

1 ROBERT S. BREWER, JR.  
United States Attorney  
2 JOSEPH S. GREEN  
Assistant U.S. Attorney  
3 California State Bar No. 251169  
ALEXANDRA F. FOSTER  
4 Assistant United States Attorney  
Washington, D.C. Bar No. 470096  
5 Federal Office Building  
880 Front Street, Room 6293  
6 San Diego, California 92101-8893  
Telephone: (619) 546-6955/6735  
7 Email: joseph.green@usdoj.gov/alexandra.foster@usdoj.gov  
Attorneys for the United States  
8

9 UNITED STATES DISTRICT COURT  
10 SOUTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 v.  
14 MATTHEW ISAAC WOFLE (2)  
15 Defendant.  
16

Case No. 19CR4488-JLS

GOVERNMENT'S RESPONSE IN  
OPPOSITION TO DEFENDANT'S  
MOTION TO RESCIND DETENTION  
ORDER AND SET BAIL

17 The United States of America, by and through its counsel, Robert  
18 S. Brewer, Jr., United States Attorney, and Joseph S. Green and  
19 Alexandra F. Foster, Assistant United States Attorneys, hereby responds  
20 to Defendant's Motion to Rescind Detention Order and Set Bail.

21 Defendant is charged with two counts of Sex Trafficking by Force,  
22 Fraud or Coercion, and Conspiracy to Commit Sex Trafficking by Force,  
23 Fraud or Coercion, in violation of 18 U.S.C. §§ 1591, 1594. There is  
24 a rebuttable presumption that no condition or combination of conditions  
25 will reasonably assure Defendant's appearance and the safety of the  
26 community. 18 U.S.C. § 3142(e)(3)(D).  
27  
28

1 On October 15, 2019, the Court ordered Defendant detained based on  
2 its findings that: (1) no condition or combination of conditions would  
3 reasonably assure Defendant's appearance and the safety of the  
4 community; and (2) there was a serious risk that Defendant would attempt  
5 to obstruct justice and intimidate prospective witnesses if released.

6 Defendant was Michael Pratt's right-hand man in a multi-million  
7 dollar criminal enterprise that used fraud, force and coercion to induce  
8 women to make pornographic videos for their websites. Defendant  
9 recruited victims, shot more than one hundred girlsoporn (GDP) videos,  
10 managed the books, and maintained the GDP website. The scheme exacted  
11 a devastating toll on the victims. Defendant and his accomplices  
12 ignored the constant stream of pleas from victims to take down their  
13 videos, and instead just moved onto the next one. When some victims  
14 took legal action, Defendant participated in harassing them.

15 Defendant has no reason to remain in the United States. He is a  
16 citizen of New Zealand with no right to live or work in the United  
17 States. He could live anywhere. He owes millions of dollars to a  
18 subset of his victims. For the reasons previously stated, and in  
19 consideration of the new evidence below, the United States urges the  
20 Court to deny the motion.

21 **Additional Evidence Supporting Detention**

22 The GDP office where Defendant worked was searched the day after  
23 his arrest. Agents located a chart listing countries that do not  
24 extradite individuals to the United States. The chart indicated whether  
25 each country had on-line banking and whether citizens of New Zealand,  
26 like Defendant, could obtain a visa. See Exhibit A (filed under seal).

1 Travel records show that Defendant's fiancé, her child, and their  
2 child-in-common spent more than a month in living Defendant's home  
3 country, New Zealand, in December, 2019 and January, 2020. If Defendant  
4 fled there, it could take years to extradite him back to the U.S.<sup>1</sup>

5 According to Defendant, his fiancé's family is sufficiently  
6 wealthy to set up trust funds for his children. On October 16, 2019,  
7 a week after Defendant's arrest, \$250,000 was deposited into one of the  
8 children's accounts. These funds could easily be converted to support  
9 the family's relocation to New Zealand or a country on the chart.

10 From 2014 to 2018, GDP entities transferred almost \$88,000 to Hayst  
11 Holdings, Defendant's New Zealand company. In the civil trial,  
12 Defendant testified that he wired funds to entities in Vanuatu using  
13 Hayst Holdings, but claimed not to know anything about the entities in  
14 Vanuatu. Judge Enright found that Defendant and Pratt transferred  
15 assets to Vanuatu to hinder, delay or defraud the victims.

16 After Pratt absconded in June 2019, Defendant wired Pratt more  
17 than \$5,000 over a few weeks.<sup>2</sup> Defendant has maintained a Bitcoin wallet  
18 and bought and sold cryptocurrency for years. Such knowledge could be  
19 used to facilitate flight and ensure anonymity once settled in another  
20 country. Defendant could still have money hidden in cryptocurrency.

21 On January 2, 2020, California Superior Court Judge Kevin A.  
22 Enright rendered a Proposed Statement of Decision in the related civil  
23 suit.<sup>3</sup> Judge Enright ordered Defendant, and his entities, to pay

---

24 <sup>1</sup> For example, the United States has been seeking the extradition of  
25 Kim Dotcom from New Zealand since 2012.

26 <sup>2</sup> Pratt remains a fugitive despite efforts to secure his arrest.

27 <sup>3</sup> According to information provided by counsel for the victims, the  
28 order is not final, because Domi Publications filed for bankruptcy  
before the objection period expired.

1 approximately \$13 million in compensatory and punitive damages to the  
2 victims.

3 In reaching his decision, Judge Enright found the following: the  
4 testimony of all 21 victims was credible; the defendants used deceptive  
5 practices to recruit victims and acted with malice; more often than  
6 not, Andre Garcia offered the victims alcohol and/or marijuana before  
7 the shoot; and the defendants used coercive tactics if necessary to  
8 complete the video shoot (“[O]nce in the hotel room, Plaintiffs lacked  
9 had [sic] any feasible means of egress until Defendants declared that  
10 the shoot was completed and released them.”) During these shoots,  
11 Defendant was often the videographer, and the only other person in the  
12 room.

13 During the search of GDP’s office, agents found evidence of efforts  
14 to harass and intimidate the victims and their attorneys:

15 a. A video script entitled, “22 Whores + 5 Shady Lawyers VS  
16 GirlsDoPorn,” with the subheading, “Share and spread this video as far  
17 and wide as possible.”<sup>4</sup> See Exhibit B (filed under seal).

18 b. A second video script targeting a particular plaintiff in the  
19 civil suit with specific instructions that Defendant should be consulted  
20 during its production.<sup>5</sup> See Exhibit C (filed under seal).

21  
22  
23 <sup>4</sup> The script listed the names of the plaintiffs in the civil suit,  
24 along with information intended to embarrass, harass and intimidate  
25 them. “Put each girls [sic] full name and location on screen before  
26 rolling there [sic] shit . . . .” “Final Screen big text These retarded  
27 lawyers and disquisting [sic] whores wasted 3 years of everyones [sic]  
28 time Ask yourself how viral these videos will go now if nobody is  
controlling them . . . . Good Job :).”

<sup>5</sup> The document stated, “some of these things u might not know wtf  
ask wolfy [Defendant] he should.”

1 c. A phone list with the victims' names and Jane Doe numbers  
2 that memorialized attempts to get information from them over the  
3 telephone by posing as a journalist.<sup>6</sup> See Exhibit D (filed under seal).

4 On October 29, 2019, a witness testified in the civil case that  
5 she had been hired by a GDP employee to harass the victims' counsel  
6 with phone calls every day for \$300 per week.

7 Finally, according to Defendant's medical record, he suffers from  
8 mild sleep apnea. The CDC does not identify mild sleep apnea as a risk  
9 factor for COVID-19. The United States recognizes that even with the  
10 efforts of BOP and other facilities, there is still a risk of COVID-19  
11 transmission in custodial settings. Nevertheless, this generalized risk  
12 cannot be permitted to overwhelm the balance of factors prescribed by  
13 Congress in determining whether a particular defendant is properly  
14 subject to pretrial detention. Moreover, during a time when community  
15 and law-enforcement resources are devoted to fighting COVID-19, it may  
16 be easier for a motivated defendant to abscond.<sup>7</sup>

17 The United States respectfully opposes the motion.

18  
19 Respectfully submitted,

20 ROBERT S. BREWER, JR.  
21 United States Attorney

22 /s/ Joseph S. Green  
23 JOSEPH S. GREEN  
24 Assistant U.S. Attorney  
25 Attorneys for United States of  
26 America

24 <sup>6</sup> The following was handwritten on the back, "Hi My name is [\*\*\*  
25 \*\*\*], I'm a journalist from LA, I'm calling in regards to the  
26 girlsdoporn case. I've heard your [sic] related to the case & curious  
to get a comment if you have the spare time."

27 <sup>7</sup> See *United States v. Barai*, No. 2:16-cr-00217-MCE, 2020 WL 1812161,  
at \*2 (E.D. Cal. Apr. 9, 2020).