

FILED

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**SUPERIOR COURT
CLERK'S OFFICE**

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ 581-09-18

Superior Court

Docket Number 09-11-00289-S

STATE OF NEW JERSEY)

v.)

INDICTMENT

DANIEL GONCALVES)

also know as

DAN LOUVADO)

COUNT ONE

(Theft by Unlawful Taking - Second Degree)

DANIEL GONCALVES

on or about May 9, 2006, at the Township of Union, in the County of Union, elsewhere and within the jurisdiction of this Court, did unlawfully take, or exercise unlawful control over, movable property of another in an amount in excess of \$75,000, that is, the said DANIEL GONCALVES did unlawfully take or exercise unlawful control over the Internet domain name "P2P.COM," valued in excess of \$75,000, with the intent to deprive the owner, P2P.COM LLC, of registration, ownership and control of "P2P.COM," contrary to the provisions of N.J.S.A. 2C:20-3a and N.J.S.A. 2C:20-2b and against the peace of this State, the government and dignity of the same.

COUNT TWO

(Theft by Deception - Second Degree)

DANIEL GONCALVES

between on or about September 14, 2006, and on or about September 24, 2006, at the Township of Union, in the County of Union, elsewhere and within the jurisdiction of this Court, did purposely obtain property of another by deception in an amount in excess of \$75,000, that is, the said DANIEL GONCALVES did purposely obtain \$111,211.11 from M.M., whose identity is known to the Grand Jurors, by creating or reinforcing the false impression that said DANIEL GONCALVES was the lawful registrant of the Internet domain name "P2P.COM" and had the right to sell the registration of "P2P.COM" to M.M., whose identity is known to the Grand Jurors;

WHEREAS, IN TRUTH AND IN FACT, as the said DANIEL GONCALVES, well knew, the Internet domain name "P2P.COM" was fraudulently registered and he did not have the right to sell the registration of "P2P.COM" to M.M., contrary to the provisions of N.J.S.A. 2C:20-4a, and N.J.S.A. 2C:20-2b and against the peace of this State, the government and dignity of the same.

COUNT THREE

(Computer Theft - Second Degree)

DANIEL GONCALVES

on or about May 9, 2006, at the Township of Union, in the County of Union, elsewhere and within the jurisdiction of this Court, did purposely or knowingly and without authorization, or in excess of authorization, did access or attempt to access any data, data base, computer, computer storage medium, computer program, computer software, computer equipment, computer system, or computer network, for the purpose of executing a scheme to defraud or to obtain service, property, personal identifying information, or money from the owner of a computer or any third party, that is, the said DANIEL GONCALVES did, without authorization, access the GoDaddy account files of P2P.COM LLC and/or L.A. and/or A.A., whose identity is known to the Grand Jurors, located on a GoDaddy computer, computer system and/or computer network, for the purpose of altering registration information for "P2P.COM," to fraudulently transfer registration of "P2P.COM" from its lawful registrant, P2P.COM LLC, to himself, said registration being valued in excess of \$5,000, contrary to the provisions of N.J.S.A. 2C:20-25c, and against the peace of this State, the government and dignity of the same.

COUNT FOUR

(Identity Theft - Second Degree)

DANIEL GONCALVES

on or about May 9, 2006, at the Township of Union, in the County of Union, elsewhere and within the jurisdiction of this Court, did impersonate another or assume a false identity and does an act in such assumed character or false identity for the purpose of obtaining a benefit for himself or another or to injure or defraud another valued in excess of \$75,000, that is, the said DANIEL GONCALVES did impersonate an authorized user of the GoDaddy account of P2P.COM LLC and/or A.A. and/or L.A., whose identity is known to the Grand Jurors, for the purpose of obtaining registration of "P2P.COM," valued in excess of \$75,000, contrary to the provisions of N.J.S.A. 2C:21-17a, and against the peace of this State, the government and dignity of the same.

COUNT FIVE

(Falsifying Records - Fourth Degree)

DANIEL GONCALVES

between on or about April 1, 2006, and on or about October 28, 2008, at the Township of Union, in the County of Union, elsewhere and within the jurisdiction of this Court, falsifies, destroys, removes, conceals any writing or record, or utters any writing or record knowing that it contains a false statement or information, with the purpose to deceive or injure anyone or to conceal any wrongdoing, that is, the said DANIEL GONCALVES did falsify and/or utter an e-mail from PayPal to DansWebHosting.com dated April 10, 2006 at 2:39 PM confirming that PayPal sent a \$900 payment to freeunited@yahoo.com, with the purpose to conceal the unlawful transfer of registration of "P2P.COM" from P2P.COM LLC to himself, contrary to the provisions of N.J.S.A. 2C:21-4a, and against the peace of this State, the government and dignity of the same.

COUNT SIX

(Falsifying Records - Fourth Degree)

DANIEL GONCALVES

between on or about April 1, 2006, and on or about October 28, 2008, at the Township of Union, in the County of Union, elsewhere, and within the jurisdiction of this Court, falsifies, destroys, removes, conceals any writing or record, or utters any writing or record knowing that it contains a false statement or information, with the purpose to deceive or injure anyone or to conceal any wrongdoing, that is, the said DANIEL GONCALVES did falsify and/or utter an e-mail from dan@elitehost.net to freeunited@aol.com dated April 25, 2006 at 6:18 PM, expressing the interest of DANIEL GONCALVES in purchasing the registration of "P2P.COM" from L.A., whose identity is known to the Grand Jurors, a principal in P2P.COM LLC, with the purpose to conceal the unlawful transfer of registration of "P2P.COM" from P2P.COM LLC to himself, contrary to the provisions of N.J.S.A. 2C:21-4a, and against the peace of this State, the government and dignity of the same.

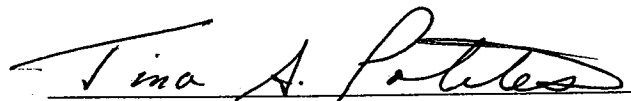
COUNT SEVEN


(Falsifying Records - Fourth Degree)

DANIEL GONCALVES

between on or about April 1, 2006, and on or about October 28, 2008, at the Township of Union, in the County of Union, elsewhere, and within the jurisdiction of this Court, falsifies, destroys, removes, conceals any writing or record, or utters any writing or record knowing that it contains a false statement or information, with the purpose to deceive or injure anyone or to conceal any wrongdoing, that is, the said DANIEL GONCALVES did falsify and/or utter an e-mail from freeunited@aol.com to dan@elitehost.net dated April 29, 2006 at 8:25 PM, offering to said DANIEL GONCALVES the registration of "P2P.COM" in return for payment of \$5000 to the PayPal account of freeunited@aol.com, with the purpose to conceal the unlawful transfer of registration of "P2P.COM" from P2P.COM LLC to himself, contrary to the provisions of N.J.S.A. 2C:21-4a, and against the peace of this State, the government and dignity of the same.

A TRUE BILL:


Tina A. Polites, Deputy Director
Division of Criminal Justice


Foreperson

Dated: 11/16/09

FILED

NOV 16 2009

**SUPERIOR COURT
CLERK'S OFFICE**

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LAW DIVISION - CRIMINAL

State Grand Jury

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v.)

ORDER OF VENUE

DANIEL GONCALVES)

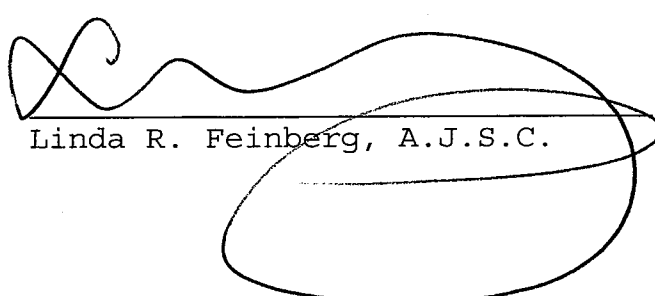
also known as)

DAN LOUVADO)

An Indictment having been returned to this Court by the State Grand Jury in the above captioned matter,

IT IS ORDERED on this 16th day of November, 2009, pursuant to paragraph 8 of the State Grand Jury Act, that the County of Union be and hereby is designated as the County of venue for the purpose of trial.

IT IS FURTHER ORDERED that the Clerk of the Superior Court shall transmit forthwith the Indictment in this matter and a certified copy of this Order to the Criminal Division Manager of the County of Union for filing.


Linda R. Feinberg, A.J.S.C.