

DISTRICT COURT, CITY AND COUNTY OF DENVER,
COLORADO

1437 Bannock Street
Denver, CO 80202

PEOPLE OF THE STATE OF COLORADO

v.

PIOTR ABRAMCZYK (D.O.B. 04/09/1983),
a/k/a Peter Abramczyk,
d/b/a PROSPORT,

PAWEL PIOTR ABRAMCZYK (D.O.B. 01/02/1978),
a/k/a Paul Abramczyk,

DONATAS JUODZEVICIUS (D.O.B. 05/05/1980),

SALLY SOGUE (D.O.B. 01/15/1984),
a/k/a Sallunia Sogue,

Defendants.

▲ COURT USE ONLY ▲

JOHN W. SUTHERS, Attorney General
JANET STANSBERRY DRAKE,
Senior Assistant Attorney General*
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Denver, CO 80203
(303) 866-5873
Registration Number: 27697
*Counsel of Record

Grand Jury Case No.: 11 CR 0001

Ctrm.: 209

COLORADO STATE GRAND JURY INDICTMENT: 2011-2012 SESSION

CHARGES:

- COUNT 1:** COMPUTER CRIME, C.R.S. 18-5.5-102(1)(b) (F3) 1502T
As to Pawel Abramczyk
- COUNT 2:** FILING A FALSE TAX RETURN, C.R.S. 39-21-118(4) (F5) 40024
As to Pawel Abramczyk
- COUNT 3:** FILING A FALSE TAX RETURN, C.R.S. 39-21-118(4) (F5) 40024
As to Pawel Abramczyk
- COUNT 4:** TRADEMARK COUNTERFEITING, C.R.S. 18-5-110.5 (M1) 10161
As to Pawel Abramczyk
- COUNT 5:** COMPUTER CRIME, C.R.S. 18-5.5-102(1)(b) (F3) 1502T
As to Piotr Abramczyk
- COUNT 6:** FILING A FALSE TAX RETURN, C.R.S. 39-21-118(4) (F5) 40024
As to Piotr Abramczyk
- COUNT 7:** FILING A FALSE TAX RETURN, C.R.S. 39-21-118(4) (F5) 40024
As to Piotr Abramczyk
- COUNT 8:** TRADEMARK COUNTERFEITING, C.R.S. 18-5-110.5 (M1) 10161
As to Piotr Abramczyk
- COUNT 9:** FILING A FALSE TAX RETURN, C.R.S. 39-21-118(4) (F5) 40024
As to Sally Sogue
- COUNT 10:** FILING A FALSE TAX RETURN, C.R.S. 39-21-118(4) (F5) 40024
As to Sally Sogue
- COUNT 11:** COMPUTER CRIME, C.R.S. 18-5.5-102(1)(b) (F3) 1502T
As to Donatas Juodzevicius
- COUNT 12:** FILING A FALSE TAX RETURN, C.R.S. 39-21-118(4) (F5) 40024
As to Donatas Juodzevicius
- COUNT 13:** FILING A FALSE TAX RETURN, C.R.S. 39-21-118(4) (F5) 40024
As to Donatas Juodzevicius
- COUNT 14:** TRADEMARK COUNTERFEITING, C.R.S. 18-5-110.5 (M1) 10161
As to Donatas Juodzevicius

STATE OF COLORADO)
) ss.
CITY AND COUNTY OF DENVER)

The 2011-2012 Colorado State Grand Jurors, chosen, selected and sworn in the name and by the authority of the People of the State of Colorado, upon their oaths, present the following Indictment:

COUNT NUMBER ONE
Computer Crime
§ 18-5.5-102(1)(b) C.R.S. (F3)

Between and including approximately July 12, 2009 and March 6, 2012, in the State of Colorado, **Pawel Abramczyk** unlawfully, feloniously, and knowingly accessed a computer, computer network, or computer system, or any part thereof, for the purpose of devising or executing a scheme or artifice to defraud, and the loss, damage, value of services, or thing of value taken, or cost of restoration or repair was twenty thousand dollars or more; in violation of section 18-5.5-102(1)(b), C.R.S.

Facts that support the offenses set forth in Count One are set forth after Count Four, and are fully incorporated by reference as if set forth herein.

COUNT NUMBER TWO
Filing a False Tax Return
§ 39-21-118(4) C.R.S. (F5)

On or about February 20, 2011, in the State of Colorado, **Pawel Abramczyk** unlawfully, feloniously, and willfully made and subscribed a return, statement, or other document, which contained or was verified by a written declaration that it was made under the penalties of perjury, and which the defendant did not believe to be true and correct as to every material matter; in violation of section 39-21-118(4), C.R.S.

Facts that support the offenses set forth in Count Two are set forth after Count Four, and are fully incorporated by reference as if set forth herein.

COUNT NUMBER THREE

Filing a False Tax Return
§ 39-21-118(4) C.R.S. (F5)

On or about February 3, 2012, in the State of Colorado, **Pawel Abramczyk** unlawfully, feloniously, and willfully made and subscribed a return, statement, or other document, which contained or was verified by a written declaration that it was made under the penalties of perjury, and which the defendant did not believe to be true and correct as to every material matter; in violation of section 39-21-118(4), C.R.S.

Facts that support the offenses set forth in Count Three are set forth after Count Four, and are fully incorporated by reference as if set forth herein.

COUNT NUMBER FOUR

Trademark Counterfeiting
§ 18-5-110.5 C.R.S. (M1)

Between and including January 1, 2011 and March 6, 2012, in the State of Colorado, **Pawel Abramczyk** unlawfully and intentionally manufactured, displayed, advertised, distributed, offered for sale, sold, or possessed with intent to sell or distribute marks, goods, or services that the defendant knew were, bore, or were identified by one or more counterfeit marks and had possession, custody, or control of more than twenty-five items bearing a counterfeit mark; in violation of section 18-5-110.5, C.R.S.

Facts that support the offenses set forth in Counts One, Two, Three and Four are as follow:

On or about July 12, 2009, Pawel Abramczyk created a PayPal account that he used to facilitate the unlawful sale of bicycle jerseys. On approximately May 26, 2011, Pawel Abramczyk created another PayPal account that was also used to facilitate the unlawful sale of bicycle jerseys. The subject bicycle jerseys were unauthorized counterfeit products that bore registered trademark(s). Between July 12, 2009 and March 6, 2012, Pawel Abramczyk obtained and/or sold one hundred or more counterfeit bicycle jerseys over the Internet to consumers in Colorado and other states. The retail value of the counterfeit bicycle jerseys was well over one thousand dollars. During the relevant time frame, Pawel Abramczyk received \$78,613.38 into his PayPal account ending in 4881, and \$21,555.75 into his PayPal account ending in 9910. Funds from the subject PayPal accounts were transferred into Pawel Abramczyk's Wells Fargo checking accounts ending in 6635 and/or 2577.

On approximately February 20, 2011, Pawel Abramczyk filed his 2010 tax return, and willfully failed to report any income realized from Internet sales. On approximately February 3, 2012, Pawel Abramczyk filed his 2011 tax return, and again willfully failed to report any income realized from Internet sales.

COUNT NUMBER FIVE
Computer Crime
§ 18-5.5-102(1)(b) C.R.S. (F3)

Between and including approximately December 19, 2008 and February 1, 2012, in the State of Colorado, **Piotr Abramczyk** unlawfully, feloniously, and knowingly accessed a computer, computer network, or computer system, or any part thereof, for the purpose of devising or executing a scheme or artifice to defraud, and the loss, damage, value of services, or thing of value taken, or cost of restoration or repair was twenty thousand dollars or more; in violation of section 18-5.5-102(1)(b), C.R.S.

Facts that support the offenses set forth in Count Five are set forth after Count Ten, and are fully incorporated by reference as if set forth herein.

COUNT NUMBER SIX
Filing a False Tax Return
§ 39-21-118(4) C.R.S. (F5)

On or about April 15, 2011, in the State of Colorado, **Piotr Abramczyk** unlawfully, feloniously, and willfully made and subscribed a return, statement, or other document, which contained or was verified by a written declaration that it was made under the penalties of perjury, and which the defendant did not believe to be true and correct as to every material matter; in violation of section 39-21-118(4), C.R.S.

Facts that support the offenses set forth in Count Six are set forth after Count Ten, and are fully incorporated by reference as if set forth herein.

COUNT NUMBER SEVEN
Filing a False Tax Return
§ 39-21-118(4) C.R.S. (F5)

On or about April 4, 2012, in the State of Colorado, **Piotr Abramczyk** unlawfully, feloniously, and willfully made and subscribed a return, statement, or other document, which contained or was verified by a written declaration that it was made under the penalties of perjury, and which the defendant did not believe to be true and correct as to every material matter; in violation of section 39-21-118(4), C.R.S.

Facts that support the offenses set forth in Count Seven are set forth after Count Ten, and are fully incorporated by reference as if set forth herein.

COUNT NUMBER EIGHT

Trademark Counterfeiting
§ 18-5-110.5 C.R.S. (M1)

Between and including January 1, 2011 and February 1, 2012, in the State of Colorado, **Piotr Abramczyk** unlawfully and intentionally manufactured, displayed, advertised, distributed, offered for sale, sold, or possessed with intent to sell or distribute marks, goods, or services that the defendant knew were, bore, or were identified by one or more counterfeit marks and had possession, custody, or control of more than twenty-five items bearing a counterfeit mark; in violation of section 18-5-110.5, C.R.S.

Facts that support the offenses set forth in Count Eight are set forth after Count Ten, and are fully incorporated by reference as if set forth herein.

COUNT NUMBER NINE

Filing a False Tax Return
§ 39-21-118(4) C.R.S. (F5)

On or about April 15, 2011, in the State of Colorado, **Sally Sogue** unlawfully, feloniously, and willfully made and subscribed a return, statement, or other document, which contained or was verified by a written declaration that it was made under the penalties of perjury, and which the defendant did not believe to be true and correct as to every material matter; in violation of section 39-21-118(4), C.R.S.

Facts that support the offenses set forth in Count Nine are set forth after Count Ten, and are fully incorporated by reference as if set forth herein.

COUNT NUMBER TEN

Filing a False Tax Return
§ 39-21-118(4) C.R.S. (F5)

On or about April 4, 2012, in the State of Colorado, **Sally Sogue** unlawfully, feloniously, and willfully made and subscribed a return, statement, or other document, which contained or was verified by a written declaration that it was made under the penalties of perjury, and which the defendant did not believe to be true and correct as to every material matter; in violation of section 39-21-118(4), C.R.S.

Facts that support the offenses set forth in Counts Five, Six, Seven, Eight, Nine and Ten are as follow:

On or about December 19, 2008, Piotr Abramczyk created a PayPal account that he used to facilitate the unlawful sale of bicycle jerseys. On approximately October 28, 2011, Piotr Abramczyk created another PayPal account that was also used to facilitate the unlawful sale of bicycle jerseys. The subject bicycle jerseys were unauthorized counterfeit products that

bore registered trademark(s). Between December 19, 2008 and February 1, 2012, Piotr Abramczyk obtained and/or sold one hundred or more counterfeit bicycle jerseys over the Internet to consumers in Colorado and other states. The retail value of the counterfeit bicycle jerseys was well over one thousand dollars. During the relevant time frame, Piotr Abramczyk received \$152,707.41 into his PayPal account ending in 9998, and \$1,808.08 into his PayPal account ending in 4882. Funds from the subject PayPal accounts were transferred into Piotr Abramczyk's and Sally Sogue's joint Wachovia checking account ending in 7248 and/or Piotr Abramczyk's Wells Fargo checking account ending in 7300.

On approximately April 15, 2011, Piotr Abramczyk and Sally Sogue filed a joint 2010 tax return, and willfully failed to report any income realized from Internet sales. On approximately April 4, 2012, Piotr Abramczyk and Sally Sogue filed a joint 2011 tax return, and again willfully failed to report any income realized from Internet sales.

COUNT NUMBER ELEVEN

Computer Crime

§ 18-5.5-102(1)(b) C.R.S. (F3)

Between and including approximately March 29, 2008 and December 21, 2011, in the State of Colorado, **Donatas Juodzevicius** unlawfully, feloniously, and knowingly accessed a computer, computer network, or computer system, or any part thereof, for the purpose of devising or executing a scheme or artifice to defraud, and the loss, damage, value of services, or thing of value taken, or cost of restoration or repair was twenty thousand dollars or more; in violation of section 18-5.5-102(1)(b), C.R.S.

Facts that support the offenses set forth in Count Eleven are set forth after Count Fourteen, and are fully incorporated by reference as if set forth herein.

COUNT NUMBER TWELVE

Filing a False Tax Return

§ 39-21-118(4) C.R.S. (F5)

On or about February 23, 2011, in the State of Colorado, **Donatas Juodzevicius** unlawfully, feloniously, and willfully made and subscribed a return, statement, or other document, which contained or was verified by a written declaration that it was made under the penalties of perjury, and which the defendant did not believe to be true and correct as to every material matter; in violation of section 39-21-118(4), C.R.S.

Facts that support the offenses set forth in Count Twelve are set forth after Count Fourteen, and are fully incorporated by reference as if set forth herein.

COUNT NUMBER THIRTEEN

Filing a False Tax Return
§ 39-21-118(4) C.R.S. (F5)

On or about February 6, 2012, in the State of Colorado, **Donatas Juodzevicius** unlawfully, feloniously, and willfully made and subscribed a return, statement, or other document, which contained or was verified by a written declaration that it was made under the penalties of perjury, and which the defendant did not believe to be true and correct as to every material matter; in violation of section 39-21-118(4), C.R.S.

Facts that support the offenses set forth in Count Thirteen are set forth after Count Fourteen, and are fully incorporated by reference as if set forth herein.

COUNT NUMBER FOURTEEN

Trademark Counterfeiting
§ 18-5-110.5 C.R.S. (M1)

Between and including January 1, 2011 and December 21, 2011, in the State of Colorado, **Donatas Juodzevicius** unlawfully and intentionally manufactured, displayed, advertised, distributed, offered for sale, sold, or possessed with intent to sell or distribute marks, goods, or services that the defendant knew were, bore, or were identified by one or more counterfeit marks and had possession, custody, or control of more than twenty-five items bearing a counterfeit mark; in violation of section 18-5-110.5, C.R.S.


Facts that support the offenses set forth in Counts Eleven, Twelve, Thirteen and Fourteen are as follow:

On or about March 29, 2008, Donatas Juodzevicius created a PayPal account that he used to facilitate the unlawful sale of bicycle jerseys. The subject bicycle jerseys were unauthorized counterfeit products that bore registered trademark(s). Between March 29, 2008 and December 21, 2011, Donatas Juodzevicius obtained and/or sold one hundred or more counterfeit bicycle jerseys over the Internet to consumers in Colorado and other states. The retail value of the counterfeit bicycle jerseys was well over one thousand dollars. During the relevant time frame, Donatas Juodzevicius received \$72,776.49 into his PayPal account ending in 1043. Additionally, Donatas Juodzevicius was listed as an addressee on Pawel Abramczyk's PayPal account that received a total of \$21,555.75. Donatas Juodzevicius was also listed as an address on Piotr Abramczyk's PayPal account that received a total of \$152,707.41. Funds from Donatas Juodzevicius' PayPal account ending in 1043 were transferred into Donatas Juodzevicius' First Bank checking account ending in 9357.

On approximately February 23, 2011, Donatas Juodzevicius filed his 2010 tax return, and willfully failed to report any income realized from Internet sales. On approximately February 6, 2012, Donatas Juodzevicius filed his 2011 tax return, and again willfully failed to report any income realized from Internet sales.

Dated this 31st day of May 2012.

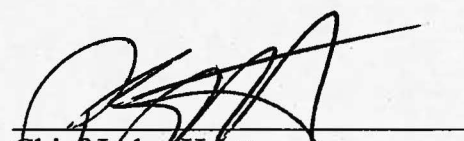
JOHN W. SUTHERS
ATTORNEY GENERAL STATE OF COLORADO


Janet Stansberry Drake, #27697
Senior Assistant Attorney General
Criminal Justice Section
Special Prosecution Unit

The 2011-2012 Colorado Statewide Grand Jury presents this Indictment, and the same is hereby ORDERED FILED this 31 day of May 2012.

Pursuant to § 13-73-107, C.R.S., the Court designates Denver County, Colorado as the county of venue for the purposes of trial.

Dated this 31 day of May 2012.


Chief Judge Hyatt
Presiding Judge, State Grand Jury