

10 May 2022

Charges laid against two Megaupload defendants

Mr Mathias Ortmann and Mr Bram van der Kolk were formerly associated with Megaupload.com. The United States requested their extradition from New Zealand in 2012 to stand trial in the United States on charges laid there against key personnel associated with Megaupload.com. The defendant group included Mr Kim Dotcom and Mssrs Ortmann and van der Kolk. The New Zealand Supreme Court confirmed late last year that they are eligible for surrender [[Press release 21 December 2021](#)]. Ordinarily, the next major step in the extradition process would be for the Minister of Justice to consider relevant matters and decide whether the men should in fact be extradited to the United States.

Instead of this, Mssrs Ortmann and van der Kolk approached Crown Law and proposed a New Zealand resolution to the charges they face in the United States. The resolution involved prosecution of these two men in New Zealand instead of extradition. The United States authorities were consulted on the proposal and have agreed the extradition request will be withdrawn when the New Zealand charges are resolved.

The New Zealand Police were also consulted and decided to lay equivalent charges under New Zealand law.

The Deputy Solicitor-General, Criminal, Madeleine Laracy, confirms that charges were filed this morning in the Auckland District Court. The matter is now before the Court, so Crown Law will make no further comment on the matter at this time.

For Crown Law:

Elizabeth.underhill@crownlaw.govt.nz

Executive Adviser to the Solicitor-General