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3:05-M -00241 USA V. MAYER
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AO91(10/80)

Complaint

FILED

UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF CALIFORNIA

05 FEB 11 PM 2:52

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Magistrate's Case No:

'05 mg 0241

DEPUTY

UNITED STATES OF AMERICA COMPLAINT for VIOLATION of

V.

U.S.C. Title 18

DAVID CORY MAYER (1)
PHILLIP TODD CALVIN (2)
PAUL ERNEST ZIPSZER (3)

Section: 2423(e)

Unsealed 2/14/05
ORDERED SEALED BY COURT

The undersigned complainant being duly sworn states:

Beginning on a date unknown, but not later than November 12, 2004, and continuing until February 11, 2005, within the Southern District of California and elsewhere, defendants **DAVID CORY MAYER, PHILLIP TODD CALVIN, AND PAUL ERNEST ZIPSZER** did knowingly and willfully combine, conspire, and agree with each other and others unknown to travel in interstate and foreign commerce for the purpose of engaging in illicit sexual conduct, (as defined in Title 18, United States Code, Section 2246), with a person under eighteen years of age, which said sexual act would be in violation of Chapter 109A of Title 18, United States Code, if the sexual act occurred in the special maritime and territorial jurisdiction of the United States, all in violation of Title 18, United States Code, Section 2423(e).

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

DATED this 11th day of February, 2005.

John Caruthers
JOHN CARUTHERS
Special Agent
Federal Bureau of Investigation

Subscribed and Sworn To before me
this 11 day of February, 2005

[Signature]
United States Magistrate Judge

STATEMENT OF FACTS

I am a Special Agent of the Federal Bureau of Investigation (FBI) assigned to the San Diego Division. I have been employed as a Special Agent of the FBI for approximately six years, and have been involved in investigations of crimes against children for approximately two years. The facts laid out in this statement of facts are the result of an ongoing undercover investigation whereby an undercover employee (UCE) of the FBI has become a trusted member of the North American Man/Boy Love Association (NAMBLA). Through that membership, the UCE became acquainted with defendants DAVID CORY MAYER, PHILLIP TODD CALVIN, and PAUL ERNEST ZIPSZER.

1. On or about November 12, 2004, David Cory Mayer, Phillip Todd Calvin, and Paul Ernest Zipzser arrived in Miami, Florida, for the purpose of attending the NAMBLA 2004 National Convention. The UCE met all three defendants at the convention. I went to Miami with the UCE. While I did not attend the convention activities, I was in constant communication with the UCE and monitored his activities.
2. While at the convention, the UCE spoke to Calvin and Mayer and other convention attendees about techniques used to meet boys. During this conversation, Calvin asked the UCE to research a possible "trip" to Mexico for the purpose of engaging in sex with underage boys.
3. While at the convention, Mayer discussed past trips he had taken to Southeast Asia and Acapulco, Mexico for the purpose of engaging in sex with boys. Mayer said that in Acapulco, the boys on the beach knew what they were there for and that he knew what they were there for.
4. On November 15, 2004, Mayer sent an e-mail to the UCE and another convention attendee related to a resort in Acapulco.
5. On November 16, 2004, the UCE sent an e-mail to Mayer and Calvin stating that he had a "friend" who had found a "safe haven" in Mexico. The words "safe haven" referred to a destination whereby travelers could engage in sexual activity with underage boys.
6. On November 16, 2004, Calvin responded with an e-mail to the UCE and wrote "I'm really looking forward to the trip!"
7. On December 4, 2004, the UCE sent an e-mail to Calvin and Mayer, describing the trip and saying that the trip should have six people attending. The UCE inquired if "Muscleman" might want to go. "Muscleman" is Paul Zipszer, who had attended one day of the NAMBLA Miami convention and was well liked by Calvin and Mayer. Mayer thought that "muscleman" might be interested in attending, but the email address he had for him did not work. Mayer contacted Calvin, and Calvin telephoned Paul, leaving a message on December 5, 2004.
8. On December 6, 2004, Mayer sent an e-mail to the UCE and wrote, "SIGN ME UP!" in reference to the "trip" to Mexico.

9. On December 12, 2004, Mayer sent an e-mail to the UCE and penned, "Let me know who and where to send the deposit." He also wrote, "2/12 works for me!" This date was decided as the beginning of the "trip."
10. On December 14, 2004, in a recorded telephone conversation, Calvin told the UCE about a past sexual encounter with a 13 year-old boy. He also requested an age range of 12 to 13 years old regarding the upcoming trip.
11. On December 19, 2005, in a recorded telephone call, Mayer told the UCE that he would prefer "hairless" boys on the trip. He also stated that "anal would be nice but not necessary ... it would be the icing on the cake but I'm not going to hold my breath." Mayer told the UCE that he had done this before in Thailand and Mexico and that for \$20, he could get whatever he wanted.
12. On December 19, 2005, in a recorded telephone call between the UCE, Calvin, and Mayer, Calvin agreed with Mayer that anal sex would be the icing on the cake.
13. On December 27, 2004, in a recorded telephone conversation, Calvin told the UCE that he wanted to bring the boys back with him.
14. On December 28, 2004, the UCE received a check for \$620 from Mayer as a payment for the "trip."
15. On January 2, 2005, in a recorded telephone call, the UCE invited Zipszer to join other NAMBLA members on the trip to Mexico for the purpose of engaging in sex with underage boys. The UCE made this offer at the request of Mayer, who had unsuccessfully attempted to contact Zipszer. Zipszer said that he would consider the offer and let the UCE know.
16. On January 6, 2005, in a recorded telephone call, Zipszer contacted the UCE and advised that he would like to go on the "trip."
17. On January 17, 2005, in a recorded telephone call, Zipszer told the UCE that he his age preference on this "trip" would be boys between the ages of 11 and 13 years old.
18. On January 21, 2005, the UCE received a check from Zipszer for \$620 as payment for the above described trip.
19. On January 14, 2005, the undercover "travel agency" associated with the above described "trip" received authorization from Calvin to charge his credit card \$558.
20. On February 11, 2005, Calvin, Zipszer, and Mayer arrived in San Diego and were picked up at the airport by the UCE.