

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x
:
UNITED STATES OF AMERICA
:
- v. -
:
MAXO JEAN,
a/k/a "Max,"
:
Defendant.
:
- - - - - x

SUPERSEDING
INDICTMENT

S1 13 Cr. 280 (PJO)

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 10/17/13

COUNT ONE

(Conspiracy to Commit Mail, Wire, and Health Care Fraud)

The Grand Jury charges:

1. From at least in or about 2007, to at least in or about 2011, in the Southern District of New York and elsewhere, MAXO JEAN, a/k/a "Max," the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to violate Sections 1341, 1343, and 1347 of Title 18, United States Code, to wit, the defendant conspired with others to conduct caused automobile collisions in order to fraudulently procure insurance benefits.

2. It was a part and object of the conspiracy that MAXO JEAN, a/k/a "Max," the defendant, and others known and unknown, willfully and knowingly having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and

property by means of false and fraudulent pretenses, representations, and promises, for the purpose of executing such scheme and artifice and attempting so to do, would and did place in a post office and authorized depository for mail matter, matters, and things to be sent and delivered by the Postal Service, and deposit and cause to be deposited matters and things to be sent and delivered by private and commercial interstate carrier, and take and receive therefrom such matters and things, and cause to be delivered by mail and such carrier, according to the direction thereon, and at the place at which it was directed to be delivered by the person to whom it was addressed, such matters and things, in violation of Title 18, United States Code, Section 1341.

3. It was a further part and object of the conspiracy that MAXO JEAN, a/k/a "Max," the defendant, and others known and unknown, willfully and knowingly having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, would and did transmit and cause to be transmitted by means of wire and radio communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343.

4. It was a further part and object of the conspiracy that MAXO JEAN, a/k/a "Max," the defendant, and others known and unknown, willfully and knowingly, in connection with the delivery of and payment for health care benefits, items, and services, did execute and attempt to execute a scheme and artifice to defraud a health care benefit program and to obtain, by means of false and fraudulent pretenses, representations, and promises, money and property owned by, and under the custody and control of, a health care benefit program, in violation of Title 18, United States Code, Section 1347.

Overt Acts

5. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. In or about September 2010, MAXO JEAN, a/k/a "Max," the defendant, used the driver's license of a co-conspirator not named herein to secure insurance upon a vehicle that JEAN planned to have used in a caused automobile collision.

b. In or about late 2010, a co-conspirator not named herein, having participated in a caused automobile collision, caused claims for unnecessary medical treatment to be submitted by mail and other means to an insurer's offices in Woodbury, New York.

c. In or about early 2011, three co-conspirators not named herein, having participated in a caused automobile collision, caused submission of false and fraudulent claims for medical costs from, among other entities, a Bronx, New York entity that held itself out as a health provider.

(Title 18, United States Code, Section 1349.)

FORFEITURE ALLEGATIONS

6. As a result of committing the offense alleged in Count One of this Indictment, MAXO JEAN, a/k/a "Max," the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, any property, real or personal, which constitutes or is derived from proceeds traceable to such offense.

Substitute Asset Provision

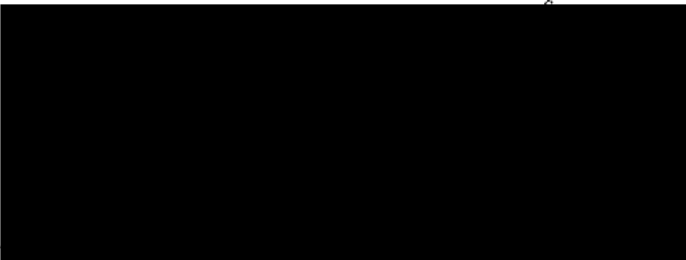
7. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value;
or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b) and Title 21, United States Code, Section 853(p), to seek forfeiture of any other property

of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 981 and 982; Title 21 United States Code, Section 853; and Title 28, United States Code, Section 2461.)



Preet Bharara
PREET BHARARA
United States Attorney *mb*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v.-

MAXO JEAN,
a/k/a "Max,"

Defendant.

SUPERSEDING INDICTMENT

S1 13 Cr. 260 (PJO)

(18 U.S.C. §§ 1349)

PREET BHARARA
United States Attorney.



10/17/13 Filed Superseding Indictment

Judge Wetburn