

Suspect in iPad data theft remains jailed in NJ

February 23 2011, By DAVID PORTER , Associated Press

(AP) -- One of two men charged with stealing more than 100,000 e-mail addresses of Apple iPad users remained jailed Wednesday after making his first court appearance in New Jersey.

Andrew Auernheimer, wearing handcuffs and a prison jumpsuit, chatted and joked with court personnel before the brief hearing in front of U.S. Magistrate Patty Shwartz, who scheduled a bail hearing for next week. Auernheimer didn't enter a plea.

Auernheimer was arrested in Fayetteville, Ark., last month and extradited to New Jersey, where he and San Francisco resident Daniel Spitler face one count each of fraud and conspiracy to access a computer without authorization. Spitler was released on \$50,000 bail in January. The case is being prosecuted in New Jersey because the state is home to about 16,000 of the iPad users.

Both counts carry a five-year maximum prison sentence.

Authorities say the two men, both in their mid-20s, were part of an online group that tricked AT&T's website into giving the e-mail addresses, allegedly including those of celebrities like film mogul Harvey Weinstein and New York Mayor Michael Bloomberg.

The group, Goatse Security, described by the U.S. Attorney's Office as "a loose association of Internet hackers," said in an e-mail to The Associated Press last month that Spitler and Auernheimer did nothing

wrong and were acting in the public interest by exposing a flaw in AT&T's security system.

U.S. Attorney Paul Fishman has said there is no evidence the men used the swiped information for criminal purposes but that it could have wound up in the hands of spammers and scam artists.

In online chats excerpted in the criminal complaint, the members of the group seem to be concerned about the possible consequences of their actions, particularly regarding whether anyone in the group notified AT&T about the breach.

"you DID call tech support right?" a user nicknamed Nstyr asks.

"totally but not really" Auernheimer allegedly responds, then adds, "I don't (expletive) care i hope they sue me."

A Goatse representative said in June that the group contacted AT&T and waited until the vulnerability was fixed before going public with the information. Prosecutors claim AT&T was unaware of the breach until it appeared in media reports.

The U.S. Attorney's office is seeking to have Auernheimer held without bail. In a financial affidavit filed after his arrest, Auernheimer said he was unemployed and was living at friends' houses and in motels. He also said he supports two minor children who were living overseas at the time.

"There is a serious risk of flight," Assistant U.S. Attorney Lee Vartan told Shwartz at Wednesday's hearing. "He has no real connection to New Jersey or, really, to any location at all."

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