

**JUL 6 2004**

**UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION**

5:04 cr 35-MCK

U. S. DISTRICT COURT  
W. DIST. OF N. C.

UNITED STATES OF AMERICA )

DOCKET NO.

vs. )

BILL OF INFORMATION

PAUL G. TIMMINS )

Violation:

a/k/a "noweb4u" )

18 U.S.C. § 1030

**THE UNITED STATES ATTORNEY CHARGES:**

**Introduction**

1. Lowe's Companies, Inc. (hereafter, "Lowe's") is a corporation organized under the laws of the State of North Carolina with its corporate headquarters and principal place of business in the Western District of North Carolina. Lowe's and its subsidiaries own retail stores around the country, which stores maintain, operate, and use a computer system dedicated to that particular store. Many of the computer systems in individual Lowe's stores include a wireless network, allowing scanners and telephones to connect to that store's computer system remotely and without the benefit of wires or cables. Lowe's also maintains and operates a central Corporate Data Center (hereafter, "CDC") at its facility in North Wilkesboro, North Carolina. Each of the computers systems in individual Lowe's retail stores is connected to the CDC by means of interstate wires and satellites. Lowe's nationwide computer system is used by the company in interstate and foreign commerce and communication.

2. In or about April of 2003, defendant PAUL G. TIMMINS, and others known and unknown to the Government, utilizing and abusing his special computer skills, gained unauthorized access to the computer system at the Lowe's retail store #1604, located at 28650 Telegraph Road, Southfield, Michigan (hereafter, "Lowe's Store #1604"), while driving around Southfield, Michigan in an automobile searching for vulnerable wireless internet connections using a laptop computer equipped with a wireless card and a wireless antenna. This activity is commonly known as "wardriving."

3. The wireless access point to Lowe's Store #1604 identified by defendant TIMMINS during his wardriving was subsequently used by others known and unknown to the Government to gain unauthorized access to Lowe's CDC for purposes of attempting to download and steal credit card account numbers and other information from the Lowe's nationwide computer system.

COUNT ONE

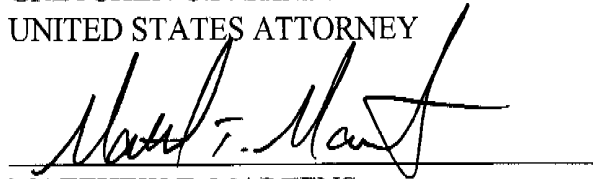
4. The Government realleges and incorporates by reference herein all of the allegations contained in paragraphs 1 through 3 of the Information, and further alleges that:

5. In or about April of 2003, in Oakland County, within the Eastern District of Michigan, and elsewhere, the defendant,

PAUL G. TIMMINS

intentionally accessed a protected computer without authorization and, as a result of such conduct, caused damage, and attempted to do the same, and by such conduct caused and would, if completed have caused, loss to one or more persons during any one-year period aggregating at least \$5,000 in value (and, in this case, more than \$10,000), in violation of Title 18, United States Code, Section 1030(a)(5)(A)(iii), (a)(5)(B)(i), (b).

GRETCHEN C.F. SHAPPERT  
UNITED STATES ATTORNEY

A handwritten signature in black ink, appearing to read "Matthew T. Martens", is written over a horizontal line.

MATTHEW T. MARTENS  
ASSISTANT UNITED STATES ATTORNEY