

UNITED STATES DISTRICT COURT

for the

Northern District of California

United States of America)

v.)

Douglas Cameron Tarlow)

Case No. 3 14 70313



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Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of Dec. 3-14, 2013 in the county of San Mateo in the Northern District of California, the defendant(s) violated:

Code Section	Offense Description
18 U.S.C. § 875(d)	Extortion Penalties: (1) Imprisonment: Maximum 2 Years; (2) Fine: \$250,000; (3) Supervised Release: Maximum 3 Year Term; (4) \$100 Special Assessment

This criminal complaint is based on these facts:

See Attached Affidavit of FBI Special Agent Glenn Solomon-Hill

Approved as to Form: AUSA N. Lee

Continued on the attached sheet.

Complainant's signature

Glenn Solomon-Hill, FBI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 3/7/2014

Judge's signature

City and state: San Francisco, California

Honorable Nathanael M. Cousins, Magistrate Judge

Printed name and title

12

AFFIDAVIT IN SUPPORT OF AN ARREST WARRANT

I, Glenn F. Solomon-Hill, Special Agent of the Federal Bureau of Investigation (“FBI”), being duly sworn, hereby declare as follows:

I. INTRODUCTION

1. I am a Special Agent (“SA”) with the Federal Bureau of Investigation (“FBI”), and have been so employed for approximately five years. In December 2009, I was assigned to the Violent Crimes/Major Offenders (“VCMO”) Squad of the Los Angeles Division. As a member of the VCMO Squad, I have conducted and participated in investigations of federal law, including bank robbery, extortion, kidnapping, and major theft. In March 2013, I was transferred to the San Francisco Division where I have continued to work VCMO and Gang/Criminal Enterprise matters. As an FBI agent, I am authorized to investigate violations of United States law and am a law enforcement officer with the authority to execute warrants issued under the authority of the United States. Prior to my current position as a Special Agent with the FBI, I served as an officer in the United States Marine Corps.

2. This affidavit is being submitted in support of a criminal complaint and arrest warrant charging DOUGLAS CAMERON TARLOW (“TARLOW”), date of birth 11/09/1986, with a violation of Title 18, United States Code, Section 875(d), extortion, which states, in relevant portion, “Whoever, with intent to extort from any person . . . transmits in interstate or foreign commerce any communication containing any threat to injure the property or reputation of the addressee or of another . . . shall be fined under this title or imprisoned not more than two years, or both.”

3. There is probable cause to believe that between December 3, 2013 and December 14, 2013, TARLOW knowingly sent messages in interstate commerce containing a

threat to damage the reputation of the victim and her family unless money was provided. These messages were sent within the Northern District of California.

4. The facts and information set forth in this affidavit are based on my personal observations, my training and experience, and, as specifically attributed below, information obtained from law enforcement officers, reports, and witnesses. To the extent that any information in the affidavit is not within my personal knowledge, it has been made available to me through reliable law enforcement sources, and I believe such information to be true. This affidavit is made for the sole purpose of demonstrating probable cause for the issuance of the requested complaint, and arrest warrant, and does not purport to set forth all my knowledge of, or investigation into, this matter. In addition, where I report information I learned from others or from reviewing documents and reports prepared by others, such information is recounted in sum and substance and in relevant part.

II. SUMMARY

5. In 2007, the victim (“V1”), met TARLOW and they began dating in 2008. In 2009, during the course of the relationship, V1 voluntarily took nude photographs and video which she sent to TARLOW by either e-mail or Instant Messenger. V1 and TARLOW ended their relationship in approximately September of 2010.

6. The mother of the victim (“V2”) met TARLOW through V1. TARLOW started working for V2’s company (“company”) in July of 2011. Despite the end of the relationship between V1 and TARLOW, V1 suggested TARLOW for the job. Additionally, V2 wanted to help TARLOW because he had been close to their family. While employed by V2, TARLOW was promised a salary of \$125,000 per year. On February 2, 2012, TARLOW was terminated from the company.

7. Following his termination, V2 advised that TARLOW talked about guns to other employees who expressed that they did not feel safe. V2 hired a private security company to guard the company's office out of concern for the safety of her employees.

8. V2 had infrequent contact with TARLOW in person following his termination. TARLOW continued to contact V2 through e-mail and text message to advise V2 that he felt unfairly treated. V2 offered to help him get a job and introduced him to people working on other projects.

9. Starting in or about May 2012, TARLOW told V2 that he was homeless and never received his last paycheck. V2 researched the paycheck claim and realized that TARLOW had never provided a forwarding address for his last paycheck. The company had sent his last check to a Post Office Box which was sent back to the human resources department. On May 29, 2012, TARLOW acknowledged that he received his last paycheck in an e-mail to V1.

10. In or about June 2012, TARLOW complained that the company owed him \$2000 relating to medical bills incurred while working for the company. V2 advised that she also paid TARLOW's medical expenses.

11. In or about July 2012, TARLOW started to demand through text message and e-mail that V2 owed him money from his tenure at the company. TARLOW threatened to pursue legal channels regarding this matter. He also started involving V2's children by threatening litigation and saying that V2 was going to go to jail for breach of contract. V2 asked that TARLOW only communicate with her human resources lawyers about this issue.

12. On September 3, 2012, V1 received a series of text message from telephone number, 408-455-9066. V1 knew this telephone number to belong to TARLOW. At approximately 5:12 PM, V1 received a text message containing one nude photograph that she

provided to TARLOW during their relationship. Almost immediately following the receipt of the photograph at 5:12 PM, V1 received the following text messages from 408-455-9066, "*did you give out my #!?*" and "*shall I call you Paris?*" Based on the context of the message, I believed this to be a reference to Paris Hilton. At approximately 7:18 PM, V1 received text messages from telephone number, 408-455-9066 containing three additional nude photographs originally sent to TARLOW during their relationship. V1 received the following text messages at the same time as the three nude photographs, "*expect to see those online in 24 hours. fuck you.*" At 8:20 PM, V1 received the following text message, "*also I own these images so thanks for that too.*"

13. On September 3, 2012, V2 also received a series of text message from telephone number, 408-455-9066. V2 knew this telephone number to belong to TARLOW. The first message received at 5:12 PM asked, "*did you give out my #???*" At 8:05 PM, V2 received a text message stating "*over the line.*" At approximately 8:20 PM, V2 received a text message containing one nude photograph of V1 that TARLOW received during his relationship with V1. At the time the photograph was received, V2 was unaware that V1 had taken the nude photographs with TARLOW. The sender of the message and V2 had the following conversation:

8:24 PM - 408-455-9066: "*I dont want anything.*"

8:24 PM - 408-455-9066: "*nothing.*"

8:25 PM - V2: "*What do you want for the picture?*"

8:26 PM - V2: "*Why did send me that picture then*"

8:26 PM - 408-455-9066: "*you have a mind.*"

8:27 PM -V2: "*What does that mean*"

9:50 PM - 408-455-9066: *"who gave away my phone #???"*

9:55 PM - 408-455-9066: *"it seems you're going to be the mother of the next Paris Hilton."*

14. On September 4, 2012, V2 attempted to schedule a meeting with TARLOW. In a series of text messages from telephone number, 408-455-9066, throughout the day, TARLOW expressed upset that he was fired and that V2 gave out his phone number. V2 asked for the pictures to be returned to V1. TARLOW responded via text message, *"and you have only my word, that's it."* V2 asked how she could get more than just his word. V2 texted at 1:19 PM, *"You sent me that when you were upset and how does she know you you wont do that again to someone else with the photos"* and *"I want your copies nothing saved."* TARLOW responded, *"I understand...there is simply no way to assure such things."*

15. On September 5, 2012 at 9:57 AM, V2 received a text message from 408-455-9066 stating, *"this number may stop working at any time. according to my records [the company] still owes me \$72,000. if you subtract 72-[45*2 years]=24.26, please have Kim use her copy of my voided check to pay me \$24,260 and completely payback my loan to you."*

16. On September 7, 2012 at 1:19 AM, V2 received an e-mail from doug.tarlow@gmail.com stating, *"according to my records [the company] still owes me \$72,000. if you subtract 72-[45*2 years]=24.26, please have Kim use her copy of my voided check to pay me \$24,260 and completely payback my loan to you. I am checking my account hourly."*

a. V2 responded by e-mail regarding the perceived on-going labor dispute. She asked that TARLOW return the pictures to V1 *"instead of threatening to put them on the internet. You say you are a man of high ethics and character but*

this behavior is inconsistent with that.” She asked that TARLOW “*please stop harassing the people who tried to help you and please stop trying to blackmail them.*”

- b. A response from doug.tarlow@gmail.com was received by V2 stating, “*I’d recommend that you study the English language better and perhaps buy a dictionary as you continuously conflate similar words to the extent that you don’t even understand simple sentences.*”
- c. An additional e-mail from doug.tarlow@gmail.com was received by V2: “*Hi [V2], My records indicate [the company] is seriously past due in payment. Please remit \$72,000 to PO Box 975, Palo Alto, CA 94301. Thanks for your cooperation. dt*”
- d. At 12:19 PM, V2 responded in an e-mail that she did not feel that the company owed TARLOW, but she was willing to do binding arbitration.
- e. At 12:28 PM, TARLOW responded, “*what does te [sic] IRS call it when you pay people under the table?*”
- f. Later at 5:03 PM, doug.tarlow@gmail.com sent another e-mail with the following message in the subject line, “*I can own the photos and I can do whatever I want (eom).*”

17. On October 15, 2012, V1 received an e-mail from doug.tarlow@gmail.com asking, “*Would you like to pay me on behalf of [the company]? Their balance is 73k.*”

18. On October 17, 2012 at 9:37 AM, V1 received two text messages from 650-503-3844. The number was unknown to V1 at the time, but she believed it belonged to TARLOW. The messages said, “*hey paris, playboy or penthouse?*” and “*either way, and I mean this for*

real, please don't try to commit suicide."

- a. At 10:47 AM, V1 received an anonymous e-mail utilizing a service known as GuerrillaMail¹. The e-mail was sent from a randomly generated e-mail address, dlfj0e3+vj2x30@guerrillmail.com. The e-mail contained the message, *"have a great day"* with an attachment entitled, "[V1] holding boobs.png". The attachment was a nude picture of V1 provided to TARLOW during their relationship.

19. On October 18, 2012 at 2:42 PM, V1 received another anonymous e-mail from dmiyq01+tpm51w@guerrillamail.com. This message was sent from a new randomly generated e-mail account utilizing GuerrillaMail. The e-mail contained the following message:

"Everything is going to reddit. From there, it will be impossible to remove from the internet forever. Go find some blade and talk about how it feels so sharp on your skin you fucking cunt. FUCK YOU."

20. On October 21, 2012, V1 e-mailed doug.tarlow@gmail.com and asked TARLOW why he was threatening her. The respondent believed to be TARLOW replied, *"not me. No idea what that is."* He later wrote, *"please don't contact me further."*

21. Through the next year, V1 made no attempts to contact TARLOW; however, V1 received infrequent text messages from telephone number, 216-369-9357. This was a number that V1 believed belonged to TARLOW based on the context of the conversation and the 216

¹ According to Guerrilla Mail's website (www.guerrillamail.com), Guerrilla Mail is a disposable temporary e-mail address. There is no signup or passwords. You may choose between different Inbox IDs or domains. All e-mail will arrive to the same inbox. All addresses last forever, and anyone can access it if they know the inbox ID. E-mail messages are held for one hour before they are deleted whether you check them or not. Based on my experience, these types of services are utilized to avoid detection.

area code. The 216 area code resolved to the Columbus, Ohio area and V2 believed that TARLOW had relocated to Ohio.

22. On December 3, 2013, V1 received another threat to release the photographs from TARLOW because he does not feel like V2 kept her promise to him. At 5:18 AM, the text stated, "*[V2] doesn't keep her promises and any option besides making you the next Paris would be preferred, but one tires of [V3's] stream of backhanded insults. sorry.*" V3 is the father of V1. At 5:22 AM, V1 received a second text threatening that "*some things once released to the world can never be removed.*"

23. On December 10, 2013 at 5:06 AM, V1 received an anonymous e-mail utilizing GuerrillaMail. The e-mail was sent from the randomly generated e-mail address, ds1kr50+ks3v0s@guerrillmail.com. The e-mail contained the following message,

"Money is such an unimportant thing except when one has none. Then it hurts not to have any. The only way to know the price of everything is to have nothing. Can you comprehend how desperate the homeless and starving are? They might be forced into actions they desperately want to avoid but given the choice between freezing and starving difficult decisions must be made, particularly if one's survival is literally at stake. Our friend has absolutely nothing left but these trifles, won't you help?"

The e-mail contained an attachment with three nude pictures of V1 provided to TARLOW during their relationship.

24. On December 11, 2013 at 5:02 AM, V1 received another anonymous e-mail from the following GuerrillaMail address, dpar1d3+3e1ka8@guerrillmail.com. The e-mail's subject line was titled, "*[V1]nude.com*" and the body of the message stated, "*guess we'll have to see how [V2] responds to those pictures? maybe it'll shock her into doing the right thing*".

25. On December 12, 2013 at 4:24 AM, V2 (the mother of V1) received an anonymous e-mail from GuerrillaMail address, ds8nouk+murlio@guerrillmail.com. The e-mail contained an attachment with a nude picture of V1 and the word, "*none,*" written in the body of

the message.

26. On December 14, 2013 at 5:21 AM, V2 received another anonymous e-mail from GuerrillaMail address, dpahdnh+tshe5s@guerrillamail.com. The e-mail contained an attachment with a different nude picture of V1 and written in the subject line was, “[V2] has no honor.” In the body of the message was the following, “Do you still want to buy these?”

27. Both victims were residents of the County of San Mateo, California at the time they received the threatening messages.

III. SUBSCRIBER INFORMATION

28. On December 18, 2012, I received the results of a federal grand jury subpoena to Cellco Partnership (DBA Verizon Wireless) regarding telephone number, 408-455-9066, to include all subscriber information and any additional telephone numbers obtained by the account holder. The relevant results for telephone number, 408-455-9066, were as follows:

Account Name: Douglas C. Tarlow
Status: Changed
Effective Period: 11/28/2011 -09/04/2012
Address: PO Box 975, Palo Alto, California 94302
Secondary Phone Number: 650-265-7704

Additionally, Verizon Wireless provided information for the newly activated cellular telephone number for TARLOW. The number was 650-847-7143 and it was activated on September 4, 2012.

Notably, September 4, 2012 is the day after V1 and V2 first received the nude photographs from the telephone registered to TARLOW.

29. On December 6, 2013, I contacted the United States Postal Service at 380 Hamilton Avenue in Palo Alto, California. I requested mailbox information for the owner of Post Office Box 975, Palo Alto, California 94301. I received the following relevant information:

Applicant First Name:	Douglas
Applicant Last Name:	Tarlow
Address:	251 Ramona Street Palo Alto, California 94301
Telephone Number:	650-265-7704
E-mail:	Doug.Tarlow@gmail.com
Identification Verification:	
Primary:	Passport
Secondary:	Current Lease

The information provided to obtain the mailbox indicated that TARLOW was identified by passport and address verified by current lease. Additionally, the e-mail address and telephone number were provided by TARLOW to obtain the post office box. The e-mail address, doug.tarlow@gmail.com was utilized numerous times to send e-mails to V1 and V2. The telephone number used to set up the post office box account was also listed as an additional telephone number on TARLOW's Verizon Wireless account.

30. As part of my investigation, I determined that telephone number, 650-265-7704, which was listed as an additional contact number on TARLOW's Verizon Wireless account belonged to Google Inc. as part of the Google Voice services. On December 26, 2012 in response to a federal grand jury subpoena that sought the subscriber information and call log history for 650-265-7704, I received the following relevant information:

E-mail: doug.tarlow@gmail.com
First Name: Douglas
Last Name: Tarlow

TARLOW again utilized the e-mail address, doug.tarlow@gmail.com, as his designated e-mail account for this telephone number.

31. Through investigation, I examined the header information for the last four e-mails sent through GuerrillaMail between December 10, 2013 and December 14, 2013. The header information for the messages indicated that all four messages contained the same originating IP

of 184.57.30.7. Time Warner Cable is the internet service provider that was allocated IP address 184.57.30.7.

32. On January 15, 2013, I received the results of a federal grand jury subpoena to Time Warner Cable that sought the account information for the individual assigned to Internet Protocol ("IP") address, 184.57.30.7, during the times of the last four anonymous GuerrillaMail e-mail messages received by V1 and V2. The relevant results were as follows:

Subscriber Name:	Doug Tarlow
Subscriber Address:	430 King Avenue Apartment A, Columbus, Ohio 43201
Activate Date:	8/1/2013
Deactivate Date:	Present
Phone Number:	650-847-7143

Notably, TARLOW was the subscriber of the internet account used to send all four Guerrillamail messages threatening to release the photographs. Additionally, the telephone number listed as part of the TARLOW's Time Warner Cable account is the same number, 650-847-7143, that he changed his cellular telephone number to on September 4, 2012.


IV. CONCLUSION

33. Based on the information linking Douglas TARLOW to numerous telephone numbers utilized to send harassing and threatening communications to the victims as well as connecting the doug.tarlow@gmail.com account to TARLOW, there is probable cause to believe that TARLOW was the sole communicator of all messages to V1 and her family. There is also probable cause to believe that TARLOW was the sender of the anonymous e-mails through Guerrilla Mail as he was the subscriber of the account that had utilized the IP address which sent the anonymous e-mails. Accordingly, there is probable cause to believe that Douglas TARLOW sent threats via interstate commerce to V1 and her family that he would publish the photographs, thereby damaging the reputation of V1 and her family, with the intent to extort money from V1

and her family, in violation of Title 18, United States Code, Section 875(d).

V. REQUEST FOR SEALING

34. Due the nature of the communications described herein, disclosure of the Affidavit and arrest warrant would expose the victims to further harassment. Additionally, should the contents of the Affidavit and the requested arrest warrant be made public, it would jeopardize this investigation because the defendant and his confederates, if any, may be prompted to destroy or hide evidence, publish photographs, notify co-conspirators, and/or flee from prosecution. Accordingly, I request that the Court issue an order that the arrest warrant and this Affidavit in support for an arrest warrant, and all attachments thereto be filed under seal until further order of this Court.



GLENN F. SOLOMON-HILL
Special Agent
Federal Bureau of Investigation

Sworn to before me this 7 day of March 2014



HONORABLE NATHANAEL COUSINS
United States Magistrate Judge