# Ex-Flow Traders Worker Ducks Prison For Source Code Theft

By **Stewart Bishop**

Law360, New York (February 23, 2015, 5:44 PM ET) -- A former trader for a Flow Traders BV affiliate has cut a deal with New York City prosecutors who accused him of stealing the Dutch trading house's proprietary software, dodging any prison time in exchange for pleading guilty Monday to unlawful computer data use.

At a hearing before New York Supreme Court Judge Laura Ward in Manhattan, Jason Vuu pled guilty to two counts of unlawful duplication of computer related material and two counts of unlawful use of secret scientific material, all felonies. Vuu was sentenced to five years probation, and agreed to pay almost $50,000 in restitution.

Manhattan District Attorney Cyrus R. Vance had accused Vuu of sending files from his work email account to his personal email account containing Flow Traders' trading strategies and valuation algorithms on seven occasions between August 2011 and August 2012. Vuu also sent files containing portions of the firm's proprietary source code, which "allows the company to structure and execute its trades on the financial markets," according to prosecutors.

Vance claimed that Vuu had conspired with another man, Simon Lu, who did not work at Flow Traders, to "use the [source] code and knowledge learned from Flow Traders to create their own trading company."

Vuu's attorney, Jeremy Saland of Crotty Saland PC, told reporters after the sentencing that Vuu did not use any Flow Traders information in a way that was harmful to his former company. All the restitution order covers is legal fees and expenses incurred during the investigation, he said.

"This was not a case where Mr. Vuu in any way shape or form used the materials in a malicious way to damage Flow Traders," Saland said. "This is arguably a case of curiosity killed the cat, where someone went in and accessed materials that maybe they should not have, but not for any malicious personal gain."

Saland said throughout the case, no evidence had been submitted that indicated Vuu tried to use the information in an improper way, if at all.

Representatives for Vance did not immediately respond to requests for comment Monday.

Lu, who prosecutors say is a friend of Vuu's from their college days at the Massachusetts Institute of Technology, has also been charged. Separately, Vance

has accused another onetime trader for Flow Traders, Glen Cressman, of stealing proprietary strategy files and source code from Flow Traders.

In December, attorneys said in a court hearing that Vance has offered to let Cressman plead guilty to a misdemeanor charge of unlawful transfer of computer material, pay about $60,000 in restitution and agree to a three-year ban from the securities industry.

Judge Ward called that offer "very, very, very generous."

Flow Traders — a trading firm that was founded in 2004 in Amsterdam and now has offices in Singapore and Manhattan — trades securities, futures, options and other instruments on exchanges around the world, according to its website.

Vance has taken a hard line on the alleged trade theft of proprietary information from Wall Street firms in recent years, bringing actions such as the case against former Goldman Sachs Group Inc. programmer Sergey Aleynikov for allegedly stealing the bank's computer code, even after he beat federal charges.

The Manhattan DA has also charged a former analyst for hedge fund Two Sigma Investments LLC with stealing trade secrets from his former employer, claiming he used a remote-access device to view Two Sigma's confidential trading models and sent this information to his personal email account.

Vuu is represented by Jeremy Saland of Crotty Saland PC.

The government is represented by Assistant District Attorney Daniel Holmes.

The case is People v. Simon Lu et al., case number 03869/2013, in the Supreme Court of the State of New York, County of New York.

--Additional reporting by Max Stendahl. Editing by John Quinn.