

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

OFFENSE CHARGED

Count One: 18 U.S.C. §§ 1030(a)(2)(C) and (c)(2)(B), and 2 – Obtaining Information from a Protected Computer Petty
Count Two: 18 U.S.C. §§ 1030(a)(5)(A) and (c)(4)(B), and 2 – Transmission of a Program, Information, Code, and Command to Cause Damage to a Protected Computer Minor
Count Three: 18 U.S.C. §§ 1030(a)(7)(A), (a)(7)(B), (a)(7)(C), and (c)(3)(A), and 2 – Extortion Involving Computers Misdemeanor
 Felony

PENALTY: PLEASE SEE ATTACHMENT

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

DEFENDANT - U.S.

IVAN GENNADIEVICH KONDRATIEV

DISTRICT COURT NUMBER
CR22-201JST

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

Federal Bureau of Investigation

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

this is a reprosecution of charges previously dismissed which were dismissed on motion of:
 U.S. ATTORNEY DEFENSE } SHOW DOCKET NO.

this prosecution relates to a pending case involving this same defendant } MAGISTRATE CASE NO.

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under }

Name and Office of Person Furnishing Information on this form STEPHANIE M. HINDS
 U.S. Attorney Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned) Helen Gilbert

DEFENDANT

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.
1) If not detained give date any prior summons was served on above charges N/A

2) Is a Fugitive

3) Is on Bail or R

IS IN CUSTODY

4) On this charge

5) On another conviction } Federal State

6) Awaiting trial on other charges
If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes } If "Yes" give date filed
 No

DATE OF ARREST Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY Month/Day/Year

FILED
May 17 2022
Mark B. Busby
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT

Bail Amount: no bail

If Summons, complete following:

Arraignment Initial Appearance

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address:

Date/Time: _____ Before Judge: _____

Comments:

ATTACHMENT TO PENALTY SHEET

UNITED STATES V. IVAN GENNADIEVICH KONDRATIEV

Count One: 18 U.S.C. §§ 1030(a)(2)(C) and (c)(2)(B), and 2 – Obtaining Information from a Protected Computer and Aiding and Abetting

5 years imprisonment;
3 years supervised release;
\$250,000 fine; restitution; forfeiture; \$100 special assessment.

Count Two: 18 U.S.C. §§ 1030(a)(5)(A) and (c)(4)(B), and 2 – Transmission of a Program, Information, Code, and Command to Cause Damage to a Protected Computer and Aiding and Abetting

10 years imprisonment;
3 years supervised release;
\$250,000 fine; restitution; forfeiture; \$100 special assessment

Count Three: 18 U.S.C. §§ 1030(a)(7)(A), (a)(7)(B), (a)(7)(C), and (c)(3)(A), and 2 – Extortion Involving Computers and Aiding and Abetting

5 years imprisonment;
3 years supervised release;
\$250,000 fine; restitution; forfeiture; \$100 special assessment

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: OAKLAND

FILED

May 17 2022

Mark B. Busby
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

UNITED STATES OF AMERICA,

V.

IVAN GENNADIEVICH KONDRATIEV,
a/k/a Ivan Gennadyevich Kondratyev, a/k/a Ivan
Kondratyev, a/k/a Ivan Kondratiev, a/k/a Ivan
Kondratev, a/k/a Ivan Gennadyevich, a/k/a Bassterlord,
a/k/a FishEye, a/k/a ИВАН ГЕННАДЬЕВИЧ
КОНДРАТЬЕВ,

DEFENDANT(S).

INDICTMENT

18 U.S.C. §§ 1030(a)(2)(C), (c)(2)(B) – Obtaining Information from a Protected Computer;

18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(B) – Transmission of a Program, Information, Code, and Command to Cause Damage to a Protected Computer;

18 U.S.C. §§ 1030(a)(7)(A), (a)(7)(B), (a)(7)(C), (c)(3)(A) – Extortion Involving Computers;

18 U.S.C. § 2 – Aiding and Abetting;

18 U.S.C. §§ 982(a)(2)(B) and 1030(i) – Forfeiture Allegation

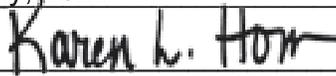
A true bill.

/s/ Foreperson of the Grand Jury

Foreman

Filed in open court this 17th day of

May, 2022.



Clerk



Bail, § Arrest Warrant

Joseph C. Spero, Chief Magistrate Judge

FILED
May 17 2022
Mark B. Busby
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

1 STEPHANIE M. HINDS (CABN 154284)
2 United States Attorney

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION

11 UNITED STATES OF AMERICA,) CASE NO. CR22-201JST
12 Plaintiff,)
13 v.) VIOLATIONS:
14 IVAN GENNADIEVICH KONDRATIEV,) 18 U.S.C. §§ 1030(a)(2)(C), (c)(2)(B) – Obtaining
a/k/a Ivan Gennadyevich Kondratyev,) Information from a Protected Computer;
15 a/k/a Ivan Kondratyev,) 18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(B) – Transmission
a/k/a Ivan Kondratiev,) of a Program, Information, Code, and Command to
16 a/k/a Ivan Kondratev,) Cause Damage to a Protected Computer;
a/k/a Ivan Gennadyevich,) 18 U.S.C. §§ 1030(a)(7)(A), (a)(7)(B), (a)(7)(C),
17 a/k/a Bassterlord,) (c)(3)(A) – Extortion Involving Computers;
a/k/a FishEye,) 18 U.S.C. § 2 – Aiding and Abetting;
18 a/k/a ИВАН ГЕННАДЪЕВИЧ) 18 U.S.C. §§ 982(a)(2)(B) and 1030(i) – Forfeiture
КОНДРАТЬЕВ,) Allegation
19 Defendant.) OAKLAND VENUE
20)

21
22 INDICTMENT

23 The Grand Jury charges:

24 Introductory Allegations

25 At all times relevant to this Indictment:

26 1. IVAN GENNADIEVICH KONDRATIEV, aka Ivan Gennadyevich Kondratyev, aka Ivan
27 Kondratyev, aka Ivan Kondratiev, aka Ivan Kondratev, aka Ivan Gennadyevich, aka Bassterlord, aka
28 FishEye, aka ИВАН ГЕННАДЪЕВИЧ КОНДРАТЬЕВ, was a Russian or Ukrainian national who lived

INDICTMENT

1 in Russia or Ukraine.

2 2. Victim Company A provided software services for the cable television industry in the
3 United States and had its principal place of business and computer servers located in Alameda County,
4 California, within the Northern District of California.

5 Overview

6 3. From on or before August 29, 2020, to on or about September 3, 2020, IVAN
7 GENNADIEVICH KONDRATIEV engaged in an international computer hacking and extortion
8 scheme, whereby he, without authorization:

- 9 a. Used various techniques and tools to hack into the computer network of Victim Company
10 A;
- 11 b. Copied and electronically transferred (or “exfiltrated”) data from Victim Company A’s
12 networks;
- 13 c. Encrypted data and computers on Victim Company A’s networks, using a form of
14 malicious software called ransomware, with the objective of preventing Victim Company
15 A from accessing and using data on the compromised computers; and
- 16 d. Attempted to extort and extorted Victim Company A for a ransom payment in exchange
17 for the decryption tool and key to unlock the compromised computers and for refraining
18 from widely distributing Victim Company A’s stolen exfiltrated data.

19 4. From on or before August 29, 2020, to on or about September 3, 2020, IVAN
20 GENNADIEVICH KONDRATIEV hacked, encrypted, and extorted Victim Company A. He demanded
21 approximately \$300,000 and successfully collected approximately \$127,500 in a ransom payment made
22 in Monero. Victim Company A incurred additional losses resulting from its inability to access its data
23 and costs incurred in remediating the attack.

24 Relevant Terms

25 5. Monero was a type of virtual currency, circulated over the Internet as a form of value.
26 Monero was not issued by any government, bank, or company, but rather was generated and controlled
27 through computer software operating via a decentralized, peer-to-peer network. Monero was just one of
28 many varieties of virtual currency.

1 a/k/a ИВАН ГЕННАДЬЕВИЧ КОНДРАТЬЕВ,

2 intentionally accessed a protected computer without authorization and aided and abetted such access,
3 and thereby obtained information from a protected computer, and committed the offense for purposes of
4 commercial advantage and private financial gain, and committed the offense in furtherance of a criminal
5 and tortious act in violation of the Constitution and laws of the United States and any state, and the value
6 of the information obtained exceeded \$5,000; specifically, defendant accessed and aided and abetted the
7 access of one or more computers of Victim Company A, which were located in the Northern District of
8 California, and exfiltrated data, all without authorization, all in violation of Title 18, United States Code,
9 Sections 1030(a)(2)(C), (c)(2)(B)(i), (ii), (iii), and 2.

10 COUNT TWO: (18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(B), and 2 – Transmission of a Program,
11 Information, Code, and Command to Cause Damage to a Protected Computer and Aiding and Abetting)

12 12. Paragraphs 1 through 9 of this Indictment are re-alleged and incorporated as if fully set
13 forth here.

14 13. Beginning at a date unknown, but by on or about August 29, 2020, and continuing
15 through on or about September 3, 2020, in the Northern District of California and elsewhere, the
16 defendant,

17 IVAN GENNADIEVICH KONDRATIEV,
18 a/k/a Ivan Gennadyevich Kondratyev,
19 a/k/a Ivan Kondratyev,
20 a/k/a Ivan Kondratiev,
21 a/k/a Ivan Kondratev,
a/k/a Ivan Gennadyevich,
a/k/a Bassterlord,
a/k/a FishEye,
a/k/a ИВАН ГЕННАДЬЕВИЧ КОНДРАТЬЕВ,

22 knowingly caused and aided and abetted the transmission of a program, information, code, and
23 command, and, as a result of such conduct, intentionally caused damage without authorization to a
24 protected computer, to wit, the defendant caused and aided and abetted the transmission of ransomware
25 to one or more computers of Victim Company A, which were located in the Northern District of
26 California and were used in interstate and foreign commerce and communication, and, by such conduct,
27 caused loss to one or more persons during a one-year period aggregating at least \$5,000 in value, all in
28 violation of Title 18, United States Code, Sections 1030(a)(5)(A), (c)(4)(B), and 2.

1 COUNT THREE: (18 U.S.C. §§ 1030(a)(7)(A), (a)(7)(B), (a)(7)(C), (c)(3)(A), and 2 – Extortion
2 Involving a Protected Computer and Aiding and Abetting)

3 14. Paragraphs 1 through 9 of this Indictment are re-alleged and incorporated as if fully set
4 forth here.

5 15. Beginning on or about August 29, 2020, and continuing through on or about September
6 3, 2020, in the Northern District of California and elsewhere, the defendant,

7 IVAN GENNADIEVICH KONDRATIEV,
8 a/k/a Ivan Gennadyevich Kondratyev,
9 a/k/a Ivan Kondratyev,
10 a/k/a Ivan Kondratiev,
11 a/k/a Ivan Kondratev,
12 a/k/a Ivan Gennadyevich,
13 a/k/a Bassterlord,
14 a/k/a FishEye,
15 a/k/a ИВАН ГЕННАДЬЕВИЧ КОНДРАТЬЕВ,

16 knowingly and with intent to extort from any person, specifically, Victim Company A, any money or
17 thing of value, transmitted in interstate and foreign commerce, and aided and abetted such transmission,
18 any communication containing a threat to cause damage to a protected computer, a threat to impair the
19 confidentiality of information obtained from a protected computer without authorization, and a demand
20 and request for money and other thing of value in relation to damage to a protected computer, where
21 such damage was caused to facilitate the extortion, all in violation of Title 18, United States Code,
22 Sections 1030(a)(7)(A), (a)(7)(B), (a)(7)(C), (c)(3)(A), and 2.

23 FORFEITURE ALLEGATION: (18 U.S.C. §§ 982(a)(2)(B) and 1030(i))

24 16. The allegations contained in this Indictment are re-alleged and incorporated by reference
25 for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Sections 982(a)(2)(B) and
26 1030(i).

27 17. Upon conviction for the offenses set forth in Count One through Three in violation of
28 Title 18, United States Code, Section 1030(a), set forth in this Indictment, the defendant,

IVAN GENNADIEVICH KONDRATIEV,
a/k/a Ivan Gennadyevich Kondratyev,
a/k/a Ivan Kondratyev,
a/k/a Ivan Kondratiev,
a/k/a Ivan Kondratev,
a/k/a Ivan Gennadyevich,
a/k/a Bassterlord,
a/k/a FishEye,

1 a/k/a ИВАН ГЕННАДЪЕВИЧ КОНДРАТЬЕВ,

2 shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 982(a)(2)(B) and
3 1030(i), any personal property used or intended to be used to commit or to facilitate the commission of
4 said violation or a conspiracy to violate said provision, and any property, real or personal, which
5 constitutes or is derived from proceeds traceable to the offenses, including, but not limited to, a sum of
6 money equal to the total amount of proceeds defendant obtained or derived, directly or indirectly, from
7 the violation, or the value of the property used to commit or to facilitate the commission of said
8 violation.

9 If any of the property described above, as a result of any act or omission of the defendant:

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

16 the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21,
17 United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 1030(i)(2).

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1 All pursuant to Title 18, United States Code, Sections 982(a)(2)(B) and 1030, and Federal Rule
2 of Criminal Procedure 32.2.

3
4 DATED: May 17, 2022

A TRUE BILL.

5
6 s/Foreperson
7 FOREPERSON

8 STEPHANIE M. HINDS
9 United States Attorney

10 s/Helen L. Gilbert
11 HELEN L. GILBERT
12 Assistant United States Attorney