

COUNT TWO

[18 U.S.C. § 1030(a)(5)(A)(ii)]

Between on or about March 15, 2004, and on or about October 26, 2004, in Orange County, and elsewhere, within the Central District of California, defendant NICHOLAS LEE JACOBSEN intentionally accessed without authorization a computer system that was used in interstate and foreign commerce and communications, and, as a result of such conduct, recklessly caused damage by impairing the integrity and availability of data, a program, a system, and information, thereby causing loss to one or more persons aggregating at least \$5,000 in value during a one-year period beginning March 15, 2004.