

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

- v. -

ROSS WILLIAM ULBRICHT,
a/k/a "Dread Pirate Roberts,"
a/k/a "DPR,"
a/k/a "Silk Road,"

Defendant,

ANY AND ALL ASSETS OF SILK ROAD,
INCLUDING BUT NOT LIMITED TO THE
SILK ROAD HIDDEN WEBSITE AND ANY
AND ALL BITCOINS CONTAINED IN
WALLET FILES RESIDING ON SILK ROAD
SERVERS, INCLUDING THE SERVERS
ASSIGNED THE FOLLOWING INTERNET
PROTOCOL ADDRESSES:

46.183.219.244; 109.163.234.40;
193.107.86.34; 193.107.86.49;
207.106.6.25; AND 207.106.6.32;

And all property traceable
thereto,

Defendants-in-rem.

SEALED POST-COMPLAINT
PROTECTIVE ORDER PURSUANT
TO 18 U.S.C. § 983(j)(1)

No. 13 Civ. 6919 (JPO)

ECF Case

WHEREAS, on September 30, 2013, the United States
commenced this action, upon the filing of a verified complaint
(the "Complaint"), seeking forfeiture of the above-captioned
defendants in rem (the "Defendants in Rem");

WHEREAS, the Complaint alleges, in part, that from in
or about January 2011, up to and including September 2013, the

SILK ROAD HIDDEN WEBSITE, a Defendant in Rem, has served as an online marketplace where illegal drugs and other illicit goods and services have been regularly bought and sold by the site's users;

WHEREAS, the Complaint alleges, in part, that since its inception, the SILK ROAD HIDDEN WEBSITE has been owned and operated by ROSS WILLIAM ULBRICHT, a/k/a "Dread Pirate Roberts," a/k/a "DPR," a/k/a "Silk Road," the Defendant in Personam, who has been charged by criminal complaint, 13 Mag. 2328 (FM) with violations of Title 21, United States Code, Section 846 and Title 18, United States Code, Sections 1030 and 1956 in connection with his operation of the SILK ROAD HIDDEN WEBSITE;

WHEREAS, the Complaint further alleges, in part, that the SILK ROAD HIDDEN WEBSITE is designed to facilitate the illicit commerce hosted on the site by providing anonymity to its users, by operating on what is known as "The Onion Router" or "Tor" network ("Tor"), a part of the Internet designed to make it practically impossible to physically locate the computers hosting or accessing websites on the network, and by requiring all transactions to be paid in "Bitcoins," an electronic currency designed to be as anonymous as cash;

WHEREAS, the Complaint further alleges, in part, that ULBRICHT, through his operation of the SILK ROAD HIDDEN WEBSITE, has engaged in a massive money laundering operation, through

which hundreds of millions of dollars derived from unlawful transactions have been laundered;

WHEREAS, the Complaint further alleges, in part, that the ".onion" pseudo-domain name for the SILK ROAD HIDDEN WEBSITE is currently "silkroadvb5piz3r.onion";

WHEREAS, the Complaint further alleges, in part, that the United States has located a server containing the authentication key corresponding to the pseudo-domain name for the SILK ROAD HIDDEN WEBSITE;

WHEREAS, the Complaint further alleges, in part, that transactions conducted through the SILK ROAD HIDDEN WEBSITE involve the use of certain Bitcoin wallets on Silk Road-controlled servers (the "Silk Road wallets") that contain the DEFENDANT BITCOINS;

WHEREAS, the Complaint further alleges, in part, that the Silk Road wallets are an essential component of the Silk Road system, as they contain all user funds on deposit with Silk Road, in the form of the DEFENDANT BITCOINS, and thus compose the "operating account" of the business;

WHEREAS, the Complaint further alleges, in part, that the Silk Road wallets are located on servers controlled by Silk Road, including but not limited to those Silk Road servers enumerated in the caption of the Complaint;

WHEREAS, the Complaint alleges that the Defendants in

Rem are forfeitable to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(A) as property involved in money laundering and attempted money laundering transactions, in violation of Title 18, United States Code, Section 1956;

WHEREAS, the United States has applied for a protective order to seize, secure, maintain, and preserve the availability of the Defendants in Rem for civil forfeiture; and

WHEREAS, the United States submits that the entry of the requested protective order will vest this Court with sufficient actual and/or constructive control of the Defendants in Rem to establish this Court's in rem jurisdiction over the Defendants in Rem;

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, PURSUANT TO 18 U.S.C. § 983(j)(1)(A), THAT:

1. The United States, acting through its agents and officers, is authorized to take control of the SILK ROAD HIDDEN WEBSITE by seizing the ".onion" pseudo-domain name and its corresponding private key, as well as the server hosting the SILK ROAD HIDDEN WEBSITE.

2. The United States is further authorized to replace the SILK ROAD HIDDEN WEBSITE with a banner, which will display, in substance and in part, the following language:

This hidden site has been seized by the Federal Bureau of Investigation, in conjunction with the IRS Criminal

Investigation Division, ICE Homeland Security Investigations, and the Drug Enforcement Administration, in accordance with a seizure warrant obtained by the United States Attorney's Office for the Southern District of New York and issued pursuant to 18 U.S.C. § 983(j) by the United States District Court for the Southern District of New York.

3. The United States is further authorized to send an electronic query to each known Silk Road wallet to determine the real-time Bitcoin balance in each wallet.

4. The United States is further authorized to seize any and all Bitcoins contained in wallet files residing on Silk Road servers, including those servers enumerated in the caption of this Complaint, pending the outcome of this civil proceeding, by transferring the full account balance in each Silk Road wallet to a public Bitcoin address controlled by the United States.

5. For the known Silk Road wallets, as well as any other Bitcoin wallets that are found on Silk Road servers, the United States is further authorized to copy the wallet files from the servers and restore them onto servers controlled by the United States. The Silk Road servers listed in the caption of this Complaint will then be shut down. By restoring the Silk Road wallets on its own servers, the United States will continue to collect DEFENDANT BITCOINS transferred into Silk Road's


wallets as a result of transactions that were pending at the time the Silk Road-controlled servers were shut down.

6. The United States shall maintain and preserve the Defendants in Rem pending the outcome of this civil action.

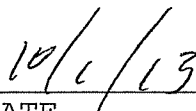
7. Service of a copy of this protective order shall be made on the Defendant's attorney by regular mail.

8. The Court hereby finds that the entry of this protective order vests the Court with in rem jurisdiction over the Defendants in Rem.

SO ORDERED:



HONORABLE J. PAUL OETKEN
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF NEW YORK



DATE