

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**FILED UNDER SEAL**

**UNITED STATES OF AMERICA** : **CRIMINAL NO. 11-488**

**v.** : **DATE FILED: \_\_\_\_\_**

**LYNDA GAIL WILLIAMS** : **VIOLATIONS:**  
**21 U.S.C. § 846 (conspiracy to distribute  
controlled substances – 1 count)**  
**21 U.S.C. § 841(a)(1)**  
**(distribution of controlled substances  
– 1 count)**  
**21 U.S.C. § 860(a) (distribution of controlled  
substances within 1000 feet of a school  
– 1count)**  
**18 U.S.C. § 2 (aiding and abetting)**  
**Notice of forfeiture**

**INFORMATION**

**COUNT ONE**

**THE UNITED STATES ATTORNEY CHARGES THAT:**

At all times material to this information:

**BACKGROUND**

1. K.B.G. was a physician licensed by the Commonwealth of Pennsylvania, registered with the Drug Enforcement Administration (DEA) and practicing out of an office located in Philadelphia, Pennsylvania.

2. Defendant LYNDA GAIL WILLIAMS was employed by K.B.G. as a medical assistant and worked at K.B.G.'s office located in Philadelphia, Pennsylvania.

3. Under federal law, a physician can only issue a prescription for a controlled substance if it is issued for a legitimate medical purpose, and in the usual course of the physician's professional practice. A prescription that does not meet these requirements is an invalid prescription.

4. Title 21, United States Code, Sections 801-971, also known as the Controlled Substances Act ("the Act"), governs the manufacture, distribution, and dispensing of controlled substances in the United States. Specifically, Title 21, United States Code, Section 841, provides that "[e]xcept as authorized, it shall be unlawful for any person to knowingly or intentionally manufacture, distribute, or dispense with intent to manufacture, distribute or dispense, a controlled substance."

5. Title 21, United States Code, Section 802(10), provides that the term "dispense" means to deliver a controlled substance to an ultimate user or research subject by, or pursuant to the lawful order of, a practitioner, including the prescribing and administering of a controlled substance and the packaging, labeling or compounding necessary to prepare the substance for delivery.

6. Title 21, United States Code, Section 821, provides that "[t]he Attorney General [of the United States] is authorized to promulgate rules and regulations . . . relating to the registration and control of the manufacture, distribution and dispensing of controlled substances."

7. The Attorney General of the United States has exercised his rulemaking authority regarding the dispensing of controlled substances through the promulgation of 21 Code of Federal Regulations § 1306.04, governing the issuance of prescriptions, which provides:

- (a) a prescription for a controlled substance to be effective must be issued for a legitimate medical purpose by an individual practitioner acting in the usual course of his professional practice. The responsibility for the proper prescribing and dispensing of controlled substances is upon the prescribing practitioner, but a corresponding responsibility rests with the pharmacist who fills the prescription. An order purporting to be a prescription issued not in the usual course of professional treatment or in legitimate and authorized research is not a prescription within the meaning and intent of section 309 of the Act [21 U.S.C. § 829] and the person knowingly filling such a purported prescription, as well as the person issuing it, shall be subject to the penalties provided for violations of the law relating to controlled substances.

8. Under the Controlled Substances Act, there are five schedules of controlled substances – Schedules I, II, III, IV, and V. Controlled substances are scheduled into these levels based upon their potential for abuse, among other things. For example, Schedule II controlled substances have a high potential for abuse and may lead to severe psychological or physical dependence. Abuse of Schedule III controlled substances may lead to moderate or low physical dependence or high psychological dependence. Abuse of Schedules IV and V controlled substances may lead to more limited physical dependence or psychological dependence compared with the drugs or other substances in Schedule III.

9. Oxycodone is the generic name for an addictive prescription painkiller similar to morphine that is classified under the Controlled Substances Act as a Schedule II controlled substance. When oxycodone is legally prescribed for a legitimate medical purpose, it is typically used to combat acute, severe pain. Accordingly, the prescription is usually for a modest number of pills to be taken over a short period of time. Brand names for common Schedule II controlled substances containing oxycodone include Percocet, Endocet, and Roxicet. Oxycodone is also the active ingredient in the brand OxyContin, legitimately prescribed for the treatment of moderate-to-severe pain lasting more than a few days. Because of its controlled

release property, each OxyContin tablet contains more of the active ingredient oxycodone and needs to be taken less often (twice a day) than other oxycodone-containing drugs. Even if only taken in prescribed amounts, oxycodone can cause physical and psychological dependence when taken for a long time.

10. Alprazolam, more commonly referred to by one of its brand names, Xanax, is the generic name for an addictive prescription sedative and anti-anxiety agent that is classified under the Act as a Schedule IV controlled substance.

11. Promethazine with Codeine, the generic name for a Schedule V narcotic sometimes branded as Phenergan with Codeine, is a cough syrup used for the temporary relief of coughs and upper respiratory symptoms associated with allergy or common cold.

12. As a medical doctor, K.B.G. was authorized to dispense to patients Schedules II, III, IV and V controlled substances and to prescribe medicine to patients, including controlled substances, for legitimate medical purposes and in the usual course of professional practice.

13. In actuality, K.B.G., with the assistance of defendant LYNDA GAIL WILLIAMS, and others, ran a "pill mill" out of K.B.G.'s office, at which so-called patients ("customers") obtained, for a fee, medical prescriptions for controlled prescription drugs, without there being any medical necessity for these prescriptions.

### **THE CONSPIRACY**

14. From at least in or about June, 2008, until on or about February 18, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**LYNDA GAIL WILLIAMS**

conspired and agreed with K.B.G. and with others known and unknown to the United States Attorney, to knowingly and intentionally distribute and dispense, outside the usual course of professional practice and for no legitimate medical purpose, mixtures and substances containing detectable amounts of various controlled substances, including oxycodone (a Schedule II substance), alprazolam (a Schedule IV substance), and codeine (a Schedule V controlled substance), in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C), (b)(2), (b)(3).

#### MANNER AND MEANS

It was part of the conspiracy that:

15. New patients or customers of K.B.G. initially met with K.B.G. briefly and received either a minimal or no physical examination from K.B.G. before receiving prescriptions for controlled substances that were written by K.B.G. for no legitimate medical purpose and outside the usual course of professional practice. K.B.G. initially charged \$115 and then later \$150 for this first office visit.

16. Defendant LYNDA GAIL WILLIAMS, along with others known to the United States Attorney, assisted K.B.G. in operating K.B.G.'s pill mill operation. Among other things, after the initial office visit, defendant WILLIAMS and others took customers' orders for "refills" for prescriptions for controlled substances in person, over the phone, or from an answering machine. These customer orders were for prescriptions for controlled substances with no legitimate medical purpose. Customers did not see or speak to K.B.G. in order to make their request for a "refill." Defendant WILLIAMS and others recorded the orders for "refills" and gave them to K.B.G. who in turn wrote the requested "refill" prescriptions and gave them back to

defendant WILLIAMS and others who worked in the office. When customers came to K.B.G.'s office to pick up their order for a "refill," defendant WILLIAMS and others sold these prescriptions for controlled substances, including Schedules II, IV, and V controlled substances, to cash-paying customers outside the usual course of professional practice and for no legitimate medical purpose. Defendant WILLIAMS and others allowed customers to purchase these so-called prescriptions for controlled substances under multiple names. Defendant WILLIAMS and others charged \$20.00 to cash-paying customers for each set of so-called prescriptions per customer name. This cash was collected and given to K.B.G. at the end of defendant WILLIAMS' shift. Often times defendant WILLIAMS and others collected a "tip" from a customer ranging from approximately \$10.00 to \$20.00, per so-called prescription, that defendant WILLIAMS and others kept for themselves.

17. After purchasing these so-called prescriptions in one or more names from defendant LYNDA GAIL WILLIAMS and others, the customers went to pharmacies in Philadelphia and elsewhere to fill them.

All in violation of Title 21, United States Code, Section 846.

**COUNT TWO**

**THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:**

On or about November 20, 2009, in Philadelphia, Pennsylvania, in the Eastern District of Pennsylvania, defendant

**LYNDA GAIL WILLIAMS**

knowingly and intentionally distributed and dispensed, and aided and abetted and willfully caused the distribution and dispensing of, controlled substances, by causing prescriptions to be issued for controlled substances outside the course of professional practice for other than a legitimate medical purpose, that is, approximately 60 tablets of OxyContin, 80mg, which contain a detectable amount of oxycodone, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C), and Title 18, United States Code, Section 2.

**COUNT THREE**

**THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:**

On or about November 20, 2009, in, Philadelphia, Pennsylvania, in the Eastern District of Pennsylvania, defendant

**LYNDA GAIL WILLIAMS**

knowingly and intentionally distributed and dispensed, and aided and abetted and willfully caused the distribution and dispensing of, a controlled substance, by causing a prescription to be issued for a controlled substance, outside the course of professional practice for other than a legitimate medical purpose, that is, approximately 60 tablets of OxyContin, 80mg, which contain a detectable amount of oxycodone, a Schedule II controlled substance, within 1000 feet of the real property comprising the Charles R. Drew Elementary School located at 3724 Warren Street, in Philadelphia, Pennsylvania, a public elementary school, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860, and Title 18, United States Code, Section 2.



**NOTICE OF FORFEITURE**

**THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:**

1. As a result of the violations of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C), set forth in this Information, defendant

**LYNDA GAIL WILLIAMS**

shall forfeit to the United States of America:

- a. any property used or intended to be used, in any manner or part, to commit or to facilitate the commission of, such offenses; and
- b. any property constituting, or derived from, proceeds obtained directly or indirectly from the commission of such offenses.

2. If any of the property subject to forfeiture, 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 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;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to

seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 21, United States Code, Section 853.

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**ZANE DAVID MEMEGER**  
**United States Attorney**