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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X
:
UNITED STATES OF AMERICA :
:
- v. - :
:
DAVID W. KENT, :
:
Defendant. :
:
- - - - - X

SUPERSEDING INFORMATION
S1 16 Cr. 385 (DLC)

COUNT ONE

(Fraud and Related Activity in Connection with Computers)

The United States Attorney charges:

1. From at least in or about October 2013, up to and including at least in or about February 2016, in the Southern District of New York and elsewhere, DAVID W. KENT, the defendant, intentionally accessed a computer without authorization and exceeded authorized access and thereby obtained information from a protected computer, which offense was committed for purposes of commercial advantage and private financial gain, to wit, KENT accessed client information from the database of a website ("Website-1") owned by a company ("Company-1") without authorization for the purpose of increasing the membership of a website ("Website-2") owned by KENT.

(Title 18, United States Code, Sections 1030(a)(2)(C), (c)(2)(B), and 2.)

FORFEITURE ALLEGATION

2. As a result of committing the offense charged in Count One of this Information, DAVID W. KENT, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 1030(i), any and all property, real or personal, constituting or derived from, any proceeds obtained directly or indirectly, as a result of said offense, and any and all personal property that was used or intended to be used to commit or to facilitate the commission of said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

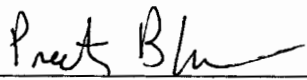
Substitute Asset Provision

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described above.

(Title 18, United States Code, Section 1030;
Title 21, United States Code, Section 853(p);
Title 28, United States Code, Section 2461(c).)



PREET BHARARA
United States Attorney

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v.

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Defendant.

INFORMATION

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(18 U.S.C. §§ 1030(a)(2)(C), (c)(2)(B),
and 2.)

PREET BHARARA
United States Attorney.

12/19/16
GR

Waiver of Indictment filed.
Cote, USDJ