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**FILED**

MAY 23 2019

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA )  
 )  
 v. )  
 )  
 DAVID TINLEY )

Clerk U.S. District Court  
West. Dist. of Pennsylvania  
Criminal No. 19-150  
(18 U.S.C. §§ 1030(a)(5)(A) and  
1030(c)(4)(B)(i))

**INFORMATION**

The United States Attorney charges:

**INTRODUCTION**

1. DAVID TINLEY is a resident of North Huntington, Pennsylvania, which is located in the Western District of Pennsylvania. From approximately 2002 to on or about May 13, 2016, TINLEY was a contract employee for Siemens Corporation at the Monroeville, Pennsylvania, location.

2. Siemens Corporation (Siemens) is a U.S. subsidiary of Siemens AG, which is a supplier of systems for power generation and transmission as well as medical diagnosis. At all times relevant to the Information, Siemens Corporation had a facility located in Monroeville, Pennsylvania, which is located in the Western District of Pennsylvania.

3. A logic bomb is a piece of computer code intentionally inserted into a software system that will set off a malicious function when specific conditions are met.

4. TINLEY, intentionally and without Siemens' knowledge and authorization, inserted logic bombs into computer programs that he designed for Siemens. These logic bombs caused the programs to malfunction after the expiration of a certain date. As a result, Siemens was unaware of the cause of the malfunctions and required TINLEY to fix these malfunctions.

**COUNT ONE**

The United States Attorney further charges:

5. Paragraphs 1 through 4 above are hereby realleged and incorporated by reference herein, as if fully stated.

6. From in and around the beginning of 2014 to on or about May 13, 2016, in the Western District of Pennsylvania, and elsewhere, the defendant, DAVID TINLEY, did knowingly cause the transmission of a program, information, code, and command, and, as a result of such conduct, did intentionally cause damage without authorization to a protected computer, and such conduct did cause loss to Siemens of more than \$5,000 during a one year period.

In violation of Title 18, United States Code, Sections 1030(a)(5)(A) and 1030(c)(4)(B)(i).

**FORFEITURE ALLEGATION**

1. The allegations contained in Count One of this Information are incorporated by reference as if fully set forth herein for the purpose of alleging criminal forfeiture pursuant to Title 18, United States Code, Sections 1030(i) and 1030(j) and Title 28, United States Code, Section 2461(c).

2. The United States hereby gives notice to the defendant charged in Count One that, upon his conviction of such offense, the government will seek forfeiture in accordance with Title 18, United States Code, Section 1030(i)(1)(A), which requires any person convicted of such offense to forfeit any personal property that was used or intended to be used to commit or to facilitate the commission of the offense, including but not limited the following: Dell laptop, serial number DRGKBD1; and HP laptop, serial number 5CB338806K7.

3. If, through any act or omission by the defendant, any or all of the property and proceeds referenced in paragraph two above (hereinafter "the Subject Property"):

- a. Cannot be located upon the exercise of due diligence;
- b. Has been transferred, sold to, or deposited with a third person;
- c. Has been placed beyond the jurisdiction of the Court;
- d. Has been substantially diminished in value; or
- e. Has been commingled with other property which cannot be subdivided without difficulty,

the United States intends to seek forfeiture of any other property, proceeds, or funds of the defendant up to the value of the Subject Property referenced above pursuant to Title 21, United States Code, Section 853(p); and Title 28, United States Code, Section 2461(c).



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SCOTT W. BRADY  
United States Attorney  
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