

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

2009 DEC -9 P 3:21

UNITED STATES OF AMERICA)

v.)

MICHAEL DAVID MITCHELL,)

Defendant.)

Criminal No. 09CR425
U.S. DISTRICT COURT
RICHMOND, VIRGINIA

18 U.S.C. § 1832
(Theft of Trade Secrets)
Count 1

18 U.S.C. § 1512(c)(2)
(Obstruction of Justice)
Count 2

18 U.S.C. §§ 1834 & 2323
Forfeiture Notice

CRIMINAL INFORMATION

THE UNITED STATES ATTORNEY CHARGES THAT:

COUNT ONE
(Theft of Trade Secrets)

From on or about February 6, 2006, to on or about September 5, 2007, in the Eastern District of Virginia, the defendant, MICHAEL DAVID MITCHELL, with the intent to convert a trade secret that is related to a product that is produced for and placed in interstate and foreign commerce, specifically a document entitled "Denier Economics" relating to the production of Kevlar[®], which is the property of E. I. du Pont de Nemours and Company, to the economic benefit of persons other than the trade secret's owner, and knowing and intending that the offense will injure any owner of that trade secret, knowingly did without authorization appropriate and take and carry away by fraud and deception such information.

(In violation of Title 18, United States Code Section 1832(a)(1).)

COUNT TWO
(Obstruction of Justice)

On or about November 25, 2008, in the Eastern District of Virginia, the defendant, MICHAEL DAVID MITCHELL, did corruptly obstruct and influence and impede an official proceeding, to wit: a federal grand jury investigation into allegations of attempted theft of trade secrets in violation of Title 18, United States Code, Section 1832, and illegal export of controlled commodities in violation of Title 50 United States Code, Section 1701, *et seq.*

(In violation of Title 18, United States Code, Section 1512(c).)

FORFEITURE NOTICE

Pursuant to Rule 32.2(a) FED. R. CRIM. P., the defendant is hereby notified that, if convicted of Count 1, the defendant shall forfeit to the United States his interest in any property, real or personal, constituting or traceable to gross profits or other proceeds or used or intended to be used to commit or promote the commission of such offense(s), including, but not limited to the following:

One (1) HP Pavilion Laptop Computer, S/N: 2CB64222NMW, with power cord;

One (1) Gateway Desktop, S/N: RS58966032597, with associated accessories;

One (1) Dell Laptop, Model PP01L, S/N: TW-09C7481280017R 8067, with Netgear Ethernet Card

One (1) Garmin IQUE PDA, S/N: 67365473 with accessories;

Twenty-four (24) CDs and DVDs.

(In accordance with Title 18, United States Code, Sections 1834 and 2323.)

NEIL H. MACBRIDE
UNITED STATES ATTORNEY

By:


Brian R. Hood
Assistant United States Attorney