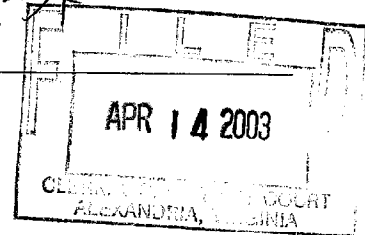


Brinkema

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA,
ALEXANDRIA DIVISION

Civil Action No. 03-469-A



AMERICA ONLINE, INC.

Plaintiff,

v.

MARYLAND INTERNET MARKETING, INC.; GEORGE A. MOORE, JR.;
BYTE NIGHT, LLC; MICHAEL LEVESQUE; and JOHN DOE AFFILIATES 1-13;

Defendants.

AMERICA ONLINE'S COMPLAINT
FOR VIOLATIONS OF THE VIRGINIA COMPUTER CRIMES ACT,
THE WASHINGTON COMMERCIAL ELECTRONIC MAIL ACT,
THE WASHINGTON CONSUMER PROTECTION ACT,
THE FEDERAL COMPUTER FRAUD & ABUSE ACT,
AND THE COMMON LAW

Unsolicited Bulk E-mail ("UBE") – known popularly as "spam" – has become a public epidemic. At little or no cost to themselves, on a daily basis, senders of UBE – known as "spammers" – bombard the private computer networks of Internet service providers ("ISPs") with billions of messages peddling adult web sites, "get rich quick schemes," mortgage offers, pharmaceuticals, and other products. ISPs must process, sort, block, or deliver these e-mails. UBE imposes daily burdens and costs on ISP customers as well, exposing them to unwanted communications, frequently of a vulgar or offensive nature.

1. Defendants Byte Night, LLC, Michael Levesque, and John Doe Affiliates 1-13 have transmitted millions of unsolicited bulk e-mail ("UBE") messages to America Online, Inc. ("AOL") and its Members, advertising goods and services sold by George A. Moore, Jr. or Maryland Internet Marketing, Inc. The goods and services advertised by Defendants include, but are not necessarily limited to, computer software and mortgage offers. The computer software UBE messages include claims such as "this is a must for all computer users," and contain hypertext links

that take the viewer from the e-mail message itself to Internet websites, such as getnortonhere.net, that seek to entice the viewer to make a purchase. The UBE messages offering mortgages include claims such as “we have special programs for every type of credit history and income level,” and contain hypertext links that take the viewer from the e-mail message itself to Internet websites, such as www.deal2002.com, that seek to entice the viewer to submit personal information. Profits from sales or leads generated by these UBE messages are divided between George A. Moore, Jr., Maryland Internet Marketing, Inc. and the affiliate responsible for the sales. Examples of Defendants’ computer software and mortgage offer UBE messages and the advertised websites are attached as Exhibit A to this Complaint.

PUBLICLY POSTED PROHIBITION OF TRANSMISSION OF UBE TO AOL MEMBERS

2. At all times relevant to this Complaint, AOL has prohibited the transmission of unsolicited bulk e-mail (“UBE”) through its system to its Members:

America Online, Inc. (“AOL”) does not authorize the use of its proprietary computers and computer network (the “AOL Network”) to accept, transmit or distribute unsolicited bulk e-mail sent from the Internet to AOL members.

AOL’s UBE policy is publicly available on the Internet at <http://www.aol.com/info/bulkemail.adp> and is attached hereto as Exhibit B.

UBE IMPOSES COSTS ON AOL

3. AOL’s computer system located in Virginia includes equipment that receive, process, store and deliver e-mail transmitted to AOL Members. AOL’s e-mail system presently receives nearly 2 billion e-mail messages per day. Since 1999, AOL has installed and implemented proprietary e-mail filters for identifying and blocking messages that appear to be UBE. On average, these filtering systems currently block in excess of 1 billion messages per day. This figure is ten times higher than the average daily volume that was being blocked as recently as 1999.

4. On information and belief, in transmitting their UBE messages, Defendants used a number of fraudulent and deceptive methods to evade AOL's mail filters and to hide their true identities and thereby make it more difficult to discover who is responsible. On information and belief, these methods include: the use of multiple and false identities to register for e-mail accounts and domain names and to acquire other Internet-related services; and the use of multiple e-mail accounts, domain names, and IP addresses to transmit messages and host Webpages.

5. AOL's mail servers and UBE filters have a finite processing speed and memory storage capacity that limit AOL's ability to receive, sort, deliver and store e-mail and thus limit the rate at which e-mail can be processed. AOL's e-mail system must spend time processing e-mails to distinguish legitimate e-mail from UBE. UBE impairs the delivery of legitimate e-mail and the functioning of AOL's computer network.

**UBE GENERATES AOL MEMBER COMPLAINTS &
UNFAIRLY SHIFTS THE COST OF ADVERTISING ONTO AOL**

6. Defendants' UBE messages further harm AOL by triggering Member complaints, thus damaging AOL's business reputation and goodwill.

7. By advertising through UBE, Defendants have also shifted their advertising costs onto AOL. Having shifted those costs, Defendants have indiscriminately targeted as many recipients as they can possibly reach. Targeting vast numbers of Internet users through UBE is facilitated because e-mail addresses can be purchased or "harvested" using automated "trolling" programs.

THE PARTIES

Plaintiff AOL, Inc. (AOL)

9. AOL is a Delaware corporation with its principal place of business at 22000 AOL Way, Dulles, Virginia 20166. AOL provides a proprietary, content-based online service, which enables Members to pursue a variety of online activities, such as use of e-mail and access to

the Internet. AOL's central computer system, which includes specialized computers (called "servers") that process e-mail messages, is located in Northern Virginia, within the United States Eastern District of Virginia. E-mail sent to and from AOL Members is processed through and stored on these computers. Moreover, AOL's computers in Virginia provide the functionality and content for the AOL service provided throughout the United States and abroad.

The Defendants

Maryland Internet Marketing, Inc.

10. On information and belief, Maryland Internet Marketing, Inc. ("MIM") is a Maryland corporation with its principal place of business at 300 Twin Oaks Road, Linthicum, Maryland 21090, and George Moore as its registered agent.

George A. Moore, Jr.

11. On information and belief, George A. Moore, Jr. ("George Moore") is a resident of Maryland, residing at 300 Twin Oaks Road, Linthicum, Maryland 21090, and was a resident of Maryland during the events at issue in this Complaint. On information and belief, George Moore is an officer or director of Maryland Internet Marketing, Inc.

Byte Night, LLC

12. On information and belief, Byte Night, LLC is a limited liability company incorporated under the laws of the State of Washington. On information and belief, the registered agent for Byte Night LLC is Newman Ltd. Corporate Services at 1001 Fourth Ave., Ste. 2560, Seattle, Washington 98154. On information and belief, Byte Night, LLC is an affiliate of George Moore or Maryland Marketing, Inc. who advertised on behalf of George Moore or Maryland Internet Marketing Inc. through the use of UBE messages transmitted to AOL and its Members. On information and belief, Byte Night, LLC has also transmitted UBE messages advertising products on behalf of other third parties.

Michael Levesque

13. On information and belief, Michael Levesque is a resident of Washington State and resides at 4542 246th Ct. SE, Issaquah, Washington 98029. On information and belief, Michael Levesque is an officer or director of Byte Night, LLC. On information and belief, Michael Levesque is an affiliate of George Moore or Maryland Marketing, Inc. who advertised on behalf of George Moore or Maryland Internet Marketing Inc. through the use of UBE messages transmitted to AOL and its Members. On information and belief, Michael Levesque has also transmitted UBE messages advertising products on behalf of other third parties.

John Doe Affiliates 1-13

14. On information and belief, John Doe Affiliates 1 through 13 are affiliates of George Moore or Maryland Internet Marketing, Inc., who advertised on behalf of George Moore or Maryland Internet Marketing Inc. through the use of UBE messages transmitted to AOL and its Members. On information and belief, the John Doe Affiliates have also transmitted UBE messages advertising products on behalf of other third parties.

JURISDICTION AND VENUE

15. This action arises out of, among other things, Defendants' violation of the Federal Computer Fraud and Abuse Act, 18 U.S.C. § 1030 *et seq.* The Court has subject matter jurisdiction of this action based on 28 U.S.C. §§ 1331 and 1332, and has supplemental jurisdiction of AOL's state law claims based on 28 U.S.C. § 1367.

16. Pursuant to 28 U.S.C. § 1391(b), venue is proper in this judicial district. A substantial part of the events or omissions giving rise to AOL's claims occurred in this judicial district, and a substantial part of the property that is the subject of AOL's claims is situated in this judicial district. The federal District Court for the Eastern District of Virginia has personal jurisdiction over Defendants because, by transmitting UBE messages to AOL Members through AOL's computers and computer system, they have used a computer network located in the Eastern District and have caused tortious injury in this judicial district.

COUNT I
AGAINST MICHAEL LEVESQUE; BYTE NIGHT, LLC; AND
JOHN DOE AFFILIATES 1-13
COMPUTER FRAUD
IN VIOLATION OF § 18.2-152.3 OF THE VIRGINIA COMPUTER CRIMES ACT

17. AOL repeats and re-alleges the allegations of paragraphs 1 through 16 of the Complaint.

18. In connection with its provision of online and Internet services to its Members who are citizens of the Commonwealth of Virginia and other States, AOL maintains computers and a computer network in the Commonwealth of Virginia.

19. Defendants have used AOL's computers and computer network "without authority," as that term is defined in Virginia Code § 18.2-152.2, by transmitting UBE messages in contravention of the authority granted by AOL and in violation of AOL's Unsolicited Bulk E-Mail Policy.

20. Without authority, Defendants have obtained access to and used AOL's computers and computer network with the intent to obtain the use of AOL's property and services by false pretenses, in violation of Virginia Code § 18.2-152.3, and have thus committed computer fraud.

21. Defendants' acts have caused injury to AOL, AOL's computers and computer network, and to AOL's business relations, reputation, and goodwill.

COUNT II
AGAINST MICHAEL LEVESQUE; BYTE NIGHT, LLC; AND
JOHN DOE AFFILIATES 1-13
COMPUTER TRESPASS
IN VIOLATION OF § 18.2-152.4 OF THE VIRGINIA COMPUTER CRIMES ACT

22. AOL repeats and re-alleges the allegations of paragraphs 1 through 21 of the Complaint.

23. AOL maintains computers and computer network in the Commonwealth of Virginia through which it (i) acts as an intermediary in sending or receiving e-mail and (ii) provides its Members the ability to send or receive e-mail, and as such is an "electronic mail service provider" as defined in Virginia Code § 18.2-152.2.

24. Defendants have falsified or forged electronic mail transmission information or other routing information in connection with the transmission of their UBE messages through AOL's computers and computer network. By transmitting UBE messages to AOL and its Members using such false and deceptive tactics, Defendants have committed computer trespass in violation of Virginia Code § 18.2-152.4(A)(7).

25. Defendants' acts have caused injury to AOL, AOL's computers and computer network, and to AOL's business relations, reputation, and goodwill.

COUNT III
AGAINST MICHAEL LEVESQUE; BYTE NIGHT, LLC; AND
JOHN DOE AFFILIATES 1-13
THEFT OF COMPUTER SERVICES
IN VIOLATION OF § 18.2-152.6 OF THE VIRGINIA COMPUTER CRIMES ACT

26. AOL repeats and re-alleges the allegations of paragraphs 1 through 25 of the Complaint.

27. The e-mail and electronic message services AOL provides constitute "computer services" pursuant to Virginia Code § 18.2-152.2.

28. Defendants have willfully used AOL's computers and computer network with intent to obtain computer services without authority. Defendants' conduct constitutes theft of computer services in violation of Virginia Code § 18.2-152.6.

29. Defendants' acts have caused injury to AOL, AOL's computers and computer network, and to AOL's business relations, reputation, and goodwill.

COUNT IV
AGAINST MICHAEL LEVESQUE; BYTE NIGHT, LLC;
GEORGE MOORE; AND MARYLAND INTERNET MARKETING, INC.
UNSOLICITED OR MISLEADING ELECTRONIC MAIL
IN VIOLATION OF § 19.190.020 OF THE WASHINGTON COMMERCIAL ELECTRONIC MAIL ACT

30. AOL repeats and re-alleges the allegations of paragraphs 1 through 29 of the Complaint.

31. Defendants initiated the transmission, conspired with others to initiate the transmission or assisted in the transmission of commercial e-mail messages from a computer located in Washington or to an e-mail address that they knew, or should have known, was held by a Washington resident. Those commercial e-mail messages used a third party's internet domain name without permission; or misrepresented or obscured information in identifying the true point of origin and transmission path of the e-mail message; or contained false or misleading information in the subject line.

32. Defendants' acts have caused injury to AOL, AOL's computers and computer network, and to AOL's business relations, reputation, and goodwill.

COUNT V
AGAINST MICHAEL LEVESQUE; BYTE NIGHT, LLC;
GEORGE MOORE; AND MARYLAND INTERNET MARKETING, INC.
UNSOLICITED OR MISLEADING ELECTRONIC MAIL
IN VIOLATION OF § 19.190.030(1) OF THE WASHINGTON COMMERCIAL ELECTRONIC MAIL
ACT AND IN VIOLATION OF § 19.86.020 OF THE WASHINGTON CONSUMER PROTECTION ACT

33. AOL repeats and re-alleges the allegations of paragraphs 1 through 32 of the Complaint.

34. Defendants conspired to initiate the transmission of commercial electronic mail that used a third party's Internet domain name without permission; or misrepresented or obscured information in identifying the true point of origin and transmission path of the e-mail message; or contained false or misleading information in the subject line.

35. Defendants have engaged in unfair or deceptive acts in trade or commerce and unfair methods of competition, thereby affecting the public interest. By their actions, Defendants have violated Washington Statute § 19.86.020.

COUNT VI
AGAINST MICHAEL LEVESQUE; BYTE NIGHT, LLC;
GEORGE MOORE; AND MARYLAND INTERNET MARKETING, INC.
UNSOLICITED OR MISLEADING ELECTRONIC MAIL
IN VIOLATION OF § 19.190.030(2) OF THE WASHINGTON COMMERCIAL ELECTRONIC MAIL
ACT AND IN VIOLATION OF § 19.86.020 OF THE WASHINGTON CONSUMER PROTECTION ACT

36. AOL repeats and re-alleges the allegations of paragraphs 1 through 35 of the Complaint.

37. Defendants assisted in the transmission of commercial electronic mail messages knowingly or consciously avoiding knowing that the initiator of the commercial electronic mail messages was engaged, or intended to engage in acts or practices that used a third party's internet domain name without permission; or misrepresented or obscured information in identifying the true point of origin and transmission path of the e-mail message; or contained false or misleading information in the subject line.

38. Defendants have engaged in unfair or deceptive acts in trade or commerce and unfair methods of competition, thereby affecting the public interest. By their actions, Defendants have violated Washington Statute § 19.86.020.

COUNT VII
AGAINST MICHAEL LEVESQUE; BYTE NIGHT, LLC;
AND JOHN DOE AFFILIATES 1-13
ACCESSING PROTECTED COMPUTERS WITHOUT, OR IN EXCESS OF, AUTHORIZATION,
IN VIOLATION OF § 1030(a)(2)(C) OF THE FEDERAL COMPUTER FRAUD & ABUSE ACT

39. AOL repeats and re-alleges the allegations of paragraphs 1 through 38 of the Complaint.

40. In connection with the provision of online and Internet services to its Members, AOL owns and maintains one or more "protected computers" as the term is defined in the Computer Fraud and Abuse Act, 18 U.S.C. § 1030(e)(2)(B). AOL's protected computers engage in two-way communication with mail transfer agents seeking to transmit email to AOL Members, and then receive, store and disseminate e-mail transmissions through interstate and/or foreign commerce or communication.

41. AOL's UBE Policy expressly prohibits the transmission of *any* type of UBE message to or from AOL Members.

42. On information and belief, Defendants have obtained information from AOL's protected computers.

43. By their actions, Defendants have intentionally accessed a computer without authorization, or in excess of authorization, and have thereby obtained information from a protected computer via an interstate or foreign communication, in violation of 18 U.S.C. § 1030(a)(2)(C). The damages suffered by AOL as a result of Defendants' conduct include the impairment of the integrity and/or availability of data, programs, systems, and/or information in AOL's protected computers, and aggregate to at least \$5,000 in value in the year preceding the date of filing of this Complaint.

44. Defendants threaten to continue to engage in the unlawful actions alleged herein, and unless restrained and enjoined will continue to do so, causing irreparable harm to AOL. It is difficult to ascertain the amount of compensation that could afford AOL adequate relief for Defendants' continuing unlawful acts. AOL's remedy at law is, therefore, inadequate to compensate for the injuries threatened.

COUNT VIII
AGAINST MICHAEL LEVESQUE; BYTE NIGHT, LLC; AND
JOHN DOE AFFILIATES 1-13
IMPAIRING COMPUTER FACILITIES IN VIOLATION OF
§ 1030(a)(5) OF THE FEDERAL COMPUTER FRAUD & ABUSE ACT

45. AOL repeats and re-alleges the allegations of paragraphs 1 through 44 of the Complaint.

46. Defendants knowingly caused to be transmitted UBE messages to and through AOL's protected computers without authorization. As a result of such conduct, Defendants caused damage to AOL's protected computers in violation of 18 U.S.C. § 1030(a)(5).

47. On information and belief, the damages suffered by AOL as a result of Defendants' conduct include the impairment of the integrity and/or availability of data, programs,

systems, and/or information in AOL's protected computers, and aggregate to at least \$5,000 in value in the year preceding the date of filing of this Complaint.

COUNT IX
AGAINST MICHAEL LEVESQUE; BYTE NIGHT, LLC; AND
JOHN DOE AFFILIATES 1-13
TRESPASS TO CHATTELS
IN VIOLATION OF THE COMMON LAW

48. AOL repeats and re-alleges the allegations of paragraphs 1 through 47 of the Complaint.

49. The computers and computer network that constitute AOL's e-mail system are the personal property of AOL.

49. Without authorization, Defendants have intentionally and repeatedly obtained access to, and made use of, AOL's computers and computer network to transmit UBE messages to AOL Members for their own economic benefit.

50. Through their practice and pattern of repeatedly transmitting UBE messages through AOL's computers and computer network, Defendants have wrongfully exercised dominion over AOL's computers and computer network in denial of AOL's rights to that property. Defendants' wrongful exercise of dominion over AOL's computers and computer network has deprived AOL and its Members of the legitimate use of this commercially valuable system.

51. Under the common law, Defendants' conduct constitutes trespass to AOL's chattels.

52. Defendants' acts have caused injury to AOL, AOL's computers and computer network, and to AOL's business relations, reputation, and goodwill.

53. Defendants' acts of trespass have been undertaken intentionally with malice, oppression and fraud, justifying the imposition of punitive damages in an amount sufficient to punish Defendants and deter Defendants and others from engaging in similar conduct.

**COUNT X
AGAINST ALL DEFENDANTS
COMMON LAW CONSPIRACY
TO VIOLATE FEDERAL, VIRGINIA & WASHINGTON STATUTES & THE COMMON LAW**

54. AOL repeats and re-alleges the allegations of paragraphs 1 through 53 of the Complaint.

55. Defendants have conspired and combined with one another and third parties to send UBE messages to and through AOL's computers and computer system to AOL Members and to commit the other acts alleged throughout this Complaint, in violation of Federal and Virginia statutes and Virginia common law as alleged in Counts I through IX.

56. On information and belief, Defendants' acts of conspiracy have been undertaken intentionally with malice, oppression and fraud, justifying the imposition of punitive damages in amount sufficient to punish Defendants and deter Defendants and others from engaging in similar conduct.

57. Defendants' acts have caused injury to AOL, AOL's computers and computer network, and to AOL's business relations, reputation and goodwill.

58. Defendants' acts have caused injury to AOL, AOL's computers and computer network, and to AOL's business relations, reputation, and goodwill.

**COUNT XI
AGAINST GEORGE MOORE AND MARYLAND INTERNET MARKETING, INC.
NEGLIGENT HIRING AND NEGLIGENT RETENTION
IN VIOLATION OF THE COMMON LAW**

59. AOL repeats and re-alleges the allegations of paragraphs 1 through 58 of the Complaint.

60. On information and belief, Defendants George Moore and Maryland Internet Marketing, Inc. have negligently hired or retained advertising affiliates whom they knew or should have known were sending illegal UBE messages.

61. The Defendants had a duty to AOL (and the Internet community as a whole) to act in a non-negligent manner because it was foreseeable that the Defendants' actions would harm AOL (and the Internet community as a whole).

62. On information and belief, the negligent hiring and/or retention of the advertising affiliates has proximately caused injury to AOL.

63. Defendants' acts have caused injury to AOL, AOL's computers and computer network, and to AOL's business relations, reputation, and goodwill.

64. On information and belief, the Defendants' practice of negligently hiring or retaining agents to advertise Defendants' websites through UBE messages has been undertaken intentionally with malice, oppression and fraud, justifying the imposition of punitive damages in amount sufficient to punish the Defendants and deter the Defendants and others from engaging in similar conduct.

COUNT XII
AGAINST ALL DEFENDANTS
UNJUST ENRICHMENT AND
THE IMPOSITION OF A CONSTRUCTIVE TRUST IN FAVOR OF AOL

65. AOL repeats and re-alleges the allegations of paragraphs 1 through 64 of the Complaint.

66. By transmitting UBE messages through AOL to AOL Members, Defendants have knowingly obtained, conferred, or retained advertising-related benefits acquired at AOL's expense. Defendants' knowing acquisition of these benefits has occurred under circumstances that render it inequitable for Defendants to retain the benefits without paying for their value.

67. As a result of Defendants' unjust enrichment, Defendants should be ordered to compensate AOL for the value of the services it unwillingly provided and ordered to disgorge all profits derived from all bulk e-mailing activities. A constructive trust should also be imposed in favor of AOL on all moneys received by or due Defendants and on all profits generated by Defendants' illegal activities as a result of their bulk e-mail activities and on all real property, motor

vehicles, and other personal property purchased with moneys received by Defendants as a result of their bulk e-mail activities.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff AOL requests entry of judgment in its favor and against Defendants:

a. Granting preliminary and permanent injunctive relief against Defendants, their officers, agents, servants, employees, and attorneys, and upon those persons in active concert or participation with them who receive actual notice of the order by personal service or otherwise, enjoining them from directly or indirectly:

1. Sending or transmitting to any destination, or directing, aiding, or conspiring with others to send or transmit to any destination, electronic mail or electronic communication bearing any false, fraudulent, anonymous, inactive, deceptive, or invalid source, routing, or return information;

2. Using, or directing, aiding, or conspiring with others to use AOL's computers or computer networks, or the computers or computer networks of any of AOL's subsidiaries or affiliates, in any manner, directly or indirectly, in connection with the transmission or transfer of any form of electronic information across the Internet;

3. Opening, creating, obtaining access to, and/or using in any way, or directing, aiding, or conspiring with others to open, create, obtain access to, and/or use in any way, any AOL membership or account;

4. Acquiring, compiling or transferring AOL Member e-mail addresses or e-mail addresses that contain an AOL domain;

5. Sending or transmitting, or directing, aiding, facilitating or conspiring with others to send or transmit, any electronic mail message, or any electronic communication of any kind, to or through AOL or its Members;

6. Creating, registering, or maintaining any Internet services by providing false or misleading information;

7. Participating in or operating any Internet Website which offers any “click-through” or referral-revenue sharing compensation program; and

8. Hiring or retaining any employee or contractor to advertise any products or services without first obtaining and retaining on file: (i) information adequate to effect service of a legal complaint filed in a United States district court on such employee or contractor; and (ii) that employee’s or contractor’s signed acknowledgement that the employee or contractor has received notice of this Order, agrees to be bound by it, and agrees to submit to the jurisdiction of this Court for any alleged violations of this Order.

b. Awarding AOL statutory, compensatory, and punitive damages, and restitution, in an amount to be proven at trial, caused by Defendants’ violation of the Computer Fraud and Abuse Act, Virginia Computer Crimes Act, Washington Commercial Email Act, Washington Consumer Protection Act, and common law;

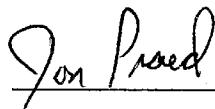
c. Imposing a constructive trust on all real and personal property purchased by Defendants with funds derived from their illegal bulk email activities;

d. Awarding AOL its attorneys’ fees and costs associated with prosecuting this action; and

e. Granting AOL such other or additional relief as this Court deems just and proper under the circumstances.

April 14, 2003

Respectfully submitted,



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EXHIBIT

A

**(Sample UBE Messages and Advertised
Websites)**

<!DOCTYPE HTML PUBLIC "-//W3C//DTD HTML 4.0 Transitional//EN">
<HTML><HEAD>
<META http-equiv=Content-Type content="text/html; charset=windows-1252">
<META content="MSHTML 5.50.4522.1800" name=GENERATOR></HEAD>
<BODY bgColor=#ffffff><PRE>From ██████████@aol.com Mon Jan 6 14:47:36 EST
2003

Received: from scmp-m02.mail.aol.com (scmp-m02.mail.aol.com [172.20.75.170]) by
spam1op.ops.aol.com with ESMTP (8.9.3 (PHNE_18546)/8.7.1) id OAA02427 for
<JUNKMAIL@SPAM1OP.OPS.AOL.COM>; Mon, 6 Jan 2003 14:47:36 -0500 (EST)

From: ██████████@aol.com

Received: from imo-m08.mx.aol.com (imo-m08.mail.aol.com [172.20.114.197])
by scmp-m02.mail.aol.com (8.8.8/8.8.8/AOL-5.0.0)
with ESMTP id OAA05558 for undisclosed@undisclosed.com;
Mon, 6 Jan 2003 14:42:34 -0500 (EST)

Received: from ██████████@aol.com
by imo-m08.mx.aol.com (mail_out_v34.13.) id f.183.14b8d546 (14374)
for undisclosed@undisclosed.com; Mon, 6 Jan 2003 12:52:57 -0500 (EST)

Message-ID: <183.14b8d546.2b4b1c79@aol.com>

Date: Mon, 6 Jan 2003 12:52:57 EST

Subject: Client TOS Notification

To: notifyaol@scomp.mail.aol.com

MIME-Version: 1.0

Content-Type: multipart/mixed; boundary="part1_183.14b8d546.2b4b1c79_boundary"

X-Mailer: AOL 8.0 for Windows US sub 230

X-AOL-COUNTRY-CODE: US

X-Loop: scomp

--part1_183.14b8d546.2b4b1c79_boundary
Content-Type: text/plain; charset="US-ASCII"
Content-Transfer-Encoding: 7bit

--part1_183.14b8d546.2b4b1c79_boundary
Content-Type: message/rfc822
Content-Disposition: inline

Return-Path: <ANANDERSON552@NETSCAPE.NET>

Received: from rly-za04.mx.aol.com (rly-za04.mail.aol.com [172.31.36.100]) by air-
za05.mail.aol.com (v90.10) with ESMTP id MAILINZA52-0106045349; Mon, 06 Jan
2003 04:53:49 -0500

Received: from imo-d04.mx.aol.com (imo-d04.mail.aol.com [172.18.150.228]) by rly-
za04.mx.aol.com (v90.10) with ESMTP id MAILRELAYINZA42-0106045331; Mon, 06
Jan 2003 04:53:31 -0500

Received: from AnAnderson552@netscape.net

by imo-d04.mx.aol.com (mail_out_v34.13.) id g.1f.6cdfb90 (22681)
for <[REDACTED]@AOL.COM>; Mon, 6 Jan 2003 04:53:23 -0500 (EST)
Received: from netscape.net (mow-m11.webmail.aol.com [64.12.184.139]) by air-
in04.mx.aol.com (v89.21) with ESMTP id MAILNIN42-0106045323; Mon, 06 Jan 2003
04:53:23 -0500
Date: Mon, 06 Jan 2003 04:53:23 -0500
From: AnAnderson552@netscape.net
To: [REDACTED]@aol.com
Subject: Re: PROTECT YOURSELF AGAINST HARMFUL VIRUSES!
MIME-Version: 1.0
Message-ID: <3FE23379.2C587DA6.2796ABB9@netscape.net>;
X-Mailer: Atlas Mailer 2.0
Content-Type: text/plain; charset=iso-8859-1
Content-Transfer-Encoding: 8bit

<HTML>

NEW-Special Package Deal!

Norton SystemWorks 2003 Software Suite -Professional Edition-

ATTN: This is a MUST for ALL Computer Users!!!

Includes FIVE - Feature-Packed Utilities...ALL For ONE Special LOW Price!

-Norton AntiVirus 2003

-Norton Ghost 2003

-GoBack 3 Personal Edition

-Norton Utilities 2003

-Norton CleanSweep 2003

This Software Will:

- Protect your computer from unwanted and hazardous viruses

- Help secure your private & valuable information

- Allow you to transfer files and send e-mails safely

- Backup your ALL your data quick and easily

- Improve your PC's performance w/superior integral diagnostics!

Six Feature-Packed Utilities...For One Great Price!

A \$300-Plus Combined Retail Value!

YOURS for Only \$39.99! (Includes ****FREE**** Shipping TOO!)

Don't fall prey to destructive viruses or hackers!

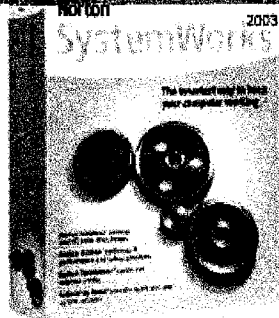
Protect your computer and your valuable information!

Incredible Low Price Special!



The overall result is a "kitchen sink" software suite.

-Smart Computing



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 award-winning products for the price of one!

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Norton AntiVirus protects your PC from virus threats



Norton Utilities optimized PC performance and solves problems



Norton CleanSweep cleans out Internet clutter



GoBack by Roxio provides quick and easy system recovery



Norton Ghost utilities for fast & safe system upgrading, backup, and recovery

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Key new features in Norton SystemWorks 2003 include:

- The newest versions of Symantec's award-winning consumer problem-solving products including Norton AntiVirus 2003, Norton Utilities 2003 and Norton CleanSweep 2003
- GoBack 3 Personal Edition by Roxio, Inc., an advanced system recovery tool that allows users to easily restore healthy system configurations and lost or damaged data
- Process Viewer that enables users to determine utilization of system resources by providing a detailed list of all currently running applications
- Streamlined product installation that allows for quick and easy setup on a home or office PC
- One Button Checkup that utilizes Windows task scheduler to offer automated computer problem assessment on a regular basis without user interaction

- **Support for Windows XP Home Edition and Windows XP Professional**

Complete and Effortless Virus Protection

The Norton AntiVirus component of Norton SystemWorks 2003 provides consumers with smart and easy to use anti-virus protection, designed to work in the background of a system, keeping users protected with minimal interruptions. With a completely redesigned user interface, Norton AntiVirus 2003 provides users with a simple, unobtrusive virus alerting system that stops viruses before they can infect a computer.

Automatically repairs virus-infected files and updates virus definitions

Scans both inbound and outbound email to prevent email programs from sending or forwarding virus-infected mail.

By default, Norton AntiVirus 2003 automatically repairs virus-infected files and updates virus definitions. New script blocking technology proactively protects against certain known and unknown threats without the need for virus definitions. Common script-based virus threats that arrive via email, such as the renowned "I Love You" and "Anna Kournikova" viruses, are automatically blocked and users are kept alerted to any virus-like malicious behavior.

Norton AntiVirus 2003 also scans both inbound and outbound email to prevent email programs from sending or forwarding virus-infected mail while also seamlessly integrating with Windows Explorer.

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Quick and Easy System Recovery

The inclusion of GoBack 3 Personal Edition in Norton SystemWorks 2003 allows users to easily recover data in the event of a system crash, virus attack, failed software installation or user error. The feature returns a system to a time when it was working properly and data was intact. With GoBack 3 Personal Edition users can fix a PC on their own, without having to know what went wrong. With just a few mouse clicks, customers can easily and immediately restore healthy system configurations and dramatically reduce PC downtime, data loss and technical support costs.

Support for Windows XP

Norton SystemWorks 2003 provides complete support for Windows XP Home Edition and Windows XP Professional. With performance-enhancing features such as system optimization and sophisticated virus scanning, Norton SystemWorks 2003 helps to extend the functionality found in Windows XP. Users will benefit from Symantec's proven track record of providing top-notch solutions that keep new operating systems running at peak performance levels and allow customers to get the most out of Microsoft's newest platform.

Optimized PC Performance and Elimination of Internet Buildup

Norton SystemWorks 2003 includes full versions of the newest releases of Norton Utilities 2003 and <http://getnortonhere.net/nsw37.htm>

Norton CleanSweep 2003. Norton Utilities 2003 continues to provide users the most comprehensive toolset for optimizing PC performance and for solving PC problems quickly and reliably. Norton Utilities 2003 helps keep hard drives organized efficiently for faster access and stability. Through fully integrated utilities such as Speed Disk, Norton WinDoctor, Norton System Doctor, Norton Protection, UnErase, Norton Disk Doctor, and Wipe Info, Norton Utilities 2003 diagnoses and solves a complete range of Windows problems. In addition, Norton Utilities 2003 can be run continuously in the background to detect potential disk and system problems and, in many cases, can automatically take preventive measures to avoid serious trouble.

Norton CleanSweep 2003 is one of the quickest and easiest ways to safely eliminate Internet buildup and other hard drive clutter. It improves PC performance by safely removing unwanted programs and files while protecting against accidental file deletion. The Internet Sweep feature cleans away debris accumulated by web surfing. Fast and Safe Cleanup automatically removes files that are no longer needed. The Uninstall Wizard provides step-by-step guidance for removing old programs and their associated files. Together, these capabilities offer Windows users the safest, most intuitive tool for improving PC performance.

Users can continue to take advantage of value-added features, including Norton Web Services and Symantec Web Partners. Norton Web Services is an Internet-based service provided by CNET CatchUp, which provides easy access to updates for hardware drivers, games and other software. Symantec Web Partners -- Expertcity and Xdrive Technologies -- offer Norton SystemWorks 2003 users with access to real-time, live computer help and advice, and professional online file storage and collaboration services.

System Requirements

Windows® XP Home Edition/ Professional
Intel® Pentium® (or compatible) 233MHz or higher processor
128 MB of RAM

Windows 2000 Professional
Intel Pentium (or compatible) 133MHz or higher processor
64 MB of RAM

Windows Me/98
Intel Pentium (or compatible) 133MHz or higher processor
32 MB of RAM

REQUIRED FOR ALL INSTALLATIONS
150 MB of available hard disk space
DVD or CD-ROM drive
Internet Explorer (minimum version 5.01 required, 5.5 recommended)

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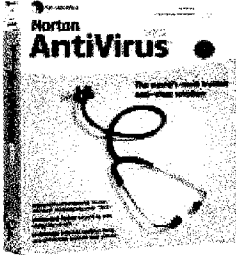
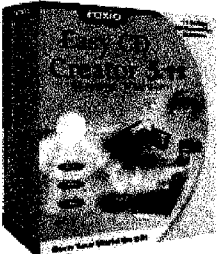
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	<p>Norton Antivirus 2002 What is this? This is an add-on product!</p>	<p>\$29.99 U.S. Dollars</p> <p style="text-align: right;"> 0</p>
	<p>Roxio EZ CD Creator What is this? This is an add-on product!</p>	<p>\$29.99 U.S. Dollars</p> <p style="text-align: right;"> 0</p>

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Programs!

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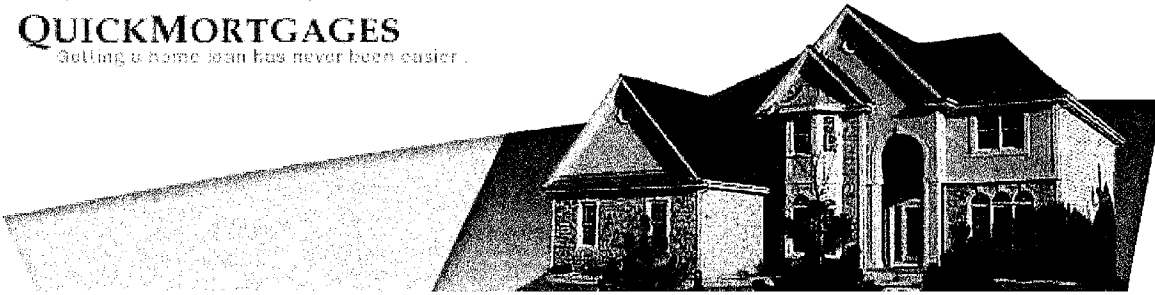
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Address	<input type="text"/> *
City	<input type="text"/> *
	<input type="text"/>

State (USA Only)	Select <input type="button" value="v"/> *
Zip/Postal Code	<input type="text"/> *
Home Phone	<input type="text"/> *
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Monthly Debt	<input type="text"/> * Please use numbers only
Please select the best loan that describes your current needs	Second Mortgage For Personal Use <input type="button" value="v"/>
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Unsolicited Bulk E-mail

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