

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

INDICTMENT FOR CRIMINAL INFRINGEMENT OF A COPYRIGHT

UNITED STATES OF AMERICA	*	CRIMINAL DOCKET NO.
v.	*	SECTION:
TODD CLARK	*	VIOLATIONS: 18 U.S.C. § 2319
		18 U.S.C. § 2
	*	*
	*	*

The Grand Jury charges:

COUNT ONE

That on or about May 5, 2007, in the Eastern District of Louisiana, the defendant, **TODD CLARK**, willfully, and for the purpose of commercial advantage and private financial gain, infringed, and aided and abetted the infringement of, the copyrights of copyrighted works, that is, various motions pictures, by the reproduction and distribution during a 180-day period of more than 10 copies (“bootleg movie DVDs,” “counterfeit movie DVDs,” and “pirated movie DVDs”) of one or more copyrighted works, including but not limited to “Eragon”, “Spiderman 3”, “300”, and “Vacancy”, which have a total retail value of more than \$2,500, without the authorization of the copyright holder, in violation of Title 17, United States Code, Section 506(a)(1)(A) and Title 18, United States Code, Sections 2319(b) and 2.

COUNT TWO

That on or about May 5, 2007, in the Eastern District of Louisiana, the defendant, **TODD CLARK**, willfully, and for the purpose of commercial advantage and private financial gain, infringed, and aided and abetted the infringement of, the copyrights of copyrighted works, that is, various sound recordings, by the reproduction and distribution during a 180-day period of more than 10 copies (“bootleg CDs,” “counterfeit CDs,” and “pirated CDs”) of one or more copyrighted works, including but not limited to the copyrighted works of Beyonce, Lil Wayne, Babyface and Usher, which have a total retail value of more than \$2,500, without the authorization of the copyright holder, in violation of Title 17, United States Code, Section 506(a)(1)(A) and Title 18, United States Code, Sections 2319(b) and 2.

NOTICE OF FORFEITURE

1. The allegations of Counts 1 and 2 of this Indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Section 2319 and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c) and Title 17, United States Code, Sections 506(b) and 509, made applicable through Title 28, United States Code, Section 2461(c).

2. As a result of the offenses alleged in Counts 1 and 2, defendant, **TODD CLARK**, shall forfeit to the United States pursuant to Title 18, United States Code, Sections 2319 and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c), any and all property, real or personal, which constitutes or is derived from proceeds traceable to a violation of Title 18, United States Code, Section 2319.

3. As a result of the offenses alleged in Counts 1 and 2, defendant, **TODD CLARK**, shall forfeit to the United States pursuant to Title 17, United States Code, Sections 506 and 509, made applicable through Title 28, United States Code, Section 2461(c), all copies and phonorecords used in violation of Title 17, United States Code, Section 506(a) and Title 18, United States Code, Section 2319, and all implements, devices, and equipment used in the manufacture or reproduction of such copies.

4. If any of the above property subject to forfeiture, 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 person;
- 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 subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

All in violation of Title 18, United States Code, Section 2319 and 981(a)(1)(C), Title 28,
United States Code, Section 2461(c) , and Title 17, United States Code, Sections 506 and 509.

A TRUE BILL:

FOREPERSON

JIM LETTEN
United States Attorney
Louisiana Bar Roll No. 8517

JAN MASELLI MANN
First Assistant United States Attorney
Louisiana Bar Roll No. 9020

MARK A. MILLER
Chief, Organized Crime Strike Force Unit
Missouri Bar Roll No. 30488

February 27, 2008
New Orleans, Louisiana