

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA

v.

JOSEPH DIBEE, aka "Seattle"

CHELSEA DAWN GERLACH, aka  
"Country Girl,"

SARAH KENDALL HARVEY, aka "Kendall,"

DANIEL GERARD McGOWAN, aka "Sorrell"  
and "Jamie,"

STANISLAS GREGORY MEYERHOFF,  
aka "Country Boy" and "Jack,"

JOSEPHINE SUNSHINE OVERAKER, aka  
"Maria,"

JONATHAN MARK CHRISTOPHER PAUL,  
aka "J.P.,"

REBECCA RUBIN, aka "Kara,"

SUZANNE SAVOIE, aka "India,"

DARREN TODD THURSTON, and

KEVIN TUBBS, aka "Bob" and "Dog"

Defendants.

CR No. 06-60011-AA

**SEALED**

**INDICTMENT**

[18 U.S.C. §§ 371,  
844(f), 844(i), 844(n),  
924(c)(1)(A)(i) & (B)(ii) &  
(C)(ii), 1366(a), and 2]

**THE GRAND JURY CHARGES:**

**COUNT 1**

**CONSPIRACY TO COMMIT ARSON**

**I. OBJECT OF THE CONSPIRACY**

Beginning in October 1996 and continuing through December 2005, in the District of Oregon and elsewhere, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS,

STANISLAS GREGORY MEYERHOFF, DANIEL GERARD McGOWAN, JOSEPH DIBEE, REBECCA RUBIN, CHELSEA DAWN GERLACH, SARAH KENDALL HARVEY, SUZANNE SAVOIE, JONATHAN MARK CHRISTOPHER PAUL and DARREN TODD THURSTON, and unindicted co-conspirator WILLIAM C. RODGERS, and other persons known and unknown to the Grand Jury, willfully and knowingly conspired and agreed to commit the following offenses against the United States:

to maliciously damage or destroy, or attempt to damage or destroy, by means of fire or an explosive, any building, vehicle or other personal or real property in whole or in part owned or possessed by, or leased to, the United States or any department or agency thereof, in violation of Title 18, United States Code, Section 844(f)(1); and

to maliciously damage or destroy, or attempt to damage or destroy, by means of fire or an explosive, any building, vehicle or other real or personal property used in interstate commerce or in any activity affecting interstate commerce, in violation of Title 18, United States Code, Section 844(i).

## **II. MANNER AND MEANS OF THE CONSPIRACY**

The foregoing objects of the conspiracy were to be accomplished in the following manner and means by the above-listed defendants and others at various times during the course of the conspiracy:

1. Certain of the defendants and others joined together in a group they called the "Family." This "Family" was what is commonly known as a "cell" of groups and movements

publicly named and described by certain of the defendants and others as the Earth Liberation Front (ELF), the Animal Liberation Front (ALF), and other names.

2. The general purposes of the conspiracy were to influence and affect the conduct of government, commerce, private business and others in the civilian population by means of force, violence, sabotage, mass destruction, intimidation and coercion, and by similar means to retaliate against the conduct of government, commerce and private business. To achieve these purposes, the conspirators committed and attempted to commit acts dangerous to human life and property that constituted violations of the criminal laws of the United States and of individual states.

3. Certain of the defendants and others targeted for arson buildings, vehicles and other real and personal property owned, possessed, and leased by the United States and its departments and agencies.

4. Certain of the defendants and others targeted for arson buildings, vehicles and other real and personal property used in interstate commerce and in activities affecting interstate commerce.

5. Certain of the defendants and others conducted and participated in meetings to plan arsons of the targeted sites.

6. Certain of the defendants and others conducted research and surveillance of sites targeted for arson.

7. In discussing their actions among themselves, certain of the defendants and others used code words, code names, and nicknames.

8. Certain of the defendants and others designed and constructed destructive devices which functioned as incendiary bombs to ignite fires and destroy the targets.

9. Certain of the defendants and others provided transportation to the sites targeted for arson.

10. Certain of the defendants and others dressed in dark clothing, wore masks and gloves and otherwise disguised their appearance.

11. Certain of the defendants and others acted as “look-outs” to ensure secrecy as the crimes were carried out.

12. Certain of the defendants and others placed destructive devices and accelerants at sites targeted for arson and ignited or attempted to ignite the devices and accelerants.

13. Certain of the defendants and others, by means of fire and explosives, maliciously damaged and destroyed, and attempted to damage and destroy, buildings, vehicles and other real and personal property owned and possessed by the United States and its departments and agencies.

14. Certain of the defendants and others, by means of fire and explosives, maliciously damaged and destroyed, and attempted to damage and destroy, buildings, vehicles and other real and personal property used in interstate commerce and in activities affecting interstate commerce.

15. In some of the arsons and attempted arsons, certain of the defendants and others painted messages on the walls of the targets, including “Earth Liberation Front,” “ELF” and related names and statements concerning the purposes of the crimes.

16. After the arsons and attempted arsons, certain of the defendants and others provided transportation away from the scenes of the crimes.

17. After the arsons and attempted arsons, certain of the defendants and others destroyed, buried, hid and otherwise disposed of physical evidence used in the commission of the crimes.

18. After the arsons, certain of the defendants and others publicized and promoted the results of the fires by means of written press releases and communiques attributing the arsons to the Earth Liberation Front (ELF), the Animal Liberation Front (ALF) and related groups, and stating the purposes of the arsons.

19. Before, during and after the arsons and attempted arsons, certain of the defendants and others agreed and took an oath among themselves never to reveal to law enforcement authorities or to anyone else outside “the Family” the identity of the conspirators and participants in the arsons and attempted arsons.

20. Before, during and after the arsons and attempted arsons, certain of the defendants and others agreed among themselves to conceal or destroy any evidence connecting them to the arsons and attempted arsons.

21. Before, during and after the arsons and attempted arsons, certain of the defendants and others possessed and/or used false identification documents in order to conceal their true identities.

22. After the arsons and attempted arsons, certain of the defendants and others fled and secreted themselves in foreign countries in order to avoid detection and arrest by law enforcement authorities in the United States.

### **III. OVERT ACTS**

In order to carry out the objects of the conspiracy, defendants and other persons committed various overt acts within the District of Oregon and elsewhere, including but not limited to the following:

1. On or about October 28, 1996, in Marion County, Oregon, defendant JOSEPHINE SUNSHINE OVERAKER and other persons known to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the attempt to damage or destroy, by means of fire and an explosive, a building and other real and personal property owned and possessed by the United States and the United States Forest Service of the Department of Agriculture, located at the Detroit Ranger Station on the Willamette National Forest.

1a. At a time prior to October 28, 1996, JOSEPHINE SUNSHINE OVERAKER and another person known to the Grand Jury prepared and tested a time-delayed incendiary device.

1b. On or about October 28, 1996, JOSEPHINE SUNSHINE OVERAKER and other persons known to the Grand Jury drove to the U.S. Forest Service Detroit Ranger Station in Marion County, Oregon, with an incendiary device which was placed on the roof of a U.S. Forest Service building. That incendiary device failed to function.

1c. On or about October 28, 1996, JOSEPHINE SUNSHINE OVERAKER and another person known to the Grand Jury spray-painted graffiti on the sides of a U.S. Forest Service building and vehicles which included the words "Earth Liberation Front."

2. On or about October 28, 1996 in Marion County, Oregon, defendant JOSEPHINE

SUNSHINE OVERAKER and other persons known to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of a fire and an explosive, a vehicle and other real and personal property owned and possessed by the United States and the United States Forest Service of the Department of Agriculture, located at the Detroit Ranger Station on the Willamette National Forest.

2a. On or about October 28, 1996, JOSEPHINE SUNSHINE OVERAKER and another person known to the Grand Jury intended and caused fire damage to a U.S. Forest Service vehicle.

3. On or about October 30, 1996, in Lane County, Oregon, defendants JOSEPHINE SUNSHINE OVERAKER and KEVIN TUBBS, and another person known to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property owned and possessed by the United States and the United States Forest Service of the Department of Agriculture, located at the Oakridge Ranger Station on the Willamette National Forest.

3a. On or about October 30, 1996, in Lane County, Oregon, defendants JOSEPHINE SUNSHINE OVERAKER and KEVIN TUBBS, and another person known to the Grand Jury, drove to the U.S. Forest Service Oakridge Ranger Station, and set fire to the Ranger Station.

3b. On or about October 30, 1996, in Lane County, Oregon, defendants JOSEPHINE SUNSHINE OVERAKER and KEVIN TUBBS, and another person known to the Grand Jury,

while leaving the parking lot of the U.S. Forest Service Oakridge Ranger Station, threw nails onto the parking lot in order to slow down responding emergency vehicles.

3c. On or about October 30, 1996, in Lane County, Oregon, defendants JOSEPHINE SUNSHINE OVERAKER and KEVIN TUBBS, and another person known to the Grand Jury, while leaving the U.S. Forest Service Oakridge Ranger Station and driving westbound on Highway 58 towards Eugene, Oregon, discarded their gloves in a reservoir near the Lowell Bridge.

4. On or about July 21, 1997, at Redmond, Deschutes County, Oregon, defendants KEVIN TUBBS, JOSEPH DIBEE and JONATHAN MARK CHRISTOPHER PAUL, and other persons known to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property used in interstate commerce and in activities affecting interstate commerce, at Cavel West, Inc., 1607 SE Railroad, Redmond, Oregon.

4a. Approximately one week prior to the July 21, 1997 arson at Cavel West, Inc., Defendants KEVIN TUBBS and JONATHAN MARK CHRISTOPHER PAUL and others known and unknown to the Grand Jury went on a reconnaissance in order to locate a staging area where the participants could complete final preparations prior to committing the arson.

4b. Prior to the July 21, 1997 arson at Cavel West Inc., defendant JONATHAN MARK CHRISTOPHER PAUL and another person known to the Grand Jury prepared a mixture of soap and petroleum products which was the fuel used in the time-delayed incendiary devises.



4c. On or about July 21, 1997, defendants KEVIN TUBBS, JOSEPH DIBEE and JONATHAN MARK CHRISTOPHER PAUL, and other persons known to the Grand Jury, drove to the previously chosen staging area near Cavel West, Inc., and upon arrival dressed in dark clothing, masks, and gloves, and dug a hole at the staging area in which to bury their dark clothing upon completion of the arson.

4d. On or about July 21, 1997, defendants KEVIN TUBBS, JOSEPH DIBEE and JONATHAN MARK CHRISTOPHER PAUL, and other persons known to the Grand Jury, completed a two-way radio check with one another and confirmed their scanner and radios functioned properly.

4e. On or about July 21, 1997, defendants KEVIN TUBBS, JOSEPH DIBEE and JONATHAN MARK CHRISTOPHER PAUL, and other persons known to the Grand Jury, went to the location of Cavel West, Inc., to place time-delayed incendiary devices on and about that location.

4f. On or about July 21, 1997, defendant JOSEPH DIBEE drilled holes through the wall of the Cavel West, Inc., facility so as to allow fuel to be poured directly into the building.

4g. On or about July 21, 1997, defendants KEVIN TUBBS, JOSEPH DIBEE and JONATHAN MARK CHRISTOPHER PAUL, and other persons known to the Grand Jury, upon placing the time-delayed incendiary devices at Cavel West, Inc., traveled back to the staging area, removed their dark clothes and shoes, placed them in the hole, poured acid on the clothing in the hole and then buried the items.

4h. On or about July 26, 1997, certain defendants in the Cavel West arson issued a written communique attributing the fire to the Animal Liberation Front (ALF) and the Equine

and Zebra Liberation Front. The communique was publicized by Craig Rosebraugh of the Liberation Collective in Portland, Oregon.

4i. Approximately three years after July 21, 1997, defendant JOSEPH DIBEE contacted defendant KEVIN TUBBS and told KEVIN TUBBS to return to the staging area and retrieve the buried clothes.

5. On or about November 30, 1997, in Harney County, Oregon, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, and REBECCA RUBIN, unindicted co-conspirator WILLIAM C. RODGERS, and another person known to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of buildings and other real and personal property owned and possessed by the United States and the Bureau of Land Management of the Department of the Interior, located at the Wild Horse and Burro Facility, Burns, Harney County, Oregon.

5a. Approximately three months prior to November 30, 1997, defendants JOSEPHINE SUNSHINE OVERAKER and KEVIN TUBBS, unindicted co-conspirator WILLIAM C. RODGERS, and another person known to the Grand Jury, did a reconnaissance at and near the Wild Horse and Burro Facility, to prepare themselves for the arson and horse release.

5b. Sometime prior to November 30, 1997, Defendant JOSEPHINE SUNSHINE OVERAKER and another person known to the Grand Jury, obtained five-gallon, white plastic buckets and the fuel to be used in making time-delayed incendiary devices.

5c. Sometime prior to November 30, 1997, persons known and unknown to the Grand Jury, prepared the five-gallon plastic buckets by wiping the buckets to ensure all fingerprints were removed, and painted them with black spray paint.

5d. Sometime prior to November 30, 1997, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS and REBECCA RUBIN, unindicted co-conspirator WILLIAM C. RODGERS, and another person known to the Grand Jury, obtained additional components and assembled time-delayed incendiary devices, which were composed of kitchen timers, matches, sponges, model rocket igniters, one-gallon jugs filled with fuel and five-gallon buckets which contained fuel.

5e. On or about November 30, 1997, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS and REBECCA RUBIN, unindicted co-conspirator WILLIAM C. RODGERS, and another person known to the Grand Jury, arrived at the Wild Horse and Burro Facility, cut the lock on the front gate, released horses and burros, placed time-delayed incendiary devices in and around the facility and left the area.

5f. On or about December 5, 1997, certain defendants in the Wild Horse and Burns Facility arson issued a communique attributing the fire and horse release to the Earth Liberation Front (ELF) and the Animal Liberation Front (ALF). The communique was publicized by Craig Rosebraugh of the Liberation Collective in Portland, Oregon.

6. On or about June 21, 1998, at Olympia, Washington, in the Western District of Washington, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS and JOSEPH DIBEE, unindicted co-conspirator WILLIAM C. RODGERS, and another person known to the Grand Jury, willfully caused and aided, abetted, counseled, commanded, induced, and procured

the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property leased and possessed by the United States and the Animal, Plant and Health Inspection Service (APHIS) of the Department of Agriculture, located at the National Wildlife Research Facility, 9701 Blomberg Street SW, Olympia, Washington.

6a. Approximately two weeks before June 21, 1998, defendants KEVIN TUBBS and JOSEPH DIBEE, and other persons known and unknown to the Grand Jury, met in Olympia, Washington, to discuss plans for the APHIS arson, and agreed at that time there would be a second and simultaneous arson committed when the APHIS arson was to occur.

6b. At a time prior to June 21, 1998, defendant JOSEPHINE SUNSHINE OVERAKER and other persons known to the Grand Jury prepared five-gallon buckets by wiping the buckets to remove any fingerprints, and obtained fuel for the APHIS arson.

6c. At a time prior to June 21, 1998, defendant KEVIN TUBBS utilized false identification to acquire a van which was used in the APHIS arson.

6d. On or about June 21, 1998, defendant JOSEPHINE SUNSHINE OVERAKER, while attempting to steal items in preparation for the APHIS arson, was arrested by authorities for shoplifting.

6e. On or about June 21, 1998, defendant KEVIN TUBBS and another person known to the Grand Jury transferred five-gallon buckets of fuel to be used in the APHIS arson from a van purchased by KEVIN TUBBS to a vehicle owned by unindicted co-conspirator WILLIAM C. RODGERS.

6f. On or about June 21, 1998, defendant KEVIN TUBBS, unindicted co-conspirator WILLIAM C. RODGERS, and another person known to the Grand Jury, drove to the APHIS

facility and placed five-gallon buckets filled with fuel at locations at and around the facility, and ignited the fuel-filled buckets by hand.

6g. On or about June 22, 1998, certain defendants in the APHIS arson issued a communique attributing the fire to the Earth Liberation Front (ELF) and the Animal Liberation Front (ALF). The communique was publicized by Katie Fedor of the North American ALF Press Office.

6h. At a time after June 22, 1998, defendant KEVIN TUBBS assisted in the disposal of the van used in the APHIS arson.

7. In about September 1998, at Rock Springs, Wyoming, in the District of Wyoming, defendants KEVIN TUBBS and REBECCA RUBIN, and unindicted co-conspirator WILLIAM C. RODGERS, and other persons known and unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the attempt to damage or destroy, by means of fire and an explosive, a building and other real and personal property owned and possessed by the United States and the Bureau of Land Management of the Department of the Interior, located at the Wild Horse Holding Facility, Rock Springs, Wyoming.

7a. In or about September 1998, defendants KEVIN TUBBS and REBECCA RUBIN, unindicted co-conspirator WILLIAM C. RODGERS, and other persons known and unknown to the Grand Jury, arrived at the staging area near Rock Springs, Wyoming, assigned roles, prepared time-delayed incendiary devices, and made preparations for the arson, when a law enforcement officer made inquiry as to their presence at that location.

7b. In or about September, 1998, defendants KEVIN TUBBS and REBECCA

RUBIN, unindicted co-conspirator WILLIAM C. RODGERS, and other persons known and unknown to the Grand Jury, buried the time-delayed incendiary devices in an attempt to avoid detection.

8. On or about October 11, 1998, at Rock Springs, Wyoming, in the District of Wyoming, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, STANISLAS GREGORY MEYERHOFF and CHELSEA DAWN GERLACH, unindicted co-conspirator WILLIAM C. RODGERS, and other persons known to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the attempt to damage and destroy, by means of fire and an explosive, buildings and other real and personal property owned and possessed by the United States and the Bureau of Land Management of the Department of the Interior, located at the Wild Horse Holding Facility, Rock Springs, Wyoming.

8a. On or about October 11, 1998, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, STANISLAS GREGORY MEYERHOFF and CHELSEA DAWN GERLACH, unindicted co-conspirator WILLIAM C. RODGERS, and other persons known and unknown to the Grand Jury, brought digital timers, containers of fuel, two-way radios and a scanner, to a staging area near the Wild Horse Holding Facility.

8b. On or about October 11, 1998, at Rock Springs, Wyoming, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, STANISLAS GREGORY MEYERHOFF and CHELSEA DAWN GERLACH, unindicted co-conspirator WILLIAM C. RODGERS, and other persons known to the Grand Jury, went to the Wild Horse Holding Facility, and began the release of horses and the placing of incendiary devices in and about the facility.

8c. On or about October 11, 1998, at Rock Springs, Wyoming, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, STANISLAS GREGORY MEYERHOFF and CHELSEA DAWN GERLACH, unindicted co-conspirator WILLIAM C. RODGERS, and other persons known to the Grand Jury, hid timing devices in large rock outcroppings near the Wild Horse Holding Facility, after hearing on their scanner that police had been dispatched to their location.

8d. On or about November 13, 1998, certain defendants in the Wild Horse Holding Facility attempted arson issued a statement attributing responsibility for the horse release and attempted arson to the Animal Liberation Front (ALF).

9. On or about October 19, 1998, in Eagle County, Colorado, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, STANISLAS GREGORY MEYERHOFF and CHELSEA DAWN GERLACH, unindicted co-conspirator WILLIAM C. RODGERS, and other persons known and unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and explosives, of buildings and other real and personal property used in interstate commerce and in activities affecting interstate commerce, at the Vail Ski Facility.

9a. On or about October 21, 1998, certain defendants in the Vail arson issued a communique attributing the fire to the Earth Liberation Front (ELF).

10. On or about December 22, 1998, at Medford, Jackson County, Oregon, defendants SARAH KENDALL HARVEY, KEVIN TUBBS and REBECCA RUBIN, and another person known to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled,

commanded, induced, and procured the attempt to damage or destroy, by means of fire and an explosive, a building and other real and personal property used in interstate commerce and used in activities affecting interstate commerce, namely, an office building and its contents at U.S. Forest Industries, 2611 Whittle Avenue, Medford, Jackson County, Oregon.

10a. A few weeks prior to December 22, 1998, defendants SARAH KENDALL HARVEY, KEVIN TUBBS and REBECCA RUBIN, and another person known to the Grand Jury, performed a reconnaissance and “dry run” for the arson at the U.S. Forest Industries building in Medford, Oregon.

10b. On or about December 22, 1998, at Medford, Jackson County, Oregon, defendants SARAH KENDALL HARVEY, KEVIN TUBBS and REBECCA RUBIN, and another person known to the Grand Jury, placed time-delayed incendiary devices at and about the U.S. Forest Service building.

10c. Prior to December 27, 1998, after placement of the time-delayed incendiary devices at the U.S. Forest Industries building, defendant SARAH KENDALL HARVEY and another person known to the Grand Jury searched the media and found no mention of the burning of the U.S. Forest Industries building.

10d. Between December 22 and 27, 1998, defendant SARAH KENDALL HARVEY and another person known to the Grand Jury returned to the U.S. Forest Industries building to check on the destructive devices.

11. On or about December 27, 1998, at Medford, Jackson County, Oregon, defendant SARAH KENDALL HARVEY and another person known to the Grand Jury unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious



damaging and destroying, by means of fire and an explosive, of a building and other real and personal property used in interstate commerce and used in activities affecting interstate commerce, namely, an office building and its contents at U.S. Forest Industries, 2611 Whittle Avenue, Medford, Jackson County, Oregon.

11a. On or about December 27, 1998, defendant SARAH KENDALL HARVEY and another person known to the Grand Jury returned to the U.S. Forest Industries building, placed a new time-delayed incendiary device at or about the building and left the area.

11b. On or about December 27, 1998, defendant SARAH KENDALL HARVEY and another person known to the Grand Jury, traveled to Dunsmuir, California, to avoid detection.

11c. On or about December 27, 1998, defendant SARAH KENDALL HARVEY registered under a false name in the Cedar Lodge Motel in Dunsmuir, California.

11d. On or about January 16, 1999, certain defendants in the U.S. Forest Industries arson issued a communique attributing the fire to the Earth Liberation Front (ELF). The communique was publicized by Craig Rosebraugh of the Liberation Collective in Portland, Oregon.

12. On or about May 9, 1999, at Eugene, Lane County, Oregon, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, STANISLAS GREGORY MEYERHOFF, CHELSEA DAWN GERLACH, and other persons known to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property used in interstate commerce and in activities affecting

interstate commerce, at Childers Meat Company, 29476 Airport Road, Eugene, Lane County, Oregon.

12a. On or about May 9, 1999, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, STANISLAS GREGORY MEYERHOFF and CHELSEA DAWN GERLACH, and other persons known to the Grand Jury, prepared five-gallon buckets, timers and fuel for the arson which was to occur at the Childers Meat Company, Eugene, Oregon.

12b. On or about May 9, 1999, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, STANISLAS GREGORY MEYERHOFF and CHELSEA DAWN GERLACH, and other persons known to the Grand Jury, traveled to the Childers Meat Company and placed one time-delayed incendiary device near the front of the office building and placed another such device at the back of the building near a gas meter.

12c. On or about May 27, 1999, certain defendants in the Childers arson issued a communique attributing the fire to the Animal Liberation Front (ALF). The communique was publicized by the ALF Frontline Information Service.

13. On or about December 25, 1999, at Monmouth, Polk County, Oregon, defendants JOSEPHINE SUNSHINE OVERAKER, STANISLAS GREGORY MEYERHOFF and CHELSEA DAWN GERLACH, and another person known to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property used in interstate commerce and in activities affecting interstate commerce, at the Boise Cascade Office, 450 North Pacific Avenue, Monmouth, Polk County, Oregon.

13a. On or about December 25, 1999, defendants JOSEPHINE SUNSHINE OVERAKER, STANISLAS GREGORY MEYERHOFF and CHELSEA DAWN GERLACH, and another person known to the Grand Jury, prepared time-delayed incendiary devices to be used at the Boise Cascade Office, and, after disguising the devices by wrapping them in Christmas paper, transported the devices to the Boise Cascade Office location.

13b. On or about December 25, 1999, at Monmouth, Polk County, Oregon, defendants JOSEPHINE SUNSHINE OVERAKER, STANISLAS GREGORY MEYERHOFF and CHELSEA DAWN GERLACH, and another person known to the Grand Jury, placed time-delayed incendiary devices at and about the Boise Cascade Office building and left the area.

13c. On or about December 30, 1999, certain defendants in the Boise Cascade arson issued a communique attributing the fire to the Earth Liberation Front (ELF). The communique was publicized by Craig Rosebraugh of the Liberation Collective in Portland, Oregon, and the North American ELF Press Office.

14. On or about September 6, 2000, at Eugene, Lane County, Oregon, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS and CHELSEA DAWN GERLACH, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property used in interstate commerce and in activities affecting interstate commerce, at the Eugene Police Department West University Public Safety Station, 791 East 13<sup>th</sup> Avenue, Eugene, Oregon.

14a. On or about September 6, 2000, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS and CHELSEA DAWN GERLACH traveled to the Eugene

Police Department West University Public Safety Station and placed time-delayed incendiary devices at and about the police station.

15. On or about January 2, 2001, at Glendale, Douglas County, Oregon, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, DANIEL GERARD McGOWAN and SUZANNE SAVOIE, and another person known to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property used in interstate commerce and used in activities affecting interstate commerce, namely, a building and its contents located at Superior Lumber Company, 2695 Glendale Valley Road, Glendale, Douglas County, Oregon.

15a. On or about January 2, 2001, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, DANIEL GERARD McGOWAN and SUZANNE SAVOIE, and another person known to the Grand Jury, traveled in separate vehicles to a predetermined staging area at a rest area located just north of the town of Glendale, Oregon, on Interstate 5, where they dressed in dark clothing and put on their radio earpieces and masks.

15b. On or about January 2, 2001, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, DANIEL GERARD McGOWAN and SUZANNE SAVOIE, and another person known to the Grand Jury, traveled to the Superior Lumber Company building, set up lookouts, positioned the "pick-up" vehicle, placed the time-delayed incendiary devices, and returned to the staging area.

15c. On or about January 2, 2001, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, DANIEL GERARD McGOWAN and SUZANNE SAVOIE,

and another person known to the Grand Jury, upon returning to the staging area, changed their clothing and disposed of their dark clothing.

15d. On or about January 6, 2001, certain defendants in the Superior Lumber Company arson issued a communique attributing the fire to the Earth Liberation Front (ELF). The communique was publicized by Craig Rosebraugh of the North American ELF Press Office.

16. On or about March 30, 2001, at Eugene, Lane County, Oregon, defendants STANISLAS GREGORY MEYERHOFF and KEVIN TUBBS, unindicted co-conspirator WILLIAM C. RODGERS, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of vehicles and other personal property used in interstate commerce and in activities affecting interstate commerce, at Joe Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Oregon.

16a. On or about March 30, 2001, defendants STANISLAS GREGORY MEYERHOFF and KEVIN TUBBS, unindicted co-conspirator WILLIAM C. RODGERS, and other persons unknown to the Grand Jury, traveled to Joe Romania Chevrolet Truck Center and stationed KEVIN TUBBS as a lookout, while the others placed an incendiary device and plastic containers filled with gasoline underneath the vehicles and connected the vehicles and containers with rolled-up sheets soaked in gasoline.

16b. On or about March 31, 2001, certain defendants in the Romania Chevrolet arson issued a communique which was publicized by Craig Rosebraugh of the North American ELF Press Office.

17. On or about May 21, 2001, at Clatskanie, Columbia County, Oregon, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, DANIEL GERARD McGOWAN and CHELSEA DAWN GERLACH, unindicted co-conspirator WILLIAM C. RODGERS, and other persons known and unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of buildings, vehicles and other real and personal property used in interstate commerce and in activities affecting interstate commerce, at Jefferson Poplar Farm, 79114 Collins Road, Clatskanie, Columbia County, Oregon.

17a. At a time prior to May 21, 2001, defendant STANISLAS GREGORY MEYERHOFF, unindicted co-conspirator WILLIAM C. RODGERS, and other persons known and unknown to the Grand Jury, participated in a meeting in which it was decided by those present that two arsons would be carried out at the same time, one at the Jefferson Poplar Farm in Clatskanie, Oregon, and the other at the University of Washington Horticulture Center in Seattle, Washington.

17b. At a time prior to May 21, 2001, defendants STANISLAS GREGORY MEYERHOFF and CHELSEA DAWN GERLACH performed a reconnaissance for the arson at the Jefferson Poplar Farm.

17c. On or about May 21, 2001, STANISLAS GREGORY MEYERHOFF and DANIEL GERARD McGOWAN, and others known and unknown to the Grand Jury, traveled to Jefferson Poplar Farm and placed time-delayed incendiary devices at several locations at and around the facility, with one of the locations being adjacent to a large propane gas tank.

17d. On or about May 21, 2001, certain defendants in the Jefferson Poplar Farm arson spray-painted graffiti at the site attributing the action to the Earth Liberation Front (ELF).

17e. On or about June 1, 2001, certain defendants in the Jefferson Poplar Farm arson issued a communique attributing the fire, along with the University of Washington fire described below, to the Earth Liberation Front (ELF). The communique was publicized by Craig Rosebraugh of the North American ELF Press Office.

18. On or about May 21, 2001, at Seattle, Washington, in the Western District of Washington, defendant STANISLAS GREGORY MEYERHOFF, unindicted co-conspirator WILLIAM C. RODGERS, and other persons known and unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property used in interstate commerce and in activities affecting interstate commerce, at the University of Washington Horticulture Center, Seattle, Washington.

18a. At a time prior to May 21, 2001, defendants STANISLAS GREGORY MEYERHOFF, CHELSEA DAWN GERLACH, and unindicted co-conspirator WILLIAM C. ROGERS performed one or more reconnaissances of the University of Washington Horticulture Center, Seattle, Washington.

18b. On or about June 1, 2001, certain defendants in the University of Washington arson issued a communique attributing the fire, along with the Jefferson Poplar Farm fire described above, to the Earth Liberation Front (ELF). The communique was publicized by Craig Rosebraugh of the North American ELF Press Office.

19. On or before May 28, 2001, defendant STANISLAS GREGORY MEYERHOFF

and unindicted co-conspirator WILLIAM C. RODGERS authored and published a document entitled "Setting Fire with Electrical Timers, an Earth Liberation Front Guide" in order to expose to a widespread audience their methods of operation and the design of the "Cat's Cradle" incendiary device so that they would no longer be unique to the arsons committed by "the Family," thereby hindering detection by law enforcement.

20. On or about October 15, 2001, at Litchfield, California, in the Eastern District of California, defendants STANISLAS GREGORY MEYERHOFF, JOSEPH DIBEE, REBECCA RUBIN, KEVIN TUBBS, CHELSEA DAWN GERLACH and DARREN TODD THURSTON, unindicted co-conspirator WILLIAM C. RODGERS, and other persons known and unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced and procured the malicious damaging and destroying, by means of fire and explosives, of buildings and other real and personal property owned and possessed by the United States and the Bureau of Land Management of the Department of the Interior, located at the Wild Horse Facility, Litchfield, California.

20a. On or about October 15, 2001, defendant STANISLAS GREGORY MEYERHOFF and persons known and unknown to the Grand Jury placed time-delayed incendiary devices at and about the Litchfield Wild Horse Facility.

20b. On or about October 30, 2001, certain defendants in the Litchfield Wild Horse Facility arson issued a communique attributing the fire to the Earth Liberation Front (ELF). The communique was publicized by David Barbarash at the North American ALF Press Office.

21. On or about November 25, 2005, unindicted co-conspirator WILLIAM C.



RODGERS attempted to recruit a person known to the Grand Jury to participate in future direct actions and stated: “. . .I’ll be really energized and ready to set up. . .activities in ways that haven’t been seen before.”

22. On or about December 21, 2005, defendants CHELSEA DAWN GERLACH and DARREN TODD THURSTON possessed books and documents containing instructions on how to engage in unlawful activities, including a book entitled “Advanced Anarchist Arsenal: Recipes for Improvised Incendiaries and Explosives”.

23. In order to conceal evidence and to hinder the investigation and prosecution of the above-described crimes, and to facilitate the flight and concealment of certain of the defendants, a number of overt acts occurred, including but not limited to the following:

23a. Defendants CHELSEA DAWN GERLACH and DARREN TODD THURSTON possessed and used false identification documents, including those found in their possession on December 7, 2005, and discovered at their Portland residence on December 21, 2005.

23b. On December 21, 2005, defendants CHELSEA DAWN GERLACH and DARREN TODD THURSTON possessed in their residence books and informational materials with respect to manufacturing false identity documents.

23c. On December 21, 2005, defendants CHELSEA DAWN GERLACH and DARREN TODD THURSTON possessed in their residence large amounts of information on the identities of other individuals, including many deceased persons.

23d. On December 7, 2005, defendant KEVIN TUBBS possessed in a locked safe false identity documents.

23e. Sometime after the Fall of 2001, defendant JOSEPHINE SUNSHINE

OVERAKER left the United States and fled to Europe.

23f. In or about the Spring of 2005, defendant REBECCA RUBIN returned to Canada.

23g. On or about December 11, 2005, defendant JOSEPH DIBEE left the United States following contact by federal law enforcement agents.

All of the above conduct violated Title 18, United States Code, Section 844(n).

**COUNT 2**

**CONSPIRACY TO COMMIT ARSON AND  
DESTRUCTION OF AN ENERGY FACILITY**

**I. OBJECT OF THE CONSPIRACY**

Beginning in October 1996 and continuing through December 2001, in the District of Oregon and elsewhere, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, STANISLAS GREGORY MEYERHOFF, DANIEL GERARD McGOWAN, JOSEPH DIBEE, REBECCA RUBIN, CHELSEA DAWN GERLACH, SARAH KENDALL HARVEY, SUZANNE SAVOIE, JONATHAN MARK CHRISTOPHER PAUL and DARREN TODD THURSTON, and unindicted co-conspirator WILLIAM C. RODGERS, and other persons known and unknown to the Grand Jury, willfully and knowingly conspired and agreed to commit the following offenses against the United States:

to maliciously damage or destroy, or attempt to damage or destroy, by means of fire or an explosive, any building, vehicle or other personal or real property in whole or in part owned or possessed by, or leased to, the United States or any department or agency thereof, in violation of Title 18, United States Code, Section 844(f)(1);

to maliciously damage or destroy, or attempt to damage or destroy, by means of fire or an explosive, any building, vehicle or other real or personal property used in interstate commerce or in any activity affecting interstate commerce, in violation of Title 18, United States Code, Section 844(i); and

to knowingly and willfully damage and attempt to damage the property of an energy facility of the United States involved in the transmission and distribution of electricity, in an amount exceeding or which would have exceeded \$100,000, in violation of Title 18, United States Code, Section 1366(a).

## **II. MANNER AND MEANS OF THE CONSPIRACY**

The foregoing objects of the conspiracy were to be accomplished in the following manner by the above-listed defendants and others at various times during the course of the conspiracy:

1. Certain of the defendants and others joined together in a group they called the "Family." This "Family" was what is commonly known as a "cell" of groups and movements publicly named and described by certain of the defendants and others as the Earth Liberation Front (ELF), the Animal Liberation Front (ALF), and other names.

2. The general purposes of the conspiracy were to influence and affect the conduct of government, commerce, private business and others in the civilian population by means of force, violence, sabotage, mass destruction, intimidation and coercion, and by similar means to retaliate against the conduct of government, commerce and private business. To achieve these purposes, the conspirators committed and attempted to commit acts dangerous to human life and property that constituted violations of the criminal laws of the United States and of individual states.

3. Certain of the defendants and others targeted for arson buildings, vehicles and other real and personal property owned, possessed, and leased by the United States and its departments and agencies.

4. Certain of the defendants and another person targeted for willful damage an energy facility of the United States involved in the transmission and distribution of electricity, in an amount exceeding or which would have exceeded \$100,000.

5. Certain of the defendants and others targeted for arson buildings, vehicles and other real and personal property used in interstate commerce and in activities affecting interstate commerce.

6. Certain of the defendants and others conducted and participated in meetings to plan arsons and other damage of the targeted sites.

7. Certain of the defendants and others conducted research and surveillance of sites targeted for arson and other damage.

8. In discussing their actions among themselves, certain of the defendants and others used code words, code names, and nicknames.

9. Certain of the defendants and others designed and constructed destructive devices which functioned as incendiary bombs to ignite fires and destroy the targets.

10. Certain of the defendants and others provided transportation to the sites targeted for arson and other damage.

11. Certain of the defendants and others dressed in dark clothing, wore masks and gloves and otherwise disguised their appearance.

12. Certain of the defendants and others acted as “look-outs” to ensure secrecy as the crimes were carried out.

13. Certain of the defendants and others placed destructive devices and accelerants at sites targeted for arson and ignited or attempted to ignite the devices and accelerants.

14. Certain of the defendants and others, by means of fire and explosives, maliciously damaged and destroyed, and attempted to damage and destroy, buildings, vehicles and other real and personal property owned and possessed by the United States and its departments and agencies.

15. Certain of the defendants and others, by means of fire and explosives, maliciously damaged and destroyed, and attempted to damage and destroy, buildings, vehicles and other real and personal property used in interstate commerce and in activities affecting interstate commerce.

16. Certain of the defendants and another person willfully damaged and attempted to damage the property of an energy facility of the United States involved in the transmission and distribution of electricity, in an amount exceeding or which would have exceeded \$100,000.

17. In some of the arsons and attempted arsons, certain of the defendants and others painted messages on the walls of the targets, including “Earth Liberation Front,” “ELF” and related names and statements concerning the purposes of the crimes.

18. After the arsons, attempted arsons, and other crimes, certain of the defendants and others provided transportation away from the scenes of the crimes.

19. After the arsons, attempted arsons, and other crimes, certain of the defendants and others destroyed, buried, hid and otherwise disposed of physical evidence used in the commission of the crimes.

20. After the arsons, certain of the defendants and others publicized and promoted the results of the fires by means of written press releases and communiques attributing the arsons to the Earth Liberation Front (ELF), the Animal Liberation Front (ALF) and related groups, and stating the purposes of the arsons.

21. Before, during and after the arsons, attempted arsons and other crimes, certain of the defendants and others agreed and took an oath among themselves never to reveal to law enforcement authorities or to anyone else outside “the Family” the identity of the conspirators and participants in the arsons, attempted arsons and other crimes.

22. Before, during and after the arsons, attempted arsons and other crimes, certain of the defendants and others agreed among themselves to conceal or destroy any evidence connecting them to the arsons, attempted arsons and other crimes.

23. Before, during and after the arsons, attempted arsons and other crimes, certain of the defendants and others possessed and/or used false identification documents in order to conceal their true identities.

24. After the arsons, attempted arsons and other crimes, certain of the defendants and others fled and secreted themselves in foreign countries in order to avoid detection and arrest by law enforcement authorities in the United States.

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### **III. OVERT ACTS**

In order to carry out the objects of the conspiracy, defendants and other persons committed various overt acts within the District of Oregon and elsewhere, including but not limited to the following:

1. On or about October 28, 1996, in Marion County, Oregon, defendant JOSEPHINE SUNSHINE OVERAKER and other persons known to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the attempt to damage or destroy, by means of fire and an explosive, a building, and other real and personal property owned and possessed by the United States and the United States Forest Service of the Department of Agriculture, located at the Detroit Ranger Station on the Willamette National Forest.

1a. At a time prior to October 28, 1996, JOSEPHINE SUNSHINE OVERAKER and another person known to the Grand Jury prepared and tested a time-delayed incendiary device.

1b. On or about October 28, 1996, JOSEPHINE SUNSHINE OVERAKER and other persons known to the Grand Jury drove to the U.S. Forest Service Detroit Ranger Station in Marion County, Oregon, with an incendiary device, which was placed on the roof of a U.S. Forest Service building. That incendiary device failed to function.

1c. On or about October 28, 1996, defendant JOSEPHINE SUNSHINE OVERAKER and other persons known to the Grand Jury spray-painted graffiti on the sides of the U.S. Forest Service building and vehicles which included the words "Earth Liberation Front."

2. On or about October 28, 1996, in Marion County, Oregon defendant JOSEPHINE

SUNSHINE OVERAKER and other persons known to the Grand Jury, unlawfully and willfully caused and aided, abetted, counsel, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive of a vehicle and other real and personal property owned and possessed by the United States and the United States Forest Service of the Department of Agriculture, located at the Detroit Ranger Station on the Willamette National Forest.

2a. On or about October 28, 1996, JOSEPHINE SUNSHINE OVERAKER and another person known to the Grand Jury intended and caused fire damage to a U.S. Forest Service vehicle.

3. On or about October 30, 1996, in Lane County, Oregon, defendants JOSEPHINE SUNSHINE OVERAKER and KEVIN TUBBS, and another person known to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property owned and possessed by the United States and the United States Forest Service of the Department of Agriculture, located at the Oakridge Ranger Station on the Willamette National Forest.

3a. On or about October 30, 1996, in Lane County, Oregon, defendants JOSEPHINE SUNSHINE OVERAKER and KEVIN TUBBS, and another person known to the Grand Jury, drove to the U.S. Forest Service Oakridge Ranger Station, intending to set fire to the Ranger Station.

3b. On or about October 30, 1996, in Lane County, Oregon, defendants JOSEPHINE SUNSHINE OVERAKER and KEVIN TUBBS, and another person known to the Grand Jury,



while leaving the parking lot of the U.S. Forest Service Oakridge Ranger Station, threw nails onto the parking lot in order to slow down responding emergency vehicles.

3c. On or about October 30, 1996, in Lane County, Oregon, defendants JOSEPHINE SUNSHINE OVERAKER and KEVIN TUBBS, and another person known to the Grand Jury, while leaving the U.S. Forest Service Oakridge Ranger Station and driving westbound on Highway 58 towards Eugene, Oregon, discarded their gloves in a reservoir near the Lowell Bridge.

4. On or about July 21, 1997, at Redmond, Deschutes County, Oregon, defendants KEVIN TUBBS, JOSEPH DIBEE and JONATHAN MARK CHRISTOPHER PAUL, and other persons known to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property used in interstate commerce and in activities affecting interstate commerce, at Cavel West, Inc., 1607 SE Railroad, Redmond, Oregon.

4a. Approximately one week prior to the July 21, 1997, arson at Cavel West, Inc., defendants KEVIN TUBBS and JONATHAN MARK CHRISTOPHER PAUL and others known and unknown to the Grand Jury, went on a reconnaissance in order to locate a staging area where the participants could complete final preparations prior to committing the arson.

4b. Prior to the July 21, 1997, arson at Cavel West Inc., defendant JONATHAN MARK CHRISTOPHER PAUL and another person known to the Grand Jury prepared a mixture of soap and petroleum products which was the fuel used in the time- delayed incendiary devices.

4c. On or about July 21, 1997, defendants KEVIN TUBBS, JOSEPH DIBEE and JONATHAN MARK CHRISTOPHER PAUL, and other persons known to the Grand Jury, drove to the previously chosen staging area near Cavel West, Inc., and upon arrival, dressed in dark clothing, masks, and gloves, and dug a hole at the staging area in which to bury their dark clothing upon completion of the arson.

4d. On or about July 21, 1997, defendants KEVIN TUBBS, JOSEPH DIBEE and JONATHAN MARK CHRISTOPHER PAUL, and other persons known to the Grand Jury, completed a two-way radio check with one another and confirmed their scanner and radios functioned properly.

4e. On or about July 21, 1997, defendants KEVIN TUBBS, JOSEPH DIBEE and JONATHAN MARK CHRISTOPHER PAUL, and other persons known to the Grand Jury, went to the location of Cavel West, Inc., to place time-delayed incendiary devices at and about that location.

4f. On or about July 21, 1997, defendant JOSEPH DIBEE drilled holes through the wall of the Cavel West, Inc., facility so as to allow fuel to be poured directly into the building.

4g. On or about July 21, 1997, defendants KEVIN TUBBS, JOSEPH DIBEE and JONATHAN MARK CHRISTOPHER PAUL, and other persons known to the Grand Jury, upon placing the time-delayed incendiary devices at Cavel West, Inc., traveled back to the staging area, removed their dark clothes and shoes, placed them in the hole, poured acid on the clothing in the hole and then buried the items.

4h. On or about July 26, 1997, certain defendants in the Cavel West arson issued a written communique attributing the fire to the Animal Liberation Front (ALF) and the Equine

and Zebra Liberation Front. The communique was publicized by Craig Rosebraugh of the Liberation Collective in Portland, Oregon.

4i. Approximately three years after July 21, 1997, defendant JOSEPH DIBEE contacted defendant KEVIN TUBBS and told KEVIN TUBBS to return to the staging area and retrieve the buried clothes.

5. On or about November 30, 1997, in Harney County, Oregon, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, JOSEPH DIBEE and REBECCA RUBIN, unindicted co-conspirator WILLIAM C. RODGERS, and another person known to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of buildings and other real and personal property owned and possessed by the United States and the Bureau of Land Management of the Department of Interior, located at the Wild Horse and Burro Facility, Burns, Harney County, Oregon.

5a. Approximately three months prior to November 30, 1997, defendants JOSEPHINE SUNSHINE OVERAKER and KEVIN TUBBS, unindicted co-conspirator WILLIAM C. RODGERS, and another person known to the Grand Jury, did a reconnaissance at and near the Wild Horse and Burro Facility, to prepare themselves for the arson and horse release.

5b. Sometime prior to November 30, 1997, defendant JOSEPHINE SUNSHINE OVERAKER and another person known to the Grand Jury, obtained five-gallon, white plastic buckets and the fuel to be used in making time-delayed incendiary devices.

5c. Sometime prior to November 30, 1997, persons known and unknown to the Grand Jury, prepared the five-gallon plastic buckets by wiping the buckets to ensure all fingerprints were removed, and painted them with black spray paint.

5d. Sometime prior to November 30, 1997, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS and REBECCA RUBIN, unindicted co-conspirator WILLIAM C. RODGERS, and another person known to the Grand Jury, obtained additional components and assembled time-delayed incendiary devices, which were composed of kitchen timers, matches, fuel-soaked sponges, model rocket igniters, one-gallon jugs filled with fuel and five-gallon buckets which contained fuel.

5e. On or about November 30, 1997, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS and REBECCA RUBIN, unindicted co-conspirator WILLIAM C. RODGERS, and another person known to the Grand Jury, arrived at the Wild Horse and Burro Facility, cut the lock on the front gate, released horses and burros, placed time-delayed incendiary devices in and around the facility, and left the area.

5f. On or about December 5, 1997, certain defendants in the Wild Horse and Burro Facility arson issued a communique attributing the fire and horse release to the Earth Liberation Front (ELF) and the Animal Liberation Front (ALF). The communique was publicized by Craig Rosebraugh of the Liberation Collective in Portland, Oregon.

6. On or about June 21, 1998, at Olympia, Washington, in the Western District of Washington, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS and JOSEPH DIBEE, unindicted co-conspirator WILLIAM C. RODGERS, and another person known to the Grand Jury, willfully caused and aided, abetted, counseled, commanded, induced, and procured

the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property leased and possessed by the United States and the Animal, Plant and Health Inspection Service (APHIS) of the Department of Agriculture, located at the National Wildlife Research Facility, 9701 Blomberg Street SW, Olympia, Washington.

6a. Approximately two weeks before June 21, 1998, defendants KEVIN TUBBS and JOSEPH DIBEE, and other persons known and unknown to the Grand Jury, met in Olympia, Washington, to discuss plans for the APHIS arson, and agreed at that time there would be a second and simultaneous arson committed when the APHIS arson was to occur.

6b. At a time prior to June 21, 1998, defendant JOSEPHINE SUNSHINE OVERAKER and other persons known to the Grand Jury prepared five-gallon buckets by wiping the buckets to remove any fingerprints, and obtained fuel for the APHIS arson.

6c. At a time prior to June 21, 1998, defendant KEVIN TUBBS utilized false identification to acquire a van which was used in the APHIS arson.

6d. On or about June 21, 1998, defendant JOSEPHINE SUNSHINE OVERAKER, while attempting to steal items in preparation for the APHIS arson, was arrested by authorities for shoplifting.

6e. On or about June 21, 1998, defendant KEVIN TUBBS and another person known to the Grand Jury transferred five-gallon buckets of fuel to be used in the APHIS arson from a van purchased by KEVIN TUBBS to a vehicle owned by unindicted co-conspirator WILLIAM C. RODGERS.

6f. On or about June 21, 1998, defendant KEVIN TUBBS, unindicted co-conspirator WILLIAM C. RODGERS, and another person known to the Grand Jury, drove to the APHIS

facility and placed five-gallon buckets filled with fuel at locations at and around the facility and ignited the fuel-filled buckets by hand.

6g. On or about June 22, 1998, certain defendants in the APHIS arson issued a communique attributing the fire to the Earth Liberation Front(ELF) and the Animal Liberation Front (ALF). The communique was publicized by Katie Fedor of the North American ALF Press Office.

6h. At a time after January 27, 1998, defendant KEVIN TUBBS assisted in the disposal of the van used in the APHIS arson.

7. In about September 1998, at Rock Springs, Wyoming, in the District of Wyoming, defendants KEVIN TUBBS and REBECCA RUBIN, unindicted co-conspirator WILLIAM C. RODGERS, and other persons known and unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the attempt to damage or destroy, by means of fire and an explosive, a building and other real and personal property owned and possessed by the United States and the Bureau of Land Management of the Department of the Interior, located at the Wild Horse Holding Facility, Rock Springs, Wyoming.

7a. In or about September 1998, defendants KEVIN TUBBS and REBECCA RUBIN, unindicted co-conspirator WILLIAM C. RODGERS, and other persons known and unknown to the Grand Jury, arrived at the staging area near Rock Springs, Wyoming, assigned roles, prepared time-delayed incendiary devices, and made preparations for the arson, when a law enforcement officer made inquiry as to their presence at that location.

7b. In or about September 1998, defendants KEVIN TUBBS and REBECCA RUBIN,

unindicted co-conspirator WILLIAM C. RODGERS, and other persons known to the Grand Jury, buried the time-delayed incendiary devices in an attempt to avoid detection.

8. On or about October 11, 1998, at Rock Springs, Wyoming, in the District of Wyoming, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, STANISLAS GREGORY MEYERHOFF and CHELSEA DAWN GERLACH, unindicted co-conspirator WILLIAM C. RODGERS, and other persons known to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the attempt to damage and destroy, by means of fire and an explosive of buildings and other real and personal property owned and possessed by the United States and the Bureau of Land Management of the Department of the Interior, located at the Wild Horse Holding Facility, Rock Springs, Wyoming.

8a. On or about October 11, 1998, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, STANISLAS GREGORY MEYERHOFF and CHELSEA DAWN GERLACH, unindicted co-conspirator WILLIAM C. RODGERS, and other persons known and unknown to the Grand Jury, brought digital timers, containers of fuel, two-way radios and a scanner to a staging area near the Wild Horse Holding Facility.

8b. On or about October 11, 1998, at Rock Springs, Wyoming, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, STANISLAS GREGORY MEYERHOFF and CHELSEA DAWN GERLACH, unindicted co-conspirator WILLIAM C. RODGERS, and other persons known to the Grand Jury, went to the Wild Horse Holding Facility and began the release of horses and the placing of incendiary devices in and about the facility.

8c. On or about October 11, 1998, at Rock Springs, Wyoming, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, STANISLAS GREGORY

MEYERHOFF and CHELSEA DAWN GERLACH, unindicted co-conspirator WILLIAM C. RODGERS, and other persons known to the Grand Jury, hid timing devices in large rock outcroppings near the Wild Horse Holding Facility, after hearing on their scanner that police had been dispatched to their location.

8d. On or about November 13, 1998, certain defendants in the Wild Horse Holding Facility attempted arson issued a statement attributing responsibility for the horse release and attempted arson to the Animal Liberation Front (ALF).

9. On or about October 19, 1998, in Eagle County, Colorado, in the District of Colorado, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, STANISLAS GREGORY MEYERHOFF and CHELSEA DAWN GERLACH, unindicted co-conspirator WILLIAM M C. RODGERS, and other persons known and unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and explosives, of buildings and other real and personal property used in interstate commerce and in activities affecting interstate commerce, at the Vail Ski Facility.

9a. On or about October 21, 1998, certain defendants in the Vail arson issued a communique attributing the fire to the Earth Liberation Front (ELF).

10. On or about December 22, 1998, at Medford, Jackson County, Oregon, defendants SARAH KENDALL HARVEY, KEVIN TUBBS and REBECCA RUBIN, and another person known to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the attempt to damage or destroy, by means of fire and an explosive, a building and other real and personal property used in interstate commerce and used



in activities affecting interstate commerce, namely, an office building and its contents at U.S. Forest Industries, 2611 Whittle Avenue, Medford, Jackson County, Oregon.

10a. A few weeks prior to December 22, 1998, defendants SARAH KENDALL HARVEY, KEVIN TUBBS and REBECCA RUBIN, and another person known to the Grand Jury, performed a reconnaissance and a “dry run” for the arson at the U.S. Forest Industries building in Medford, Oregon.

10b. On or about December 22, 1998, at Medford, Jackson County, Oregon, defendants SARAH KENDALL HARVEY, KEVIN TUBBS and REBECCA RUBIN, and another person known to the Grand Jury, placed time-delayed incendiary devices at and about the U.S. Forest Industries building.

10c. Prior to December 27, 1998, after placement of the time-delayed incendiary devices at the U.S. Forest Industries building, defendant SARAH KENDALL HARVEY and another person known to the Grand Jury searched the media and found no mention of the burning of the U.S. Forest Industries building.

10d. Between December 22 and 27, 1998, defendant SARAH KENDALL HARVEY and another person known to the Grand Jury returned to the U.S. Forest Industries building to check on the destructive devices.

11. On or about December 27, 1998, at Medford, Jackson County, Oregon, defendant SARAH KENDALL HARVEY and another person known to the Grand Jury unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property used in interstate commerce and used in activities affecting interstate

commerce, namely, an office building and its contents at U.S. Forest Industries, 2611 Whittle Avenue, Medford, Jackson County, Oregon.

11a. On or about December 27, 1998, defendant SARAH KENDALL HARVEY and another person known to the Grand Jury returned to the U.S. Forest Industries building, placed a new time-delayed incendiary device, and left the area.

11b. On or about December 27, 1998, defendant SARAH KENDAL HARVEY and another person known to the Grand Jury traveled to Dunsmuir, California, to avoid detection.

11c. On or about December 27, 1998, defendant SARAH KENDALL HARVEY registered under a false name in the Cedar Lodge Motel in Dunsmuir, California.

11d. On or about January 16, 1999, certain defendants in the U.S. Forest Industries arson issued a communique attributing the fire to the Earth Liberation Front (ELF). The communique was publicized by Craig Rosebraugh of the Liberation Collective in Portland, Oregon.

12. On or about May 9, 1999, at Eugene, Lane County, Oregon, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, STANISLAS GREGORY MEYERHOFF and CHELSEA DAWN GERLACH, and other persons known to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property used in interstate commerce and in activities affecting interstate commerce, at Childers Meat Company, 29476 Airport Road, Eugene, Lane County, Oregon.

12a. On or about May 9, 1999, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, STANISLAS GREGORY MEYERHOFF and CHELSEA DAWN GERLACH, and other persons known to the Grand Jury, prepared five-gallon buckets, timers and fuel for the arson which was to occur at the Childers Meat Company, Eugene, Oregon.

12b. On or about May 9, 1999, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, STANISLAS GREGORY MEYERHOFF and CHELSEA DAWN GERLACH, and other persons known to the Grand Jury, traveled to the Childers Meat Company and placed one time-delayed incendiary device near the front of the office building and placed another such device at the back of the building near a gas meter.

12c. On or about May 27, 1999, certain defendants in the Childers arson issued a communique attributing the fire to the Animal Liberation Front (ALF). The communique was publicized by the ALF Frontline Information Service.

13. On or about December 25, 1999, at Monmouth, Polk County, Oregon, defendants JOSEPHINE SUNSHINE OVERAKER, STANISLAS GREGORY MEYERHOFF and CHELSEA DAWN GERLACH, and another person known to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property used in interstate commerce and in activities affecting interstate commerce, at the Boise Cascade Office, 450 North Pacific Avenue, Monmouth, Polk County, Oregon.

13a. On or about December 25, 1999, defendants JOSEPHINE SUNSHINE OVERAKER, STANISLAS GREGORY MEYERHOFF and CHELSEA DAWN GERLACH, and another person known to the Grand Jury, prepared time-delayed incendiary devices to be

used at the Boise Cascade Office, and, after disguising the devices by wrapping them in Christmas paper, transported the devices to the Boise Cascade Office location.

13b. On or about December 25, 1999, defendants JOSEPHINE SUNSHINE OVERAKER, STANISLAS GREGORY MEYERHOFF and CHELSEA DAWN GERLACH, and another person known to the Grand Jury, placed time-delayed incendiary devices at and about the Boise Cascade Office building and left the area.

13c. On or about December 30, 1999, certain defendants in the Boise Cascade arson issued a communique attributing the fire to the Earth Liberation Front (ELF). The communique was publicized by Craig Rosebraugh of the Liberation Collective in Portland, Oregon, and the North American ELF Press Office.

14. On or about December 30, 1999, in Deschutes County, Oregon, defendants JOSEPHINE SUNSHINE OVERAKER, STANISLAS GREGORY MEYERHOFF and CHELSEA DAWN GERLACH, and another person known to the Grand Jury, willfully damaged and attempted to damage the property of an energy facility of the United States, namely, a Bonneville Power Administration tower, involved in the transmission and distribution of electricity near the City of Bend, Oregon, in an amount exceeding or which would have exceeded \$100,000.

15. On or about September 6, 2000, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS and CHELSEA DAWN GERLACH, and unindicted co-conspirator WILLIAM C. RODGERS, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property used in interstate

commerce and in activities affecting interstate commerce, at the Eugene Police Department West University Public Safety Station, 791 East 13<sup>th</sup> Avenue, Eugene, Lane County, Oregon.

15a. On or about September 6, 2000, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS and CHELSEA DAWN GERLACH traveled to the Eugene Police Department West University Public Safety Station and placed time-delayed incendiary devices at and about the police station.

16. On or about January 2, 2001, at Glendale, Douglas County, Oregon, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, DANIEL GERARD McGOWAN and SUZANNE SAVOIE, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property used in interstate commerce and used in activities affecting interstate commerce, namely, a building and its contents located at Superior Lumber Company, 2695 Glendale Valley Road, Glendale, Douglas County, Oregon.

16a. On or about January 2, 2001, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, DANIEL GERARD McGOWAN and SUZANNE SAVOIE, and another person known to the Grand Jury, traveled in separate vehicles to a predetermined staging area at a rest area located just north of the town of Glendale, Oregon, on Interstate 5, where they dressed in dark clothing and put on their radio earpieces and masks..

16b. On or about January 2, 2001, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, DANIEL GERARD McGOWAN and SUZANNE SAVOIE, and another person known to the Grand Jury, traveled to the Superior Lumber Company, set up

lookouts, positioned the “pick-up” vehicle, placed the time-delayed incendiary devices, and returned to the staging area.

16c. On or about January 2, 2001, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, DANIEL GERARD McGOWAN and SUZANNE SAVOIE, and another person known to the Grand Jury, upon returning to the staging area, changed their clothing and disposed of their dark clothing.

16d. On or about January 6, 2001, participants in the Superior Lumber Company arson issued a communique attributing the fire to the Earth Liberation Front (ELF). The communique was publicized by Craig Rosebraugh of the North American ELF Press Office.

17. On or about March 30, 2001, at Eugene, Lane County, Oregon, defendants STANISLAS GREGORY MEYERHOFF and KEVIN TUBBS, unindicted co-conspirator WILLIAM C. RODGERS, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of vehicles and other personal property used in interstate commerce and in activities affecting interstate commerce, at Joe Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon.

17a. On or about March 30, 2001, defendants STANISLAS GREGORY MEYERHOFF and KEVIN TUBBS, unindicted co-conspirator WILLIAM C. RODGERS, and other persons unknown to the Grand Jury, arrived at Joe Romania Chevrolet Truck Center and stationed KEVIN TUBBS as a lookout, while the others placed plastic containers filled with gasoline underneath the vehicles and connected the vehicles and containers with rolled-up sheets soaked in gasoline.

17b. On or about March 31, 2001, certain defendants in the Romania Chevrolet arson issued a communique that was publicized by Craig Rosebraugh of the North American ELF Press Office.

18. On or about May 21, 2001, at Clatskanie, Columbia County, Oregon, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, DANIEL GERARD McGOWAN and CHELSEA DAWN GERLACH, and other persons known and unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of buildings, vehicles and other real and personal property used in interstate commerce and in activities affecting interstate commerce, at Jefferson Poplar Farm, 79114 Collins Road, Clatskanie, Columbia County, Oregon.

18a. At a time prior to May 21, 2001, defendant STANISLAS GREGORY MEYERHOFF, unindicted co-conspirator WILLIAM C. RODGERS, and other persons known and unknown to the Grand Jury, participated in a meeting in which it was decided by those present that two arsons would be carried out at the same time, one at the Jefferson Poplar Farm in Clatskanie, Oregon, and the other at the University of Washington Horticulture Center in Seattle, Washington.

18b. At a time prior to May 21, 2001, defendant STANISLAS GREGORY MEYERHOFF and CHELSEA DAWN GERLACH performed a reconnaissance for the arson at the Jefferson Poplar Farm.

18c. On or about May 21, 2001, STANISLAS GREGORY MEYERHOFF and DANIEL GERARD McGOWAN, and others known and unknown to the Grand Jury, traveled to

the Jefferson Poplar Farm and placed time-delayed incendiary devices at several locations at and around the facility, with one of the locations being adjacent to a large propane gas tank.

18d. On or about May 21, 2001, certain defendants in the Jefferson Poplar Farm arson spray-painted graffiti at the site attributing the action to the Earth Liberation Front (ELF).

18e. On or about June 1, 2001, certain defendants in the Jefferson Poplar Farm arson issued a communique attributing the fire, along with the University of Washington fire described below, to the Earth Liberation Front (ELF). The communique was publicized by Craig Rosebraugh of the North American ELF Press Office.

19. On or about May 21, 2001, at Seattle, Washington, in the Western District of Washington, defendant STANISLAS GREGORY MEYERHOFF, unindicted co-conspirator WILLIAM C. RODGERS, and other persons known and unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property used in interstate commerce and in activities affecting interstate commerce, at the University of Washington Horticulture Center, Seattle, Washington.

19a. At a time prior to May 21, 2001, defendants STANISLAS GREGORY MEYERHOFF, CHELSEA DAWN GERLACH, and unindicted co-conspirator WILLIAM C. ROGERS performed one or more reconnaissances of the University of Washington Horticulture Center, Seattle, Washington.

19b. On or about June 1, 2001, certain defendants in the University of Washington arson issued a communique attributing the fire, along with the Jefferson Poplar Farm fire



described above, to the Earth Liberation Front (ELF). The communique was publicized by Craig Rosebraugh of the North American ELF Press Office.

20. On or before May 28, 2001, defendant STANISLAS GREGORY MEYERHOFF and unindicted co-conspirator WILLIAM C. RODGERS authorized and published a document entitled "Setting Fire with Electrical Timers, an Earth Liberation Front Guide," in order to expose to a widespread audience their methods of operation and the design of the "Cat's Cradle" incendiary device so they would no longer be unique to the arsons committed by "the Family," thereby hindering detection by law enforcement.

21. On or about October 15, 2001, at Litchfield, California, in the Eastern District of California, defendants STANISLAS GREGORY MEYERHOFF, JOSEPH DIBEE, REBECCA RUBIN, KEVIN TUBBS, CHELSEA DAWN GERLACH and DARREN TODD THURSTON, unindicted co-conspirator WILLIAM C. RODGERS, and other persons known and unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced and procured the malicious damaging and destroying, by means of fire and explosives, of buildings and other real and personal property owned and possessed by the United States and the Bureau of Land Management of the Department of the Interior, located at the Wild Horse Facility, Litchfield, California.

21a. On or about October 15, 2001, defendants STANISLAS GREGORY MEYERHOFF and persons known and unknown to the Grand Jury placed time-delayed incendiary devices at and about the Litchfield Horse Facility

21b. On or about October 30, 2001, certain defendants in the Litchfield Wild Horse

Facility arson issued a communique attributing the fire to the Earth Liberation Front (ELF). The communique was publicized by David Barbarash of the North American ALF Press Office.

22. On or about November 25, 2005, unindicted co-conspirator WILLIAM C. RODGERS attempted to recruit a person known to the Grand Jury to participate in future direct actions and stated: “. . .I’ll be really energized and ready to set up. . .activities in ways that haven’t been seen before.”

23. On or about December 21, 2005, defendants CHELSEA DAWN GERLACH and DARREN TODD THURSTON possessed books and documents containing instructions on how to engage in unlawful activities, including a book entitled “Advanced Anarchist Arsenal: Recipes for Improvised Incendiaries and Explosives.”

24. In order to conceal evidence and to hinder the investigation of the above-described crimes, and to facilitate the flight and concealment of certain of the defendants, a number of overt acts occurred, including but not limited to the following:

24a. Defendants CHELSEA DAWN GERLACH and DARREN TODD THURSTON possessed and used false identification documents, including those found in their possession on December 7, 2005, and at their Portland residence on December 21, 2005.

24b. On December 21, 2005, defendants CHELSEA DAWN GERLACH and DARREN TODD THURSTON possessed in their residence books and informational materials with respect to manufacturing false identity documents.

24c. On December 21, 2005, defendants CHELSEA DAWN GERLACH and DARREN TODD THURSTON possessed in their residence large amounts of information on the identities of other individuals, including many deceased persons.

24d. On December 7, 2005, defendant KEVIN TUBBS possessed in a locked safe false identity documents.

24e. Sometime after the Fall of 2001, defendant JOSEPHINE SUNSHINE OVERAKER left the United States and fled to Europe.

24f. In or about the Spring of 2005, defendant REBECCA RUBIN returned to Canada.

24g. On or about December 11, 2005, defendant JOSEPH DIBEE left the United States following contact by federal law enforcement agents

All of the above conduct violated Title 18, United States Code, Section 371.

### **COUNT 3**

#### **ATTEMPTED ARSON**

On or about October 28, 1996, in Marion County, Oregon, in the District of Oregon, defendant JOSEPHINE SUNSHINE OVERAKER and other persons known to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the attempt to damage or destroy, by means of fire and an explosive, a building and other real and personal property owned and possessed by the United States and the United States Forest Service of the Department of Agriculture, located at the Detroit Ranger Station on the Willamette National Forest; all in violation of Title 18, United States Code, Sections 844(f) and 2.

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**COUNT 4**

**ARSON**

On or about October 28, 1996, in Marion County, Oregon, in the District of Oregon, defendant JOSEPHINE SUNSHINE OVERAKER and other persons known to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire, of a vehicle and other real and personal property owned and possessed by the United States and the United States Forest Service of the Department of Agriculture, located at the Detroit Ranger Station on the Willamette National Forest; all in violation of Title 18, United States Code, Sections 844(f) and 2.

**COUNT 5**

**ARSON**

On or about October 30, 1996, in Lane County, Oregon, in the District of Oregon, defendants JOSEPHINE SUNSHINE OVERAKER and KEVIN TUBBS, and another person known to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property owned and possessed by the United States and the United States Forest Service of the Department of Agriculture, located at the Oakridge Ranger Station on the Willamette National Forest; all in violation of Title 18, United States Code, Sections 844(f) and 2.

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**COUNT 6**

**ARSON**

On or about July 21, 1997, at Redmond, Deschutes County, Oregon, in the District of Oregon, defendants KEVIN TUBBS, JOSEPH DIBEE, and JONATHAN MARK CHRISTOPHER PAUL, and other persons known to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property used in interstate commerce and in activities affecting interstate commerce, at Cavel West, Inc., 1607 SE Railroad, Redmond, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 7**

**ARSON**

On or about November 30, 1997, in Harney County, Oregon, in the District of Oregon, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS and REBECCA RUBIN, unindicted co-conspirator WILLIAM C. RODGERS, and another person known to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of buildings and other real and personal property owned and possessed by the United States and the Bureau of Land Management of the Department of the Interior, located at the Wild Horse and Burro Facility, Burns, Harney County, Oregon; all in violation of Title 18, United States Code, Sections 844(f) and 2.

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**COUNT 8**

**ARSON**

On or about December 22, 1998, at Medford, Jackson County, Oregon, in the District of Oregon, defendants SARAH KENDALL HARVEY, KEVIN TUBBS, and REBECCA RUBIN, and another person known to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the attempt to damage or destroy, by means of fire and an explosive, a building and other real and personal property used in interstate commerce and used in activities affecting interstate commerce, namely, an office building and its contents at U.S. Forest Industries, 2611 Whittle Avenue, Medford, Jackson County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 9**

**ARSON**

On or about December 27, 1998, at Medford, Jackson County, Oregon, in the District of Oregon, defendant SARAH KENDALL HARVEY and another person known to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property used in interstate commerce and used in activities affecting interstate commerce, namely, an office building and its contents at U.S. Forest Industries, 2611 Whittle Avenue, Medford, Jackson County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

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**COUNT 10**

**ARSON**

On or about May 9, 1999, at Eugene, Lane County, Oregon, in the District of Oregon, defendants JOSEPHINE SUNSHINE OVERAKER, KEVIN TUBBS, STANISLAS GREGORY MEYERHOFF and CHELSEA DAWN GERLACH, and other persons known to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property used in interstate commerce and in activities affecting interstate commerce, at Childers Meat Company, 29476 Airport Road, Eugene, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 11**

**ARSON**

On or about December 25, 1999, at Monmouth, Polk County, Oregon, in the District of Oregon, defendants JOSEPHINE SUNSHINE OVERAKER, STANISLAS GREGORY MEYERHOFF and CHELSEA DAWN GERLACH, and another person known to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property used in interstate commerce and in activities affecting interstate commerce, at the Boise Cascade Office, 450 North Pacific Avenue, Monmouth, Polk County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

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**COUNT 12**

**DESTRUCTION OF AN ENERGY FACILITY**

On or about December 30, 1999, in Deschutes County, Oregon, in the District of Oregon, defendants STANISLAS GREGORY MEYERHOFF, JOSEPHINE SUNSHINE OVERAKER, CHELSEA DAWN GERLACH, and others both known and unknown to the Grand Jury, knowingly and willfully damaged and attempted to damage the property of an energy facility of the United States, namely, a Bonneville Power Administration tower, involved in the transmission and distribution of electricity near the City of Bend, Oregon, in an amount exceeding or which would have exceeded \$100,000; all in violation of Title 18, United States Code, Section 1366(a).

**COUNT 13**

**ARSON**

On or about September 6, 2000, at Eugene, Lane County, Oregon, in the District of Oregon, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS and CHELSEA DAWN GERLACH unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property used in interstate commerce and in activities affecting interstate commerce, at the Eugene Police Department West University Public Safety Station, 791 East 13<sup>th</sup> Avenue, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

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**COUNT 14**

**ARSON**

On or about January 2, 2001, at Glendale, Douglas County, in the District of Oregon, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, DANIEL GERARD McGOWAN and SUZANNE SAVOIE, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property used in interstate commerce and used in activities affecting interstate commerce, namely, a building and its contents located at Superior Lumber Company, 2695 Glendale Valley Road, Glendale, Douglas County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 15**

**USING AND CARRYING A DESTRUCTIVE DEVICE  
IN RELATION TO A CRIME OF VIOLENCE**

On or about January 2, 2001, at Glendale, Douglas County, in the District of Oregon, defendants STANISLAS GREGORY MEYERHOFF and DANIEL GERARD McGOWAN, and others known and unknown to the Grand Jury, unlawfully and knowingly used and carried one or more destructive devices, namely, one or more incendiary bombs, during and in relation to a crime of violence, namely, arson, in violation of Title 18, United States Code, Section 844(i), as charged in Count 14 of this indictment, and possessed such destructive devices in furtherance of such crime; all in violation of Title 18, United States Code, Sections 924(c)(1)(A)(i) & (B)(ii) & (C)(ii) and 2.

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**COUNT 16**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Suburban, bearing Vehicle Identification Number 3GNGK26U41G209163, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 17**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Tahoe, bearing Vehicle Identification Number 1GNEK13T71R154866, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 18**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Suburban, bearing Vehicle Identification Number 3GNGK26G81G235050, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 19**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Suburban, bearing Vehicle Identification Number 3GNGK26G81G203103, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 20**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Suburban, bearing Vehicle Identification Number 3GNFK16T31G197472, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 21**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Tahoe, bearing Vehicle Identification Number 1GNEK13T01J181082, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 22**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Tahoe, bearing Vehicle Identification Number 1GNEK13T41R110162, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 23**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Tahoe, bearing Vehicle Identification Number 1GNEK13T31J150960, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 24**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Suburban, bearing Vehicle Identification Number 3GNFK16T71G228593, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 25**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Tahoe, bearing Vehicle Identification Number 1GNEK13T51R148547, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 26**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Suburban, bearing Vehicle Identification Number 3GNFK16T71G226598, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 27**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Suburban, bearing Vehicle Identification Number 3GNFK16T71G230179, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 28**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Tahoe, bearing Vehicle Identification Number 1GNEK13T81R169490, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 29**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Suburban, bearing Vehicle Identification Number 3GNGK26G21G201069, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.



**COUNT 30**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Suburban, bearing Vehicle Identification Number 3GNFK16TX1G206720, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 31**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Suburban, bearing Vehicle Identification Number 3GNFK16T91G226585, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 32**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and others known and unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Suburban, bearing Vehicle Identification Number 3GNFK16T61G229816, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 33**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Suburban, bearing Vehicle Identification Number 3GNGK26U21G180066, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 34**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and others known and unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Suburban, bearing Vehicle Identification Number 3GNGK26U81G181349, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 35**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Tahoe, bearing Vehicle Identification Number 1GNEK13T81R160806, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 36**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Suburban, bearing Vehicle Identification Number 3GNFK16T01G155650, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 37**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Suburban, bearing Vehicle Identification Number 3GNFK16T01G206838, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 38**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Suburban, bearing Vehicle Identification Number 3GNFK16T31G195205, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 39**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Suburban, bearing Vehicle Identification Number 3GNFK16TX1G225834, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 40**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Suburban, bearing Vehicle Identification Number 1GNFK16T21J242612, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 41**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Suburban, bearing Vehicle Identification Number 3GNGK26U81G192612, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 42**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Tahoe, bearing Vehicle Identification Number 1GNEK13T71R116389, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 43**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Suburban, bearing Vehicle Identification Number 3GNFK16T91G189098, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 44**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Suburban, bearing Vehicle Identification Number 3GNFK16T01G198403, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 45**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Tahoe, bearing Vehicle Identification Number 1GNEK13T01J183320, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.



**COUNT 46**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Suburban, bearing Vehicle Identification Number 3GNFK16T91G207194, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 47**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Suburban, bearing Vehicle Identification Number 3GNFK16T81G193241, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 48**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Suburban, bearing Vehicle Identification Number 3GNFK16T11G105629, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 49**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Suburban, bearing Vehicle Identification Number 3GNGK26U81G179567, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 50**

**ARSON**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and others known and unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 2001 Suburban, bearing Vehicle Identification Number 3GNGK26G21G215392, located at Romania Chevrolet Truck Center, 1425 Walnut Street, Eugene, Lane County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 51**

**USING AND CARRYING A DESTRUCTIVE DEVICE  
IN RELATION TO A CRIME OF VIOLENCE**

On or about March 30, 2001, at Eugene, Lane County, in the District of Oregon, defendants KEVIN TUBBS and STANISLAS GREGORY MEYERHOFF, and other persons unknown to the Grand Jury, unlawfully and knowingly used and carried one or more destructive devices, namely, one or more incendiary bombs, during and in relation to a crime of violence, namely, arson, in violation of Title 18, United States Code, Section 844(i), as charged in Counts 16-50 of this indictment, and possessed such destructive devices in furtherance of such crime; all in violation of Title 18, United States Code, Sections 924(c)(1)(A)(i) & (B)(ii) & (C)(ii) and 2.

///

**COUNT 52**

**ATTEMPTED ARSON**

On or about May 21, 2001, at Clatskanie, Columbia County, in the District of Oregon, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, DANIEL GERARD McGOWAN and CHELSEA DAWN GERLACH, and other persons known and unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the attempt to damage or destroy, by means of fire and an explosive, a building and other real and personal property used in interstate commerce and used in activities affecting interstate commerce, namely, the main office building and its contents located at Jefferson Poplar Farm, 79114 Collins Road, Clatskanie, Columbia County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 53**

**USING AND CARRYING A DESTRUCTIVE DEVICE  
IN RELATION TO A CRIME OF VIOLENCE**

On or about May 21, 2001, at Clatskanie, Columbia County, in the District of Oregon, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, DANIEL GERARD McGOWAN and CHELSEA DAWN GERLACH, and other persons known and unknown to the Grand Jury, unlawfully and knowingly used and carried one or more destructive devices, namely, one or more incendiary bombs, during and in relation to a crime of violence, namely, attempt to commit arson, in violation of Title 18, United States Code, Section 844(i), as charged in Count 52 of this indictment, and possessed such destructive devices in furtherance of such crime; all in violation of Title 18, United States Code, Sections 924(c)(1)(A)(i) & (B)(ii) & (C)(ii) and 2.

**COUNT 54**

**ARSON**

On or about May 21, 2001, at Clatskanie, Columbia County, in the District of Oregon, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, DANIEL GERARD McGOWAN and CHELSEA DAWN GERLACH, and other persons known and unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property used in interstate commerce and used in activities affecting interstate commerce, namely, a vehicle shop and its contents located at Jefferson Poplar Farm, 79114 Collins Road, Clatskanie, Columbia County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 55**

**ARSON**

On or about May 21, 2001, at Clatskanie, Columbia County, in the District of Oregon, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, DANIEL GERARD McGOWAN and CHELSEA DAWN GERLACH, and other persons known and unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a building and other real and personal property used in interstate commerce and used in activities affecting interstate commerce, namely, a shop and office building and its contents located at Jefferson Poplar Farm, 79114 Collins Road, Clatskanie, Columbia County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 56**

**ARSON**

On or about May 21, 2001, at Clatskanie, Columbia County, in the District of Oregon, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, DANIEL GERARD McGOWAN and CHELSEA DAWN GERLACH, and other persons known and unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 1997 Ford truck bearing Oregon license number VHQ 660, located at Jefferson Poplar Farm, 79114 Collins Road, Clatskanie, Columbia County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 57**

**ARSON**

On or about May 21, 2001, at Clatskanie, Columbia County, in the District of Oregon, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, DANIEL GERARD McGOWAN and CHELSEA DAWN GERLACH, and other persons known and unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 1984 Ford truck bearing Oregon license number CXR 901, located at Jefferson Poplar Farm, 79114 Collins Road, Clatskanie, Columbia County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 58**

**ARSON**

On or about May 21, 2001, at Clatskanie, Columbia County, in the District of Oregon, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, DANIEL GERARD McGOWAN and CHELSEA DAWN GERLACH, and other persons known and unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 1997 Ford truck bearing Oregon license number VHQ 661, located at Jefferson Poplar Farm, 79114 Collins Road, Clatskanie, Columbia County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 59**

**ARSON**

On or about May 21, 2001, at Clatskanie, Columbia County, in the District of Oregon, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, DANIEL GERARD McGOWAN and CHELSEA DAWN GERLACH, and other persons known and unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 1997 Ford truck bearing Oregon license number VNS 404, located at Jefferson Poplar Farm, 79114 Collins Road, Clatskanie, Columbia County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 60**

**ARSON**

On or about May 21, 2001, at Clatskanie, Columbia County, in the District of Oregon, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, DANIEL GERARD McGOWAN and CHELSEA DAWN GERLACH, and other persons known and unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 1996 Ford truck bearing Oregon license number UMZ 923, located at Jefferson Poplar Farm, 79114 Collins Road, Clatskanie, Columbia County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 61**

**ARSON**

On or about May 21, 2001, at Clatskanie, Columbia County, in the District of Oregon, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, DANIEL GERARD McGOWAN and CHELSEA DAWN GERLACH, and other persons known and unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 1990 Ford truck bearing Oregon license number 283 ACE, located at Jefferson Poplar Farm, 79114 Collins Road, Clatskanie, Columbia County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.



**COUNT 62**

**ARSON**

On or about May 21, 2001, at Clatskanie, Columbia County, in the District of Oregon, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, DANIEL GERARD McGOWAN and CHELSEA DAWN GERLACH, and other persons known and unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 1990 Ford truck bearing Oregon license number 282 ACE, located at Jefferson Poplar Farm, 79114 Collins Road, Clatskanie, Columbia County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 63**

**ARSON**

On or about May 21, 2001, at Clatskanie, Columbia County, in the District of Oregon, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, DANIEL GERARD McGOWAN and CHELSEA DAWN GERLACH, and other persons known and unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 1990 Ford truck bearing Oregon license number 361 ACC, located at Jefferson Poplar Farm, 79114 Collins Road, Clatskanie, Columbia County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 64**

**ARSON**

On or about May 21, 2001, at Clatskanie, Columbia County, in the District of Oregon, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, DANIEL GERARD McGOWAN, and CHELSEA DAWN GERLACH, and other persons known and unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 1981 GMC truck bearing Oregon license number NA41574, located at Jefferson Poplar Farm, 79114 Collins Road, Clatskanie, Columbia County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

**COUNT 65**

**ARSON**

On or about May 21, 2001, at Clatskanie, Columbia County, in the District of Oregon, defendants STANISLAS GREGORY MEYERHOFF, KEVIN TUBBS, DANIEL GERARD McGOWAN and CHELSEA DAWN GERLACH, and other persons known and unknown to the Grand Jury, unlawfully and willfully caused and aided, abetted, counseled, commanded, induced, and procured the malicious damaging and destroying, by means of fire and an explosive, of a vehicle used in interstate commerce and used in activities affecting interstate commerce, namely, a 1989 Ford truck bearing Oregon license number PWV 249, at Jefferson Poplar Farm, 79114 Collins Road, Clatskanie, Columbia County, Oregon; all in violation of Title 18, United States Code, Sections 844(i) and 2.

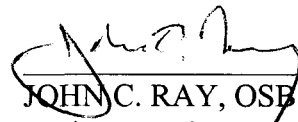
Dated this 19<sup>th</sup> day of January 2006.

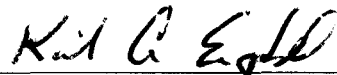
A TRUE BILL.  
/s/ Grand Jury Foreperson

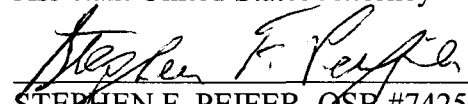
OFFICIATING FOREPERSON

Presented by:

KARIN J. IMMERGUT  
United States Attorney  
District of Oregon

  
\_\_\_\_\_  
JOHN C. RAY, OSB #72319  
Assistant United States Attorney

  
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KIRK A. ENGDAL, OSB #81215  
Assistant United States Attorney

  
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Assistant United States Attorney