

AFFIDAVIT

I, Lisa Titus, being duly sworn, state as follows:

1. I am employed as a Special Agent for Immigration and Customs Enforcement (ICE), and have been so employed since November 2001. I am currently assigned to Financial Crimes and Trade Fraud investigations.
2. My responsibilities as a Special Agent with ICE include the investigation of crimes that involve money laundering, import/export fraud, intellectual property rights violations, and trafficking in counterfeit goods.
3. From my participation in this investigation, from information told to me by other law enforcement officers and reports made by other law enforcement agents, and from my review of other documents and records, I am familiar with the facts and circumstances of this investigation. This affidavit does not contain all of the information developed during the course of the investigation, but only sufficient information to establish probable cause.
4. Based on the evidence obtained in this investigation thus far, I have probable cause to believe that Christopher Veit, Paul Wallace, and others are engaging in a scheme to sell counterfeit goods, defraud customers of Veit's business, and launder money, in violation of 18 U.S.C. §§ 371, 1341, 1349, 1956, and 2319. I also have probable cause to believe that evidence of Veit's scheme is located in the following four email accounts: today'speoples@yahoo.com, THGINC2006@yahoo.com, herbalorders@yahoo.com, orderz4you@yahoo.com.
5. On March 19, 2002, Rolex, who is represented by the law firm of Gibney, Anthony & Flaherty, LLP, was granted a \$8,568,542.20 civil judgment against Veit, for distributing counterfeit Rolex watches via the internet. During a civil deposition in January

2008, Veit acknowledged that he had been selling counterfeit Rolex watches via the internet.

Veit further claimed that he had not been involved in the sale of counterfeit Rolex watches since a search warrant had been executed at his residence several years earlier.

6. During that same time period of January 2008, Kroll, a private investigator agency hired by Rolex, made an undercover purchase of a counterfeit Rolex Oyster Perpetual Cosmography Daytona watch from the website www.globalreplica.com. Kroll believed that Veit operated this site. The watch was shipped in a package that originated from the address of 10871 Bustleton Ave, #301, Philadelphia, PA 19166, which is a commercial mailbox facility. Kroll investigators returned the box to this address and established surveillance, to see who would retrieve the package. Kroll investigators observed an unknown male and Paul Wallace, Veit's alleged business partner, retrieve the package, and proceed to a residential location. Veit was observed pulling up to the residential location. Wallace brought the package to Veit's vehicle and placed it into the back seat. Based on these events, I believe that in January 2008, Veit was still operating websites that are selling counterfeit Rolex watches.

7. On May 19, 2009, I sent an undercover e-mail to one of Veit's identified e-mail addresses, globalreplica@yahoo.com. The address was advertised on one of Veit's websites that was selling counterfeit Rolex watches. I asked about buying watches from the site. On August 5, 2009, someone calling himself "Joe" wrote an e-mail from globalreplica@yahoo.com to the my undercover e-mail address, stating that the site can sell up to 20 watches per purchase, that all US orders are C.O.D. (cash on delivery), and that the shipping charge is \$30.

8. During the course of this investigation, I located numerous individuals who had purchased counterfeit Rolex watches from globalreplica.com and other websites. The individuals had communicated via e-mail with the websites, mainly globalreplica.com.

9. Other agents and I have spoken to numerous victims of fraud relating to globalreplica.com. Many individuals stated that when they ordered a watch from globalreplica.com, they were instructed that globalreplica.com would only accept payment by C.O.D. They told investigators that they made the C.O.D. payment in order to receive the package, but that when they opened the package, the watch was not the watch that they had ordered. Instead, it was a very low quality watch that most people referred to as "junk." When the purchaser attempted to contact website representatives, through globalreplica@yahoo.com and other listed e-mail addresses, their e-mails were ignored. Phone calls to the telephone number listed for the websites were either unanswered, or else the purchasers were hung up on when they attempted to discuss the return of their funds.

10. On November 13, 2009, the United States District Court for the Southern District of Florida issued a civil contempt order against one of the websites, Global Replica, which terminated www.globalreplica.com's website operation. This website was subsequently recreated under a new name: www.replicas2you.com.

11. During the course of this investigation, other investigators and I interviewed numerous individuals who had purchased counterfeit Rolex watches from the new website, www.replicas2you.com. From these interviews, we learned that customers of www.replicas2you.com were instructed that www.replicas2you.com would only make the sale through money order C.O.D. In this process, the customer turned over the money orders to pay for the product before being able to open and inspect the package. The customers of www.replicas2you.com whom we interviewed reported that when they opened the package, they found that they did not receive the watch that they had ordered. Instead, they received something of junk quality. On some occasions, the customer did not receive a watch at all, but only an empty box or a box full of paper. When the customer would then attempt to communicate with

the website through the "contact us" link on the site, the link would create an email to one of the following three email addresses: replicawatchorders@yahoo.com, replicas2you@yahoo.com, and replicasny@yahoo.com. None of the customers received a satisfactory response through attempting to email the website promoter in this manner.

12. On June 29, 2010, ICE and the United States Postal Service executed three federal search warrants on properties related to Veit and Wallace. The warrants resulted in the seizure of numerous counterfeit Rolex watches, computers, banking documents, several prepaid cellular phones and other miscellaneous items.

13. Following the execution of the search warrants, several individuals associated with the investigation began cooperating with Special Agents and the United States Attorney's Office. One of these cooperators, CW-1, stated to agents that other e-mails addresses used for counterfeit watch communications were todayspeoples@yahoo.com, THGINC2006@yahoo.com and herbalorders@yahoo.com.

14. An additional individual that was employed by Veit, who assisted in the operation of the counterfeit watch websites, CW-2, stated that he ordered the watches from an individual in New York, named "Scott." He further stated that he would communicate with "Scott" through "Scott's" e-mail account, orderz4you@yahoo.com. According to CW-2, he would send "Scott" e-mails stating the quantity of watches needed, and the desired model numbers. "Scott" would then create an inventory for Veit and associates to send out to their customers. "Scott" would either mail the watches direct from New York, or CW-2 would drive from Pennsylvania to New York, to acquire them. This was confirmed by CW-1 and CW-3 in separate interviews.

15. The email addresses todayspeoples@yahoo.com, THGINC2006@yahoo.com, herbalorders@yahoo.com, orderz4you@yahoo.com have all been

used to promote the distribution of counterfeit goods and fraud. Contents of the email addresses todayspeoples@yahoo.com, THGINC2006@yahoo.com, herbalorders@yahoo.com, will provide corroboration for statements of CW-1 and provide information regarding victims of the scheme.

16. The email address orderz4you@yahoo.com will also contain information about the supplier of the counterfeit Rolex watches that were provided to Veit to operate his numerous websites. It will also help to identify who "Scott" is, and identify others in his distribution network. Accordingly, there is probable cause to believe that the email addresses todayspeoples@yahoo.com, THGINC2006@yahoo.com, herbalorders@yahoo.com, orderz4you@yahoo.com will contain evidence of a crime or fruits of a crime.

17. Under 18 U.S.C. § 2703(g), a law enforcement officer does not have to be present for either the service or execution of the warrant. It is sufficient for us to serve it by fax or by mail upon Yahoo!, Inc. I request that Yahoo!, Inc be required to produce the electronic communications and other information identified in Attachment A hereto. Because Yahoo!, Inc is not aware of the facts of this investigation, its employees are not in a position to search within the account files for relevant evidence. In addition, requiring Yahoo!, Inc to perform the search within the files would be a burden upon the company. If all Yahoo!, Inc. is asked to do is produce all the files in the account, an employee can do that easily. Requiring Yahoo!, Inc. to search the materials to determine what content is relevant would add to their burden.

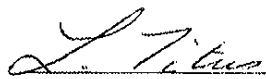
18. I request that the Court authorize law enforcement agents to seize those items identified in Attachment B from what is produced by Yahoo!, Inc. pursuant to the search warrant. In reviewing these messages, I will treat them in the same way as if I were searching a file cabinet for certain documents. E-mails will be scanned quickly to determine if they are relevant to my search. If they are, they will be read. If I determine that they are not relevant or otherwise evidence of a crime, I will put them aside without reading them in full. This method is

similar to what a law enforcement officer would do in the search of a filing cabinet or a seized computer.

19. Under 18 U.S.C. § 2703(b)(1)(A), notice to the customer or subscriber is not required when the government obtains the contents of electronic communications using a search warrant.

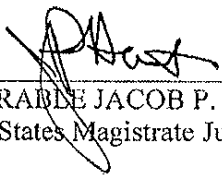
20. Under 18 U.S.C. §§ 2711(3) and 3127, this Court has the authority to issue the warrant directing Yahoo!, Inc. to comply even though Yahoo!, Inc. is not located in this district, because the Court has jurisdiction over the offense being investigated.

21. I also ask that the warrant direct Yahoo!, Inc. to produce records and other information pertaining to this account. The government may obtain such records either by filing a motion under 18 U.S.C. § 2703(d), or by means of a search warrant under § 2703(c)(1)(A). Since I need a search warrant to obtain the electronic communications anyway, I am proceeding in the request for records by search warrant as well. The facts set forth above to show probable cause also constitute specific and articulable facts, showing that there are reasonable grounds to believe that the records and other information sought are relevant and material to an ongoing criminal investigation, as required by 18 U.S.C. § 2703(d).



Lisa Titus
Postal Inspector
United States Postal Inspection Service

Sworn to and subscribed before me
on this 10 day of September, 2010



HONORABLE JACOB P. HART
United States Magistrate Judge