

2. At all times relevant to this Indictment, Eeleyanet Gostar (ایلیاننت گستر ایرانیان) (now known as Emennet Pasargad (ایمن نت پاسارگاد)) was an Iran-based company that purported to provide cybersecurity services within Iran. Eeleyanet Gostar has provided services to the Iranian Government, including to an influential governmental body, the Guardian Council. SEYYED MOHAMMAD HOSEIN MUSA KAZEMI, a/k/a "Mohammad Hosein Musa Kazem," a/k/a "Hosein Zamani," and SAJJAD KASHIAN, a/k/a "Kiarash Nabavi," the defendants, were experienced hackers who worked as contractors for Eeleyanet Gostar.

3. The first phase of the Voter Intimidation and Influence Campaign occurred in or about September and October 2020, when the members of the conspiracy conducted reconnaissance on, and attempted to compromise, approximately eleven state voter websites, including state voter registration websites and state voter information websites. These efforts resulted in the successful exploitation of misconfigured computers of a particular U.S. state ("State-1"), and the resulting unauthorized downloading of voter information for more than 100,000 State-1 voters.

4. The next phase of the Voter Intimidation and Influence Campaign involved members of the conspiracy sending

Facebook messages and emails to undermine confidence in the integrity of voting systems that would be used in the 2020 U.S. Presidential Election. Specifically, in or about October 2020, the members of the conspiracy sent Facebook messages and emails (the "False Election Messages") to Republican Senators, Republican members of Congress, individuals associated with the Presidential campaign of Donald J. Trump, White House advisors, and members of the media, falsely claiming that the Democratic Party was planning to exploit "serious security vulnerabilities" in state voter registration websites to "edit mail-in ballots or even register non-existent voters." In the False Election Messages, the members of the conspiracy claimed to be a "group of Proud Boys volunteers."¹

5. The members of the conspiracy simultaneously disseminated a video (the "False Election Video") through the False Election Messages and separately using Facebook, YouTube, and Twitter. The False Election Video purported to depict an

¹ Proud Boys is a nationalist organization with multiple U.S. chapters and potential activity in other Western countries. The group describes itself as a "pro-Western fraternal organization for men who refuse to apologize for creating the modern world; aka Western Chauvinists." Proud Boys members routinely attend rallies, protests, and other First Amendment-protected events, where they sometimes engage in violence against individuals whom they perceive as threats to their values. Throughout the United States, there are local Proud Boys chapters, which are typically led by chapter "presidents."

individual hacking into state voter websites and then using that illicitly obtained voter information to create fraudulent absentee ballots through the Federal Voting Assistance Program ("FVAP") for military and overseas voters. In fact, the computer intrusions depicted in the False Election Video were simulated intrusions created by members of the conspiracy using their own server and data obtained during the State-1 exploitation. Further, the FVAP could not be leveraged in the manner implied by the False Election Video. As with the False Election Messages, the False Election Video contained multiple depictions of the Proud Boys logo, meant as a "false flag" to deceive the recipients into believing that the Proud Boys organization had disseminated the False Election Video.

6. At the same time that the members of the conspiracy were sending the False Election Messages and disseminating the False Election Video, they also engaged in an online intimidation campaign to email a message to tens of thousands of registered voters, at least some of whom were among those whose information the members of the conspiracy had obtained from State-1's voter website. The emails were also purportedly from the Proud Boys, targeted registered Democrats, and threatened the recipients with physical injury if they did not change their party affiliation and vote for President Trump

(the "Voter Threat Emails"). The Voter Threat Emails, which included the name and street address of the recipient, read:

We are in possession of all your information (email, address, telephone... everything).

You are currently registered as a Democrat and we know this because we have gained access into the entire voting infrastructure. You will vote for Trump on Election Day or we will come after you. Change your party affiliation to Republican to let us know you received our message and will comply. We will know which candidate you voted for.

I would take this seriously if I were you.

7. In order to execute this campaign, the members of the conspiracy used, among other things, computer servers around the world that they had previously compromised.

8. Additionally, in or about September and October 2020, the members of the conspiracy obtained unauthorized access to the computer network of an American media company ("Media Company-1"), which provided a content management system ("CMS") for dozens of newspapers and other publications. Prior to the 2020 U.S. Presidential election, the members of the conspiracy tested their ability to modify and create content on Media Company-1's compromised system, which would have provided them another vehicle for further disseminating false claims concerning the election.

9. The members of the conspiracy attempted to leverage their unauthorized access in the subsequent phase of the Voter Intimidation and Influence Campaign. Specifically, on or about November 4, 2020, the day after the 2020 U.S. Presidential election, they attempted to gain access to Media Company-1's network without authorization using stolen credentials. However, because of an earlier victim notification from the Federal Bureau of Investigation, Media Company-1 had by that time mitigated the conspirators' unauthorized access and their log-in attempts failed.

THE DEFENDANTS

10. At all times relevant to this Indictment, SEYYED MOHAMMAD HOSEIN MUSA KAZEMI, a/k/a "Mohammad Hosein Musa Kazem," a/k/a "Hosein Zamani," the defendant, was an Iran-based hacker. Among other things, KAZEMI helped to carry out the Voter Intimidation and Influence Campaign by compromising servers used to send the Voter Threat Emails, preparing emails for the Voter Threat Email campaign, and compromising Media Company-1 CMS accounts.

11. At all times relevant to this Indictment, SAJJAD KASHIAN, a/k/a "Kiarash Nabavi," the defendant, was an Iran-based hacker. Among other things, KASHIAN managed computer network infrastructure used to carry out the Voter Intimidation

and Influence Campaign and sought to purchase social media accounts in furtherance of the Voter Intimidation and Influence Campaign.

STATUTORY ALLEGATIONS

12. From at least in or about August 2020 through at least in or about October 2020, in the Southern District of New York and elsewhere, SEYYED MOHAMMAD HOSEIN MUSA KAZEMI, a/k/a "Mohammad Hosein Musa Kazem," a/k/a "Hosein Zamani," and SAJJAD KASHIAN, a/k/a "Kiarash Nabavi," the defendants, and others known and unknown, willfully and knowingly combined, conspired, confederated, and agreed together and with each other to commit offenses against the United States, and aided and abetted the same, to wit, computer intrusion, in violation of Title 18, United States Code, Sections 1030(a)(2), 1030(c)(2)(B)(ii), 1030(a)(5)(A), 1030(c)(4)(A)(i)(I), and 1030(c)(4)(B)(i), voter intimidation, in violation of Title 18, United States Code, Section 594, and the transmission of interstate threats, in violation of Title 18, United States Code, Sections 875(c) and 2.

13. It was a part and an object of the conspiracy that SEYYED MOHAMMAD HOSEIN MUSA KAZEMI, a/k/a "Mohammad Hosein Musa Kazem," a/k/a "Hosein Zamani," and SAJJAD KASHIAN, a/k/a "Kiarash Nabavi," the defendants, and others known and unknown,

would and did intentionally access computers without authorization, and exceed authorized access, and thereby obtain information from a protected computer, in furtherance of a criminal and tortious act in violation of the Constitution and laws of the United States and of any State, in violation of Title 18, United States Code, Sections 1030(a)(2) and 1030(c)(2)(B)(ii), to wit, the voter intimidation and interstate threats offenses charged in Counts Four and Five of this Indictment.

14. It was further a part and an object of the conspiracy that SEYYED MOHAMMAD HOSEIN MUSA KAZEMI, a/k/a "Mohammad Hosein Musa Kazem," a/k/a "Hosein Zamani," and SAJJAD KASHIAN, a/k/a "Kiarash Nabavi," the defendants, and others known and unknown, knowingly would and did cause the transmission of a program, information, code and command, and aided and abetted the same, and, as a result of such conduct, intentionally cause damage, without authorization, to a protected computer, which would and did cause a loss (including loss resulting from a related course of conduct affecting one and more other protected computers) aggregating to at least \$5,000 to one and more persons during any one year period, in violation of Title 18, United States Code, Sections 1030(a)(5)(A), 1030(c)(4)(A)(i)(I), 1030(c)(4)(B)(i), and 2.

15. It was a further part and an object of the conspiracy that SEYYED MOHAMMAD HOSEIN MUSA KAZEMI, a/k/a "Mohammad Hosein Musa Kazem," a/k/a "Hosein Zamani," and SAJJAD KASHIAN, a/k/a "Kiarash Nabavi," the defendants, and others known and unknown, would and did intimidate, threaten, coerce, and attempt to intimidate, threaten, and coerce, any other person for the purpose of interfering with the right of such other person to vote and to vote as he may choose, and of causing such other person to vote for, and not to vote for, a candidate for the office of President, at an election held solely and in part for the purpose of electing such candidate, in violation of Title 18, United States Code, Sections 594 and 2, to wit, KAZEMI and KASHIAN transmitted, and aided and abetted the transmission, of emails sent to U.S. voters that threatened those voters with physical injury unless those voters voted for President Trump.

16. It was further a part and an object of the conspiracy that SEYYED MOHAMMAD HOSEIN MUSA KAZEMI, a/k/a "Mohammad Hosein Musa Kazem," a/k/a "Hosein Zamani," and SAJJAD KASHIAN, a/k/a "Kiarash Nabavi," the defendants, and others known and unknown, intentionally and knowingly did transmit in interstate and foreign commerce a communication containing a threat to injure the person of another, in violation of Title

18, United States Code, Sections 875(c) and 2, to wit, KAZEMI and KASHIAN transmitted, and aided and abetting the transmission, of emails sent to U.S. voters which threatened those voters with physical injury.

Overt Acts

17. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. In or about September and October 2020, SEYYED MOHAMMAD HOSEIN MUSA KAZEMI, a/k/a "Mohammad Hosein Musa Kazem," a/k/a "Hosein Zamani," the defendant, compromised a server located abroad (the "Overseas Server") in order to send out the Voter Threat Emails.

b. In or about September and October 2020, SEYYED MOHAMMAD HOSEIN MUSA KAZEMI, a/k/a "Mohammad Hosein Musa Kazem," a/k/a "Hosein Zamani," the defendant, obtained unauthorized access to Media Company-1's computer network.

c. In or about October 2020, SAJJAD KASHIAN, a/k/a "Kiarash Nabavi," the defendant, managed computer network infrastructure while knowing that it would be used by members of the conspiracy to conduct the Voter Intimidation and Influence Campaign.

d. In or about October 2020, members of the conspiracy sent False Election Messages to individuals located in the Southern District of New York.

e. In or about October 2020, members of the conspiracy sent emails to journalists, including journalists located in the Southern District of New York, with a message substantially similar to the False Election Messages.

(Title 18, United States Code, Section 371.)

COUNT TWO
**(Computer Fraud - Unauthorized Access In
Furtherance of a Criminal Act)**

The Grand Jury further charges:

18. The allegations contained in paragraphs 1 through 11 and 17 of this Indictment are repeated and realleged as if fully set forth herein.

19. From at least in or about September 2020 to at least in or about October 2020, SEYYED MOHAMMAD HOSEIN MUSA KAZEMI, a/k/a "Mohammad Hosein Musa Kazem," a/k/a "Hosein Zamani," the defendant, who will first be brought to the Southern District of New York, intentionally accessed a computer without authorization and exceeded authorized access, and thereby obtained information from a protected computer, in furtherance of a criminal and tortious act in violation of the Constitution and laws of the United States and of any State, in

violation of Title 18, United States Code, Sections 1030(a)(2), 1030(c)(2)(B)(ii) and 2, to wit, KAZEMI conducted, aided and abetted in conducting, and attempted to conduct, computer intrusions to gain unauthorized access to the computer systems of Media Company-1 and various state voter websites, including State-1, in furtherance of committing the voter intimidation and interstate threats offenses charged in Counts Four and Five of this Indictment.

(Title 18, United States Code,
Sections 1030(a)(2), 1030(b), and (c)(2)(B)(ii); 2; and
3238.)

COUNT THREE
(Computer Fraud - Knowingly Damaging a Protected Computer)

The Grand Jury further charges:

20. The allegations contained in paragraphs 1 through 11 and 17 of this Indictment are repeated and realleged as if fully set forth herein.

21. From at least in or about September 2020 to at least in or about October 2020, SEYYED MOHAMMAD HOSEIN MUSA KAZEMI, a/k/a "Mohammad Hosein Musa Kazem," a/k/a "Hosein Zamani," the defendant, who will first be brought to the Southern District of New York, knowingly caused the transmission of programs, information, codes, and commands, and aided and abetted the same, and as a result of such conduct, intentionally

did cause damage, without authorization, to protected computers, which are used in interstate and foreign commerce, and such conduct caused losses to Media Company-1 in excess of \$5,000 during any one-year period, to wit, KAZEMI, without the knowledge or authorization of Media Company-1, accessed the computer networks of Media Company-1 and attempted to change data located on those networks, causing losses in excess of \$5,000 to Media Company-1.

(Title 18, United States Code,
Sections 1030(a)(5)(A), (c)(4)(A)(i)(I), and (c)(4)(B)(i);
2; and 3238.)

COUNT FOUR
(Voter Intimidation)

The Grand Jury further charges:

22. The allegations contained in paragraphs 1 through 11 and 17 of this Indictment are repeated and realleged as if fully set forth herein.

23. From at least in or about September 2020 to at least in or about October 2020, SEYYED MOHAMMAD HOSEIN MUSA KAZEMI, a/k/a "Mohammad Hosein Musa Kazem," a/k/a "Hosein Zamani," and SAJJAD KASHIAN, a/k/a "Kiarash Nabavi," the defendants, who will first be brought to the Southern District of New York, intimidated, threatened, coerced, and attempted to intimidate, threaten, and coerce, any other person for the purpose of interfering with the right of such other person to

vote and to vote as he may choose, and of causing such other person to vote for, and not to vote for, a candidate for the office of President, at an election held solely and in part for the purpose of electing such candidate, to wit, KAZEMI and KASHIAN transmitted, and aided and abetting the transmission, of emails sent to U.S. voters which threatened those voters with physical injury unless those voters voted for President Trump.

(Title 18, United States Code, Sections 594, 2, and 3238.)

COUNT FIVE
(Transmission of Interstate Threats)

The Grand Jury further charges:

24. The allegations contained in paragraphs 1 through 11 and 17 of this Indictment are repeated and realleged as if fully set forth herein.

25. From at least in or about September 2020 to at least in or about October 2020, SEYYED MOHAMMAD HOSEIN MUSA KAZEMI, a/k/a "Mohammad Hosein Musa Kazem," a/k/a "Hosein Zamani," and SAJJAD KASHIAN, a/k/a "Kiarash Nabavi," the defendants, who will first be brought to the Southern District of New York, intentionally and knowingly did transmit in interstate and foreign commerce a communication containing a threat to injure the person of another, to wit, KAZEMI and KASHIAN transmitted, and aided and abetting the transmission, of emails sent to U.S. voters which threatened those voters with

physical injury.

(Title 18, United States Code,
Sections 875(c), 2, and 3238.)

FORFEITURE ALLEGATION AS TO COUNT ONE

26. As a result of committing one or more of the offenses alleged in Count One of this Indictment, SEYYED MOHAMMAD HOSEIN MUSA KAZEMI, a/k/a "Mohammad Hosein Musa Kazem," a/k/a "Hosein Zamani," and SAJJAD KASHIAN, a/k/a "Kiarash Nabavi," the defendants, shall forfeit to the United States, pursuant to Title 18, United States Section, Section 1030(i), any and all property, real or personal, constituting or derived from, any proceeds obtained directly or indirectly, as a result of said offenses, and any and all personal property that was used or intended to be used to commit or to facilitate the commission of said offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses.

FORFEITURE ALLEGATION AS TO COUNTS TWO AND THREE

27. As a result of committing one or more of the offenses alleged in Counts Two and Three of this Indictment, SEYYED MOHAMMAD HOSEIN MUSA KAZEMI, a/k/a "Mohammad Hosein Musa Kazem," a/k/a "Hosein Zamani," the defendant, shall forfeit to the United States, pursuant to Title 18, United States Section, Section 1030(i), any and all property, real or personal,

constituting or derived from, any proceeds obtained directly or indirectly, as a result of said offenses, and any and all personal property that was used or intended to be used to commit or to facilitate the commission of said offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses.

FORFEITURE ALLEGATION AS TO COUNT FIVE

28. As a result of committing the offense alleged in Count Five of this Indictment, SEYYED MOHAMMAD HOSEIN MUSA KAZEMI, a/k/a "Mohammad Hosein Musa Kazem," a/k/a "Hosein Zamani," and SAJJAD KASHIAN, a/k/a "Kiarash Nabavi," the defendants shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), any and all property, real and personal, which constitutes or is derived from proceeds traceable to the commission of said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

Substitute Assets Provision

29. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- 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), and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 981 & 1030;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)

Brian Carroll
FOREPERSON

Damian Williams
DAMIAN WILLIAMS
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

SEYYED MOHAMMAD HOSEIN MUSA KAZEMI,
a/k/a "Mohammad Hosein Musa Kazem,"
a/k/a "Hosein Zamani," and

SAJJAD KASHIAN, a/k/a "Kiarash Nabavi,"

Defendants.

SEALED INDICTMENT

21 Cr. ____

(18 U.S.C. §§ 371, 594, 875(C), 1030(a)(2),
1030(a)(5)(A), 1030(c)(2)(B)(ii),
(c)(4)(A)(i)(I), (c)(4)(B)(i) and 2.)

DAMIAN WILLIAMS

United States Attorney.

A TRUE BILL

Brian Cawley

FOREPERSON

TRUE BILL, A.W., SEALED INDICTMENT,

10 20 3021

MJ. RWK