 \$330 in exchange, and
16 asked defendant HEINRICH to send payment by December 14.

17 33. On or about February 5, 2020, via online messages,
18 defendant HEINRICH asked UCC1 to send data relating to a merchant who
19 used the Victim Company's services, and promised to send UCC1 payment
20 via cryptocurrency the following day.

21 34. On or about February 5, 2020, via online messages, UCC1
22 sent defendant HEINRICH a Google Drive link to stolen data relating
23 to a merchant who used the Victim Company's services.

24 35. On or about February 23, 2020, via online messages,
25 defendant HEINRICH and UCC1 discussed ways in which UCC1 could take
26 screenshots of data relating to merchants who used the Victim
27 Company's services without getting caught, including by lowering the
28 brightness on UCC1's computer screen or using different software.

1 36. On or about March 9, 2020, via online messages, defendant
2 HEINRICH asked UCC1 to send data for the past 365 days relating to a
3 merchant who used the Victim Company's services.

4 37. On or about March 10, 2020, via online messages, UCC1 sent
5 defendant HEINRICH a Google Drive link to stolen data relating to a
6 merchant who used the Victim Company's services, and asked defendant
7 HEINRICH for a false positive review in exchange.

8 38. On or about March 28, 2020, defendant HEINRICH paid UCC1
9 the equivalent of approximately \$20.92 in cryptocurrency.

10 39. On or about April 2, 2020, via online messages, UCC1 sent
11 defendant HEINRICH a Google Drive link to stolen data relating to a
12 merchant who used the Victim Company's services.

13 40. On or about April 3, 2020, via online messages, UCC1 sent
14 defendant HEINRICH two Google Drive links to stolen data relating to
15 a merchant who used the Victim Company's services.

16 41. On or about April 3, 2020, via online messages, defendant
17 HEINRICH told UCC1 that he sent UCC1 \$300 via cryptocurrency in
18 exchange for stolen data relating to a merchant who used the Victim
19 Company's services.

20 42. On or about April 6, 2020, defendant HEINRICH paid UCC1 the
21 equivalent of approximately \$152.89 in cryptocurrency.

22 43. On or about April 11, 2020, via online messages, defendant
23 HEINRICH asked UCC1 for data relating to five merchants who used the
24 Victim Company's services.

25 44. On or about April 11, 2020, via online messages, UCC1
26 reminded defendant HEINRICH that he had previously requested data for
27 three other merchants, which was still pending, and defendant
28

1 HEINRICH replied that he would pay UCC1 for whatever data UCC1 could
2 get.

3 45. On or about April 19, 2020, via online messages, defendant
4 HEINRICH asked UCC1 for data relating to four merchants who used the
5 Victim Company's services, and promised to send \$500 in exchange.

6 46. On or about April 19, 2020, via online messages, UCC1 sent
7 defendant HEINRICH four Google Drive links to stolen data relating to
8 four merchants who used the Victim Company's services.

9 47. On or about April 19, 2020, defendant HEINRICH paid UCC1
10 the equivalent of approximately \$503.57 in cryptocurrency.

11 48. On or about April 22, 2020, via online messages, UCC1 told
12 defendant HEINRICH that defendant HEINRICH still owed UCC1 \$100 for
13 stolen data relating to a merchant who used the Victim Company's
14 services that UCC1 had previously provided to defendant HEINRICH.

15 49. On or about April 22, 2020, via online messages, defendant
16 HEINRICH asked for UCC1's cryptocurrency address, which UCC1
17 provided, and defendant HEINRICH confirmed that he sent payment.

18 50. On or about April 22, 2020, defendant HEINRICH paid UCC1
19 the equivalent of approximately \$103.44 in cryptocurrency.

20 51. On or about April 22, 2020, via online messages, UCC1
21 reminded defendant HEINRICH that UCC1 had been accused of fraud due
22 to the false positive reviews he had received from defendant HEINRICH
23 and UCC2, and said that it was a good thing that UCC1 was a good
24 liar.

25 52. On or about April 25, 2020, UCC2 paid UCC1 the equivalent
26 of approximately \$53.73 in cryptocurrency.

27 53. On or about May 2, 2020, via online messages, UCC1 sent
28 defendant HEINRICH six Google Drive links to stolen data relating to

1 six merchants who used the Victim Company's services, and said that
2 UCC1 was still waiting for data relating to six additional merchants
3 to finish exporting.

4 54. On or about May 2, 2020, via online messages, defendant
5 HEINRICH told UCC1 that he paid UCC1 \$600 in exchange for the data
6 relating to six merchants who used the Victim Company's services.

7 55. On or about May 8, 2020, via online messages, defendant
8 HEINRICH asked UCC1 if defendant HEINRICH could remotely access the
9 Victim Company's internal network via UCC1's computer while UCC1 was
10 asleep, to which UCC1 replied that his computer would not permit
11 remote access.

12 56. On or about June 11, 2020, UCC2 paid UCC1 the equivalent of
13 approximately \$21.97 in cryptocurrency.

14 57. On or about June 13, 2020, UCC2 paid UCC1 the equivalent of
15 approximately \$204.71 in cryptocurrency.

16 58. On or about June 16, 2020, UCC2 paid UCC1 the equivalent of
17 approximately \$424.75 in cryptocurrency.

18 59. On or about June 21, 2020, UCC2 paid UCC1 the equivalent of
19 approximately \$244.69 in cryptocurrency.

20 60. On or about August 26, 2020, via online messages, defendant
21 HEINRICH asked UCC1 to provide sales data for the previous 90 days
22 for three merchants who used the Victim Company's services.

23 61. On or about August 26, 2020, via online messages, UCC1 sent
24 defendant HEINRICH screenshots of stolen data related to three
25 merchants who used the Victim Company's services.

26 62. On or about August 26, 2020, via online messages, defendant
27 HEINRICH asked UCC1 to provide sales data for a merchant who used the
28 Victim Company's services.

1 63. On or about August 26, 2020, via online messages, UCC1 sent
2 defendant HEINRICH a screenshot of stolen data relating to a merchant
3 who used the Victim Company's services.

4 64. On or about August 26, 2020, via online messages, UCC1
5 asked defendant HEINRICH to provide UCC1 with three false positive
6 reviews in exchange for the stolen data UCC1 had sent to defendant
7 HEINRICH; defendant HEINRICH confirmed that he had provided two of
8 the false positive reviews and that he would provide the third soon.

9 65. On or about August 27, 2020, via online messages, UCC1
10 asked defendant HEINRICH to provide UCC1 with two false positive
11 reviews in exchange for the stolen data UCC1 had sent to defendant
12 HEINRICH.

13 66. On or about August 27, 2020, via online messages, defendant
14 HEINRICH told UCC1 that he provided one false positive review, but
15 that he could not provide the second because he was not able to
16 switch the IP address he was using to the correct location.

17 67. On or about September 2, 2020, via online messages,
18 defendant HEINRICH asked UCC1 if UCC1 was still able to continue
19 providing information to defendant HEINRICH or if doing so would be
20 too risky.

21 68. On or about September 2, 2020, via online messages, UCC1
22 told defendant HEINRICH that UCC1 would find a way to continue
23 providing information to defendant HEINRICH, assured defendant
24 HEINRICH that UCC1 was "good in ninja moves," and sent defendant
25 HEINRICH screenshots of stolen data.

26 69. On or about September 2, 2020, via online messages,
27 defendant HEINRICH asked UCC1 if UCC1's employer would look at and
28 record UCC1's screens; UCC1 replied that it would not.

1 70. On or about September 15, 2020, via online messages,
2 defendant HEINRICH asked UCC1 to provide sales data for the previous
3 day for a merchant who used the Victim Company's services.

4 71. On or about September 15, 2020, via online messages, UCC1
5 sent defendant HEINRICH a screenshot of stolen data relating to a
6 merchant who used the Victim Company's services.

7 72. On or about September 16, 2020, via online messages, UCC1
8 asked defendant HEINRICH to provide UCC1 with a false positive
9 review.

10 73. On or about September 23, 2020, via online messages, UCC1
11 told defendant HEINRICH that two employees of the Victim Company had
12 been involved in a security breach of the Victim Company.

13 74. On or about September 25, 2020, via online messages,
14 defendant HEINRICH instructed UCC1 to delete UCC1's online messaging
15 account and sent UCC1 a link on how to permanently delete his
16 messaging account; defendant HEINRICH said he would delete his
17 messaging account as well and would contact UCC1 via Facebook.

18 75. On or about January 27, 2021, in Los Angeles, California,
19 defendant HEINRICH possessed on a hard drive approximately 3,000
20 files containing stolen data related to merchants who used the Victim
21 Company's services and their customers; the stolen data included
22 merchants' and customers' names, customers' billing and shipping
23 addresses, customers' email addresses, items the customers purchased
24 from the merchants, and customers' payment methods.

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COUNT TWO

[18 U.S.C. § 1028A(a)(1)]

Beginning on a date unknown and continuing until on or about January 27, 2021, in Orange County and Los Angeles County, within the Central District of California, and elsewhere, defendant TASSILO HEINRICH, also known as "Tass," "BigBoy," "BigBoy#1828," and "Pokeball" ("HEINRICH"), knowingly transferred, possessed, and used, without lawful authority, means of identification that defendant HEINRICH knew belonged to other persons during and in relation to the offense of Conspiracy to Commit Wire Fraud, a felony violation of Title 18, United States Code, Section 1349, as charged in Count One of this Indictment.

FORFEITURE ALLEGATION ONE

[18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c)]

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3 1. Pursuant to Rule 32.2 of the Federal Rules of Criminal
4 Procedure, notice is hereby given that the United States of America
5 will seek forfeiture as part of any sentence, pursuant to Title 18,
6 United States Code, Section 981(a)(1)(C) and Title 28, United States
7 Code, Section 2461(c), in the event of defendant's conviction of the
8 offense set forth in Count One of this Indictment.

9 2. Defendant, if so convicted, shall forfeit to the United
10 States of America the following:

11 (a) All right, title, and interest in any and all
12 property, real or personal, constituting, or derived from, any
13 proceeds traceable to the offenses; and

14 (b) To the extent such property is not available for
15 forfeiture, a sum of money equal to the total value of the property
16 described in subparagraph (a).

17 3. Pursuant to Title 21, United States Code, Section 853(p),
18 as incorporated by Title 28, United States Code, Section 2461(c),
19 defendant, if so convicted, shall forfeit substitute property, up to
20 the value of the property described in the preceding paragraph if, as
21 the result of any act or omission of defendant, the property
22 described in the preceding paragraph or any portion thereof (a)
23 cannot be located upon the exercise of due diligence; (b) has been
24 transferred, sold to, or deposited with a third party; (c) has been
25 placed beyond the jurisdiction of the court; (d) has been
26 substantially diminished in value; or (e) has been commingled with
27 other property that cannot be divided without difficulty.

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FORFEITURE ALLEGATION TWO

[18 U.S.C. §§ 982 and 1028]

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3 1. Pursuant to Rule 32.2 of the Federal Rules of Criminal
4 Procedure, notice is hereby given that the United States of America
5 will seek forfeiture as part of any sentence, pursuant to Title 18,
6 United States Code, Sections 982 and 1028 in the event of defendant's
7 conviction of the offense set forth in Count Two of this Indictment.

8 2. Defendant, if so convicted, shall forfeit to the United
9 States of America the following:

10 (a) All right, title and interest in any and all property,
11 real or personal, constituting, or derived from, any proceeds
12 obtained, directly or indirectly, as a result of the offense; and

13 (b) Any personal property used or intended to be used to
14 commit the offense; and

15 (c) To the extent such property is not available for
16 forfeiture, a sum of money equal to the total value of the property
17 described in subparagraphs (a) and (b).

18 3. Pursuant to Title 21, United States Code, Section 853(p),
19 as incorporated by Title 18, United States Code, Sections 982(b) and
20 1028(g), defendant, if so convicted, shall forfeit substitute
21 property, up to the total value of the property described in the
22 preceding paragraph if, as the result of any act or omission of
23 defendant, the property described in the preceding paragraph, or any
24 portion thereof: (a) cannot be located upon the exercise of due
25 diligence; (b) has been transferred, sold to or deposited with a
26 third party; (c) has been placed beyond the jurisdiction of the

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1 court; (d) has been substantially diminished in value; or (e) has
2 been commingled with other property that cannot be divided without
3 difficulty.

4 A TRUE BILL

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8 _____
9 Foreperson

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11 TRACY L. WILKISON
12 Acting United States Attorney

13
14 

15
16 CHRISTOPHER D. GRIGG
17 Assistant United States Attorney
18 Chief, National Security Division

19
20 CAMERON L. SCHROEDER
21 Assistant United States Attorney
22 Chief, Cyber & Intellectual
23 Property Crimes Section

24
25 VICTORIA A. DEGTYAREVA
26 Assistant United States Attorney
27 Chief, Cyber & Intellectual
28 Property Crimes Section