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—
LINDSAY A. LEWIS

STEVEN WRIGHT
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November 19, 2013

BY HAND

FILED UNDER SEAL¹

The Honorable Kevin N. Fox
Chief United States Magistrate Judge
Southern District of New York
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, New York 10007

Re: *United States v. Ross Ulbricht*,
13 Mag. 2328

Dear Judge Fox:

This letter is submitted in support of the application for bail by defendant Ross Ulbricht, whom I represent in the above-entitled matter. Mr. Ulbricht's bail hearing is scheduled for November 21, 2013, at 11:00 a.m. As set forth below, there are compelling reasons why, notwithstanding the government's request for detention and/or the presumption against bail in 18 U.S.C. §3142(e)(3)(A) based on the amount of drugs allegedly involved in the offense charged in the Complaint, the Court should set bail for Mr. Ulbricht.

The many letters of support submitted with this application demonstrate that Mr. Ulbricht is reliable and trustworthy, will comply with pretrial supervision, appear in court as directed, surrender to custody if required, and as a result does not present any danger to the community or risk of flight. Those letters are discussed below, and appended hereto as Exhibits.²

¹ This letter is filed under seal, with a redacted version to be filed publicly, because we have reason to believe that the individuals referenced in this letter will be contacted by the media if their identities are made public.

² While we were not able to wait until we had received signed originals of all of the letters on Mr. Ulbricht's behalf before making this submission to the Court (given that Mr.

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As detailed below, among the reasons Mr. Ulbricht should be granted bail are:

- (1) Mr. Ulbricht's peaceful character and reputation for fulfilling his obligations, as set forth in letters from his family and friends who stand by him despite the allegations;
- (2) Mr. Ulbricht, who is a United States citizen and has lived in the U.S. his entire life, is not a flight risk, as demonstrated by his remaining in the U.S., at the same address, living under his own name, even though he was aware he was under investigation by U.S. law enforcement agencies. In addition, Mr. Ulbricht has committed to remaining in New York for the duration of the case. His parents are in the process of securing a residence in New York City, and he is prepared to live there with them if released pending trial. Nor does Mr. Ulbricht possess any monetary or financial assets that would provide him the means to flee the country or sustain himself if he did flee;
- (3) Mr. Ulbricht's exemplary life, including attending college and graduate school, as well as participating in and organizing charitable and volunteer activities;
- (4) Mr. Ulbricht's complete lack of criminal history;
- (5) the allegations of violence against Mr. Ulbricht in the Complaint are indirect and unsubstantiated, and contrast starkly with his unblemished record and his character and reputation for peacefulness;
- (6) Mr. Ulbricht is currently being held in the Special Housing Unit ("SHU") at the Metropolitan Detention Center ("MDC") in Brooklyn, which prevents counsel from maintaining sufficiently regular and predictable contact with Mr. Ulbricht, thereby significantly impairing counsel's ability to prepare for trial, and essentially imposing punishment upon Mr. Ulbricht prior to trial; and
- (7) Mr. Ulbricht's family and friends are ready to pledge sufficient security to assure his presence at future court appearances, and his parents are able and prepared to serve as custodians of Mr. Ulbricht should he be released pending trial.

Ulbricht's bail hearing is scheduled for this Thursday and we wished to provide the Court with ample time to review our application), signed originals of the appended letters will be provided to the Court with this submission, to the extent we have them, with the remaining originals to be provided to the Court upon their receipt.

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For all these reasons, it is respectfully submitted that the Court should set a reasonable bail for Mr. Ulbricht, concurrent with any conditions – including electronic monitoring, or any other strict terms – the Court is empowered to impose.

I. *Mr. Ulbricht's Personal History and Characteristics Warrant His Release on Bail*

There are several factors, operating separately or in combination, that justify granting Mr. Ulbricht's application for bail pursuant to 18 U.S.C. §3142, the statute governing a defendant's release or detention pending trial. Indeed, pursuant to §3142(g), in determining whether there exist conditions of release that would "reasonably assure the appearance of the person as required and the safety of any other person and the community," the Court must take into consideration,

- (1) "the nature and circumstances of the offense charged;"
- (2) "the weight of the evidence against the person;"
- (3) "the history and characteristics of the person including –
 - (A) the person's character, physical and mental condition, family ties, . . . financial resources, length of residence in the community, community ties, past conduct, history relating to drug or alcohol abuse, criminal history, and record concerning appearance at court proceedings;" and
- (4) "the nature and seriousness of the danger to any person or the community that would be posed by the person's release."

18 U.S.C. §3142(g).

Indeed, in consideration of the factors enumerated in §3142(g), if the Court determines that Mr. Ulbricht is eligible for release on conditions, the Court must, pursuant to §3142(c)(1)(B), order Mr. Ulbricht's pretrial release "subject to the least restrictive further condition, or combination of conditions that . . . will reasonably assure the appearance of the person as required and the safety of any other person and the community[.]"

The Complaint alleges a violation of 18 U.S.C. §841(b)(1)(A), which, owing to the mandatory minimum ten-year prison term for the corresponding quantity of controlled substances alleged to have been distributed, carries a presumption against bail. *See* 18 U.S.C. §3142(e)(3)(A). However, the defendant need only meet "a limited burden of production...[of] evidence that he does not pose a danger to the community or a risk of flight," to rebut that

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presumption, and here the facts, letters, and proposed security provided in support of this application more than suffice to overcome that statutory presumption. *See United States v. English*, 629 F.3d 311, 319 (2d Cir. 2011) (quoting *United States v. Mercedes*, 254 F.3d 433, 436 (2d Cir. 2001); *United States v. Hall*, 651 F.Supp. 13, 15-16 (N.D.N.Y. 1985) (defendant's lack of criminal history, along with letters and documents establishing his close ties to his family and the United States, was sufficient to overcome the presumption).

A. *Mr. Ulbricht Has a Lifelong Reputation for Fulfilling His Obligations, and Letters From His Family and Friends Attest to His Character for Peacefulness, Honesty and Generosity*

As demonstrated by the letters submitted in support of this application,³ Mr. Ulbricht's defining characteristics are his commitment to fulfilling his obligations, his honesty and openness, and his authentic generosity. The letters also describe his peaceful nature, citing examples of his charity and kindness through the years. Based on their experiences with Mr. Ulbricht, these individuals are confident he will comply with conditions of release even though they are aware of the gravity of the allegations in this case.

In particular, the letters uniformly express complete faith in Mr. Ulbricht's integrity and reliability. Many letters credit his parents, who would be responsible for his supervision if released, with instilling these values in him from a young age. As Mr. Ulbricht's long-time friend, [REDACTED], writes, "Ross has an incredibly strong set of principles that he lives by, and honesty, personal responsibility, and the importance of friends and family are foremost among them." [REDACTED] Letter, attached hereto as Exhibit 2.

Family friend [REDACTED] observes that even at a young age Mr. Ulbricht was a "good role model," and "demonstrated a positive character, responsibility, and commitment to his studies and his family." [REDACTED] Letter, attached hereto as Exhibit 3. She is joined in this characterization by [REDACTED], Mr. Ulbricht's aunt, who writes that Mr. Ulbricht's commitment to fulfilling his obligations is "a remarkable and unusual trait, and one that he is known for." [REDACTED] Letter (hereinafter "[REDACTED] Letter"), attached hereto as Exhibit 4.

Similarly, the strength of Mr. Ulbricht's character is described in a letter from [REDACTED], another long-time friend who explains that Mr. Ulbricht is "truly remarkable in his

³ Due to the sheer volume of letters we received on Mr. Ulbricht's behalf (in total there are 63), not all are quoted herein. Letters which have not been quoted individually, however, are collectively attached hereto as Exhibit 1.

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character and integrity” because he “exhibit[s] those qualities all the time.” Letter of [REDACTED], attached hereto as Exhibit 5.

Indeed, individuals from all aspects and time periods of Mr. Ulbricht’s life affirm that his reliability and integrity have been constants throughout his life. As [REDACTED] writes, Mr. Ulbricht “would [never] run from his responsibilities or the consequences of his mistakes.” [REDACTED] Letter, attached hereto as Exhibit 6.

Likewise, [REDACTED], a business associate, writes that he not only has “every confidence” that his trust in Mr. Ulbricht is not misplaced, but that everything he has heard from others concerning their experiences with Mr. Ulbricht confirmed that this conviction “was also true of everyone who knew him.” [REDACTED] Letter, attached hereto as Exhibit 7.

That sentiment is echoed by Mr. Ulbricht’s aunt, [REDACTED], who has known him all his life, and describes him as the type of individual who “would keep his word, face his obligations and honor his responsibilities,” because he “meet[s] his challenges head on.” [REDACTED] Letter (hereinafter “[REDACTED] Letter”), attached hereto as Exhibit 8.

Beyond Mr. Ulbricht’s strong sense of responsibility, he is valued by his family and friends for his candor and sincerity as well as his kindness and generosity. [REDACTED] and [REDACTED], who were graduate students at Penn State University with Mr. Ulbricht while he earned a Masters in Material Sciences and Engineering, characterize him as “extraordinarily trustworthy,” and a “thoughtful and measured” individual who “puts others’ concerns above his own.” [REDACTED] and [REDACTED] Letter, attached hereto as Exhibit 9.

In fact, Mr. Ulbricht’s consistently forthright and generous nature provides the foundation for his many long-term friendships, and, as [REDACTED] writes, assures those who know him “that, should the need arise, [he] would be there . . . in whatever capacity he could.” [REDACTED] Letter, attached hereto as Exhibit 10.

Illustrating that Mr. Ulbricht’s “kind and positive” spirit “comes naturally to him,” [REDACTED] describes how Mr. Ulbricht quelled her concern that her parents would be uncomfortable among the very young crowd at her brother’s wedding, because although he “could have been chatting with the cutest girl in the room, [he] chose to spend his time with [her] mother and stepfather.” See [REDACTED] Letter, attached hereto as Exhibit 11.

In that context, [REDACTED], who has known Mr. Ulbricht since middle school, confirms that Mr. Ulbricht has always been reliable and supportive, even inspiring Mr. [REDACTED] to remain in school. Mr. [REDACTED] further describes Mr. Ulbricht as an individual

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“with a fearless embrace of making the world a better place for everyone.” [REDACTED] Letter (hereinafter “[REDACTED] Letter”), attached hereto as Exhibit 12.

In addition to Mr. Ulbricht’s generosity and loyalty to his family and friends, his charitable nature extends beyond the circle of individuals he knows well. According to [REDACTED], the mission of Good Wagon Books, a company started by Mr. Ulbricht, was “to help families clean out their unused books, sell what could be sold, and donate the rest to local prison library programs.” [REDACTED] Letter, attached hereto as Exhibit 13. Mr. [REDACTED] add that the company’s mission “exemplifies [Mr. Ulbricht’s] good nature and spirit.” *Id.*

Given Mr. Ulbricht’s reputation for charity and generosity, many of his family and friends’ letters unsurprisingly praise his gentle and peace loving-nature. For example, [REDACTED] mother to one of Mr. Ulbricht’s close friends in high school, points out that among all her daughter’s friends, she “was most impressed and moved by the sensitivity and gentleness in Ross’s character,” even from a young age. [REDACTED] Letter (hereinafter “[REDACTED] Letter”), attached hereto as Exhibit 14. Similarly, his stepbrother [REDACTED] is “humbled by how highly...regard[ed]” Mr. Ulbricht is by his old and new friends, as well as the heartfelt agreement that “Ross is a man with a good...peaceful heart.” [REDACTED] Letter, attached hereto as Exhibit 15.

[REDACTED]’s letter provides a similar testimonial, noting “it was amazing to see [Ross’s] compassionate and caring nature at such a young age,” and from [REDACTED], who observes that “each experience with [Mr. Ulbricht] confirms [her] belief...that he is a gentle and genuine individual.” [REDACTED] Letter (Exhibit 12); [REDACTED] Letter, attached hereto as Exhibit 16. Moreover, [REDACTED] and [REDACTED] both cite Mr. Ulbricht’s “peace loving” and “non-violent” character in their letters. [REDACTED] Letter, attached hereto as Exhibit 17; [REDACTED] Letter, attached hereto as Exhibit 18. *See also* [REDACTED] Letter, attached hereto as Exhibit 19.

Thus, as Mr. Ulbricht’s father concludes, Mr. Ulbricht “has no vices, is not a threat to anyone, and will not flee.” *See* [REDACTED] Letter (hereinafter “[REDACTED] Letter”), attached hereto as Exhibit 20. Mr. Ulbricht’s stellar reputation among those who know him best – as “a civilized, intelligent, well-adjusted” young man – weighs heavily in favor of a determination that he should be granted bail pending trial. *See* [REDACTED] Ulbricht Letter (hereinafter “[REDACTED] Letter”), attached hereto as Exhibit 21.

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B. *Mr. Ulbricht Is Not a Flight Risk*

Nor does Mr. Ulbricht present a risk of flight. Mr. Ulbricht is a U.S. citizen born and raised in Austin, Texas, where he has resided for the majority of his life until his recent relocation to the San Francisco bay area. In both cities Mr. Ulbricht was surrounded by family and/or close friends. This, in combination with Mr. Ulbricht's deep sense of responsibility and loyalty, which has convinced many family and friends to pledge significant portions of their assets as bond, assures his compliance with all Court-imposed conditions and requirements. *See* [REDACTED] Letter (Exhibit 4); *see also* [REDACTED] Letter (Exhibit 8); Letters from [REDACTED] and [REDACTED], attached hereto as Exhibit 22.

Indeed, Mr. Ulbricht has never lived outside of the U.S. for any significant period of time, and has done very little travel internationally as an adult – the most notable of which was a trip to visit his sister in Australia (who has volunteered to serve as a surety on his bond and is willing to post nearly \$40,000 – her life savings), and a side trip to Southeast Asia that was arranged by his parents as a family trip, and which he took after the remainder of his family was forced to cancel at the last minute due to his father's need to remain in the U.S. for emergency (and fortunately minor) surgery.

In addition, as attested to in the many letters on his behalf, Mr. Ulbricht is the product of – and belongs to – an extremely tight-knit and stable family, all of whom continue to be exceptionally supportive of him. *See* [REDACTED] Letter (Exhibit 20). Many friends and relatives made special note in their letters of how supportive and close the Ulbrichts have always been. *See* Letters from [REDACTED] and [REDACTED], attached hereto as Exhibit 23.

For example, although separated by distance while he attended graduate school in Pennsylvania, Mr. Ulbricht “spoke of [his family] often . . . [and] at every opportunity he participated in family activities, and made special efforts to visit them.” [REDACTED] Letter, attached hereto as Exhibit 24.

Many letters point particularly to the relocation that Mr. Ulbricht's parents are making in the hopes of “oversee[ing] Ross and provid[ing] a safe, structure, nurturing family environment as he awaits trial.” [REDACTED] Letter, attached hereto as Exhibit 25. It is his close and stable relationship with his parents that further ensures Mr. Ulbricht's compliance with any conditions and requirements set by the Court should he be granted bail. In that regard, Mr. Ulbricht's parents are currently in the process of securing a residence in New York for the

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duration of the case, regardless of whether Mr. Ulbricht is granted bail.⁴ See [REDACTED] Letter (Exhibit 21).

Nor is the confidence in Mr. Ulbricht's compliance with bail conditions merely abstract, as Mr. Ulbricht has manifested a commitment to remain in the U.S. despite the charges and potential penalties. Indeed, although he is alleged to have sought citizenship in the island of Dominica in late 2012, Mr. Ulbricht remained in San Francisco, at the same address, under his own name, even after he was interviewed by Department of Homeland Security ("DHS") agents just three weeks prior to his October 1, 2013, arrest in this case.⁵ Nor did Mr. Ulbricht make any efforts or arrangements to travel from the U.S. – or even from San Francisco, during the period between that interview (which was based on an alleged Silk Road transaction) and his arrest (including any pursuit of foreign citizenship). Further, upon his arrest, he surrendered willingly and without incident.⁶

Moreover, in addition to Mr. Ulbricht's family and friends volunteering their assets on the basis of his exceptional trustworthiness, the entirety of Mr. Ulbricht's finances have been frozen and/or seized pursuant to a civil forfeiture action instituted by the government against Mr. Ulbricht and that *res*.⁷

Thus, even if Mr. Ulbricht were willing to sacrifice the live savings, other assets, and livelihoods of his relatives and close friends, Mr. Ulbricht is now entirely financially dependent on those who would lose tremendous amounts of money if he were to fail to comply with the

⁴ In the event that Mr. Ulbricht is released pending trial before his parents have completed their relocation, he would reside with his aunt, [REDACTED], who has lived in Manhattan for the last 12 years at her current address (and for most of her life), and has agreed to supervise her nephew until he can be transferred to the custody of his parents.

⁵ While that visit related to counterfeit identification documents allegedly ordered by Mr. Ulbricht from Canada, he does not have those documents (which were seized en route by Canadian authorities), and the Court can impose sufficiently restrictive conditions to limit Mr. Ulbricht's movements as well as any access to travel documents.

⁶ If Mr. Ulbricht were indeed the Dread Pirate Roberts responsible for the Silk Road, and possessing a portable and untraceable trove of Bitcoins worth millions of dollars, that visit from DHS would have been the only signal a criminal mastermind would have needed to depart the U.S. immediately.

⁷ See *United States v. Ross William Ulbricht*, Docket No. 13 Civ. 6919 (JPO) (civil forfeiture action).

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conditions and requirements the Court could impose as conditions of release. Also, there are conditions, such as electronic monitoring, that have proven eminently effective in providing sufficient protection against any risk of flight, and to which Mr. Ulbricht would be amenable.

II. *Given Mr. Ulbricht's Lack Of Any History of Violence, He Should Not Be Prejudged and/or Denied Bail on the Basis of the Complaint's Allegations of Violence*

The Complaint's allegations are based on forensic computer analysis, and not witnesses or intercepted conversations or communications in which Mr. Ulbricht identifies himself. Nor does the Complaint allege any harm occurred, or any direct acts of violence by Mr. Ulbricht. These completely circumstantial allegations are, for purposes of determining bail, more than balanced by Mr. Ulbricht's exemplary life thus far, including his complete lack of prior contact with law enforcement, and his widespread and uncontradicted reputation for peacefulness and kindness, and reliability.

Mr. Ulbricht has led an admirable life, not only devoid of any violent activity or contact with law enforcement, but characterized by generosity and hard work. See [REDACTED] Letter, attached hereto as Exhibit 26. Early in his life, Mr. Ulbricht demonstrated diligence, idealism, and commitment to contributing positively to his community. See [REDACTED] Letter, attached hereto as Exhibit 27. As [REDACTED] writes, Mr. Ulbricht "was a diligent student throughout his educational career . . . [who] participated enthusiastically in The Boy Scouts, taking part in numerous community service projects on his way to becoming an Eagle Scout." [REDACTED] Letter, attached hereto as Exhibit 28.

His academic ardor was rewarded by a full scholarship to the University of Texas, where he studied physics, and obtained a Ph.D. See [REDACTED] Letter (hereinafter "[REDACTED] Letter"), attached hereto as Exhibit 29; see also [REDACTED] Letter (hereinafter "[REDACTED] Letter"), attached hereto as Exhibit 30. While attending the University of Texas, Mr. Ulbricht was published several times, and made significant contributions to the advancement of solar cell technology while working at the Nanotech Institute. See [REDACTED] Letter (Exhibit 30).

After graduating, Mr. Ulbricht excelled at Penn State University, leaving a "lasting impression . . . as an intelligent, and industrious young man," and obtaining his Masters in Material Sciences and Engineering. See [REDACTED] Letter, attached hereto as Exhibit 31; see also [REDACTED] Letter (Exhibit 29).

Despite the focus and hard work necessary to achieve his elevated level of academic success, Mr. Ulbricht did not abandon the altruistic and idealistic habits instilled by his years of volunteer service. From assisting friends in a non-profit effort to bring clean water to Kenya, to starting Good Wagon Books, which not only provided leftover books to prison literacy programs, but also donated ten percent of its profits to mentoring programs for Austin's inner city youth,

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Mr. Ulbricht has never lost the “enormous capacity for caring, sharing and giving,” that he is known for among friends and family. *See* [REDACTED] Letter, attached hereto as Exhibit 32; *see also* [REDACTED] Letter (Exhibit 14).

Clearly, the planned violence alleged in the Complaint, which is not directly attributed to Mr. Ulbricht nor alleged to have caused any actual harm, stands in stark contrast to the comprehensive evidence presented of his exemplary life thus far, his unblemished prior record, and his reputation for generosity and non-violence. Accordingly, Mr. Ulbricht should not be prejudged, and denied bail, merely on the basis of allegations of contemplated violence in the Complaint.

In addition, the other facts presented herein, either via the letters or other information provided, sufficiently rebut the statutory presumption against bail, in 18 U.S.C. §3142(e)(3)(A), activated by the amount of controlled substances alleged in the Complaint. *See Hall*, 651 F.Supp. at 15-16; *see also United States v. Carbone*, 793 F.2d 559, 561 (3d Cir. 1986) (where defendant’s community posted significant surety on his behalf, he had no criminal record, and he was able to reside with his parents pending trial, the presumption was rebutted); *United States v. Lopez*, 827 F.Supp. 1107, 1109-11 (D.N.J. 1993) (despite having emigrated from Cuba, the defendant’s amenability to a strict home detention plan, in combination with both a proffer of residential property as security and evidence of close family ties, overcame the presumption of detention).

III. *Mr. Ulbricht’s Placement In the Special Housing Unit at MDC Brooklyn Impairs Counsel’s Ability to Meet with Him and to Prepare for Trial, and Thus Warrants His Release on Bail*

Mr. Ulbricht should also be granted release on bail due to the hardship imposed by his current conditions of confinement in the Special Housing Unit (“SHU”) at MDC Brooklyn. Mr. Ulbricht’s placement in the SHU makes it nearly impossible for him to have the necessary access to his attorneys, and has in the little more than one week since his arrival in New York, already resulted in several missed opportunities for him to aid in the preparation of his defense, and in the preparation of this bail application.

Thus far, my associate Lindsay A. Lewis, Esq., and I experienced a delay of more than an hour before we were able to meet with Mr. Ulbricht in the SHU during our first attempt to visit him, November 7, 2013, and Ms. Lewis was turned away entirely last Thursday, November 14, 2013 – due to an unspecified “lack of movement” in the SHU that was scheduled to last at least for that entire day, with no indication as to when visitation might again be permitted – when she attempted to visit him. The lack of opportunity to meet with Mr. Ulbricht is even more

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significant because as a result of his SHU placement he is not permitted to use Corrlinks, the inmate email system.

Moreover, Mr. Ulbricht was reflexively placed in the SHU despite the fact that he was housed in general population, without incident, for the better part of the five weeks he spent in federal custody prior to his arrival in New York, and does not pose any safety risk of any kind.

IV. *A Significant Number of Mr. Ulbricht's Family Members and Close Friends Are Prepared to Pledge Assets More Than Sufficient to Assure His Presence at Future Court Appearances and Compliance with Any Conditions of Release*

The following proposed sureties (whose contact information, for vetting, can be made available upon request to Pre-Trial Services and the government), the specific assets they are prepared to post, and background information about them are prepared to either pledge assets and/or sign a bond for Mr. Ulbricht's release.

All the proposed sureties are U.S. citizens, all but two reside in the U.S., and eleven have also committed to signing the bond on Mr. Ulbricht's behalf if they are approved to do so. They are as follows:

Mr. Ulbricht's father, [REDACTED]

Mr. Ulbricht's mother, [REDACTED]

Mr. Ulbricht's sister, [REDACTED]

Mr. Ulbricht's stepbrother, [REDACTED]

Mr. Ulbricht's aunt, [REDACTED]

Mr. Ulbricht's aunt, [REDACTED]

Mr. Ulbricht's grandmother, [REDACTED]

Mr. Ulbricht's family friend, [REDACTED]

Mr. Ulbricht's family friend, [REDACTED]

Mr. Ulbricht's family friend, [REDACTED]

Mr. Ulbricht's cousin, [REDACTED]

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Mr. Ulbricht's college friend, [REDACTED]

Mr. Ulbricht's friend, [REDACTED]

Mr. Ulbricht's family friend, [REDACTED]

Mr. Ulbricht's longtime friend, [REDACTED]

Mr. Ulbricht's family friend, [REDACTED]

Mr. Ulbricht's college friend, [REDACTED]

Mr. Ulbricht's college friend, [REDACTED]

Mr. Ulbricht's longtime friend, [REDACTED]

Mr. Ulbricht's high school friend, [REDACTED]

[REDACTED], an acquaintance of the Ulbricht family

[REDACTED], Mr. Ulbricht's parents, are both prepared to co-sign the bail bond, should they be approved as sureties, and to post their home in [REDACTED] in which they have approximately \$700,000 in equity, via a letter of credit (for which their home would be the collateral). A letter of credit would ensure the government's ability to recover the home in the event that Mr. Ulbricht failed to comply with the conditions of his bond. The [REDACTED] property represents Mr. Ulbricht's parents' entire life savings, and also provides them with two-thirds of their income.

Mr. Ulbricht's sister, [REDACTED] who currently resides in [REDACTED], also offers to serve as a surety, and is prepared to post a bank check in the amount of \$36,600, equivalent to the contents of her Westpac Bank savings account, and to co-sign the bond, if approved, at the U.S. Embassy or Consulate nearest to her home. Mr. Ulbricht is a senior sales manager at [REDACTED] and has worked there since March 2011.

Mr. Ulbricht's stepbrother, [REDACTED] who resides in [REDACTED], is prepared to post \$100,000, from his brokerage account toward the total amount of any bail bond approved by the Court.

Mr. Ulbricht's aunt, [REDACTED] has \$200,000 in equity in her home located at [REDACTED] which she is willing to post on Mr. Ulbricht's behalf. If approved to co-sign the bond, she is prepared to do so at the federal courthouse in Los Angeles.

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Mr. Ulbricht's aunt, [REDACTED], is prepared to post \$50,000 of the credit line she has taken out on her [REDACTED] home. She is also prepared to co-sign a bond on Mr. Ulbricht's behalf.

Mr. Ulbricht's grandmother, [REDACTED] is prepared to post her home located at [REDACTED] [REDACTED] in which she has approximately \$63,000 in equity, and offers to co-sign the bond on Mr. Ulbricht's behalf (in the federal courthouse located in Austin, Texas).

Mr. Ulbricht's family friend, [REDACTED], is prepared to post \$10,000 cash bail on Mr. Ulbricht's behalf.

Mr. Ulbricht's family friend, [REDACTED], is prepared to post \$7,000 cash bail on Mr. Ulbricht's behalf.

Mr. Ulbricht's family friend, [REDACTED], is prepared to post \$5,000 cash bail on Mr. Ulbricht's behalf as a surety, and to co-sign the bond. [REDACTED] who resides in [REDACTED] [REDACTED], works in the field of marketing, for [REDACTED], and has an income of approximately \$60,000 a year.

Mr. Ulbricht's cousin, [REDACTED], is prepared to post \$2,000 cash bail on Mr. Ulbricht's behalf, and will also be attending his bail hearing to lend her support.

Mr. Ulbricht's college friend, [REDACTED], is prepared to co-sign a bond on his behalf in San Francisco, where he resides, and to contribute \$1,000 cash to the secured portion of the bond. Mr. [REDACTED] is employed at [REDACTED] as manager of field technologies and processes.

Mr. Ulbricht's friend, [REDACTED], who resides in San Francisco, is prepared to post \$1,000 cash bail on Mr. Ulbricht's behalf.

Mr. Ulbricht's family friend, [REDACTED], is prepared to post \$1,000 cash bail on Mr. Ulbricht's behalf.

Mr. Ulbricht's longtime friend, [REDACTED], is prepared to post \$2,500 cash bail on Mr. Ulbricht's behalf.

Mr. Ulbricht's family friend, [REDACTED] is prepared to post \$1,000 cash bail on Mr. Ulbricht's behalf.

Mr. Ulbricht's college friend, [REDACTED] along with his wife, [REDACTED], also a college friend of Mr. Ulbricht's, and who reside in State College, Pennsylvania, are prepared to

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post \$1,000 cash bail on Mr. Ulbricht's behalf. Both Mr. [REDACTED] and his wife Ms. [REDACTED] are also willing to co-sign Mr. Ulbricht's bond if the Court sets bail.

Mr. Ulbricht's longtime friend since the 3rd grade, [REDACTED], is prepared to post \$1,000 cash bail on his behalf, and also to co-sign the bond on Mr. Ulbricht's behalf. Mr. [REDACTED] is self-employed as a realtor in [REDACTED]

Mr. Ulbricht's high school friend, [REDACTED], is prepared to post \$2,500 cash bail on Mr. Ulbricht's behalf.

In addition, another three individuals who are closely related to Mr. Ulbricht, beyond the eleven described above, are willing to sign the bond as Financially Responsible Persons, upon interview and approval by the government. These individuals include:

- Mr. Ulbricht's aunt, [REDACTED], who resides on the [REDACTED] of New York, is self-employed as a marketing and branding consultant. As set forth *ante*, Ms. [REDACTED] is also willing to act as a custodian and to provide her home as a place or residence for Mr. Ulbricht if he is released on bail before his parents have secured their temporary residence in New York City;
- Mr. Ulbricht's aunt, [REDACTED], who resides in [REDACTED]; and
- Mr. Ulbricht's high school friend, [REDACTED] who resides in [REDACTED], where he is self-employed as a real estate broker.

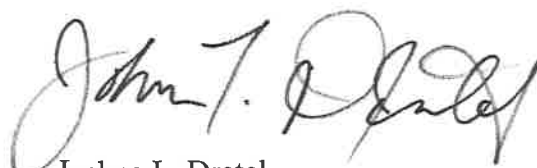
Thus, among the 24 people identified above, there are proposed combined secured assets totaling more than \$1 million, fourteen have demonstrated their commitment to co-sign the bond if approved to do so by the court, and several will be present at Mr. Ulbricht's bail hearing and are prepared to sign the bond that day if the Court grants Mr. Ulbricht bail.

Hon. Kevin N. Fox
Chief United States Magistrate Judge
Southern District of New York
November 19, 2013
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Conclusion

Accordingly, for all the reasons set forth above, it is respectfully submitted that the Court should grant bail in Mr. Ulbricht's case, and impose any restrictive conditions the Court deems necessary.

Respectfully submitted,



Joshua L. Dratel

JLD/lal
Encls.

cc: Serrin Turner
Assistant United States Attorney