

31

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case:2:11-cr-20468
Judge: Tarnow, Arthur J.
MJ: Majzoub, Mona K.
Filed: 07-26-2011 At 02:26 PM
INDI USA V. SEALED MATTER (DA)

- | | |
|--|--------------------------|
| D-1 BABUBHAI ("BOB") PATEL, R.Ph. | VIO.: 18 U.S.C. § 1349 |
| D-2 PAUL PETRE, M.D. | 18 U.S.C. § 1347 |
| D-3 DINESHKUMAR ("DANNY") PATEL, R.Ph. | 21 U.S.C. § 846 |
| D-4 ANISH BHAVSAR, R.Ph. | 21 U.S.C. § 841(a)(1) |
| D-5 ASHWINI SHARMA, R.Ph. | 18 U.S.C. § 2 |
| D-6 BRIJESH RAWAL, R.Ph. | 18 U.S.C. § 981(a)(1)(C) |
| D-7 PINAKEEN PATEL, R.Ph. | 18 U.S.C. § 982 |
| D-8 KARTIK SHAH, R.Ph. | 21 U.S.C. § 853 |
| D-9 VIRAL THAKER, R.Ph. | 28 U.S.C. § 2461 |
| D-10 HIREN PATEL, R.Ph. | |
| D-11 MITESHKUMAR PATEL, R.Ph. | |
| D-12 LOKESH ("LUCKY") TAYAL, R.Ph. | |
| D-13 NARENDERA CHERAKU, R.Ph. | |
| D-14 CHETAN GUJARATHI | |
| D-15 ARPITKUMAR ("ART") PATEL | |
| D-16 SUMANRAY RAVAL | |
| D-17 HARPREET SACHDEVA | |
| D-18 RAMESH PATEL | |
| D-19 RANA NAEEM | |
| D-20 ANMY TRAN, D.P.M. | |
| D-21 MARK GREENBAIN, M.D. | |
| D-22 MUSTAK VAID, M.D. | |
| D-23 SANYANI EDWARDS | |
| D-24 KOMAL ACHIARYA | |
| D-25 LEODIS ELLIOTT | |
| D-26 LAVAR ("L.A.") CARTER | |

Defendants.

_____ /

INDICTMENT

THE GRAND JURY CHARGES:

General Allegations

At all times relevant to this Indictment:

The Health Insurance Programs

1. The Medicare program was a federal health care program providing benefits to persons who were over the age of 65 or disabled. Medicare was administered by the Centers for Medicare and Medicaid Services (“CMS”), a federal agency under the United States Department of Health and Human Services. Individuals who received benefits under Medicare were referred to as Medicare “beneficiaries.”

2. Medicare was a “health care benefit program,” as defined by Title 18, United States Code, Section 24(b).

3. “Part D” of the Medicare program subsidized the costs of prescription drugs for Medicare beneficiaries in the United States. It was enacted as part of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 and went into effect on January 1, 2006. Part D benefits were administered by private insurance plans that were reimbursed by Medicare through CMS.

4. Beneficiaries could obtain Part D benefits in two different ways: they could join a Prescription Drug Plan which covered only prescription drugs; or they could join a Medicare Advantage Plan that covered both prescription drugs and medical services.

5. Under Part D, a pharmacy could contract with multiple private insurance plans or their Pharmacy Benefit Managers which provided Medicare Part D coverage but could also submit claims for payment to a private insurance plan with which it did not have a contract. The pharmacy would submit claims for prescription fills obtained by Medicare Part D beneficiaries.

6. Typically, a Medicare beneficiary enrolled in a Medicare Part D plan would fill their prescription at a pharmacy utilizing their Medicare Part D plan coverage to pay for the prescription. The pharmacy would then submit the prescription claim for reimbursement to the Medicare Part D beneficiary's Part D plan for payment under the beneficiary's Health Insurance Claim Number and/or Medicare Plan identification number.

7. Part B of the Medicare Program was a medical insurance program that covered, among other things, certain physician home and office visits, and other health care benefits, items, and services, that were medically necessary and ordered by licensed medical doctors or other qualified health care providers.

8. By becoming a participating provider in Medicare Part B, enrolled providers agree to abide by the policies and procedures, rules, and regulations governing reimbursement. In order to receive Medicare funds, enrolled providers, together with their authorized agents, employees, and contractors, are required to abide by all the provisions of the Social Security Act, the regulations promulgated under the Act, and applicable policies and procedures, rules, and regulations, issued by CMS and its authorized agents and contractors.

9. Upon certification, the medical provider, whether a clinic or an individual, is assigned a provider identification number for billing purposes (referred to as a "PIN"). When the medical provider renders a service, the provider submits a claim for reimbursement to the Medicare contractor/carrier that includes the PIN assigned to that medical provider. When an individual medical provider is associated with a clinic, Medicare Part B required that the individual provider number associated with the clinic be placed on the claim submitted to the Medicare contractor.

10. Health care providers were given and/or provided with online access to Medicare manuals and services bulletins describing proper billing procedures and billing rules and regulations. Providers can only submit claims to Medicare for services they rendered and providers must maintain patient records to verify that the services were provided as described on the claim.

11. The Michigan Medicaid program (“Medicaid”) was a federal and state funded health care program providing benefits to individuals and families who met specified financial and other eligibility requirements, and certain other individuals who lacked adequate resources to pay for medical care. CMS was responsible for overseeing the Medicaid program in participating states, including Michigan. Individuals who received benefits under the Medicaid program were similarly referred to as “beneficiaries.”

12. Medicaid was a “health care benefit program,” as defined by Title 18, United States Code, Section 24(b).

13. Medicaid covered the costs of medical services and products ranging from routine preventive medical care for children to institutional care for the elderly and disabled. Among the specific medical services and products provided by Medicaid were reimbursements to pharmacies for the provision of prescription drugs. Generally, Medicaid covered these costs if, among other requirements, they were medically necessary and ordered by a physician.

14. In addition to Medicare and Medicaid, numerous private entities (collectively “the private insurers”), also provided health insurance plans, affecting commerce, under which medical benefits, items, and services, were provided to individuals. Individuals who received benefits under health insurance plans offered by the private insurers are similarly referred to as “beneficiaries.”

15. The private insurers provided health insurance plans that constituted “health care benefit programs” as defined by Title 18, United States Code, Section 24(b).

16. The private insurers compensated medical service providers for medical services, including the provision of prescription drugs, that were actually rendered and were medically necessary.

17. To receive reimbursement from the private insurers, medical service providers submitted or caused the submission of claims, either electronically or in writing, to the private insurer for payment of services, either directly or through a billing company.

The Pharmacies

18. Caring Pharmacy was the assumed name of multiple Michigan corporations that did business at 4000 West Davidson Street in Detroit, Michigan. Caring Pharmacy purported to provide prescription drugs to Medicare, Medicaid, and private insurer beneficiaries.

19. Detroit Care Pharmacy, and later Wayne Pharmacy, were the assumed names of multiple Michigan corporations that did business at 430 Mack Avenue in Detroit, Michigan. Detroit Care Pharmacy and Wayne Pharmacy purported to provide prescription drugs to Medicare, Medicaid, and private insurer beneficiaries.

20. Grand River Pharmacy, Friendly Pharmacy, Kalika Corporation, and Levan Pharmacy were the assumed names of multiple Michigan corporations that did business at 19460 Grand River Avenue in Detroit, Michigan. Grand River Pharmacy, Friendly Pharmacy, Kalika Corporation, and Levan Pharmacy purported to provide prescription drugs to Medicare, Medicaid, and private insurer beneficiaries.

21. Rapid Drugs Pharmacy, and later Noblecare Pharmacy, were the assumed names of a Michigan Corporation that did business at 22972 Lahser in Southfield, Michigan. Rapid

Drugs Pharmacy and Noblecare Pharmacy purported to provide prescription drugs to Medicare, Medicaid, and private insurer beneficiaries.

22. Best Care Pharmacy was the assumed name of a Michigan Corporation that did business at 27101 Schoenherr Road in Warren, Michigan. Best Care Pharmacy purported to provide prescription drugs to Medicare, Medicaid, and private insurer beneficiaries.

23. Highland Park Pharmacy was the assumed name of multiple Michigan corporations that did business at 28001 Schoenherr Road in Warren, Michigan. Highland Park Pharmacy purported to provide prescription drugs to Medicare, Medicaid, and private insurer beneficiaries.

24. Independent Community Pharmacy was the assumed name of a Michigan corporation that did business at 8742 West Warren Ave. in Dearborn, Michigan. Independent Community Pharmacy purported to provide prescription drugs to Medicare, Medicaid, and private insurer beneficiaries.

25. Tri-City Apothecary was the assumed name of a Michigan corporation that did business at 3720 Katalin Court in Bay City, Michigan. Tri-City Apothecary purported to provide prescription drugs to Medicare, Medicaid, and private insurer beneficiaries.

26. Taylor Apothecary was the assumed name of a Michigan corporation that did business at 7700 Telegraph Road in Taylor, Michigan. Taylor Apothecary purported to provide prescription drugs to Medicare, Medicaid, and private insurer beneficiaries.

27. Be Well Pharmacy was a Michigan corporation that did business at 1964 West Eleven Mile Road in Berkley, Michigan. Be Well Pharmacy purported to provide prescription drugs to Medicare, Medicaid, and private insurer beneficiaries.

28. Care For You Pharmacy was the assumed name of a Michigan corporation that did business at both 14825 West McNichols Road and 15101 West McNichols Road in Detroit, Michigan. Care For You Pharmacy purported to provide prescription drugs to Medicare, Medicaid, and private insurer beneficiaries.

29. Preferred Care Pharmacy was the assumed name of multiple Michigan corporations that did business at 461 West Huron Street in Pontiac, Michigan. Preferred Care Pharmacy purported to provide prescription drugs to Medicare, Medicaid, and private insurer beneficiaries.

30. Preferred Pharmacy was the assumed name of multiple Michigan corporations that did business at 1639 Big Beaver Road, Suite 101, in Troy, Michigan. Preferred Pharmacy purported to provide prescription drugs to Medicare, Medicaid, and private insurance beneficiaries.

31. Sapphire Apothecary was the assumed name of a Michigan corporation that did business at 690 South Trumbell in Bay City, Michigan. Sapphire Apothecary purported to provide prescription drugs to Medicare, Medicaid, and private insurer beneficiaries.

32. Prestige Drugs was the assumed name of multiple Michigan corporations that did business at 116 West Eight Mile Road in Hazel Park, Michigan. Prestige Drugs purported to provide prescription drugs to Medicare, Medicaid, and private insurer beneficiaries.

33. Prestige Drugs Pharmacy was the assumed name of a Michigan corporation that did business at 20770 Greenfield in Oak Park, Michigan. Prestige Drugs Pharmacy purported to provide prescription drugs to Medicare, Medicaid, and private insurer beneficiaries.

34. Prestige Pharmacy was the assumed name of a Michigan corporation that did business at 9600 Dexter Road in Detroit, Michigan. Prestige Drugs Pharmacy purported to provide prescription drugs to Medicare, Medicaid, and private insurer beneficiaries.

35. Glendale Pharmacy was the assumed name of a Michigan corporation that did business at 211 Glendale Street in Detroit, Michigan. Glendale Pharmacy purported to provide prescription drugs to Medicare, Medicaid, and private insurer beneficiaries.

36. Airport Apothecary was a Michigan corporation that did business at 6620 Highland Road in Waterford, Michigan, and at 2550 Telegraph Road, Suite 107A in Bloomfield Hills, Michigan. Airport Apothecary purported to provide prescription drugs to Medicare, Medicaid, and private insurance beneficiaries.

37. RX Now Pharmacy was the assumed name of a Michigan corporation that did business at 38525 Eight Mile Road in Livonia, Michigan. RX Now Pharmacy purported to provide prescription drugs to Medicare, Medicaid, and private insurer beneficiaries.

38. Davenport Pharmacy was the assumed name of a Michigan Corporation that did business at 3406 Davenport in Saginaw, Michigan. Davenport Pharmacy purported to provide prescription drugs to Medicare, Medicaid, and private insurer beneficiaries.

39. Commerce Township Pharmacy was the assumed name of a Michigan corporation that did business at 2455 Union Lake in Commerce Township, Michigan. Commerce Township Pharmacy purported to provide prescription drugs to Medicare, Medicaid, and private insurer beneficiaries.

40. Responsible Care Pharmacy was the assumed name of a Michigan corporation that did business at 430 Mack Avenue, Lower Level, in Detroit, Michigan. Responsible Care

Pharmacy purported to provide prescription drugs to Medicare, Medicaid, and private insurer beneficiaries.

41. Diamond Pharmacy was the assumed name of a Michigan corporation that did business at 119 East Patterson in Kalamazoo, Michigan. Diamond Pharmacy purported to provide prescription drugs to Medicare, Medicaid, and private insurer beneficiaries.

42. Eastpointe Pharmacy was the assumed name of a Michigan corporation that did business at 18325 Ten Mile Road in Roseville, Michigan. Eastpointe Pharmacy purported to provide prescription drugs to Medicare, Medicaid, and private insurer beneficiaries.

43. Rapid Pharmacy was the assumed name of a Michigan Corporation that did business at 11664 Martin in Warren, Michigan. Rapid Pharmacy purported to provide prescription drugs to Medicare, Medicaid, and private insurer beneficiaries.

The Defendants

44. BABUBHAI PATEL, R.Ph., a resident of Wayne County, Michigan, was the beneficial owner, controller, and manager of Caring Pharmacy, Detroit Care Pharmacy, Wayne Pharmacy, Grand River Pharmacy, Friendly Pharmacy, Kalika Corporation, Lcvan Pharmacy, Rapid Drugs, Noblecare Pharmacy, Best Care Pharmacy, Highland Park Pharmacy, Independent Community Pharmacy, Tri City Apothecary, Be Well Pharmacy, Taylor Apothecary, Care For You Pharmacy, Preferred Care Pharmacy, Preferred Pharmacy, Sapphire Apothecary, Prestige Pharmacy, Prestige Drugs Pharmacy, Prestige Drugs, Glendale Pharmacy, Airport Apothecary, RX Now Pharmacy, Davenport Pharmacy, Commerce Township Pharmacy, Responsible Care Pharmacy, Diamond Pharmacy, Eastpointe Pharmacy, and Rapid Pharmacy (collectively “the Patel Pharmacies.”)

45. PAUL PETRE, M.D., a resident of Oakland County, Michigan, was a physician licensed in the State of Michigan who prescribed drugs for Medicare, Medicaid, and private insurance beneficiaries that were purportedly filled at the Patel Pharmacies.

46. DINESHKUMAR PATEL, R.Ph., a resident of Wayne County, Michigan, was a pharmacist who purportedly filled prescriptions for Medicare, Medicaid, and private insurance beneficiaries at the Patel Pharmacies.

47. ANISH BHAVSAR, R.Ph., a resident of Wayne County, Michigan, was a pharmacist who purportedly filled prescriptions for Medicare, Medicaid, and private insurance beneficiaries at the Patel Pharmacies.

48. ASHWINI SHARMA, R.Ph., a resident of Oakland County, Michigan, was a pharmacist who purportedly filled prescriptions for Medicare, Medicaid, and private insurance beneficiaries at the Patel Pharmacies.

49. BRIJESH RAWAL, R.Ph., a resident of Wayne County, Michigan, was a pharmacist who purportedly filled prescriptions for Medicare, Medicaid, and private insurance beneficiaries at the Patel Pharmacies.

50. PINAKEEN PATEL, R.Ph., a resident of Macomb County, Michigan, was a pharmacist who purportedly filled prescriptions for Medicare, Medicaid, and private insurance beneficiaries at the Patel Pharmacies.

51. KARTIK SHAH, R.Ph., a resident of Wayne County, Michigan, was a pharmacist who purportedly filled prescriptions for Medicare, Medicaid, and private insurance beneficiaries at the Patel Pharmacies.

52. VIRAL THAKER, R.Ph., a resident of Hancock County, Ohio, was a pharmacist who purportedly filled prescriptions for Medicare, Medicaid, and private insurance beneficiaries at the Patel Pharmacies.

53. HIREN PATEL, R.Ph., a resident of Oakland County, Michigan, was a pharmacist who purportedly filled prescriptions for Medicare, Medicaid, and private insurance beneficiaries at the Patel Pharmacies.

54. MITESHKUMAR PATEL, R.Ph., a resident of Oakland County, Michigan, was a pharmacist who purportedly filled prescriptions for Medicare, Medicaid, and private insurance beneficiaries at the Patel Pharmacies.

55. LOKESH TAYAL, R.Ph., a resident of Wayne County, Michigan, was a pharmacist who purportedly filled prescriptions for Medicare, Medicaid, and private insurance beneficiaries at the Patel Pharmacies.

56. NARENDERA CHERAKU, R.Ph., a resident of Oakland County, Michigan, was a pharmacist who purportedly filled prescriptions for Medicare, Medicaid, and private insurance beneficiaries at the Patel Pharmacies.

57. CHETAN GUJARATHI, a resident of Wayne County, Michigan, was an accountant who assisted BABUBHAI PATEL in managing the operations of the Patel Pharmacies.

58. ARPITKUMAR PATEL, a resident of Wayne County, Michigan, was an associate of BABUBHAI PATEL who assisted in purportedly filling prescriptions for Medicare, Medicaid, and private insurance beneficiaries at the Patel Pharmacies.

59. SUMANRAY RAVAL, a resident of Oakland County, Michigan, was an associate of BABUBHAI PATEL who assisted in purportedly filling prescriptions for Medicare, Medicaid, and private insurance beneficiaries at the Patel Pharmacies.

60. HARPREET SACHDEVA, a resident of Wayne County, Michigan, was an associate of BABUBHAI PATEL who assisted in the operations of the Patel Pharmacies.

61. RAMESH PATEL, a resident of Wayne County, Michigan, was an associate of BABUBHAI PATEL who assisted in the operations of the Patel Pharmacies.

62. RANA NAEEM, a resident of Oakland County, Michigan, was an associate of BABUBHAI PATEL who assisted in the operations of the Patel Pharmacies.

63. ANMY TRAN, D.P.M., a resident of Macomb County, Michigan, was a podiatrist licensed in the State of Michigan who prescribed drugs for Medicare, Medicaid, and private insurance beneficiaries that were purportedly filled at the Patel Pharmacies.

64. MARK GREENBAIN, M.D., a resident of Oakland County, Michigan, was a physician licensed in the State of Michigan who prescribed drugs for Medicare, Medicaid, and private insurance beneficiaries that were purportedly filled at the Patel Pharmacies.

65. MUSTAK VAID, M.D., a resident of Wayne County, Michigan, was a physician licensed in the State of Michigan who prescribed drugs for Medicare, Medicaid, and private insurance beneficiaries that were purportedly filled at the Patel Pharmacies

66. SANYANI EDWARDS, a resident of Oakland County, Michigan, was a licensed psychologist who recruited Medicare, Medicaid, and private insurance beneficiaries and induced those beneficiaries to have their prescriptions purportedly filled at the Patel Pharmacies.

67. KOMAL ACHARYA, a resident of Oakland County, Michigan, was an associate of BABUBHAI PATEL who assisted BABUBHAI PATEL in managing the financial operations of the Patel Pharmacies.

68. LEODIS ELLIOTT, a resident of Oakland County, Michigan, was a patient recruiter who recruited Medicare, Medicaid, and private insurance beneficiaries and induced those beneficiaries to have their prescriptions purportedly filled at the Patel Pharmacies.

69. LAVAR CARTER, a resident of Macomb County, Michigan, was a patient recruiter who recruited Medicare, Medicaid, and private insurance beneficiaries and induced those beneficiaries to have their prescriptions purportedly filled at the Patel Pharmacies.

COUNT 1
(Health Care Fraud Conspiracy -- 18 U.S.C. § 1349)

- D-1 BABUBHAI PATEL
- D-2 PAUL PETRE
- D-3 DINESHKUMAR PATEL
- D-4 ANISH BHAVSAR
- D-5 ASHWINI SHARMA
- D-6 BRIJESH RAWAL
- D-7 PINAKEEN PATEL
- D-8 KARTIK SHAH
- D-9 VIRAL THAKER
- D-10 HIREN PATEL
- D-11 MITESHKUMAR PATEL
- D-12 LOKESH TAYAL
- D-13 NARENDERA CHERAKU
- D-14 CHETAN GUJARATHI
- D-15 ARPITKUMAR PATEL
- D-16 SUMANRAY RAVAL
- D-17 HARPREET SACHDEVA
- D-18 RAMESH PATEL
- D-19 RANA NAEEM
- D-20 ANMY TRAN
- D-21 MARK GREENBAIN
- D-22 MUSTAK VAID
- D-23 SANYANI EDWARDS

**D-24 KOMAL ACHARYA
D-25 LEODIS ELLIOTT
D-26 LAVAR CARTER**

70. Paragraphs 1 through 69 of the General Allegations section of this Indictment are realleged and incorporated by reference as though fully set forth herein.

71. From on or around January 2006, and continuing up to and including the present, at Wayne County, in the Eastern District of Michigan, and elsewhere, the defendants BABUBHAI PATEL, PAUL PETRE, DINESHKUMAR PATEL, ANISH BHAVSAR, ASHWINI SHARMA, BRIJESH RAWAL, PINAKEEN PATEL, KARTIK SHAH, VIRAL THAKER, HIREN PATEL, MITESHKUMAR PATEL, LOKESH TAYAL, NARENDERA CHERAKU, CHETAN GUJARATHI, ARPITKUMAR PATEL, SUMANRAY RAVAL, HARPREET SACHDEVA, RAMESH PATEL, RANA NAEEM, ANMY TRAN, MARK GREENBAIN, MUSTAK VAID, SANYANI EDWARDS, KOMAL ACHARYA, LEODIS ELLIOTT, and LAVAR CARTER did willfully, that is, with the specific intent to further the object of the conspiracy, and knowingly combine, conspire, confederate and agree with others, known and unknown to the Grand Jury, to violate Title 18, United States Code, Section 1347, that is, to execute a scheme and artifice to defraud a health care benefit program affecting commerce, as defined in Title 18, United States Code, Section 24(b), that is, Medicare, Medicaid, and private insurance plans, and to obtain, by means of materially false and fraudulent pretenses, representations, and promises, money and property owned by, and under the custody and control of, said health care benefit program, in connection with the delivery of and payment for health care benefits, items, and services.

Purpose of the Conspiracy

72. It was a purpose of the conspiracy for defendants BABUBHAI PATEL, PAUL

PETRE, DINESHKUMAR PATEL, ANISH BHAVSAR, ASHWINI SHARMA, BRIJESH RAWAL, PINAKEEN PATEL, KARTIK SHAH, VIRAL THAKER, HIREN PATEL, MITESHKUMAR PATEL, LOKESH TAYAL, NARENDERA CHERAKU, CHETAN GUJARATHI, ARPITKUMAR PATEL, SUMANRAY RAVAL, HARPREET SACHDEVA, RAMESH PATEL, RANA NAEEM, ANMY TRAN, MARK GREENBAIN, MUSTAK VAID, SANYANI EDWARDS, KOMAL ACHARYA, LEODIS ELLIOTT, and LAVAR CARTER and others to unlawfully enrich themselves by, among other things, (a) submitting false and fraudulent claims to Medicare, Medicaid, and private insurers for prescription medication, physician office visits, physician home visits, and other services; (b) offering and paying kickbacks and bribes to Medicare and Medicaid beneficiaries for the purpose of such beneficiaries arranging for the use of their Medicare and Medicaid beneficiary numbers by the conspirators as the bases of claims filed for prescription medication and other services; (c) soliciting and receiving kickbacks and bribes in return for arranging for the furnishing of services for which payment may be made by Medicare and Medicaid by providing their Medicare and Medicaid beneficiary numbers, which formed the basis of claims filed for prescription medication, physician home visits, physician office visits, and other services; (d) concealing the submission of false and fraudulent claims to Medicare, Medicaid, and private insurers, the receipt and transfer of the proceeds from the fraud, and the payment of kickbacks; and (e) diverting proceeds of the fraud for the personal use and benefit of the defendants and their co-conspirators.

Manner and Means

73. The manner and means by which the defendants and their co-conspirators sought to accomplish the purpose of the conspiracy included, among others, the following:

74. Defendant BABUBHAI PATEL would acquire ownership and control of various Michigan pharmacies, including the Patel Pharmacies, and would conceal his ownership and control of many of those pharmacies through the use of straw owners.

75. Defendant BABUBHAI PATEL and his associates would recruit pharmacists, including defendants DINESHKUMAR PATEL, ANISH BHAVSAR, ASHWINI SHARMA, BRIJESH RAWAL, PINAKEEN PATEL, KARTIK SHAH, VIRAL THAKER, HIREN PATEL, MITESHKUMAR PATEL, LOKESH TAYAL, and NARENDEERA CHERAKU, and employ these pharmacists at the Patel Pharmacies.

76. Defendant BABUBHAI PATEL and his associates would offer and provide kickbacks, bribes, and other inducements to patient recruiters, including defendants SANYANI EDWARDS, LEODIS ELLIOTT, LAVAR CARTER, who would themselves offer and provide kickbacks, bribes, and other inducements to Medicare, Medicaid, and private insurance beneficiaries for the purpose of inducing those beneficiaries to present their prescriptions at one of the Patel Pharmacies for billing.

77. Defendant BABUBHAI PATEL and his associates would offer and provide kickbacks, bribes, and other inducements to physicians and podiatrists, including defendants PAUL PETRE, ANMY TRAN, MARK GREENBAIN, and MUSTAK VAID, for the purpose of inducing those physicians to write prescriptions for medications for Medicare, Medicaid, and private insurance beneficiaries, and to direct that those prescriptions be presented to one of the Patel Pharmacies, so that the relevant insurer could be billed.

78. Defendants PAUL PETRE, ANMY TRAN, MARK GREENBAIN, and MUSTAK VAID would write prescriptions and bill for services purportedly provided to Medicare, Medicaid, and private insurance beneficiaries without regard to the medical necessity of those prescriptions and services.

79. Defendants PAUL PETRE, ANMY TRANH, MARK GREENBAIN, and MUSTAK VAID would direct Medicare, Medicaid, and private insurance beneficiaries to present their prescriptions to one of the Patel pharmacies, so that the relevant insurer could be fraudulently billed.

80. Defendants BABUBHAI PATEL and defendant pharmacists DINESHKUMAR PATEL, ANISH BHAVSAR, ASHWINI SHARMA, BRIJESH RAWAL, PINAKEEN PATEL, KARTIK SHAH, VIRAL THAKER, HIREN PATEL, MITESHKUMAR PATEL, LOKESH TAYAL, and NARENDERA CHERAKU would bill Medicare, Medicaid, and private insurers for prescription medications which were medically unnecessary and never provided.

81. Defendants CHETAN GUJARATHI, ARPITKUMAR PATEL, SUMANRAY RAVAL, HARPREET SACHDEVA, RAMESH PATEL, RANA NAEEM, and KOMAL ACHARYA would facilitate the objects of the conspiracy by, among other things, assisting in falsifying records to make it appear that prescription medication was medically necessary and actually provided, recruiting physicians and others into the scheme, and concealing tangible proceeds of the fraud.

82. Between January 2006 and the present, the Patel Pharmacies submitted claims to the Medicare program totaling not less than \$37,770,486, purportedly for the purpose of seeking reimbursement for medications that were medically necessary and actually provided.

83. Between January 2006 and the present, the Patel Pharmacies submitted claims to the Medicaid program totaling not less than \$20,806,487, purportedly for the purpose of seeking reimbursement for medications that were medically necessary and actually provided.

84. The defendants transferred and disbursed, and caused the transfer and disbursement of, monies fraudulently obtained from Medicare, Medicaid, and private insurers to themselves and others.

All in violation of Title 18, United States Code, Section 1349.

COUNTS 2-14
(Health Care Fraud, Aiding and Abetting – 18 U.S.C. §§ 1347 and 2)

D-1 BABUBHAI PATEL
D-2 PAUL PETRE
D-4 ANISH BHAVSAR
D-6 BRIJESH RAWAL
D-9 VIRAL THAKER
D-15 ARPITKUMAR PATEL
D-22 MUSTAK VAID

85. Paragraphs 1 through 69 of the General Allegations section of this Indictment are realleged and incorporated by reference as though fully set forth herein.

86. From on or around January 2006, and continuing up to and including the present, at Wayne County, in the Eastern District of Michigan, and elsewhere, the defendants, BABUBHAI PATEL, PAUL PETRE, ANISH BHAVSAR, BRIJESH RAWAL, VIRAL THAKER, ARPITKUMAR PATEL, and MUSTAK VAID, in connection with the delivery of and payment for health care benefits, items, and services, did knowingly and willfully execute, and attempt to execute, a scheme and artifice to defraud a health care benefit program affecting commerce, as defined in Title 18, United States Code, Section 24(b), that is, Medicare, Medicaid, and private insurers, and to obtain, by means of materially false and fraudulent pretenses, representations, and promises, money and property owned by, and under the custody and control of Medicare, Medicaid, and private insurers, in connection with the delivery of and payment for health care benefits, items, and services.

Purpose of the Scheme and Artifice

87. It was the purpose of the scheme and artifice for the defendants and their co-conspirators to unlawfully enrich themselves through the submission of false and fraudulent Medicare, Medicaid, and private insurance claims for medically unnecessary, and non-rendered, prescription medication and other services.

The Scheme and Artifice

88. Paragraphs 73 through 84 of Count 1 of this Indictment are realleged and incorporated by reference as though fully set forth herein as a description of the scheme and artifice.

Acts in Execution of the Scheme and Artifice

89. On or about the dates specified as to each count below, at Wayne County, in the Eastern District of Michigan, and elsewhere, the defendants, specifically identified as to each count below, in connection with the delivery of and payment for health care benefits, items and services, specifically, prescription medication, did knowingly and willfully execute, and attempt to execute, the above-described scheme and artifice to defraud a health care benefit program affecting commerce, that is, Medicare or private insurers, and to obtain, by means of materially false and fraudulent pretenses, representations, and promises, money and property owned by, and under the custody and control of said health care benefit programs:

Count	Defendant(s)	Insurance program	Beneficiary	Date of purported service	Description of Prescription Medication
2	D-1 BABUBHAI PATEL D-2 PAUL PETRE D-22 MUSTAK VAID	Medicare	J.S.	01/08/10	Hydrocodone /60 units
3	D-1 BABUBHAI PATEL D-2 PAUL PETRE D-22 MUSTAK VAID	Medicare	B.B.	01/08/10	Hydrocodone /60 units
4	D-1 BABUBHAI PATEL D-2 PAUL PETRE D-22 MUSTAK VAID	Medicare	T.H.	01/08/10	Promethazine HCL
5	D-1 BABUBHAI PATEL D-6 BRIJESH RAWAL	Medicare	L.W.	09/09/10	Advair Diskus
6	D-1 BABUBHAI PATEL D-6 BRIJESH RAWAL	Medicare	C.B.	09/09/10	Singular
7	D-1 BABUBHAI PATEL D-15 ARPITKUMAR PATEL	Medicare	M.S.	10/20/10	Advair Diskus
8	D-1 BABUBHAI PATEL D-15 ARPITKUMAR PATEL	Medicare	A.P.	10/20/10	Advair Diskus
9	D-1 BABUBHAI PATEL D-15 ARPITKUMAR PATEL	Medicare	O.G.	10/20/10	Indomethacin ER

10	D-1 BABUBHAI PATEL D-9 VIRAL THAKER	BCBSM	D.A.	12/03/10	Cialis 20 MG Tablet/30 Count
11	D-1 BABUBHAI PATEL D-9 VIRAL THAKER	BCBSM	C.K.	12/03/10	Cialis 20 MG Tablet/30 Count
12	D-1 BABUBHAI PATEL D-4 ANISH BHAVSAR	BCBSM	C.K.	01/20/11	Lidoderm 5 %
13	D-1 BABUBHAI PATEL D-4 ANISH BHAVSAR	BCBSM	D.A.	01/19/11	Abilify 10mg/ 30 Units
14	D-1 BABUBHAI PATEL D-4 ANISH BHAVSAR	BCBSM	C.Z.	01/19/11	Abilify 10mg/ 30 Units

COUNT 15**(Conspiracy to Distribute Controlled Substances, 21 U.S.C. § 846)**

D-1 BABUBHAI PATEL
D-2 PAUL PETRE
D-3 DINESHKUMAR PATEL
D-4 ANISH BHAVSAR
D-5 ASHWINI SHARMA
D-6 BRIJESH RAWAL
D-7 PINAKEEN PATEL
D-8 KARTIK SHAH
D-9 VIRAL THAKER
D-10 HIREN PATEL
D-11 MITESHKUMAR PATEL
D-12 LOKESH TAYAL
D-13 NARENDERA CHERAKU
D-14 CHETAN GUJARATHI
D-15 ARPITKUMAR PATEL
D-16 SUMANRAY RAVAL
D-20 ANMY TRAN
D-21 MARK GREENBAIN
D-22 MUSTAK VAID
D-23 SANYANI EDWARDS
D-25 LEODIS ELLIOTT
D-26 LAVAR CARTER

90. Paragraphs 1 through 69 of the General Allegations section of this Indictment are realleged and incorporated by reference as though fully set forth herein.

91. On or about January, 2006, and continuing up to and including the present, at Wayne County, in the Eastern District of Michigan, and elsewhere, defendants BABUBHAI PATEL, PAUL PETRE, DINESHKUMAR PATEL, ANISH BHAVSAR, ASHWINI SHARMA, BRIJESH RAWAL, PINAKEEN PATEL, KARTIK SHAH, VIRAL THAKER, HIREN PATEL, MITESHKUMAR PATEL, LOKESH TAYAL, NARENDEERA CHERAKU, CHETAN GUJARATHI, ARPITKUMAR PATEL, SUMANRAY RAVAL, ANMY TRAN, MARK GREENBAIN, MUSTAK VAID, SANYANI EDWARDS, LEODIS ELLIOTT, and LAVAR CARTER, did knowingly, intentionally and unlawfully combine, conspire, confederate and agree with each other, as well as other persons not named in this Indictment, to commit offenses against the United States, that is, to knowingly, intentionally and unlawfully distribute controlled substances in violation of 21 U.S.C. § 841(a)(1), including but not limited to, the Schedule II drug OxyContin (oxycodone), the Schedule III drugs Vicodin, Vicodin ES, Lortab (hydrocodone bitartrate), the Schedule IV drug Xanax (Alprazolam), and the Schedule V drug cough syrup with codeine (Prometh/Phenergan). These prescription drug controlled substances were distributed outside the course of usual medical practice and for no legitimate medical purpose, all in violation of Title 21, United States Code, Sections 846, 841(a)(1).

Purpose of the Conspiracy

92. It was a purpose of the conspiracy for defendants BABUBHAI PATEL, PAUL PETRE, DINESHKUMAR PATEL, ANISH BHAVSAR, ASHWINI SHARMA, BRIJESH RAWAL, PINAKEEN PATEL, KARTIK SHAH, VIRAL THAKER, HIREN PATEL, MITESHKUMAR PATEL, LOKESH TAYAL, NARENDEERA CHERAKU, CHETAN GUJARATHI, ARPITKUMAR PATEL, SUMANRAY RAVAL, ANMY TRAN, MARK GREENBAIN, MUSTAK VAID, SANYANI EDWARDS, LEODIS ELLIOTT, and LAVAR

CARTER and others to unlawfully enrich themselves by, among other things, (a) distributing controlled substances without a legitimate medical purpose in order to facilitate the submission of false and fraudulent claims to Medicare, Medicaid, and private insurers for prescription medication, physician office visits, physician home visits, and other services; (b) offering and paying kickbacks and bribes in the form of controlled substances to Medicare, Medicaid, and private insurance beneficiaries and patient recruiters for the purpose of such beneficiaries and recruiters arranging for the use of beneficiary numbers by the conspirators as the bases of claims filed for prescription medication and other services; (c) soliciting and receiving kickbacks in the form of controlled substances in return for arranging for the furnishing of services for which payment may be made by Medicare, Medicaid, and private insurers by providing their beneficiary numbers, which formed the basis of claims filed for prescription medication, physician home visits, physician office visits, and other services; (d) concealing the submission of false and fraudulent claims to Medicare, Medicaid, and private insurers, the receipt and transfer of the proceeds from the fraud, the distribution of controlled substances without medical justification, and the payment of kickbacks; and (e) diverting proceeds of the fraud and the distribution of controlled substances for the personal use and benefit of the defendants and their co-conspirators.

Manner and Means

93. The manner and means by which the defendants and their co-conspirators sought to accomplish the purpose of the conspiracy included, among others, the following:

94. Defendant BABUBHAI PATEL would acquire ownership and control of various Michigan pharmacies, including the Patel Pharmacies, and would conceal his ownership and control of many of those pharmacies through the use of straw owners.

95. Defendant BABUBHAI PATEL and his associates would recruit pharmacists, including DINESHKUMAR PATEL, ANISH BHAVSAR, ASHWINI SHARMA, BRIJESH RAWAL, PINAKEEN PATEL, KARTIK SHAH, VIRAL THAKER, HIREN PATEL, MITESHKUMAR PATEL, LOKESH TAYAL, and NARENDERA CHERAKU, and employ these pharmacists at the Patel Pharmacies.

96. Defendant BABUBHAI PATEL and his pharmacists, including defendants DINESHKUMAR PATEL, ANISH BHAVSAR, ASHWINI SHARMA, BRIJESH RAWAL, PINAKEEN PATEL, KARTIK SHAH, VIRAL THAKER, HIREN PATEL, MITESHKUMAR PATEL, LOKESH TAYAL, and NARENDERA CHERAKU, would obtain and maintain authorization from the Drug Enforcement Administration (DEA) to dispense controlled substances at the Patel Pharmacies when those controlled substances were medically necessary and prescribed by a physician.

97. Defendant BABUBHAI PATEL and his associates, including DINESHKUMAR PATEL, ANISH BHAVSAR, ASHWINI SHARMA, BRIJESH RAWAL, PINAKEEN PATEL, KARTIK SHAH, VIRAL THAKER, HIREN PATEL, MITESHKUMAR PATEL, LOKESH TAYAL, and NARENDERA CHERAKU, would obtain and possess controlled substances, including the Schedule II drug OxyContin (oxycodone), the Schedule III drugs Vicodin, Vicodin ES, Lortab (hydrocodone bitartrate), the Schedule IV drug Xanax (Alprazolam), and the Schedule V drug cough syrup with codeine (Prometh/Phenergan), purportedly for the purpose of dispensing those medications at the Patel Pharmacies in accordance with legitimate pharmaceutical practice.

98. Defendant BABUBHAI PATEL and his associates would recruit patient recruiters, including defendants SANYANI EDWARDS, LEODIS ELLIOTT and LAVAR

CARTER, who would offer and provide kickbacks, bribes, and other inducements to Medicare, Medicaid, and private insurance beneficiaries for the purpose of inducing those beneficiaries to present their prescriptions at one of the Patel Pharmacies for billing.

99. Defendant BABUBHAI PATEL and his associates would offer and provide kickbacks, bribes, and other inducements to physicians and podiatrists, including PAUL PETRE, ANMY TRAN, MARK GREENBAIN, and MUSTAK VAID, for the purpose of inducing those physicians to write prescriptions for controlled medications for Medicare, Medicaid, and private insurance beneficiaries, and to direct that those prescriptions be presented to one of the Patel Pharmacies, where the controlled substances could be dispensed without regard to medical necessity.

100. Defendants PAUL PETRE, ANMY TRAN, MARK GREENBAIN, and MUSTAK VAID would write prescriptions for controlled medications for Medicare, Medicaid, and private insurance beneficiaries without medical justification.

101. Defendants PAUL PETRE, ANMY TRAN, MARK GREENBAIN, and MUSTAK VAID, would direct Medicare, Medicaid, and private insurance beneficiaries to present their controlled prescriptions to one of the Patel pharmacies, so that the prescriptions could be dispensed without regard to medical necessity.

102. Defendants BABUBHAI PATEL and defendant pharmacists DINESHKUMAR PATEL, ANISH BHAVSAR, ASHWINI SHARMA, BRIJESH RAWAL, PINAKEEN PATEL, KARTIK SHAH, VIRAL THAKER, HIREN PATEL, MITESHKUMAR PATEL, LOKESH TAYAL, and NARENDEERA CHERAKU would dispense controlled substances to Medicare, Medicaid, and private insurance beneficiaries without medical necessity.

103. Defendant BABUBHAI PATEL and his associates, including DINESHKUMAR PATEL, ANISH BHAVSAR, ASHWINI SHARMA, BRIJESH RAWAL, PINAKEEN PATEL, KARTIK SHAH, VIRAL THAKER, HIREN PATEL, MITESHKUMAR PATEL, LOKESH TAYAL, and NARENDERA CHERAKU, would distribute controlled substances without medical justification to patient recruiters, including SANYANI EDWARDS, LAVAR CARTER and LEODIS ELLIOTT, as a kickback for the patients those recruiters provided to the Patel Pharmacies.

104. Defendants CHETAN GUJARATHI, ARPITKUMAR PATEL, and SUMANRAY RAVAL would facilitate the conspiracy by falsifying records to make it appear that the controlled substances were medically necessary, by assisting the pharmacists in dispensing the controlled substances without medical justification, and by concealing the tangible proceeds of the conspiracy to distribute controlled substances.

105. Between January 2009 and the present, the Patel Pharmacies distributed not less than 250,000 doses of the Schedule II controlled substances Oxycontin, Oxycodone, Roxicodone, and Opana; not less than 4,600,000 doses of the Schedule III controlled substance Vicodin, not less than 1,500,000 doses of Schedule IV controlled substance Xanax, and not less than 6,100 pint bottles of the Schedule V controlled substance codeine cough syrup.

All in violation of 21 U.S.C. § 846.

COUNTS 16 – 34
(Distribution of Controlled Substances, Aiding and Abetting,
21 U.S.C. § 841(a)(1), 18 U.S.C. § 2)

D-1 BABUBHAI PATEL
D-2 PAUL PETRE
D-4 ANISH BHAVSAR
D-6 BRIJESH RAWAL
D-9 VIRAL THAKER

**D-15 ARPITKUMAR PATEL
D-22 MUSTAK VAID**

106. Paragraphs 1 through 69 of the General Allegations section of this Indictment, and paragraphs 91-104 of Count 15 of this Indictment, are realleged and incorporated by reference as though fully set forth herein.

107. On or about the dates specified below, as to the defendants specified in each count below, the defendant did knowingly, intentionally, and unlawfully distribute a controlled substance and aid and abet in that offense, as described below, in violation of Title 21, United States Code, Section 841(a)(1):

Count	Defendant(s)	Purported Recipient	Distribution Date	Description of Controlled Substance
16	D-1 BABUBHAI PATEL	N.H.	5/27/11	Oxycodone/ 120 Units
17	D-1 BABUBHAI PATEL	D.W.	05/27/11	Oxycodone/ 120 Units
18	D-1 BABUBHAI PATEL D-3 DINESHKUMAR PATEL	V.A.	07/05/11	Oxycodone/ 120 Units
19	D-1 BABUBHAI PATEL D-3 DINESHKUMAR PATEL	M.L.	07/05/11	Oxycodone/ 120 Units
20	D-1 BABUBHAI PATEL D-2 PAUL PETRE D-22 MUSTAK VAID	T.H.	01/08/10	Hydrocodone/ 60 Units
21	D-1 BABUBHAI PATEL D-2 PAUL PETRE D-22 MUSTAK VAID	D.R.	01/08/10	Hydrocodone /60 Units
22	D-1 BABUBHAI PATEL D-2 PAUL PETRE D-22 MUSTAK VAID	H.H.	01/08/10	Hydrocodone/ 60 Units
23	D-1 BABUBHAI PATEL D-2 PAUL PETRE D-22 MUSTAK VAID	H.H.	01/08/10	Alprazolam/ 30 Units
24	D-1 BABUBHAI PATEL D-6 BRIJESH RAWAL	L.W.	09/09/10	Alprazolam 2mg/59-65 units
25	D-1 BABUBHAI PATEL D-6 BRIJESH RAWAL	C.B.	09/09/10	Alprazolam 2mg/59-65 units

26	D-1 BABUBHAI PATEL D-6 BRIJESH RAWAL	L.H.	09/09/10	Alprazolam 2mg/59-65 units
27	D-1 BABUBHAI PATEL D-15 ARPITKUMAR PATEL	A.P.	10/20/10	Hydrocodone/Acetaminophen/120 Units
28	D-1 BABUBHAI PATEL D-15 ARPITKUMAR PATEL	N.K.	10/20/10	Hydrocodone/Acetaminophen/120 Units
29	D-1 BABUBHAI PATEL D-15 ARPITKUMAR PATEL	O.G.	10/20/10	Hydrocodone/Acetaminophen/120 Units
30	D-1 BABUBHAI PATEL D-9 VIRAL THAKER	D.A.	12/03/10	Hydrocodone/Acetaminophen/ 90 Units
31	D-1 BABUBHAI PATEL D-9 VIRAL THAKER	C.K.	12/03/10	Hydrocodone/Acetaminophen/ 90 Units
32	D-1 BABUBHAI PATEL D-4 ANISH BHAVSAR	T.W.	01/20/11	Hydrocodone/Acetaminophen/ 91 Units
33	D-1 BABUBHAI PATEL D-4 ANISH BHAVSAR	J.C.	01/20/11	Hydrocodone/Acetaminophen/ 90 Units
34	D-1 BABUBHAI PATEL D-4 ANISH BHAVSAR	R.M.	01/20/11	Hydrocodone/Acetaminophen/ 89 Units

CRIMINAL FORFEITURE

(21 U.S.C. § 853, 18 U.S.C. §§ 981(a)(1)(C), 982, 28 U.S.C. § 2461)

D-1 BABUBHAI PATEL
D-2 PAUL PETRE
D-3 DINESHKUMAR PATEL
D-4 ANISH BHAVSAR
D-5 ASHWINI SHARMA
D-6 BRIJESH RAWAL
D-7 PINAKEEN PATEL
D-8 KARTIK SHAH
D-9 VIRAL THAKER
D-10 HIREN PATEL
D-11 MITESHKUMAR PATEL
D-12 LOKESH TAYAL

**D-13 NARENDERA CHERAKU
D-14 CHETAN GUJARATHI
D-15 ARPITKUMAR PATEL
D-16 SUMANRAY RAVAL
D-17 HARPREET SACHDEVA
D-18 RAMESH PATEL
D-19 RANA NAEEM
D-20 ANMY TRAN
D-21 MARK GREENBAIN
D-22 MUSTAK VAID
D-23 SANYANI EDWARDS
D-24 KOMAL ACHARYA
D-25 LEODIS ELLIOTT
D-26 LAVAR CARTER**

108. The allegations contained in Counts 1-34 of this Indictment are hereby incorporated by reference for the purpose of alleging forfeiture against the defendants pursuant to the provisions of Title 21, United States Code, Section 853; Title 18, United States Code, Sections 981(a)(1)(C) and 982; and Title 28, United States Code, Section 2461.

109. As a result of the foregoing violations of Title 21, United States Code, Sections 841(a)(1) and 846 and Title 18, United States Code, Sections 1347 and 1349, as charged in Counts 1-34 of this Indictment, defendants shall forfeit to the United States: (a) any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of such violations; (b) any property involved in said violations, or any property traceable to such property; and (c) any property used, or intended to be used, in any manner or part, to commit or to facilitate the commission of such violations.

110. Such property includes, but is not limited to, a money judgment, and all traceable interest and proceeds for which the defendants are jointly and severally liable. Such sum in aggregate is property representing the proceeds of the aforementioned offenses, or is traceable to

such property, and/or is involved in violations of Title 21, United States Code, Sections 841 and 846 and Title 18, United States Code, Sections 1347 and 1349.

111. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b), defendants shall forfeit substitute property, up to the value of the properties described above or identified in any subsequent forfeiture bills of particular, if, by any act or omission of the defendant, the property cannot be located upon the exercise of due diligence; has been transferred, sold to or deposited with a third party; has been placed beyond the jurisdiction of the court; has been substantially diminished in value; or has been commingled with other property which cannot be divided without difficulty.

THIS IS A TRUE BILL

s/Grand Jury Foreperson

7/26/11

BARBARA L. McQUADE
UNITED STATES ATTORNEY

s/WAYNE F. PRATT
Chief, Health Care Fraud Unit
Assistant United States Attorney

s/JOHN K. NEAL
Assistant United States Attorney
211 W. Fort Street, Suite 2001
Detroit, MI 48226
(313) 226-9644
John.Neal@usdoj.gov



United States District Court
Eastern District of Michigan

Criminal Case Co

Case: 2:11-cr-20468
Judge: Tarnow, Arthur J.
MJ: Majzoub, Mona K.
Filed: 07-26-2011 At 02:26 PM
INDI USA V. SEALED MATTER (DA)

NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to con

Reassignment/Recusal Information This matter was opened in the USAO prior to August 15, 2008 []

Companion Case Information	Companion Case Number: N/A
This may be a companion case based upon LCrR 57.10 (b)(4) ¹ :	Judge Assigned: N/A
<input type="checkbox"/> Yes <input type="checkbox"/> No	AUSA's Initials:

Case Title: USA v. BABUBHAI ("BOB") PATEL, R.Ph., et. al.

County where offense occurred : Wayne, Oakland, Macomb & Genesee

Check One: **Felony** **Misdemeanor** **Petty**

Indictment/ Information --- no prior complaint.
 Indictment/ Information --- based upon prior complaint [Case number: _____]
 Indictment/ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].

Superseding Case Information


Superseding to Case No: _____ Judge: _____

- Original case was terminated; no additional charges or defendants.
- Corrects errors; no additional charges or defendants.
- Involves, for plea purposes, different charges or adds counts.
- Embraces same subject matter but adds the additional defendants or charges below:

<u>Defendant name</u>	<u>Charges</u>	<u>Prior Complaint (if applicable)</u>
-----------------------	----------------	--

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

July 26, 2011
Date


s/JOHN K. NEAL
Assistant United States Attorney
211 W. Fort Street, Suite 2001
Detroit, MI 48226-3277
Phone: (313) 226-9644
Fax: (313) 226-2621
E-Mail address: john.neal@usdoj.gov

¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.