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FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA FEB 16 2016

CLERK U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

UNITED STATES OF AMERICA)

v.)

BRIAN DOUGLAS RIDLEY)

) Criminal No. 16-30
) (18 U.S.C. §§ 371, 2319B(a) and 2)
)

INDICTMENT

The grand jury charges:

INTRODUCTION

At all times relevant to the Indictment:

1. Dependable Drive-In, located in Coraopolis, Pennsylvania, was a "motion picture exhibition facility" within the meaning of Section 101 of Title 17 of the United States Code.

2. Dependable Drive-In routinely showed movies being released for their initial public viewing, including those which were audiovisual works protected under Title 17 of the United States Code.

COUNT ONE

(Conspiracy)

3. Between on or about August 1, 2011 and continuing thereafter until on or about July 22, 2014, in the Western District of Pennsylvania and elsewhere, the defendant, BRIAN DOUGLAS RIDLEY, knowingly and willfully did conspire, combine, confederate, and agree with other persons both known and unknown to the grand jury, to commit offenses against the United States, that is:

- i. knowingly, and without the authority of the copyright owner, use an audiovisual recording device, to make copies of motion pictures and audiovisual works, or any part thereof, protected by copyright under Title 17 of the United States Code, from a performance of such work in a motion picture exhibition facility, in violation of Title 18, United States Code, Section 2319B(a).

MANNER AND MEANS OF THE CONSPIRACY

4. It was a part of the conspiracy that some of the conspirators would videotape newly-released movies with video camcorders in indoor movie theaters.

5. It was further a part of the conspiracy that some of the conspirators would attend drive-in movie theaters and record the audio portion of the same movies.

6. It was further a part of the conspiracy that the audio and video files would be sent over the Internet to a conspirator who would sync the audio and video files together.

7. It was further a part of the conspiracy that the completed audio/video copies would be placed on the Internet for others to download.

OVERT ACTS

8. In furtherance of the conspiracy, and to effect the objects of the conspiracy, the defendant, BRIAN DOUGLAS RIDLEY, along with

other persons both known and unknown to the grand jury, did commit and cause to be committed, the following overt acts, in the Western District of Pennsylvania and elsewhere:

a. On or about July 22, 2014, BRIAN DOUGLAS RIDLEY attempted to record the audio portion of the movies "Sex Tape," "Planes: Fire and Rescue," and "The Purge."

In violation of Title 18, United States Code, Section 371.

COUNT TWO

(Unauthorized Recording of Motion Pictures in a Motion Picture
Exhibition Facility)

The grand jury further charges:

9. On or about July 22, 2014, in the Western District of Pennsylvania and elsewhere, the defendant, BRIAN DOUGLAS RIDLEY, did aid, abet, and assist others and did knowingly, and without the authority of Columbia Pictures Industries, Inc., the copyright owner, use an audiovisual recording device, to make a copy of "Sex Tape," a newly released motion picture protected by copyright under Title 17 of the United States Code, from a screening at the Dependable Drive-In.

In violation of Title 18, United States Code, Sections 2319B(a) and 2.

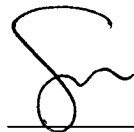
CRIMINAL FORFEITURE ALLEGATIONS

The United States re-alleges and incorporates by reference the allegations contained in Counts One and Two of this Indictment for the purpose of alleging criminal forfeiture pursuant to Title 18, United States Code, Section 2323(b).


1. The United States hereby gives notice to the defendant, BRIAN DOUGLAS RIDLEY, as charged in Counts One and Two in this Indictment, that, upon his conviction of such offense, the United States will seek forfeiture in accordance with Title 18, United States Code, Section 2323(b), which requires any person convicted of such offenses to forfeit any property used or intended to be used in any manner or part to commit or facilitate the commission of such offense, including but not limited to the following:

- a. SanDisk "Sansa" MP3 Recorder, Serial Number BH1204CFEK;
- b. SanDisk "Sansa" MP3 Recorder, Serial Number BH1108CEGK;
- c. SanDisk "Sansa" MP3 Recorder, Serial Number BH1302CHCK.

A True Bill,



FOREPERSON



DAVID J. HICKTON
United States Attorney
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