

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

Case No. 10-20767-CR-KING(s)

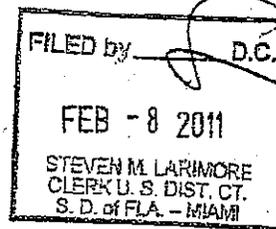
18 U.S.C. § 1349  
18 U.S.C. § 1347  
18 U.S.C. § 371  
18 U.S.C. § 1956(b)  
18 U.S.C. § 1957  
18 U.S.C. § 1956(a)  
31 U.S.C. § 5324(a), (d)  
18 U.S.C. § 2  
18 U.S.C. § 982

UNITED STATES OF AMERICA

vs.

LAWRENCE S. DURAN,  
MARIANELLA VALERA,  
JUDITH NEGRON,  
MARGARITA ACEVEDO  
a/k/a Margarita De La Cruz,  
AMERICAN THERAPEUTIC CORPORATION,  
and  
MEDLINK PROFESSIONAL  
MANAGEMENT GROUP, INC.,

Defendants.



SUPERSEDING INDICTMENT

The Grand Jury charges that:

GENERAL ALLEGATIONS

At all times relevant to this Superseding Indictment,

1. The Medicare Program ("Medicare") is a federal health care program providing benefits to persons who were over the age of sixty-five or disabled. Medicare is 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 receive benefits under

Medicare are referred to as Medicare "beneficiaries." Medicare is a "health care benefit program," as defined by Title 18, United States Code, Section 24(b).

2. Part B of the Medicare program covers partial hospitalization programs ("PHPs") connected with the treatment of mental illness. The treatment program of PHPs closely resembles that of a highly structured, short-term hospital inpatient program, but it is a distinct and organized intensive treatment program that offers less than 24-hour daily care and is designed, in part, to reduce medical costs by treating qualifying individuals outside the hospital setting.

3. Under the PHP benefit, Medicare covers the following services: (1) individual and group therapy with physicians or psychologists (or other authorized mental health professionals); (2) occupational therapy; (3) services of social workers, trained psychiatric nurses, and other staff trained to work with psychiatric patients; (4) drugs and biologicals furnished for therapeutic purposes that cannot be self-administered; (5) individualized activity therapies that are not primarily recreational or diversionary; (6) family counseling (for treatment of the patient's condition); (7) patient training and education; and (8) diagnostic services.

4. Medicare generally requires that the PHP be provided at a facility that is hospital-based or hospital-affiliated, but Medicare also allows a PHP to be provided in a Community Mental Health Center ("CMHC"), which is a provider type under Part A of Medicare.

5. Medicare requires that, to qualify for the PHP benefit, the services must be reasonable and necessary for the diagnosis and active treatment of the individual's condition. The program also must be reasonably expected to improve or maintain the condition and functional level of the patient and to prevent relapse or hospitalization. The program must be prescribed by a physician and furnished under the general supervision of a physician and under

an established plan of treatment that meets Medicare requirements.

6. Typically, a patient who needs this intensive PHP treatment has a long history of mental illness that has been treated. Patients are ordinarily referred either (a) by a hospital after full inpatient hospitalization for severe mental illness or (b) by a doctor who is trying to prevent full inpatient hospitalization for a severely mentally ill patient the doctor has been treating.

7. Medicare guidelines specifically exclude meals and transportation from coverage under the PHP benefit.

8. Medicare does not cover programs involving primarily social, recreational, or diversionary activities.

9. In order to receive payment from Medicare, a CMHC, medical clinic or physician is required to submit a health insurance claim form to Medicare, called a Form 1450. The claims may be submitted in hard copy or electronically. A CMHC, medical clinic, and physician may contract with a billing company to transmit claims to Medicare on their behalf.

10. Part B of the Medicare program also covers diagnostic sleep studies conducted at sleep disorder clinics. Medicare covers all reasonable and necessary diagnostic tests given for certain medical conditions when the clinic is affiliated with a hospital or is under direction and control of physicians; when patients are referred to the sleep disorder clinic by their attending physicians and the clinic maintains a record of the attending physician's orders; and the need for diagnostic testing is confirmed by medical evidence such as physician examinations and laboratory tests. In particular, Medicare pays for sleep studies if the patient has symptoms or complaints of one of the following conditions, and only under certain limited circumstances: narcolepsy, sleep apnea, impotence, and parasomnia. Chronic insomnia was not covered.

11. In order to receive payment from Medicare, a sleep disorder clinic is required to

submit a health insurance claim form to Medicare, called a Form 1500. The claims may be submitted in hard copy or electronically. A sleep disorder clinic may contract with a billing company to transmit claims to Medicare on their behalf.

12. Medicare Part B is administered in Florida by First Coast Service Options ("FCSO"), which, pursuant to contract with the United States Department of Health and Human Services, serves as a contracted carrier to receive, adjudicate and pay Medicare Part B claims submitted to it by Medicare beneficiaries, physicians, or CMHCs. Medicare Part B pays CMHCs and physicians directly for the cost of PHP services furnished to eligible Medicare beneficiaries, provided that the services meet Medicare requirements.

Defendants, Relevant Entities, and Relevant Persons

13. Defendant LAWRENCE S. DURAN, a resident of Miami-Dade County, was the manager and owner of AMERICAN THERAPEUTIC CORPORATION and MEDLINK PROFESSIONAL MANAGEMENT GROUP, INC. Though DURAN controlled the daily operations of AMERICAN THERAPEUTIC CORPORATION, he was not listed on AMERICAN THERAPEUTIC CORPORATION'S State of Florida corporate records. DURAN was listed on the State of Florida corporate records of MEDLINK PROFESSIONAL MANAGEMENT GROUP, INC. as president, registered agent, and director. Duran was also the registered agent for the American Sleep Institute.

14. Defendant MARIANELLA VALERA, a resident of Miami-Dade County, was the owner, CEO, president, secretary and treasurer of AMERICAN THERAPEUTIC CORPORATION. VALERA was also the vice president of the American Sleep Institute.

15. Defendant JUDITH NEGRON, a resident of Miami-Dade County, was the vice president and part owner of MEDLINK PROFESSIONAL MANAGEMENT GROUP, INC.

and owner and president of the American Sleep Institute.

16. Defendant MARGARITA ACEVEDO, a/k/a Margarita De La Cruz, a resident of Miami-Dade County, was the Marketing Director of AMERICAN THERAPEUTIC CORPORATION. ACEVEDO supervised AMERICAN THERAPEUTIC CORPORATION'S marketers but worked for MEDLINK PROFESSIONAL MANAGEMENT GROUP, INC.

17. Defendant AMERICAN THERAPEUTIC CORPORATION ("ATC") was a Florida corporation originally established in 2002 and was headquartered in Miami, Florida. ATC operated several purported PHPs throughout Florida from Homestead to Orlando, including PHPs at the following addresses: 1801 NE 2<sup>nd</sup> Avenue, Miami, Florida 33132; 61 Grand Canal Drive, Suite #100, Miami, Florida 33144; 1001 West Commercial Blvd., Fort Lauderdale, Florida 33309; 4960 North Dixie Highway, Fort Lauderdale, Florida 33334; 27112 South Dixie Highway, Naranja, Florida 33032; 717 East Palmetto Park Road, Boca Raton, Florida 33432; and 4790 North Orange Blossom Trail, Orlando, Florida 32810.

18. Defendant MEDLINK PROFESSIONAL MANAGEMENT GROUP, INC. ("MEDLINK") was a Florida corporation established in 2003 and was headquartered at 484 Brickell Avenue, Suite 1220, Miami, Florida 33132 and later at 1809 NE 2<sup>nd</sup> Avenue, Miami, Florida 33132. MEDLINK was a company LAWRENCE S. DURAN, JUDITH NEGRON, and other co-conspirators used as a vehicle to charge monthly fees to ATC for managing ATC's operations, including hiring employees, running daily operations, and controlling finances and other site management activities.

19. The American Sleep Institute ("ASI") was a Florida corporation established in 2005 and was headquartered in Miami, Florida at the offices of MEDLINK. ASI was later

headquartered in Hialeah, Florida. ASI was a company owned and operated by LAWRENCE S. DURAN, MARIANELLA VALERA, and JUDITH NEGRON that purportedly provided sleep study services.

20. Adriana Mejia, a resident of Miami-Dade County, cashed checks for MEDLINK and was the owner of multiple companies used to conceal the illicit conversion of checks into cash. Those companies included Andorra Printer Designs, Computer Resources Management Review Company, Pulp & Paper Company, Stamina Company, and FREE OF DIRT.COM.

21. [REDACTED] a resident of Miami-Dade County, cashed checks for MEDLINK and was a co-owner of [REDACTED] used by himself and others to conceal the illicit conversion of checks into cash.

**COUNT 1**  
**Conspiracy to Commit Health Care Fraud**  
**(18 U.S.C. § 1349)**

1. Paragraphs 1 through 21 of the General Allegations section of this Superseding Indictment are realleged and incorporated by reference as though fully set forth herein.

2. From on or about December 13, 2002, through on or about October 21, 2010, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

**LAWRENCE S. DURAN,**  
**MARIANELLA VALERA,**  
**JUDITH NEGRON,**  
**MARGARITA ACEVEDO**  
**a/k/a Margarita De La Cruz,**  
**AMERICAN THERAPEUTIC CORPORATION,**  
**and**  
**MEDLINK PROFESSIONAL MANAGEMENT GROUP INC.,**

did knowingly and willfully combine, conspire, confederate and agree with each other and 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, 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

3. It was a purpose and object of the conspiracy for LAWRENCE S. DURAN, MARIANELLA VALERA, JUDITH NEGRON, MARGARITA ACEVEDO, ATC, MEDLINK, and their co-conspirators to unlawfully enrich themselves by, among other things: (a) submitting and causing the submission of false and fraudulent claims to Medicare through ATC and ASI for services that were medically unnecessary, that were not eligible for Medicare reimbursement, and that were never provided; (b) offering and paying kickbacks and bribes (1) to patient brokers, ALF owners, and Halfway House owners who provided and had access to Medicare beneficiaries to attend ATC's CMHCs and ASI's sleep studies who were not eligible to receive PHP services and sleep studies, for whom PHP services and sleep studies were not medically necessary to treat their medical conditions, and to whom the PHP services were not provided, and (2) to ineligible Medicare beneficiaries to attend ATC's CMHC and ASI's sleep studies when reimbursible PHP services and sleep studies were not medically necessary or not provided; (c) receiving kickbacks and bribes to ensure the attendance of these ineligible Medicare beneficiaries at ATC's CMHCs and ASI; (d) concealing the submission of false and fraudulent claims to Medicare, the receipt and transfer of the proceeds from the fraud, and the payment of kickbacks and bribes to patient brokers, ALF owners and Halfway House owners, and Medicare beneficiaries; and (e) diverting proceeds of the fraud for the personal use and

benefit of the defendants and their co-conspirators in the form of compensation and other remuneration.

MANNER AND MEANS

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

4. LAWRENCE S. DURAN and MARIANELLA VALERA would form ATC as a company registered in the State of Florida and agree to conceal DURAN'S ownership of ATC from the Medicare program.

5. LAWRENCE S. DURAN and JUDITH NEGRON would open MEDLINK as a company registered in the State of Florida as a vehicle through which to charge ATC monthly management fees for activities such as hiring employees, running daily operations, and controlling finances and other site management activities, when in reality there was no distinction between the leadership and management of ATC and MEDLINK.

6. MARIANELLA VALERA would maintain a Medicare provider number for five of ATC's locations in order to submit Medicare claims for PHP services at all of ATC's locations.

7. LAWRENCE S. DURAN, MARIANELLA VALERA, and JUDITH NEGRON would hire physicians, therapists, and office staff at the ATC locations.

8. LAWRENCE S. DURAN, MARIANELLA VALERA, and JUDITH NEGRON would form ASI as a company registered in the State of Florida and agree to conceal DURAN'S involvement in ASI from Medicare and further agree to refer patients from ATC to ASI as an additional source of Medicare billing.

9. JUDITH NEGRON would maintain a Medicare provider number for ASI, in

order to submit Medicare claims for sleep study services.

10. LAWRENCE S. DURAN, MARIANELLA VALERA, JUDITH NEGRON, MARGARITA ACEVEDO, and their co-conspirators would pay and cause the payment of kickbacks to owners and operators of Assisted Living Facilities ("ALFs") and Halfway Houses in exchange for the ALFs and Halfway Houses delivering ineligible patients housed at their facilities to ATC and to ASI. In some instances, ALF and Halfway House owners and operators would then use a portion of the kickbacks they received from ATC to pay kickbacks to the patients being sent to ATC and ASI.

11. LAWRENCE S. DURAN, MARIANELLA VALERA, JUDITH NEGRON, MARGARITA ACEVEDO, and their co-conspirators would also pay and cause the payment of kickbacks to patient brokers in exchange for those patient brokers providing Medicare beneficiaries to attend ATC and ASI. In some instances, the patient brokers would then use a portion of the kickbacks they received to pay kickbacks to the patients being sent to ATC and ASI.

12. LAWRENCE S. DURAN, MARIANELLA VALERA, JUDITH NEGRON, and their co-conspirators would cause the alteration of patient files, as well as therapist notes maintained in ATC's computer system, for the purpose of making it falsely appear that patients being treated by ATC qualified for PHP treatments.

13. LAWRENCE S. DURAN, MARIANELLA VALERA, JUDITH NEGRON, and their co-conspirators would cause doctors to refer ATC patients who did not qualify for sleep study services to ASI.

14. LAWRENCE S. DURAN and MARIANELLA VALERA would instruct employees and doctors to alter diagnoses and medication types and levels to make it falsely

appear that the patients who were purportedly treated at ATC qualified for PHP services.

15. MARIANELLA VALERA would cause the length of patient stays at ATC to be based on the maximum number of days Medicare would pay for PHP services rather than on actual patient medical needs.

16. LAWRENCE S. DURAN, MARIANELLA VALERA, and JUDITH NEGRON would maintain multiple corporate bank accounts for ATC and MEDLINK at various financial institutions in the State of Florida.

17. LAWRENCE S. DURAN, MARIANELLA VALERA, JUDITH NEGRON, MARGARITA ACEVEDO, ATC, MEDLINK, and their co-conspirators would cause claims to be submitted to Medicare for services purportedly provided at ATC's and ASI's locations in an amount exceeding \$200 million.

18. LAWRENCE S. DURAN, MARIANELLA VALERA, JUDITH NEGRON, MARGARITA ACEVEDO, and their co-conspirators would then transfer and disburse, and cause the transfer and disbursement of, illicit proceeds derived from the fraudulent billing scheme into and out of ATC's, ASI's, and MEDLINK's various corporate bank accounts to themselves and others.

In violation of Title 18, United States Code, Section 1349.

**COUNTS 2-12**  
**Health Care Fraud**  
**(18 U.S.C. §§ 1347 and 2)**

1. Paragraphs 1 through 15, 17, and 19 through 21 of the General Allegations section of this Superseding Indictment are realleged and incorporated by reference as if fully set forth herein.

2. On or about the dates set forth below, the exact dates being unknown to the Grand

Jury, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants listed below, each aided and abetted by each other, and by others known and unknown to the Grand Jury, 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, and 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, in connection with the delivery of and payment for health care benefits, items, and services, as listed below:

Count	Defendants	Beneficiary Name	Services Billed	Approx. Claim Receipt Date	Amount Billed	Claim Number
2	LAWRENCE S. DURAN, MARIANELLA VALERA, ATC	L.B.	Group Psychotherapy, Training & Education Services	7/25/08	\$2875	20820700676805
3	LAWRENCE S. DURAN, MARIANELLA VALERA, ATC,	L.B.	Group Psychotherapy, Training & Education Services	8/29/08	\$2875	20824200775005
4	LAWRENCE S. DURAN, MARIANELLA VALERA, ATC	R.D.	Group Psychotherapy	10/11/08	\$1375	20828500884205

Count	Defendants	Beneficiary Name	Services Billed	Approximate Claim Report Date	Amount Billed	Claim Number
5	LAWRENCE S. DURAN, MARIANELLA VALERA, ATC	R.D.	Group Psychotherapy, Training & Education Services	1/9/09	\$1500	20900900868705
6	LAWRENCE S. DURAN, MARIANELLA VALERA, JUDITH NEGRON, ATC	R.M.	Group Psychotherapy, Training & Education Services	2/20/09	\$1200	20905100868905
7	LAWRENCE S. DURAN, MARIANELLA VALERA, JUDITH NEGRON, ATC	R.M.	Group Psychotherapy, Training & Education Services	5/22/09	\$2000	20914200722005 FLA
8	LAWRENCE S. DURAN, MARIANELLA VALERA, ATC	K.K.	Group Psychotherapy, Training & Education Services	7/24/09	\$2000	20920500613005 FLA
9	LAWRENCE S. DURAN, MARIANELLA VALERA, ATC	E.L.	Group Psychotherapy, Training & Education Services	10/16/09	\$1600	20928900636005 FLA
10	LAWRENCE S. DURAN, MARIANELLA VALERA, ATC	E.L.	Group Psychotherapy, Training & Education Services	2/12/10	\$1200	21004300441205 FLA

Count	Defendants	Beneficiary Name	Services Billed	Approx. Claim Receipt Date	Amount Billed	Claim Number
11	LAWRENCE S. DURAN, MARIANELLA VALERA, ATC	S.C.	Group Psychotherapy, Training & Education Services	5/17/10	\$2800	21013701114905 FLA
12	LAWRENCE S. DURAN, MARIANELLA VALERA, ATC	O.J.	Group Psychotherapy, Training & Education Services	6/30/10	\$2000	21018100693505 FLA

In violation of Title 18, United States Code, Sections 1347 and 2.

**COUNT 13**

**Conspiracy to Defraud the United States and to Receive and Pay Health Care Kickbacks  
(18 U.S.C. § 371)**

1. Paragraphs 1 through 21 of the General Allegations section of this Superseding Indictment are realleged and incorporated by reference as though fully set forth herein.

2. From on or about December 13, 2002, and continuing through on or about October 21, 2010, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

LAWRENCE S. DURAN,  
MARIANELLA VALERA,  
JUDITH NEGRON,  
MARGARITA ACEVEDO  
a/k/a Margarita De La Cruz,  
and  
AMERICAN THERAPEUTIC CORPORATION,

did willfully, that is, with the intent to further the objects of the conspiracy, and knowingly combine, conspire, confederate and agree with each other and with others known and unknown to the Grand Jury, to commit certain offenses against the United States, that is,

- a. To defraud the United States by impairing, impeding, obstructing, and defeating through deceitful and dishonest means, the lawful government functions of the United States

Department of Health and Human Services in its administration and oversight of the Medicare program;

- b. To violate Title 42, United States Code, Section 1320a-7b(b)(1), by knowingly and willfully soliciting and receiving remuneration, specifically, kickbacks and bribes, directly and indirectly, overtly and covertly, in return for referring individuals for the furnishing and arranging for the furnishing of any item and service for which payment may be made in whole or in part by a federal health care program, that is, Medicare; and in return for the purchasing, leasing, ordering, and arranging for and recommending the purchasing, leasing, and ordering of any good, item, and service for which payment may be made in whole and in part by a Federal health care program, that is, Medicare; and

- c. To violate Title 42, United States Code, Section 1320a-7b(b)(2), by knowingly and willfully offering and paying remuneration, including kickbacks and bribes, directly and indirectly, overtly and covertly, in return for referring individuals for the furnishing and arranging for the furnishing of any item and service for which payment may be made in whole or in part by a federal health care program, that is, Medicare; and in return for the purchasing, leasing, ordering, and arranging for and recommending the purchasing, leasing, and ordering of any good, item, and service for which payment may be made in whole and in part by a Federal health care program, that is, Medicare.

PURPOSE OF THE CONSPIRACY

3. It was a purpose of the conspiracy for the defendants and their co-conspirators to unlawfully enrich themselves by receiving and paying kickbacks and bribes in exchange for (a) securing the attendance of Medicare beneficiaries at ATC and ASI and (b) providing beneficiary information that was used to submit claims to Medicare.

MANNER AND MEANS OF THE CONSPIRACY

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

4. LAWRENCE S. DURAN, MARIANELLA VALERA, JUDITH NEGRON, MARGARITA ACEVEDO, ATC, and their co-conspirators would pay and cause the payment of kickbacks to owners and operators of ALFs and Halfway Houses in exchange for the ALFs and Halfway Houses delivering patients housed at their facilities to ATC. In some instances, ALF and Halfway House owners and operators would then use a portion of the kickbacks they received from ATC to pay kickbacks to the patients being sent to ATC.

5. LAWRENCE S. DURAN, MARINELLA VALERA, JUDITH NEGRON, and MARGARITA ACEVEDO would recruit and cause the recruitment of ALF and Halfway House owners and operators to agree to regularly provide Medicare beneficiaries to participate in the ATC programs in exchange for kickback payments.

6. LAWRENCE S. DURAN, MARINELLA VALERA, JUDITH NEGRON, and MARGARITA ACEVEDO would also recruit and cause the recruitment of patient brokers to provide regularly Medicare beneficiaries to participate in the ATC programs in exchange for kickback payments. These patient brokers would provide patients from ALFs and Halfway Houses they owned or with which they had relationships on a regular basis in exchange for bi-

monthly payments from ATC and Medlink.

7. LAWRENCE S. DURAN, MARIANELLA VALERA, JUDITH NEGRON, MARGARITA ACEVEDO, ATC, and their co-conspirators would pay and cause payment of millions of dollars in kickbacks to patient brokers and the owners and operators of ALFs and Halfway Houses in exchange for the patient brokers and ALF and Halfway House owners and operators providing Medicare beneficiaries to attend programs at ATC for which ATC then filed claims with Medicare.

8. MARGARITA ACEVEDO and her co-conspirators would serve as the primary contact for the ALF and Halfway House owners and operators and would provide kickback payments to the ALF and Halfway House owners and operators.

#### OVERT ACTS

In furtherance of the conspiracy, and to accomplish its objects and purpose, at least one of the conspirators committed and caused to be committed in the Southern District of Florida at least one of the following overt acts, among others:

9. On or about December 13, 2002, MARIANELLA VALERA filed articles of incorporation for ATC with the State of Florida.

10. On or about January 3, 2003, LAWRENCE S. DURAN and MARIANELLA VALERA obtained joint signature authority for a corporate bank account of ATC, Wachovia Bank account number ending in 2210.

11. On or about December 17, 2003, LAWRENCE S. DURAN and JUDITH NEGRON obtained joint signature authority for a corporate bank account of MEDLINK, Wachovia Bank account number ending in 0305.

12. On or about April 6, 2009, a co-conspirator negotiated a kickback check

numbered 32482 in the approximate amount of \$14,145 written from the ATC Wachovia Bank account ending 2210.

13. On or about April 7, 2009, a co-conspirator negotiated three kickback checks written to a company controlled by the co-conspirator, numbered 32406 in the approximate amount of \$5,355, 32412 in the approximate amount of \$3,900, and 32490 in the approximate amount of \$40,000, and a kickback check written to the co-conspirator numbered 32491 in the approximate amount of \$20,000 written from the ATC Wachovia Bank account ending 2210.

14. On or about January 8, 2010, a co-conspirator negotiated two kickback checks, numbered 8055 in the approximate amount of \$6,150 and 8057 in the approximate amount of \$1,500, written from the Medlink Wachovia Bank account ending 0305.

15. On or about February 19, 2010, a co-conspirator negotiated two kickback checks, numbered 8174 in the approximate amount of \$5,750 and 8242 in the approximate amount of \$5,750, written from the Medlink Wachovia Bank account ending 0305.

16. On or about February 19, 2010, a co-conspirator negotiated a kickback check numbered 8173 in the approximate amount of \$1000 written from the Medlink Wachovia Bank account ending 0305.

17. On or about May 17, 2010, a co-conspirator negotiated a kickback check numbered 38178 in the approximate amount of \$5000 written from the ATC Wachovia Bank account ending 2210.

18. In or about April 2007, MARGARITA ACEVEDO, on behalf of LAWRENCE S. DURAN, MARIANELLA VALERA, JUDITH NEGRON, and ATC, paid kickbacks to a co-conspirator to secure patients for ATC and ASI, including Medicare beneficiaries T.B. and J.S.

19. On or about April 10, 2007, ASI submitted a claim in the approximate amount of \$1,600 to Medicare for services purportedly provided to Medicare beneficiary T.B.

20. On or about April 24, 2007, ATC submitted a claim in the approximate amount of \$1,625 to Medicare for services purportedly provided to Medicare beneficiary T.B.

21. On or about May 5, 2007, ATC submitted a claim in the approximate amount of \$2,250 to Medicare for services purportedly provided to Medicare beneficiary T.B.

22. On or about May 23, 2007, ASI submitted a claim in the approximate amount of \$1,600 to Medicare for services purportedly provided to Medicare beneficiary T.B.

23. On or about May 9, 2007, ATC submitted a claim in the approximate amount of \$4,625 to Medicare for services purportedly provided to Medicare beneficiary J.S.

24. On or about May 9, 2007 ASI submitted a claim in the approximate amount of \$1,200 to Medicare for services purportedly provided to Medicare beneficiary J.S.

All in violation of Title 18, United States Code, Section 371.

**COUNT 14**  
**Conspiracy to Commit Money Laundering**  
**(18 U.S.C. § 1956(h))**

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

1. Paragraphs 1 through 16 and 19 through 21 of the General Allegations section of this Superseding Indictment are realleged and incorporated by reference as though fully set forth herein.

2. From on or about December 13, 2002, and continuing through on or about October 21, 2010, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

LAWRENCE S. DURAN,  
MARIANELLA VALERA,  
JUDITH NEGRON,  
and  
MARGARITA ACEVEDO  
a/k/a Margarita De La Cruz,

did willfully, that is, with the intent to further the objects of the conspiracy; and knowingly combine, conspire, and agree with each other and with other persons, known and unknown to the Grand Jury, to commit offenses against the United States in violation of Title 18, United States Code, Sections 1956 and Section 1957, to wit:

- a. to knowingly conduct a financial transaction affecting interstate and foreign commerce, which financial transaction involved the proceeds of specified unlawful activity, knowing that the property involved in the financial transaction represented the proceeds of some form of unlawful activity, and knowing that the transaction was designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i); and
- b. to knowingly conduct a financial transaction affecting interstate and foreign commerce, which financial transaction involved the proceeds of specified unlawful activity, knowing that the property involved in the financial transaction represented the proceeds of some form of unlawful activity, and with the intent to promote the carrying on of the specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(A)(i);
- c. to knowingly engage in a monetary transaction by, through, and to a financial institution, affecting interstate and foreign commerce, in criminally derived

property of a value greater than \$10,000, such property having been derived from specified unlawful activity, in violation of Title 18, United States Code, Section 1957.

It is further alleged that the specified unlawful activity is health care fraud, in violation of Title 18, United States Code, Section 1347, and conspiracy to defraud the United States and to receive and pay health care kickbacks, in violation of Title 18, United States Code, Section 371.

All in violation of Title 18, United States Code, Section 1956(h).

#### PURPOSE OF THE CONSPIRACY

3. It was a purpose of the conspiracy for the defendants and their co-conspirators to engage in money laundering for the purpose of (1) unlawfully enriching themselves and their co-conspirators; (2) providing cash to LAWRENCE S. DURAN and other co-conspirators in order to pay kickbacks in exchange for providing Medicare beneficiaries to ATC so that ATC could bill Medicare for services that were medically unnecessary and not provided; and (3) concealing and disguising the nature, location, source, ownership, and control of the proceeds of their health care fraud and kickback offenses.

#### MANNER AND MEANS

4. LAWRENCE S. DURAN and MARIANELLA VALERA would cause ATC to make regular payments to Medlink out of ATC accounts that received Medicare payments.

5. MARIANELLA VALERA, JUDITH NEGRON, MARGARITA ACEVEDO, and their co-conspirators would register phony corporations with the State of Florida and open bank accounts in the names of those corporations.

6. LAWRENCE S. DURAN, JUDITH NEGRON and their co-conspirators, would write checks and make wire transfers from Medlink accounts to LAWRENCE S. DURAN,

JUDITH NEGRON, MARIANELLA VALERA, MARGARITA ACEVEDO, and their co-conspirators, and to companies owned and controlled by them, for the purpose of cashing or depositing the checks and withdrawing the proceeds of the checks and wire transfers and returning the cash to DURAN and VALERA.

7. LAWRENCE S. DURAN, MARIANELLA VALERA, and their co-conspirators, would write checks and make wire transfers from ATC accounts to DURAN, JUDITH NEGRON, VALERA, and their co-conspirators, and to companies owned and controlled by them, for the purpose of cashing or depositing the checks and withdrawing the proceeds of the checks and wire transfers and returning the cash to DURAN and VALERA.

8. MARIANELLA VALERA, JUDITH NEGRON, MARGARITA ACEVEDO, and their co-conspirators would cash checks at different bank branches and different banks in order to avoid scrutiny, conceal the purposes of their activities, and evade reporting requirements.

9. LAWRENCE S. DURAN, MARIANELLA VALERA, and JUDITH NEGRON would cause the payment of monthly, bi-weekly, and weekly payments from MEDLINK to their co-conspirators despite the fact that the co-conspirators had no job functions at Medlink or ATC, other than laundering money.

10. LAWRENCE S. DURAN, MARIANELLA VALERA, JUDITH NEGRON, and their co-conspirators would launder millions of dollars over the course of several years.

11. Once the cash was returned to LAWRENCE S. DURAN and MARIANELLA VALERA, they would distribute portions of the cash to VALERA, MARGARITA ACEVEDO, and their co-conspirators, to pay kickbacks to ALF and Halfway House owners and operators.

12. LAWRENCE S. DURAN, MARIANELLA VALERA, and JUDITH NEGRON would also pay checks and cash to patient brokers as compensation for providing Medicare beneficiaries to ATC and ASI who were ineligible for the treatment ATC and ASI purported to provide.

**COUNTS 15 - 27**  
**Money Laundering**  
**(18 U.S.C. § 1957)**

1. On or about the dates set forth below, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants listed below did knowingly engage and attempt to engage in monetary transactions affecting interstate commerce, by, through, and to a financial institution, in criminally derived property of a value greater than \$10,000, and such property having been derived from specified unlawful activity, as more specifically described below:

Count	Defendants	Monetary Transaction	Approx. Date
15	LAWRENCE S. DURAN, JUDITH NEGRON	Negotiated Medlink check number 2805 in the approximate amount of \$30,000 using an account ending in 1998 held by [REDACTED]	4/13/06
16	LAWRENCE S. DURAN, JUDITH NEGRON	Negotiated Medlink check number 2899 in the approximate amount of \$20,000 using an account ending in 1998 held by [REDACTED]	5/30/06
17	LAWRENCE S. DURAN, JUDITH NEGRON	Negotiated Medlink check number 4359 in the approximate amount of \$15,000 using an account ending in 1998 held by [REDACTED]	5/14/07
18	LAWRENCE S. DURAN, JUDITH NEGRON	Negotiated Medlink check number 4677 in the approximate amount of \$15,000 using account ending in 1998 held by [REDACTED]	7/24/07

19	LAWRENCE S. DURAN, JUDITH NEGRON	Negotiated Medlink check number 6894 in the approximate amount of \$57,333.33 endorsed over to [REDACTED] account ending in 7532	3/9/09
20	LAWRENCE S. DURAN, JUDITH NEGRON	Received wire transfer from Medlink account in the approximate amount of \$106,000 to an account held by Mejia	4/10/09
21	LAWRENCE S. DURAN, JUDITH NEGRON	Received wire transfer from Medlink account in the approximate amount of \$18,100 to an account held by Mejia	4/24/09
22	LAWRENCE S. DURAN, JUDITH NEGRON	Received wire transfer from Medlink account in the approximate amount of \$21,200 to an account held by Mejia	4/24/09
23	LAWRENCE S. DURAN, JUDITH NEGRON	Received wire transfer from Medlink account in the approximate amount of \$21,400 to an account held by Mejia	4/24/09
24	LAWRENCE S. DURAN, JUDITH NEGRON	Received wire transfer from Medlink account in the approximate amount of \$21,700 to an account held by Mejia	4/24/09
25	LAWRENCE S. DURAN, JUDITH NEGRON	Received wire transfer from Medlink account in the approximate amount of \$23,600 to an account held by Mejia	4/24/09
26	LAWRENCE S. DURAN, JUDITH NEGRON	Negotiated Medlink check number 7610 in the approximate amount of \$14,268.97 using an account held by Mejia	5/12/09
27	LAWRENCE S. DURAN, JUDITH NEGRON	Negotiated Medlink check number 7609 in the approximate amount of \$13,058.95 using an account ending in 2016 held by Mejia	5/15/09

It is further alleged that the specified unlawful activity is health care fraud, in violation of Title 18, United States Code, Section 1347 and conspiracy to defraud the United States and to receive and pay health care kickbacks in violation of Title 18, United States Code, Section 371.

In violation of Title 18, United States Code, Sections 1957 and 2,

**COUNTS 28-32**  
**Money Laundering**  
**(18 U.S.C. § 1956(a)(1)(B)(i))**

1 Paragraphs 1 through 15 of the General Allegations section of this Superseding Indictment are realleged and incorporated by reference as though fully set forth herein.

2. On or about the dates set forth below, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants listed below did knowingly conduct and attempt to conduct a financial transaction affecting interstate commerce, which financial transaction involved the proceeds of specified unlawful activity, knowing that the property involved in the financial transaction represented the proceeds of some form of unlawful activity, and knowing that the transaction was designed in whole and in part to conceal and disguise the nature, location, source, ownership and control of the proceeds of specified unlawful activity, as more specifically described below:

Count	Defendants	Financial Transaction	Approx. Date
28	LAWRENCE S. DURAN, JUDITH NEGRON	Negotiated Medlink check number 3917 in the approximate amount of \$8000 using an account ending in 1998 held by [REDACTED]	1/12/07
29	LAWRENCE S. DURAN, JUDITH NEGRON	Negotiated Medlink check number 7608 in the approximate amount of \$9,052.65 using an account held by Mejia	5/12/09
30	LAWRENCE S. DURAN, MARIANELLA VALERA	Negotiated Medlink check number 7704 in the approximate amount of \$14,268.97 using an account ending in 1263 on behalf of Andorra Printer Designs	6/19/09

Count	Defendants	Financial Transaction	Approx. Date
31	LAWRENCE S. DURAN, MARIANELLA VALERA	Negotiated ATC check number 34355 in the approximate amount of \$14,000.70 using an account ending in 4468 on behalf of Andorra Printer Designs	7/27/09
32	LAWRENCE S. DURAN, JUDITH NEGRON	Negotiated Medlink check number 8519 in the approximate amount of \$3458.11 using an account held by Mejia	5/28/10

It is further alleged that the specified unlawful activity is health care fraud, in violation of Title 18, United States Code, Section 1347 and conspiracy to defraud the United States and to receive and pay health care kickbacks in violation of Title 18, United States Code, Section 371.

In violation of Title 18, United States Code, Sections 1956(a)(1)(B)(i) and 2.

**COUNTS 33-38**  
**Structuring to Avoid Reporting Requirements**  
**(31 U.S.C. § 5324(a)(1) and (d)(2))**

1. A "currency transaction report" ("CTR") is a report that is submitted on United States Department of Treasury ("Treasury"), Financial Crimes Enforcement Network Form 104. A domestic financial institution is required by federal law to file a CTR with Treasury for each financial transaction that involves United States currency in excess of \$10,000. Such financial transactions include deposits, withdrawals, or exchanges of currency, or other transactions involving the physical transfer of currency from one person to another.

2. On or about the dates set forth below, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants listed below did knowingly and for the purpose of evading the reporting requirements of Title 31, United States Code, Section 5313(a), and the regulations promulgated thereunder, cause and attempt to cause a domestic financial institution to fail to file a report required under Title 31, United States Code, Section 5313(a), and the

regulations promulgated thereunder, while violating another law of the United States and as part of a pattern of illegal activity involving more than \$100,000 in a 12-month period:

Count	Defendants	Approx. Date	Bank Transactions
33	LAWRENCE S. DURAN, MARIANELLA VALERA, JUDITH NEGRON	3/23/09	<p>Negotiation of the following Medlink check numbers by DURAN:</p> <ul style="list-style-type: none"> <li>• 7223 in the approx. amt. of \$5978.19</li> <li>• 7111 in the approx. amt. of \$4126.04</li> <li>• 7073 in the approx. amt. of \$4126.03</li> <li>• 7006 in the approx. amt. of \$4126.03</li> <li>• 6923 in the approx. amt. of \$4126.03</li> <li>• 6244 in the approx. amt. of \$4104.03</li> <li>• 6876 in the approx. amt. of \$4104.04</li> </ul> <p>Negotiation of the following ATC check numbers by VALERA:</p> <ul style="list-style-type: none"> <li>• 32095 in the approx. amt. of \$5917.82</li> <li>• 31821 in the approx. amt. of \$3726.74</li> <li>• 31318 in the approx. amt. of \$3726.74</li> <li>• 31094 in the approx. amt. of \$3726.71</li> <li>• 31842 in the approx. amt. of \$280</li> </ul>
34	LAWRENCE S. DURAN, MARIANELLA VALERA, JUDITH NEGRON	5/15/09	<p>Negotiation of the following Medlink check numbers by DURAN:</p> <ul style="list-style-type: none"> <li>• 7637 in the approx. amt. of \$4900</li> <li>• 7582 in the approx. amt. of \$5978.20</li> </ul> <p>Negotiation of the following ATC check numbers by VALERA:</p> <ul style="list-style-type: none"> <li>• 33142 in the approx. amt. of \$5917.89</li> <li>• 33304 in the approx. amt. of \$4900</li> </ul> <p>Negotiation of the following Medlink check numbers by Mejia:</p> <ul style="list-style-type: none"> <li>• 7600 in the approx. amt. of \$7231.56</li> <li>• 7599 in the approx. amt. of \$8950.63</li> <li>• 7598 in the approx. amt. of \$3422.25</li> <li>• 7605 in the approx. amt. of \$5011.58</li> <li>• 7603 in the approx. amt. of \$9485.97</li> </ul>

Count	Defendants	Approx. Date	Bank Transactions
35	LAWRENCE S. DURAN, MARIANELLA VALERA	2/26/10	<p>Negotiation of the following ATC check numbers into a bank account on behalf of Computer Resources Management Review Co:</p> <ul style="list-style-type: none"> <li>• 36957 in the approx. amt. of \$4999.08</li> <li>• 36961 in the approx. amt. of \$4995.90</li> <li>• 36965 in the approx. amt. of \$4999.25</li> <li>• 36969 in the approx. amt. of \$4998.20</li> <li>• 36973 in the approx. amt. of \$5007.57</li> </ul> <p>Negotiation of the following ATC check numbers into a bank account on behalf of FREE OF DIRT.COM CO.:</p> <ul style="list-style-type: none"> <li>• 36955 in the approx. amt. of \$4999.98</li> <li>• 36959 in the approx. amt. of \$4998.20</li> <li>• 36963 in the approx. amt. of \$4997.99</li> <li>• 36967 in the approx. amt. of \$5001.00</li> <li>• 36971 in the approx. amt. of \$5003.01</li> </ul> <p>Negotiation of the following ATC check numbers into a bank account on behalf of Pulp and Paper Co:</p> <ul style="list-style-type: none"> <li>• 36956 in the approx. amt. of \$4998.03</li> <li>• 36960 in the approx. amt. of \$4999.98</li> <li>• 36964 in the approx. amt. of \$5005.75</li> <li>• 36968 in the approx. amt. of \$5000.25</li> <li>• 36972 in the approx. amt. of \$4995.99</li> </ul> <p>Negotiation of the following ATC check numbers into a bank account on behalf of Stamina Communication:</p> <ul style="list-style-type: none"> <li>• 36958 in the approx. amt. of \$4999.50</li> <li>• 36962 in the approx. amt. of \$4990.50</li> <li>• 36966 in the approx. amt. of \$5008.25</li> <li>• 36970 in the approx. amt. of \$5007.75</li> <li>• 36974 in the approx. amt. of \$4994.00</li> </ul>

Count	Defendants	Approx. Date	Bank Transactions
36	LAWRENCE S. DURAN, MARIANELLA VALERA	6/3/10	<p>Negotiation of the following ATC check numbers into a bank account on behalf of Computer Resources Management Review Co:</p> <ul style="list-style-type: none"> <li>• 38442 in the approx. amt. of \$4098.00</li> <li>• 38446 in the approx. amt. of \$4180.00</li> </ul>
			<ul style="list-style-type: none"> <li>• 38450 in the approx. amt. of \$4020.00</li> <li>• 38454 in the approx. amt. of \$3952.00</li> </ul> <p>Negotiation of the following ATC check numbers into a bank account on behalf of FREE OF DIRT.COM CO.:</p> <ul style="list-style-type: none"> <li>• 38440 in the approx. amt. of \$4062.50</li> <li>• 38444 in the approx. amt. of \$4170.50</li> <li>• 38448 in the approx. amt. of \$4165.00</li> <li>• 38452 in the approx. amt. of \$3852.00</li> </ul> <p>Negotiation of the following ATC check numbers into a bank account on behalf of Pulp and Paper Co:</p> <ul style="list-style-type: none"> <li>• 38441 in the approx. amt. of \$3990.50</li> <li>• 38445 in the approx. amt. of \$3899.50</li> <li>• 38449 in the approx. amt. of \$4085.00</li> <li>• 38453 in the approx. amt. of \$4275.00</li> </ul> <p>Negotiation of the following ATC check numbers into a bank account on behalf of Stamina Communication:</p> <ul style="list-style-type: none"> <li>• 38443 in the approx. amt. of \$3990.98</li> <li>• 38447 in the approx. amt. of \$3899.02</li> <li>• 38451 in the approx. amt. of \$4025.00</li> <li>• 38455 in the approx. amt. of \$4335.00</li> </ul>
37	LAWRENCE S. DURAN, JUDITH NEGRON	7/16/10	<p>Negotiation of the following Medlink check numbers by NEGRON:</p> <ul style="list-style-type: none"> <li>• 8634 in the approx. amt. of \$3,954.18 to an account number ending in 7157</li> <li>• 8649 in the approx. amt. of \$3,158.37 to an account number ending in 7157</li> <li>• 8586 in the approx. amt. of \$4,010.00 to an account number ending in 7157</li> <li>• 8659 in the approx. amt. of \$4,900.00</li> </ul>

Count	Defendants	Approx. Date	Bank Transactions
38	LAWRENCE S. DURAN, MARIANELLA VALERA	8/13/10	<p>Negotiation of the following ATC check numbers into a bank account on behalf of Computer Resources Management Review Co.:</p> <ul style="list-style-type: none"> <li>• 39489 in the approx. amt. of \$4720.00</li> <li>• 39493 in the approx. amt. of \$4900.00</li> </ul> <p>Negotiation of the following ATC check numbers into a bank account on behalf of FREE OF DIRT.COM CO.:</p> <ul style="list-style-type: none"> <li>• 39497 in the approx. amt. of \$4935.20</li> <li>• 39501 in the approx. amt. of \$4890.25</li> <li>• 39509 in the approx. amt. of \$4980.75</li> </ul> <p>Negotiation of the following ATC check numbers into a bank account on behalf of FREE OF DIRT.COM CO.:</p> <ul style="list-style-type: none"> <li>• 39487 in the approx. amt. of \$4835.20</li> <li>• 39491 in the approx. amt. of \$4899.60</li> <li>• 39495 in the approx. amt. of \$4895.70</li> <li>• 39499 in the approx. amt. of \$4799.30</li> <li>• 39507 in the approx. amt. of \$4920.80</li> </ul> <p>Negotiation of the following ATC check numbers into a bank account on behalf of Pulp and Paper Co:</p> <ul style="list-style-type: none"> <li>• 39488 in the approx. amt. of \$4430.75</li> <li>• 39492 in the approx. amt. of \$4399.80</li> <li>• 39496 in the approx. amt. of \$4646.40</li> <li>• 39500 in the approx. amt. of \$4890.30</li> <li>• 39508 in the approx. amt. of \$4880.00</li> </ul> <p>Negotiation of the following ATC check numbers into a bank account on behalf of Stamina Communication:</p> <ul style="list-style-type: none"> <li>• 39490 in the approx. amt. of \$4775.90</li> <li>• 39494 in the approx. amt. of \$4980.80</li> <li>• 39498 in the approx. amt. of \$4750.75</li> <li>• 39502 in the approx. amt. of \$4920.88</li> <li>• 39510 in the approx. amt. of \$4580.30</li> </ul>

It is further alleged that the other law of the United States violated is health care fraud Title 18, United States Code, Section 1347 and conspiracy to defraud the United States and to receive and pay health care kickbacks in violation of Title 18, United States Code, Section 371 and that the pattern of illegal activity involved more than \$100,000 in a 12-month period.

In violation of Title 31 United States Code, Sections 5324(a)(1) and (d)(2).

**CRIMINAL FORFEITURE**  
**(18 U.S.C. § 982)**

1. The allegations contained in Counts 1 through 32 of this Superseding Indictment are realleged and incorporated by reference as though fully set forth herein for the purpose of alleging forfeiture to the United States of America of certain property in which LAWRENCE S. DURAN, MARIANELLA VALERA, JUDITH NEGRON, MARGARITA ACEVEDO, ATC, and MEDLINK have an interest.

2. Upon conviction of Counts 1 through 13, as alleged in this Superseding Indictment, the defendants, LAWRENCE S. DURAN, MARIANELLA VALERA, JUDITH NEGRON, MARGARITA ACEVEDO, ATC, and MEDLINK shall forfeit to the United States any property, real or personal, that constitutes or is derived, directly or indirectly, from gross proceeds traceable to the commission of the offense pursuant to Title 18, United States Code, Section 982(a)(7).

3. Upon conviction of Counts 14 through 32, as alleged in this Superseding Indictment, the defendants, LAWRENCE S. DURAN, MARIANELLA VALERA, JUDITH NEGRON, and MARGARITA ACEVEDO shall forfeit to the United States any property that was involved in the commission of the offense or is traceable to property that was involved in commission of the offense pursuant to Title 18, United States Code, Section 982(a)(1).

4. If more than one defendant is convicted of an offense, the defendants so convicted are jointly and severally liable for the amount derived from such offense.

5. The property which is subject to forfeiture includes, but is not limited to, the following:

- a. approximately \$87,570,954.15, which represents the gross proceeds of the fraud and the money laundering perpetrated by LAWRENCE S. DURAN, MARIANELLA VALERA, JUDITH NEGRON, MARGARITA ACEVEDO, ATC, and MEDLINK;
- b. 2009 Maserati Quattroporte VIN number ZAMJK39A190045758 registered to LAWRENCE S. DURAN;
- c. 2008 Lincoln Navigator VIN number 5LMFL27588LJ02728 registered to MEDLINK and LAWRENCE S. DURAN;
- d. 2007 Harley Davidson Motorcycle VIN number 1HD1PR8137Y954043 registered to LAWRENCE S. DURAN;
- e. 2006 BMW 750LI VIN number WBAHN83586DT33071 registered to LAWRENCE S. DURAN and MARIANELLA VALERA;
- f. 2009 Land Rover Range VIN number SALSF25449A209661 registered to LAWRENCE S. DURAN and MARIANELLA VALERA;
- g. 2005 Harley Davidson Motorcycle VIN number 1HD1JDB1X5Y029351 registered to MARIANELLA VALERA;
- h. 2010 Land Rover Range VIN number SALMF1D44A309395 registered to MARIANELLA VALERA;
- i. 2003 Ford Econoline VIN number 1FBSS31L03HB67921 registered to ATC and MARIANELLA VALERA;
- j. 2003 Ford E350 Cutaway VIN number 1FDWE35LX3HB15013 registered to ATC and MARIANELLA VALERA;
- k. 2010 Mercedes Benz C300 Sedan VIN number WDDGF5EB0AR090600 registered to MARGARITA ACEVEDO;
- l. property located at 1809 North Bayshore Drive #3506, Miami-Dade County, Miami, Florida, 33132, registered to MARIANELLA VALERA;
- m. all funds on deposit and interest accrued thereto at Wachovia Account ending in 2210 in the name of ATC, up to the amount of \$87,570,954.15;
- n. all funds on deposit and interest accrued thereto at Wachovia Account ending in 5837, in the name of ATC up to the amount of \$87,570,954.15;
- o. all funds on deposit and interest accrued thereto at Wachovia Account ending in 8219, in the name of ATC, up to the amount of \$87,570,954.15;
- p. all funds on deposit and interest accrued thereto at Wachovia Account ending in 3509, in the name of ATC, up to the amount of \$87,570,954.15;
- q. all funds on deposit and interest accrued thereto at Wachovia Account ending in 0318, in the name of ATC, up to the amount of \$87,570,954.15;
- r. all funds on deposit and interest accrued thereto at Wachovia Account ending in 9795, in the name of ATC, up to the amount of \$87,570,954.15;
- s. all funds on deposit and interest accrued thereto at Wachovia Account ending in 6543, in the name of ATC, up to the amount of \$87,570,954.15;
- t. all funds on deposit and interest accrued thereto at Wachovia Account ending in 8206, in the name of ATC, up to the amount of \$87,570,954.15;
- u. all funds on deposit and interest accrued thereto at Wachovia Account ending in 0321, in the name of ATC, up to the amount of \$87,570,954.15;

- v. all funds on deposit and interest accrued thereto at Wachovia Account ending in 6594, in the name of LAWRENCE S. DURAN, up to the amount of \$87,570,954.15;
- w. all funds on deposit and interest accrued thereto at Wachovia Account ending in 8378, in the name of LAWRENCE S. DURAN c/o MEDLINK, up to the amount of \$87,570,954.15;
- x. all funds on deposit and interest accrued thereto at Wachovia Account ending in 9955, in the name of LAWRENCE S. DURAN c/o MEDLINK, up to the amount of \$87,570,954.15;
- y. all funds on deposit and interest accrued thereto at Wachovia Account ending in 7573, in the name of LAWRENCE S. DURAN c/o MEDLINK, up to the amount of \$87,570,954.15;
- z. all funds on deposit and interest accrued thereto at Wachovia Account ending in 9968, in the name of LAWRENCE S. DURAN c/o MEDLINK, up to the amount of \$87,570,954.15;
- aa. all funds on deposit and interest accrued thereto at Wachovia Account ending in 0680, in the name of MEDLINK, up to the amount of \$87,570,954.15;
- bb. all funds on deposit and interest accrued thereto at Wachovia Account ending in 0305, in the name of MEDLINK, up to the amount of \$87,570,954.15;
- cc. all funds on deposit and interest accrued thereto at Wachovia Account ending in 9960, in the name of MARIANELLA VALERA, up to the amount of \$87,570,954.15;
- dd. all funds on deposit and interest accrued thereto at Wachovia Account ending in 4170, in the name of MARIANELLA VALERA, up to the amount of \$87,570,954.15;
- ee. all funds on deposit and interest accrued thereto at Wachovia Account ending in 6072, in the name of MARIANELLA VALERA, up to the amount of \$87,570,954.15;
- ff. all funds on deposit and interest accrued thereto at Wachovia Account ending in 0469, in the name of MARIANELLA VALERA, up to the amount of \$87,570,954.15; and
- gg. all funds on deposit and interest accrued thereto at Wachovia Account ending in 6098, in the name of MARIANELLA VALERA, up to the amount of \$87,570,954.15.

6. If any of the property described above, as a result of any act or omission of the defendants:

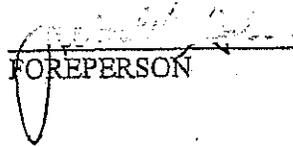
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;

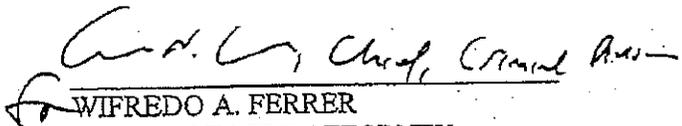
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

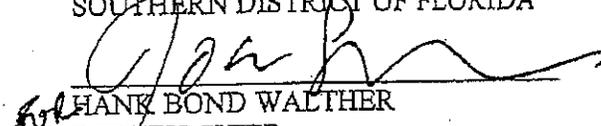
the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1).

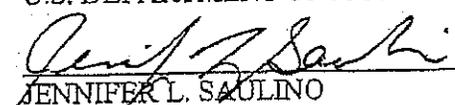
All pursuant to Title 18, United States Code, Section 982(a)(7) and the procedures outlined in Title 21, United States Code, Section 853.

A TRUE BILL

  
FOREPERSON

  
WIFREDO A. FERRER  
UNITED STATES ATTORNEY  
SOUTHERN DISTRICT OF FLORIDA

  
HANK BOND WALTHER  
DEPUTY CHIEF  
CRIMINAL DIVISION, FRAUD SECTION  
U.S. DEPARTMENT OF JUSTICE

  
JENNIFER L. SAULINO  
MARIA GONZALEZ CALVET  
JOSEPH S. BEEMSTERBOER  
TRIAL ATTORNEYS  
CRIMINAL DIVISION, FRAUD SECTION  
U.S. DEPARTMENT OF JUSTICE