

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA

v.

ARDIT FERIZI,  
a/k/a "Th3Dir3torY,"

Defendant.

Criminal No. 1:16-cr-42

The Hon. Leonie M. Brinkema

STATEMENT OF FACTS

The United States and the defendant, ARDIT FERIZI, agree that the United States would have proven at trial the following facts beyond a reasonable doubt with admissible and credible evidence:

1. From in and around April 2015 to August 11, 2015, the defendant Ardit Ferizi, a/k/a "Th3Dir3ctorY," did knowingly provide material support and resources, as that term is defined in 18 U.S.C. § 2339A(b), namely, property and services, including himself as personnel, expert advice and assistance, and personally identifiable information of persons in the United States, to a foreign terrorist organization, namely the Islamic State of Iraq and the Levant ("ISIL"), knowing that the foreign terrorist organization was designated a terrorist organization and knowing that the foreign terrorist organization had engaged in and was engaging in terrorist activity and terrorism.

2. From on or about June 13, 2015, to August 11, 2015, Ferizi intentionally accessed a protected computer without authorization and exceeded authorized access to a protected computer, and thereby obtained information from a protected computer, and the offense was committed in

furtherance of a criminal act in violation of the laws of the United States, specifically, the criminal act of conspiring to provide, attempting to provide, and providing material support to ISIL, a designated foreign terrorist organization, as prohibited by 18 U.S.C. § 2339B.

3. On October 15, 2004, the U.S. Department of State designated Al-Qa'ida in Iraq ("AQI"), then known as Jam'at al Tawhid wa'al-Jihad, as a Foreign Terrorist Organization under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist Entity pursuant to Executive Order 13224. On May 15, 2014, the Secretary of State amended the designation of AQI as a Foreign Terrorist Organization under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist Entity under Executive Order 13224 to add the alias ISIL as its primary name. The Secretary also added the following aliases to the ISIL listing: the Islamic State of Iraq and al-Sham ("ISIS"), the Islamic State of Iraq and Syria ("ISIS"), ad-Dawla al-Islamiyya fi al-'Iraq wa-sh-Sham, Daesh, Dawla al Islamiya, and Al-Furqan Establishment for Media Production. On September 21, 2015, the Secretary added the following aliases to the ISIL listing: Islamic State, ISIL, and ISIS. Although the group has never called itself "Al-Qa'ida in Iraq," this name has frequently been used by others to describe it. To date, ISIL remains a designated Foreign Terrorist Organization.

4. On or about September 21, 2014, ISIL spokesperson Abu Muhammad al-Adnani called for attacks against citizens—civilian or military—of the United States and other countries participating in the United States-led coalition against ISIL.

5. On or about March 20, 2015, ISIL member Junaid Hussain, acting in the name of the Islamic State Hacking Division, posted a "kill list" that included the purported names and addresses of 100 United States military members.

6. Ardit Ferizi is a Kosovo citizen who resided in Malaysia during the relevant conduct. Ferizi knew that ISIL had engaged in and was engaging in terrorist activity and terrorism.

7. On or about April 26, 2015, Ferizi provided what appeared to be personally identifiable information (“PII”) belonging to individuals in the United States and elsewhere to members of ISIL, including “Abu Muslim al-Britani.”

8. Abu Muslim al-Britani was the *kunya* for Tariq Hamayun.

9. On or about June 13, 2015, Ferizi gained administrator-level access to a server that maintained the website for an Illinois company (“Victim Company”) that sold goods to customers in the United States and abroad. The server contained databases with PII belonging to tens of thousands of the Victim Company’s customers, which included United States military and other government personnel.

10. Between on or about June 13, 2015, and August 11, 2015, Ferizi searched for, accessed, and obtained customer information from the above-referenced server, including the databases with PII belonging to tens of thousands of the Victim Company’s customers. Ferizi specifically searched the server and customer databases for email addresses distributed to civilian employees of the United States government (designated by “.gov”) and United States military members (designated by “.mil”).

11. On or about June 13, 2015, Ferizi culled PII belonging to United States military and other government personnel from the aforementioned customer databases. Ferizi ultimately obtained PII belonging to approximately 1,300 United States military and other government personnel.

12. On or about June 13, 2015, Ferizi reached out to “Abu Hussain al-Britani”

(“Hussain”) to provide Hussain with the PII belonging to the approximately 1,300 United States military and other government personnel. At that time, Ferizi knew that Hussain was a member of ISIL and was actively engaged in supporting ISIL. Additionally, Ferizi was aware that Hussain previously engaged in hacking activities under the alias “Trick” with a hacking group called “TeaMp0isoN,” and previously lived in the United Kingdom. Ferizi had associated with Hussain when Hussain was with “TeaMp0isoN.”

13. Abu Hussain al-Britani was the *kunya* for Junaid Hussain. At all times relevant to this matter, Hussain was a Syria-based ISIL member who was actively engaged in supporting ISIL’s efforts to conduct terrorist attacks against United States military members and civilian government personnel.

14. On or about June 13, 2015, Ferizi provided the PII of approximately 1,300 United States military and other government personnel, including persons located in the Eastern District of Virginia, to ISIL with the understanding that ISIL would use the PII to “hit them hard.”

15. Between June 13, 2015, and August 11, 2015, Ferizi continued to obtain unauthorized access to the Victim Company’s server and continued to communicate with Hussain.

16. On or about August 11, 2015, Hussain, acting in the name of the Islamic State Hacking Division, sent communications over Twitter that contained a document with the PII of approximately 1,300 United States military and other government personnel that Ferizi had taken from the Victim Company and provided to Hussain. The beginning of the document warned the “Crusaders” who were conducting a “bombing campaign against the muslims:”

we are in your emails and computer systems, watching and recording your every move, we have your names and addresses, we are in your emails and social media accounts, we are extracting confidential data and passing on your personal information to the soldiers of the khilafah, who soon with the permission of Allah

will strike at your necks in your own lands!

17. As a result of Ferizi and co-conspirators accessing without authorization and obtaining information from the Victim Company's server, the Victim Company incurred losses of over \$40,000.

18. Ferizi used a Dell Latitude laptop and an MSI laptop to commit the above-described offenses. Both laptops were in Ferizi's possession when he was arrested by Malaysian officials in September 2015, and were subsequently turned over to the United States government upon his extradition to the United States.

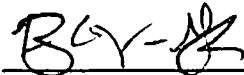
19. This statement of facts includes those facts necessary to support the plea agreement between the defendant and the United States. It does not include each and every fact known to the defendant or to the United States, and it is not intended to be a full enumeration of all of the facts surrounding the defendant's case.

20. The actions of the defendant, as recounted above, were done willfully and knowingly and with the specific intent to violate the law, and were not committed by mistake, accident, or other innocent reason.

Respectfully submitted,

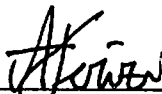
Dana J. Boente  
United States Attorney

By:




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Brandon L. Van Grack  
Gregory R. Gonzalez  
Special Assistant United States Attorneys

After consulting with my attorney and pursuant to the plea agreement entered into this day between the defendant, ARDIT FERIZI and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.

  
\_\_\_\_\_  
Ardit Ferizi  
Defendant

I am Ardit Ferizi's counsel. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.

  
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Geremy C. Kamens  
Elizabeth A. Mullen  
Counsel for the Defendant