

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

V.

GARY FRANTZ,  
CHRISTOPHER FULK,

Defendants.

INDICTMENT

1:19 CR 489

CASE NO.

Title 21, United States Code,  
Sections 841(a)(1), (b)(1)(C),  
(b)(2), and 846

JUDGE PEARSON

## GENERAL ALLEGATIONS

At all times material and relevant to this Indictment:

## I. Overview

1. From on or about January 2005 and continuing through on or about June 8, 2017, Defendants GARY FRANTZ illegally distributed hundreds of thousands of doses of prescription painkillers to customers located in the Northern District of Ohio. He did so using his “medical” offices located in Mansfield, Ohio, by issuing drug orders purporting to be “prescriptions” for Schedule II controlled substances, primarily oxycodone, hydrocodone, methadone, and fentanyl, to customers whom he characterized as “patients.”

2. Between January 2005 and continuing through on or about June 8, 2017, CHRISTOPHER FULK was one of FRANTZ's "patients." During this time, FRANTZ wrote "prescriptions" for large quantities of Schedule II controlled substances, including oxycodone pills and fentanyl patches. FULK received tens of thousands of oxycodone pills from FRANTZ.

3. Between 2008 and continuing through on or about February 2018 FULK distributed oxycodone pills and fentanyl patches to others in the Northern District of Ohio.

## II. The Controlled Substances Act

4. The Controlled Substances Act (“CSA”) governed the manufacture, distribution, and dispensing of controlled substances in the United States. With limited exceptions, the CSA made it “unlawful for any person knowingly or intentionally” to “distribute or dispense . . . a controlled substance” or conspire to do so.

5. The term “controlled substance” meant a drug or other substance included in Schedules I, II, III, IV, and V of the CSA. The term “dispense” meant to deliver a controlled substance to an ultimate user or research subject by, or pursuant to the lawful order of, a practitioner; it included the prescribing and administering of a controlled substance. The term “distribute” meant to deliver (other than by administering or dispensing) a controlled substance. The term “practitioner” meant a physician, medical doctor, dentist, or other person licensed, registered, or otherwise permitted by the United States or the jurisdiction in which he or she practiced, to distribute a or dispense a controlled substance in the course of professional practice.

6. Defendant GARY FRANTZ, was a medical doctor licensed by the State of Ohio Medical Board and considered a “practitioner” within the meaning of the CSA.

7. Individual practitioners who wanted to distribute or dispense controlled substances in the course of professional practice were required to register with the Attorney General of the United States (“Attorney General”) before they were legally authorized to do so. Such individual practitioners were assigned a registration number by the Drug Enforcement Administration (“DEA”).

8. GARY FRANTZ was registered with the Attorney General and DEA under registration number AF8975774.

9. Practitioners registered with the Attorney General were authorized under the CSA to write prescriptions for, or to otherwise dispense Schedule II, III, IV, and V controlled substances, so long as they complied with the requirements of their registrations. 21 U.S.C. §§ 822(b). The CSA prohibited any person from knowingly and intentionally using a DEA registration number issued to another person in the course of distributing or dispensing a controlled substance.

10. For medical doctors, compliance with the terms of their registrations meant that they could issue a prescription for a controlled substance to a patient only if the prescription was “issued for a legitimate medical purpose by an individual practitioner acting in the usual course of professional practice.” 21 C.F.R. §1306.04(a). A doctor violated the CSA and Code of Federal Regulations if he issued a prescription for a controlled substance outside the usual course of professional medical practice and not for a legitimate medical purpose. Such knowing and intentional violations subjected the doctor to criminal liability under Section 841(a) of Title 21, United States Code. 21 C.F.R. § 1306.04(a).

11. The CSA’s “scheduling” of controlled substances was based on their potential for abuse, among other considerations. There are five schedules of controlled substances: Schedules I, II, III, IV, and V. Drugs that had a high potential for abuse and could lead to severe psychological or physical dependence were classified as Schedule II controlled substances. Drugs that had a potential for abuse and could lead to moderate or low physical dependence or high psychological dependence were classified as Schedule III controlled substances. Drugs that

had a low potential for abuse and could lead to limited physical or psychological dependence were classified as Schedule IV controlled substances. 21 U.S.C. § 812.

12. Pursuant to the CSA and its implementing regulations, oxycodone was classified as a Schedule II narcotic controlled substance based on its high potential for abuse and potential for severe psychological and physical dependence. Oxycodone was sold under a variety of brand names, including OxyContin, Percocet, and Endocet, as well as generic forms. Oxycodone was one of the strongest prescription painkilling substances approved for use in the United States, and it was very addictive. When abused, oxycodone could be taken orally (in pill form), chewed, or crushed and snorted. Oxycodone caused euphoria and a high that persons with a dependency and no actual medical necessity would seek.

13. OxyContin, Percocet, and Roxicet were name brand Schedule II controlled substances in which oxycodone was the active ingredient. Percocet and Roxicet combined oxycodone and acetaminophen, also abbreviated “APAP.” When OxyContin, Percocet, and Roxicet tablets were legally prescribed for a legitimate medical purpose, they were intended to be taken orally for the management of moderately severe to severe pain under the careful supervision of a treating physician. Because they contain oxycodone, OxyContin, Percocet, and Roxicet tablets could be highly addictive, and the withdrawal symptoms of OxyContin, Percocet, and Roxicet addiction could be severe.

14. Pursuant to the CSA and its implementing regulations, fentanyl – a potent synthetic opioid – was classified as a Schedule II controlled substance based on its potential for abuse and physical and psychological dependence. Fentanyl pharmaceutical products were available in the dosage forms of oral transmucosal lozenges under the brandname Actiq, effervescent buccal tablets under the brandname Fentora, sublingual tablet under the brandname



Abstral, sublingual spray under the brandname Subsys, nasal spray under the brand name Lazanda, transdermal patches under the name Duragesic, and injectable formulations. When fentanyl was legally prescribed for a legitimate medical purpose in the oral transmucosal lozenges and effervescent buccal tablets forms, it was for the management of breakthrough cancer pain in patients who are already receiving opioid medication for their underlying persistent pain. Transdermal patches were used in the management of chronic pain in patients who require continuous opioid analgesia. Fentanyl was about 100 times more potent than morphine as an analgesic. Fentanyl was abused for its intense euphoric effects. Fentanyl served as a direct substitute for heroin in opioid dependent individuals. However, fentanyl is a very dangerous substitute for heroin because it is much more potent than heroin and results in frequent overdoses that can lead to respiratory depression and death. Fentanyl had pharmacological effects and produced analgesia, sedation, nausea, vomiting, itching, and respiratory depression.

15. Pursuant to the CSA and its implementing regulations, methadone – a pharmaceutical opioid – was classified as a Schedule II controlled substance, based on its potential for abuse and physical and psychological dependence. Methadone was sold generically or under a variety of brand names, including Methadose and Dolophine, and it came in a variety of strengths. When Methadone was legally prescribed for a legitimate medical purpose, it was primarily used as a pain reliever and, separately, as part of drug-addiction detoxification and maintenance protocol. Methadone was a narcotic pain reliever that had the potential for being abused. The major hazards of abusing methadone were respiratory depression and systemic hypotension, and when abused could result in respiratory arrest, shock, cardiac arrest, and death.

16. Pursuant to the CSA and its implementing regulations, hydrocodone – an addictive narcotic prescription painkiller – was classified as a Schedule III controlled substance until October 4, 2014, when it was classified as a Schedule II controlled substance, based on its potential for abuse and physical and psychological dependence. Hydrocodone was sold generically or under a variety of brand names, including Vicodin, Vicoprofen, Lortab, and Norco, and it came in a variety of strengths. When hydrocodone was legally prescribed for a legitimate medical purpose, it was typically used to combat acute, moderate to severe pain under the careful supervision of a treating physician. Hydrocodone successfully diminished pain, but it was addictive and the withdrawal symptoms of hydrocodone addiction could be severe. When abused, hydrocodone could be taken orally (in pill form), chewed, or crushed and snorted. Hydrocodone caused euphoria and a high that persons with a dependency and no actual medical need for the drug would seek.

17. Pursuant to the CSA and its implementing regulations, amphetamine was a stimulant classified as a Schedule II controlled substance based on its high potential for abuse and potential for severe psychological and physical dependence. “Amphetamine” included the drug itself, as well as “its salts, optical isomers, and salts of its optical isomers” and was available as both generic and brand name substances such as Adderall, Adderall XR, Dextroamphetamine, Dexedrine, Amphetamine, Biphetamine, Obertrol. Amphetamines and other stimulants could be abused in several ways, including swallowing, if in a pill form; snorted in powder; injected with a needle or syringe; or heated into crystal form and smoked. Stimulant overdoses could lead to heart problems, strokes, and convulsions and have resulted in death when not treated immediately. Amphetamine abuse could cause sudden death and serious cardiovascular adverse reactions.

18. Pursuant to the CSA and its implementing regulations, tramadol was an opioid analgesic used for the treatment of moderate to moderately severe pain, classified under the CSA as a Schedule IV drug. Abuse and adverse effects of tramadol were similar to those of other opioid analgesics.

19. Pursuant to the CSA and its implementing regulations, benzodiazepines, including alprazolam, lorazepam, clonazepam, diazepam, and temazepam, were classified under the CSA as Schedule IV drugs. Benzodiazepines were a class of drugs that produced central nervous system depression and were most commonly used to treat insomnia and anxiety. There was a potential for dependence on and abuse of benzodiazepines particularly by individuals with a history of multi-substance abuse. Alprazolam, lorazepam, clonazepam, diazepam, and temazepam were the five most prescribed benzodiazepines. Benzodiazepines, particularly those having a rapid onset, were abused to produce a euphoric effect. Diazepam and alprazolam were used in combination with methadone to potentiate methadone's euphoric effect.

20. Zolpidem (zolpidem tartrate), a non-benzodiazepine hypnotic medication, was classified under the CSA as a Schedule IV drug based on its relatively lower potential for physical and psychological dependence as compared to Schedule III drugs. Zolpidem was sold under the brand names Ambien, Ambien CR, and Zolpimist. Zolpidem could be habit forming. When legally prescribed for a legitimate medical purpose, Zolpidem Tartrate was typically used for the short-term treatment of insomnia characterized by difficulties with sleep initiation. Zolpidem, like other sedative-hypnotic drugs, had central nervous system ("CNS") depressant effects similar to alcohol. As such, it was sometimes abused by persons who had no legitimate medical need to take it. Zolpidem was typically abused in oral pill form and was often abused in conjunction with opiates and other CNS depressants.

COUNT 1

(Conspiracy to Distribute and Dispense Controlled Substances, 21 U.S.C. §§ 846 and 841(a)(1))

The Grand Jury charges:

21. The Grand Jury reincorporates by reference the allegations set forth in paragraphs 1 through 20 of this Indictment as if fully set forth herein.

22. Beginning at least on or about January 10, 2005 and continuing through on or about June 8, 2017, the exact dates to the Grand Jury unknown, in the Northern District of Ohio, Eastern Division, Defendants GARY FRANTZ and CHRISTOPHER FULK did unlawfully, knowingly and intentionally combine, conspire, confederate, and agree together and with each other and with diverse others known and unknown to the Grand Jury, to knowingly and intentionally distribute and dispense oxycodone, fentanyl, and methadone, Schedule II controlled substances, and diazepam, a Schedule IV controlled substance, outside the usual course of professional practice and not for a legitimate medical purpose, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C), and (b)(2).

MANNER AND MEANS

23. It was part of the conspiracy that:

A. GARY FRANTZ used his DEA registration number to prescribe quantities of oxycodone, fentanyl, methadone, and diazepam to CHRISTOPHER FULK, whom he described a “patient,” outside the usual course of professional practice and not for a legitimate medical purpose.

B. FRANTZ operated a “medical” office located in Mansfield, Ohio.

C. FRANTZ distributed multiple “prescriptions” for large quantities of high doses of Schedule II controlled substances, including 80 mg OxyContin and 30 mg oxycodone pills, to Fulk each month.

D. FRANTZ also distributed “prescriptions” for fentanyl to Fulk in combination with the high doses of oxycodone FRANTZ was prescribing.

E. FRANTZ distributed “prescriptions” for high doses of oxycodone pills and fentanyl patches to FULK without conducting routine urine screens or pill counts.

F. FRANTZ distributed combinations of “prescriptions” for controlled substances that were dangerous to consume in combination, outside the usual course of professional practice, and not for any legitimate medical purpose.

G. FRANTZ distributed “prescriptions” for large quantities and high doses of Schedule II controlled substances to FULK after speaking with pharmacists who had concerns about the quantities and doses that FRANTZ was distributing.

H. FRANTZ lowered the quantities of his of the substances in his “prescriptions” to FULK to avoid law enforcement scrutiny rather than based on FULK’s individualized medical need.

I. FRANTZ continued to distribute “prescriptions” for controlled substances to FULK after family members expressed concerns about the effects the substances were having on Fulk.

J. FRANTZ distributed “prescriptions” for controlled substances to FULK from FRANTZ’s residence in Mansfield, Ohio.

K. FRANTZ communicated with Fulk about distributing “prescriptions” for controlled substances via text message.

L. FULK sold and distributed thousands of oxycodone pills and hundreds of fentanyl patches that he received from FRANTZ to various customers in the Mansfield, Ohio, area.

M. FULK directed a family member to pick up “prescriptions” for controlled substances from FRANTZ at FRANTZ’s residence in Mansfield, Ohio.

N. FULK directed his customers to pick up controlled substances from pharmacies and from FULK’s residence.

ACTS IN FURTHERANCE OF THE CONSPIRACY

24. In furtherance of the conspiracy and to effect the objectives thereof, FRANTZ and FULK performed the following acts in the Northern District of Ohio, including but not limited to the following:

25. In October 2012, FRANTZ distributed “prescriptions” for 180 80mg OxyContin pills, 1,080 30mg OxyContin pills, and 30 100 mcg/hr fentanyl patches to FULK.

26. In November 2012, FRANTZ distributed “prescriptions” for 120 80mg OxyContin pills, 1,080 30mg oxycodone pills, 15 100mcg/hr fentanyl patches, 1,240 5mg diazepam pills to FULK

27. In December 2012, FRANTZ distributed “prescriptions” for 120 80mg OxyContin pills, 1,860 30mg OxyContin pills, 27 100mcg/hr fentanyl patches to FULK.

28. In January 2013, FRANTZ distributed “prescriptions” for 60 40mg OxyContin pills, 1,980 30mg oxycodone pills, and 30 100mcg/hr fentanyl patches to FULK.

29. In February 2013, FRANTZ distributed “prescriptions” for 120 80mg OxyContin pills, 60 40mg OxyContin pills, 1,980 30mg oxycodone pills, and 21 100mcg/hr fentanyl patches to FULK.

30. In March 2013, FRANTZ distributed “prescriptions” for 120 80mg OxyContin pills, 60 4mg OxyContin pills, 1,980 30mg oxycodone pills, and 45 100mcg/hr fentanyl patches to FULK.

31. In April 2013, FRANTZ distributed “prescriptions” for 120 80mg OxyContin pills, 60 40mg OxyContin pills, 1,980 30mg oxycodone pills, and 30 100mcg/hr fentanyl patches to FULK.

32. In May 2013, FRANTZ distributed “prescriptions” for 240 80mg OxyContin pills, 60 40mg OxyContin pills, 2,640 30mg oxycodone pills, 30 100mcg/hr fentanyl patches, and 1,440 5mg diazepam pills to FULK.

33. In June 2013, FRANTZ distributed “prescriptions” for 120 80mg OxyContin pills, 60 40mg OxyContin pills, 1,980 30mg oxycodone pills, and 30 100mcg/hr fentanyl patches to FULK.

34. In July 2013, FRANTZ distributed “prescriptions” for 60 40mg OxyContin pills, 1,980 30mg oxycodone pills, and 15 100mcg/hr fentanyl patches to FULK.

35. In August 2013, FRANTZ distributed “prescriptions” for 2,760 30mg oxycodone pills, and 30 100mcg/hr fentanyl patches to FULK.

36. In September 2013, FRANTZ distributed “prescriptions” for 1,560 30mg oxycodone pills to FULK.

37. In October 2013, FRANTZ distributed “prescriptions” for 1,760 30mg oxycodone pills, 30 100mcg/hr fentanyl patches, and 1,440 5mg diazepam pills to FULK.

38. In November 2013, FRANTZ distributed “prescriptions” for 2,340 30mg oxycodone pills to FULK.

39. In December 2013, FRANTZ distributed “prescriptions” for 2,340 30mg oxycodone pills, and 30 100mcg/hr fentanyl patches to FULK.

40. In January 2014, FRANTZ distributed “prescriptions” for 3,120 30mg oxycodone pills, and 45 100mcg/hr fentanyl patches to FULK.



41. In February 2014, FRANTZ distributed “prescriptions” for 2,340 30mg oxycodone pills, and 30 100mcg/hr fentanyl patches to FULK.

42. In March 2014, FRANTZ distributed “prescriptions” for 1,932 30mg oxycodone pills to FULK.

43. In April 2014, FRANTZ distributed “prescriptions” for 2,340 30mg oxycodone pills, and 1,440 5mg diazepam pills to FULK.

44. In May 2014, FRANTZ distributed “prescriptions” for 2,340 30mg oxycodone pills to FULK.

45. In June 2014, FRANTZ distributed “prescriptions” for 2,340 30mg oxycodone pills, and 15 100mcg/hr fentanyl patches to FULK.

46. In July 2014, FRANTZ distributed “prescriptions” for 2,835 30mg oxycodone pills, 294 5mg methadone, and 45 100mcg/hr fentanyl patches to FULK.

47. In August 2014, FRANTZ distributed “prescriptions” for 1,575 30mg oxycodone pills, and 266 5mg methadone to FULK.

48. In September 2014, FRANTZ distributed “prescriptions” for 1,512 30mg oxycodone pills, 560 5mg methadone to FULK.

49. In October 2014, FRANTZ distributed “prescriptions” for 1,890 30mg oxycodone pills, 448 5mg methadone, and 15 100mcg/hr fentanyl patches to FULK.

50. In January 2015, FRANTZ distributed “prescriptions” for 2,520 30mg oxycodone pills, 504 5mg methadone, and 30 100mcg/hr fentanyl patches to FULK.

51. In February 2015, FRANTZ distributed “prescriptions” for 1,680 30mg oxycodone pills, 336 5mg methadone, and 15 100mcg/hr fentanyl patches to FULK.

52. In March 2015, FRANTZ distributed “prescriptions” for 1,680 30mg oxycodone pills, 336 5mg methadone, and 15 100mcg/hr fentanyl patches to FULK.

53. In April 2015, FRANTZ distributed “prescriptions” for 1,680 30mg oxycodone pills, 336 5mg methadone, 30 100mcg/hr fentanyl patches, and 720 5mg diazepam pills to FULK.

54. In May 2015, FRANTZ distributed “prescriptions” for 1,617 30mg oxycodone pills, 336 5mg methadone, and 15 100mcg/hr fentanyl patches to FULK.

55. In June 2015, FRANTZ distributed “prescriptions” for 966 30mg oxycodone pills, 210 10mg oxycodone pills, 251 5mg methadone, and 15 100mcg/hr fentanyl patches to FULK.

56. In July 2015, FRANTZ distributed “prescriptions” for 2,352 30mg oxycodone pills, 210 10mg oxycodone pills, 672 5mg methadone, 30 100mcg/hr fentanyl patches, and 1,440 5mg diazepam pills to FULK.

57. In August 2015, FRANTZ distributed “prescriptions” for 756 30mg oxycodone pills, 189 10mg oxycodone pills, 84 5mg methadone, and 30 100mcg/hr fentanyl patches to FULK.

58. In September 2015, FRANTZ distributed “prescriptions” for 504 30mg oxycodone pills, 21 10mg oxycodone pills, 336 5mg methadone, 30 50mcg/hr fentanyl patches, and 45 100 mcg/hr fentanyl patches to FULK.

59. In October 2015, FRANTZ distributed “prescriptions” for 861 30mg oxycodone pills, 252 10mg oxycodone pills, 336 5mg methadone to FULK.

60. In November 2015, FRANTZ distributed “prescriptions” for 1,386 30mg oxycodone pills, 504 5mg methadone, 60 50mcg fentanyl patches, and 60 100mcg/hr fentanyl patches to FULK.

61. In December 2015, FRANTZ distributed “prescriptions” for 924 30mg oxycodone pills, 336 5mg methadone, 30 50mcg/hr fentanyl patches, and 30 100mcg/hr fentanyl patches to FULK.

62. In January 2016, FRANTZ distributed “prescriptions” for 693 30mg oxycodone pills, 252 5mg methadone to FULK.

63. In February 2016, FRANTZ distributed “prescriptions” for 693 30mg oxycodone pills, 252 5mg methadone, 30 100mcg/hr fentanyl patches, and 210 5mg diazepam to FULK.

64. In March 2016, FRANTZ distributed “prescriptions” for 924 30mg oxycodone pills, 336 5mg methadone, 30 50 mcg/hr fentanyl patches, and 30 100mcg/hr fentanyl patches to FULK.

65. On March 3, 2016, FULK directed one of his customers to pick up oxycodone and methadone from the pharmacy. At approximately 8:24 p.m., FULK’s customer arrived at the pharmacy located on Park Avenue in Mansfield, Ohio and picked up 231 30mg oxycodone pills and 84 5mg methadone pills. At approximately, 8:51 p.m., FULK’s customer dropped off the oxycodone and methadone to FULK’s residence on North Main Street in Mansfield, Ohio.

66. In April 2016, FRANTZ distributed “prescriptions” for 1,155 30mg oxycodone pills, 252 5mg methadone, 30 50 mcg/hr fentanyl patches, and 60 100mcg/hr fentanyl patches to FULK.

67. In May 2016, FRANTZ distributed “prescriptions” for 693 30mg oxycodone pills and 30 100mcg/hr fentanyl patches to FULK.

68. In June 2016, FRANTZ distributed “prescriptions” for 462 30mg oxycodone pills, 336 5mg methadone, 30 50 mcg/hr fentanyl patches, and 15 100mcg/hr fentanyl patches to FULK.

69. In July 2016, FRANTZ distributed “prescriptions” for 693 30mg oxycodone pills, 336 5mg methadone and 165 5mg diazepam pills to FULK.

70. In September 2016, FRANTZ distributed “prescriptions” for 462 30mg oxycodone pills, 252 5mg methadone, 30 5mg diazepam, and 30 100mcg/hr fentanyl patches to FULK.

71. In October 2016, FRANTZ distributed “prescriptions” for 231 30mg oxycodone pills, 168 5mg methadone, 30 100mcg/hr fentanyl patches, and 45 5mg diazepam pills to FULK.

72. In November 2016, FRANTZ distributed “prescriptions” for 924 30mg oxycodone pills, 336 5mg methadone, and 30 100mcg/hr fentanyl patches to FULK.

73. In December 2016, FRANTZ distributed “prescriptions” for 924 30mg oxycodone pills, 336 5mg methadone, 30 50mcg/hr fentanyl patches, and 30 100mcg/hr fentanyl patches to FULK.

74. In January 2017, FRANTZ distributed “prescriptions” for 693 30mg oxycodone pills, and 168 5mg methadone to FULK.

75. In February 2017, FRANTZ distributed “prescriptions” for 942 30mg oxycodone pills, 280 5mg methadone, and 30 100mcg/hr fentanyl patches to FULK.

76. In March 2017, FRANTZ distributed “prescriptions” for 462 30mg oxycodone pills and 84 5mg methadone to FULK.

77. In April 2017, FRANTZ distributed “prescriptions” for 924 30mg oxycodone pills and 35 5mg methadone to FULK.

78. In May 2017, FRANTZ distributed “prescriptions” for 651 30mg oxycodone pills, 63 10mg oxycodone pills, 11 5mg methadone, 60 50mcg/hr fentanyl patches, and 60 100mcg/hr fentanyl patches to FULK.

79. On May 9, 2017, at approximately 10:40 p.m., FULK and FRANTZ had a text message conversation on the telephone. During the conversation, Fulk asked, "Can I come by and get my prescriptions from you on Thursday?? I thought the note you sent me meant I had an appointment scheduled on the 5th. When I called the office to confirm they said they couldn't get me in until the end of the month. Is that ok with you or do you need to see me sooner than that??" FRANTZ responded, "Yes, but need to move appointment to Friday pm either 5/19 or 5/26. Ask for 2 slot appointment. Next Rx need to start weaning oxycodone. Do you have a preference how to do? This is not optional. My time is running out." FULK replied, "I'm not sure... can you call me tonight??"

80. On May 25, 2017, at approximately 7:03 a.m., FULK and FRANTZ had a text message conversation on the telephone. During the conversation, FULK asked, "Can I please pick up my two prescriptions from you today so I can get them to the pharmacy. I will be in tomorrow late in the day to see you for my appt." FRANTZ responded, "Ok." FULK responded, "Thank you very much!!"

81. On June 7, 2017, at approximately 10:43 p.m., FULK and FRANTZ had a text message conversation on the telephone. During the conversation, FULK asked, "Can I please get my prescription from you tomorrow morning?" FRANTZ replied, "Only if the Cavs win." FULK replied, "I'm watching right now!!! Go Cavs!!"

82. In June 2017, FRANTZ distributed "prescriptions" for 420 30mg oxycodone pills to FULK.

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

COUNT 2

(Distribution of Fentanyl, 21 U.S.C. § 841(a)(1))

The Grand Jury further charges:

83. On or about February 9, 2018, in the Northern District of Ohio, Eastern Division, Defendant CHRISTOPHER FULK did knowingly and intentionally distribute a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

COUNT 3

(Possession with Intent to Distribute Fentanyl and Oxycodone,  
21 U.S.C. § 841(a)(1))

The Grand Jury further charges:

84. On or about February 11, 2018, in the Northern District of Ohio, Eastern Division, Defendant CHRISTOPHER FULK did knowingly and intentionally possess with intent to distribute a mixture and substance containing a detectable amount of oxycodone and fentanyl, Schedule II controlled substances, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

COUNTS 4-74

(Distribution of Controlled Substances, 21 U.S.C. § 841(a)(1))

The Grand Jury further charges:

85. The Grand Jury reincorporates by reference the allegations set forth in paragraphs 1 through 20 of this Indictment as if fully set forth herein.

86. On or about the following dates in the Northern District of Ohio, Eastern Division, Defendant GARY FRANTZ did knowingly and intentionally distribute and dispense a mixture and substance containing a detectable amount of oxycodone, fentanyl, and methadone, Schedule II controlled substances, and diazepam, a Schedule IV controlled substance, by issuing

“prescriptions” outside the usual course of professional practice and not for a legitimate medical purpose, as indicated below:

<u>Count</u>	<u>Date Rx Written</u>	<u>Date Rx Filled</u>	<u>Customer</u>	<u>Substance</u>	<u>Strength</u>	<u>Qty</u>
4	8/29/2014	8/29/2014	Fulk	Oxycodone	30 Mg	378
5	8/29/2014	8/29/2014	Fulk	Methadone	5 Mg	112
6	9/4/2014	9/04/2014	Fulk	Methadone	5 Mg	112
7	9/4/2014	9/04/2014	Fulk	Oxycodone	30 Mg	378
8	9/10/2014	9/10/2014	Fulk	Methadone	5 Mg	112
9	9/10/2014	9/10/2014	Fulk	Oxycodone	30 Mg	378
10	9/10/2014	9/16/2014	Fulk	Oxycodone	30 Mg	378
11	9/10/2014	9/16/2014	Fulk	Methadone	5 Mg	112
12	9/22/2014	9/22/2014	Fulk	Methadone	5 Mg	112
13	9/22/2014	9/29/2014	Fulk	Methadone	5 Mg	112
14	9/22/2014	9/29/2014	Fulk	Oxycodone	30 Mg	378
15	10/5/2014	10/5/2014	Fulk	Methadone	5 Mg	112
16	10/5/2014	10/5/2014	Fulk	Oxycodone	30 Mg	378
17	10/11/2014	10/11/2014	Fulk	Methadone	5 Mg	112
18	10/11/2014	10/11/2014	Fulk	Oxycodone	30 Mg	378
19	10/11/2014	10/14/2014	Fulk	Fentanyl Transdermal System	100 Mcg/Hr	15
20	10/15/2014	10/18/2014	Fulk	Oxycodone	30 Mg	378
21	10/15/2014	10/18/2014	Fulk	Methadone	5 Mg	112
22	10/24/2014	10/25/2014	Fulk	Oxycodone	30 Mg	378
23	10/24/2014	10/25/2014	Fulk	Methadone	5 Mg	112
24	10/31/2014	11/1/2014	Fulk	Oxycodone	30 Mg	378
25	1/2/2015	1/2/2015	Fulk	Oxycodone	30 Mg	420
26	1/2/2015	1/2/2015	Fulk	Methadone	5 Mg	84
27	1/2/2015	1/5/2015	Fulk	Methadone	5 Mg	84
28	1/2/2015	1/5/2015	Fulk	Oxycodone	30 Mg	420
29	1/2/2015	1/5/2015	Fulk	Fentanyl Transdermal System	100 Mcg/Hr	15
30	1/15/2015	1/16/2015	Fulk	Oxycodone	30 Mg	420
31	1/15/2015	1/16/2015	Fulk	Methadone	5 Mg	84
32	1/15/2015	1/22/2015	Fulk	Oxycodone	30 Mg	420
33	1/15/2015	1/24/2015	Fulk	Methadone	5 Mg	84
34	1/30/2015	1/30/2015	Fulk	Methadone	5 Mg	84
35	1/30/2015	1/30/2015	Fulk	Oxycodone	30 Mg	420



36	1/30/2015	2/5/2015	Fulk	Methadone	5 Mg	84
37	1/30/2015	2/5/2015	Fulk	Oxycodone	30 Mg	420
38	1/30/2015	2/13/2015	Fulk	Fentanyl Transdermal System	100 Mcg/Hr	15
39	2/11/2015	2/12/2015	Fulk	Oxycodone	30 Mg	420
40	2/11/2015	2/12/2015	Fulk	Methadone	5 Mg	84
41	2/11/2015	2/19/2015	Fulk	Oxycodone	30 Mg	420
42	2/11/2015	2/19/2015	Fulk	Methadone	5 Mg	84
43	2/25/2015	2/26/2015	Fulk	Oxycodone	30 Mg	420
44	2/25/2015	2/26/2015	Fulk	Methadone	5 Mg	84
45	2/25/2015	3/5/2015	Fulk	Oxycodone	30 Mg	420
46	2/25/2015	3/5/2015	Fulk	Methadone	5 Mg	84
47	2/25/2015	3/12/2015	Fulk	Fentanyl Transdermal System	100 Mcg/Hr	15
48	3/12/2015	3/12/2015	Fulk	Oxycodone	30 Mg	420
49	3/12/2015	3/12/2015	Fulk	Methadone	5 Mg	84
50	3/12/2015	3/19/2015	Fulk	Methadone	5 Mg	84
51	3/12/2015	3/19/2015	Fulk	Oxycodone	30 Mg	420
52	3/25/2015	3/26/2015	Fulk	Oxycodone	30 Mg	420
53	3/25/2015	3/26/2015	Fulk	Methadone	5 Mg	84
54	3/25/2015	4/2/2015	Fulk	Methadone	5 Mg	84
55	3/25/2015	4/2/2015	Fulk	Fentanyl Transdermal System	100 Mcg/Hr	15
56	3/25/2015	4/3/2015	Fulk	Oxycodone	30 Mg	420
57	4/3/2015	4/3/2015	Fulk	Diazepam	5 Mg	240
58	4/3/2015	5/29/2015	Fulk	Diazepam	5 Mg	240
59	4/9/2015	4/9/2015	Fulk	Oxycodone	30 Mg	420
60	4/9/2015	4/9/2015	Fulk	Methadone	5 Mg	84
61	4/9/2015	4/15/2015	Fulk	Oxycodone		420
62	4/9/2015	4/15/2015	Fulk	Methadone	5 Mg	84
63	4/9/2015	4/15/2015	Fulk	Fentanyl Transdermal System	100 Mcg/Hr	15
64	4/23/2015	4/24/2015	Fulk	Oxycodone	30 Mg	420
65	4/23/2015	4/24/2015	Fulk	Methadone	5 Mg	84
66	4/3/2015	4/30/2015	Fulk	Diazepam	5 Mg	240
67	4/30/2015	5/1/2015	Fulk	Oxycodone 30 Mg	30 Mg	420
68	4/30/2015	5/1/2015	Fulk	Methadone	5 Mg	84

69	4/23/2015	5/7/2015	Fulk	Fentanyl Transdermal System	100 Mcg/Hr	15
70	5/6/2015	5/7/2015	Fulk	Oxycodone	30 Mg	420
71	5/6/2015	5/8/2015	Fulk	Methadone	5 Mg	84
72	5/6/2015	5/14/2015	Fulk	Oxycodone	30 Mg	420
73	5/6/2015	5/14/2015	Fulk	Methadone	5 Mg	84
74	5/6/2015	5/29/2015	Fulk	Fentanyl Transdermal System	100 Mcg/Hr	15

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

COUNTS 75-117

(Distribution of Controlled Substances, 21 U.S.C. § 841(a)(1))

The Grand Jury further charges:

87. The Grand Jury reincorporates by reference the allegations set forth in paragraphs 1 through 20 of this Indictment as if fully set forth herein.

88. On or about the following dates in the Northern District of Ohio, Eastern Division, Defendant GARY FRANTZ did knowingly and intentionally distribute and dispense a mixture and substance containing a detectable amount of oxycodone and fentanyl, Schedule II controlled substances, and alprazolam, a Schedule IV controlled substance, by issuing “prescriptions” outside the usual course of professional practice and not for a legitimate medical purpose, as indicated below:

<u>Count</u>	<u>Date Rx Written</u>	<u>Date Rx Filled</u>	<u>Customer</u>	<u>Substance</u>	<u>Strength</u>	<u>Qty</u>
75	8/29/2014	9/5/2014	T.C.	Fentanyl Transdermal System	100 Mcg/Hr	10
76	8/29/2014	9/5/2014	T.C.	Oxycodone	30 Mg	270
77	8/29/2014	9/5/2014	T.C.	Alprazolam	1 Mg	150
78	8/29/2014	---	T.C.	OxyContin	80 Mg	180
79	9/23/2014	10/1/2014	T.C.	Alprazolam	1 Mg	150
80	9/23/2014	10/1/2014	T.C.	Fentanyl Transdermal System	100 Mcg/Hr	10

81	9/23/2014	10/1/2014	T.C.	Oxycodone	30 Mg	270
82	9/23/2014	---	T.C.	Oxycodone	80 Mg	180
83	10/9/2014	10/27/2014	T.C.	Alprazolam	1 Mg	150
84	10/9/2014	10/27/2014	T.C.	Oxycodone	30 Mg	270
85	10/9/2014	10/27/2014	T.C.	Fentanyl Transdermal System	100 Mcg/Hr	10
86	10/9/2014	---	T.C.	OxyContin	80 Mg	180
87	11/20/2014	11/20/2014	T.C.	Oxycodone	80 Mg	180
88	11/20/2014	11/20/2014	T.C.	Oxycodone	30 Mg	270
89	11/20/2014	11/20/2014	T.C.	Fentanyl Transdermal System	100 Mcg/Hr	10
90	11/20/2014	---	T.C.	Alprazolam	1 Mg	150
91	12/6/2014	12/15/2014	T.C.	Oxycodone	80 Mg	180
92	12/6/2014	12/15/2014	T.C.	Fentanyl Transdermal System	100 Mcg/Hr	10
93	12/6/2014	12/15/2014	T.C.	Oxycodone	30 Mg	270
94	12/6/2014	12/15/2014	T.C.	Alprazolam	1 Mg	150
95	1/6/2015	---	T.C.	Alprazolam	1 Mg	150
96	1/6/2015	1/8/2015	T.C.	Oxycodone	80 Mg	180
97	1/6/2015	1/12/2015	T.C.	Fentanyl Transdermal System	100 Mcg/Hr	10
98	1/6/2015	1/12/2015	T.C.	Oxycodone	30 Mg	270
99	1/22/2015	2/3/2015	T.C.	Oxycodone	80 Mg	180
100	1/22/2015	---	T.C.	Oxycodone	30 Mg	270
101	1/22/2015	---	T.C.	Alprazolam	1 Mg	150
102	1/22/2015	---	T.C.	Fentanyl Transdermal System	100 Mcg/Hr	10
103	2/25/2015	3/2/2015	T.C.	Oxycodone	80 Mg	180
104	2/25/2015	3/4/2015	T.C.	Oxycodone	30 Mg	270
105	2/25/2015	3/4/2015	T.C.	Fentanyl Transdermal System	100 Mcg/Hr	10
106	2/25/2015	3/4/2015	T.C.	Alprazolam	1 Mg	150
107	3/27/2015	3/28/2015	T.C.	Oxycodone	80 Mg	180
108	3/27/2015	---	T.C.	Fentanyl Transdermal System	100 Mcg/Hr	10
109	3/27/2015	---	T.C.	Oxycodone	30 Mg	270
110	3/27/2015	---	T.C.	Alprazolam	1 Mg	150
111	4/22/2015	4/23/2015	T.C.	Oxycodone	80 Mg	180

112	4/22/2015	4/27/2015	T.C.	Alprazolam	1 Mg	150
113	4/22/2015	4/27/2015	T.C.	Oxycodone	30 Mg	270
114	4/22/2015	4/27/2015	T.C.	Fentanyl Transdermal System	100 Mcg/Hr	10
115	4/25/2015	5/19/2015	T.C.	Oxycodone	30 Mg	270
116	4/25/2015	5/19/2015	T.C.	Oxycodone	80 Mg	180
117	4/25/2015	5/19/2015	T.C.	Fentanyl Transdermal System	100 Mcg/Hr	10

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

COUNTS 118-124

(Distribution of Controlled Substances, 21 U.S.C. § 841(a)(1))

The Grand Jury further charges:

89. The Grand Jury reincorporates by reference the allegations set forth in paragraphs 1 through 20 of this Indictment as if fully set forth herein.

90. On or about the following dates in the Northern District of Ohio, Eastern Division, Defendant GARY FRANTZ did knowingly and intentionally distribute and dispense a mixture and substance containing a detectable amount of hydrocodone and oxycodone, Schedule II controlled substances, and temazepam, a Schedule IV controlled substance, by issuing “prescriptions” outside the usual course of professional practice and not for a legitimate medical purpose, as indicated below:

<u>Count</u>	<u>Date Rx Written</u>	<u>Date Rx Filled</u>	<u>Customer</u>	<u>Substance</u>	<u>Strength</u>	<u>Qty</u>
118	10/31/2014	11/23/2014	R.L.F.	Oxycodone	60 Mg	360
119	10/31/2014	11/23/2014	R.L.F.	APAP-Hydrocodone	325 Mg-10 Mg	720
120	1/26/2015	2/2/2015	R.L.F.	Oxycodone	60 Mg	360
121	1/26/2015	2/2/2015	R.L.F.	APAP-Hydrocodone	325 Mg-10 Mg	720
122	4/22/2015	5/1/2015	R.L.F.	Oxycodone	60 Mg	360
123	4/22/2015	5/1/2015	R.L.F.	APAP-Hydrocodone	325 Mg-10 Mg	720
124	4/22/2015	5/1/2015	R.L.F.	Temazepam	30 Mg	90

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

COUNTS 125-140

(Distribution of Controlled Substances, 21 U.S.C. § 841(a)(1))

The Grand Jury further charges:

91. The Grand Jury reincorporates by reference the allegations set forth in paragraphs 1 through 20 of this Indictment as if fully set forth herein.

92. On or about the following dates in the Northern District of Ohio, Eastern Division, Defendant GARY FRANTZ did knowingly and intentionally distribute and dispense a mixture and substance containing a detectable amount of hydrocodone and oxycodone, Schedule II controlled substances, and tramadol, a Schedule IV controlled substance, by issuing “prescriptions” outside the usual course of professional practice and not for a legitimate medical purpose, as indicated below:

<u>Count</u>	<u>Date Rx Written</u>	<u>Date Rx Filled</u>	<u>Customer</u>	<u>Substance</u>	<u>Strength</u>	<u>Qty</u>
125	10/15/2014	10/16/2014	R.K.F.	Hydrocodone Bi-Acetaminophen	325 Mg-10 Mg	100
126	10/22/2014	10/22/2014	R.K.F.	Tramadol	50 Mg	100
127	10/22/2014	10/26/2014	R.K.F.	Hydrocodone Bi-Acetaminophen	325 Mg-10 Mg	100
128	10/22/2014	10/31/2014	R.K.F.	Tramadol	50 Mg	720
129	10/22/2014	10/31/2014	R.K.F.	Hydrocodone Bi-Acetaminophen	325 Mg-10 Mg	900
130	1/7/2015	1/7/2015	R.K.F.	Hydrocodone Bi-Acetaminophen	325 Mg-10 Mg	100
131	1/7/2015	1/10/2015	R.K.F.	Tramadol	50 Mg	100
132	1/7/2015	1/21/2015	R.K.F.	Tramadol	50 Mg	720
133	1/7/2015	1/21/2015	R.K.F.	APAP-Hydrocodone	325 Mg-10 Mg	900
134	4/7/2015	4/11/2015	R.K.F.	Tramadol	50 Mg	180
135	4/7/2015	4/19/2015	R.K.F.	Hydrocodone Bi-Acetaminophen	325 Mg-10 Mg	100
136	4/7/2015	4/30/2015	R.K.F.	Hydrocodone Bi-Acetaminophen	325 Mg-10 Mg	100



137	4/7/2015	5/10/2015	R.K.F.	Tramadol	50 Mg	180
138	4/7/2015	6/10/2015	R.K.F.	Tramadol	50 Mg	180
139	5/5/2015	5/10/2015	R.K.F.	Hydrocodone Bi-Acetaminophen	325 Mg-10 Mg	100
140	5/5/2015	5/22/2015	R.K.F.	APAP-Hydrocodone	325 Mg-10 Mg	100

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

COUNTS 141-155

(Distribution of Controlled Substances, 21 U.S.C. § 841(a)(1))

The Grand Jury further charges:

93. The Grand Jury reincorporates by reference the allegations set forth in paragraphs 1 through 20 of this Indictment as if fully set forth herein.

94. On or about the following dates in the Northern District of Ohio, Eastern Division, Defendant GARY FRANTZ did knowingly and intentionally distribute and dispense a mixture and substance containing a detectable amount of oxycodone, a Schedule II controlled substances, and lorazepam, a Schedule IV controlled substance, by issuing “prescriptions” outside the usual course of professional practice and not for a legitimate medical purpose, as indicated below:

<u>Count</u>	<u>Date Rx Written</u>	<u>Date Rx Filled</u>	<u>Customer</u>	<u>Substance</u>	<u>Strength</u>	<u>Qty</u>
141	8/15/2014	8/15/2014	J.F.	Oxycodone	80 Mg	56
142	8/15/2014	8/22/2014	J.F.	Lorazepam	1 Mg	270
143	8/15/2014	9/15/2014	J.F.	Oxycodone	80 Mg	360
144	11/11/2014	11/11/2014	J.F.	Lorazepam	1 Mg	30
145	11/11/2014	11/11/2014	J.F.	Oxycodone	80 Mg	40
146	11/11/2014	11/18/2014	J.F.	Lorazepam	1 Mg	270
147	11/11/2014	11/18/2014	J.F.	Oxycodone	80 Mg	360
148	1/13/2015	1/13/2015	J.F.	Lorazepam	1 Mg	30
149	1/13/2015	1/13/2015	J.F.	Oxycodone	80 Mg	40
150	1/13/2015	1/22/2015	J.F.	Lorazepam	1 Mg	270
151	1/13/2015	2/9/2015	J.F.	Oxycodone	80 Mg	360
152	3/30/2015	3/30/2015	J.F.	Oxycodone	80 Mg	56

153	3/30/2015	3/30/2015	J.F.	Lorazepam	1 Mg	42
154	3/30/2015	4/21/2015	J.F.	Oxycodone	80 Mg	360
155	3/30/2015	4/21/2015	J.F.	Lorazepam	1 Mg	270

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

COUNTS 156-171

(Distribution of Controlled Substances, 21 U.S.C. § 841(a)(1))

The Grand Jury further charges:

95. The Grand Jury reincorporates by reference the allegations set forth in paragraphs 1 through 20 of this Indictment as if fully set forth herein.

96. On or about the following dates in the Northern District of Ohio, Eastern Division, Defendant GARY FRANTZ did knowingly and intentionally distribute and dispense a mixture and substance containing a detectable amount of oxycodone and methadone, Schedule II controlled substances, by issuing “prescriptions” outside the usual course of professional practice and not for a legitimate medical purpose, as indicated below:

<u>Count</u>	<u>Date Rx Written</u>	<u>Date Rx Filled</u>	<u>Customer</u>	<u>Substance</u>	<u>Strength</u>	<u>Qty</u>
156	8/21/2014	8/25/2014	M.C.	Methadone	10 Mg	480
157	8/21/2014	8/25/2014	M.C.	Oxycodone	15 Mg	90
158	8/21/2014	9/23/2014	M.C.	Methadone	10 Mg	480
159	8/21/2014	9/23/2014	M.C.	Oxycodone	15 Mg	90
160	10/9/2014	10/23/2014	M.C.	Methadone	10 Mg	480
161	10/9/2014	10/23/2014	M.C.	Oxycodone	15 Mg	90
162	12/22/2014	1/20/2015	M.C.	Oxycodone	15 Mg	90
163	12/22/2014	1/22/2015	M.C.	Methadone	10 Mg	480
164	2/16/2015	2/21/2015	M.C.	Oxycodone	15 Mg	90
165	2/16/2015	2/21/2015	M.C.	Methadone	10 Mg	480
166	2/16/2015	3/23/2015	M.C.	Oxycodone	15 Mg	90
167	2/16/2015	3/23/2015	M.C.	Methadone	10 Mg	480
168	4/16/2015	4/20/2015	M.C.	Oxycodone	15 Mg	90
169	4/16/2015	4/22/2015	M.C.	Methadone	10 Mg	480
170	4/16/2015	5/21/2015	M.C.	Oxycodone	15 Mg	90
171	4/16/2015	5/21/2015	M.C.	Methadone	10 Mg	480

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



COUNTS 172-197

(Distribution of Controlled Substances, 21 U.S.C. § 841(a)(1))

The Grand Jury further charges:

97. The Grand Jury reincorporates by reference the allegations set forth in paragraphs 1 through 20 of this Indictment as if fully set forth herein.

98. On or about the following dates in the Northern District of Ohio, Eastern Division, Defendant GARY FRANTZ did knowingly and intentionally distribute and dispense a mixture and substance containing a detectable amount of oxycodone and methadone, Schedule II controlled substances, and clonazepam and zolpidem, Schedule IV controlled substances, by issuing “prescriptions” outside the usual course of professional practice and not for a legitimate medical purpose, as indicated below:

<u>Count</u>	<u>Date Rx Written</u>	<u>Date Rx Filled</u>	<u>Customer</u>	<u>Substance</u>	<u>Strength</u>	<u>Qty</u>
172	08/15/2014	8/15/2014	M.H.	Methadone	10 Mg	720
173	08/15/2014	8/15/2014	M.H.	Clonazepam	0.5 Mg	60
174	08/15/2014	8/15/2014	M.H.	Oxycodone / APAP	325 Mg-10 Mg	120
175	8/15/2014	9/12/2014	M.H.	Oxycodone / APAP	325 Mg-10 Mg	120
176	8/15/2014	9/12/2014	M.H.	Methadone	10 Mg	720
177	8/15/2014	9/21/2014	M.H.	Clonazepam	0.5 Mg	60
178	10/23/2014	10/23/2014	M.H.	Oxycodone / APAP	325 Mg-10 Mg	120
179	10/23/2014	10/23/2014	M.H.	Zolpidem	10 Mg	30
180	10/23/2014	10/23/2014	M.H.	Clonazepam	0.5 Mg	60
181	10/23/2014	10/23/2014	M.H.	Methadone	10 Mg	720
182	10/23/2014	11/29/2014	M.H.	Clonazepam	0.5 Mg	60
183	12/22/2014	1/19/2015	M.H.	Methadone	10 Mg	720
184	12/22/2014	1/19/2015	M.H.	Oxycodone / APAP	325 Mg-10 Mg	120
185	2/16/2015	2/16/2015	M.H.	Oxycodone / APAP	325 Mg-10 Mg	120
186	2/16/2015	2/16/2015	M.H.	Methadone	10 Mg	720
187	2/16/2015	2/18/2015	M.H.	Clonazepam	0.5 Mg	60
188	2/16/2015	3/16/2015	M.H.	Oxycodone / APAP	325 Mg-10 Mg	120

189	2/16/2015	3/16/2015	M.H.	Methadone	10 Mg	720
190	2/16/2015	3/17/2015	M.H.	Clonazepam	0.5 Mg	60
191	4/10/2015	4/10/2015	M.H.	Oxycodone / APAP	325 Mg-10 Mg	120
192	4/10/2015	4/10/2015	M.H.	Methadone	10 Mg	720
193	4/10/2015	4/12/2015	M.H.	Clonazepam	0.5 Mg	60
194	4/30/2015	5/1/2015	M.H.	Zolpidem	10 Mg	30
195	4/10/2015	5/7/2015	M.H.	Clonazepam	0.5 Mg	60
196	4/10/2015	5/7/2015	M.H.	Methadone	10 Mg	720
197	4/10/2015	5/8/2015	M.H.	Oxycodone / APAP	325 Mg-10 Mg	120

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

COUNTS 198-230

(Distribution of Controlled Substances, 21 U.S.C. § 841(a)(1))

The Grand Jury further charges:

99. The Grand Jury reincorporates by reference the allegations set forth in paragraphs 1 through 20 of this Indictment as if fully set forth herein.

100. On or about the following dates in the Northern District of Ohio, Eastern Division, Defendant GARY FRANTZ did knowingly and intentionally distribute and dispense a mixture and substance containing a detectable amount of oxycodone and amphetamines, Schedule II controlled substances, and alprazolam, a Schedule IV controlled substance, by issuing “prescriptions” outside the usual course of professional practice and not for a legitimate medical purpose, as indicated below:

<u>Count</u>	<u>Date Rx Written</u>	<u>Date Rx Filled</u>	<u>Customer</u>	<u>Substance</u>	<u>Strength</u>	<u>Qty</u>
198	7/5/2014	8/8/2014	M.V.	Oxycodone	30 Mg	300
199	8/12/2014	8/18/2014	M.V.	Oxycodone	30 Mg	300
200	8/19/2014	8/19/2014	M.V.	Oxycodone	15 Mg	240
201	8/12/2014	8/28/2014	M.V.	Oxycodone	30 Mg	300
202	8/12/2014	9/6/2014	M.V.	Oxycodone	30 Mg	300
203	9/9/2014	9/13/2014	M.V.	Mixed Amphetamine Salts	30 Mg	30
204	9/9/2014	9/15/2014	M.V.	Oxycodone	15 Mg	240

205	9/9/2014	9/15/2014	M.V.	Oxycodone	30 Mg	300
206	9/9/2014	9/30/2014	M.V.	Oxycodone	30 Mg	300
207	9/9/2014	10/10/2014	M.V.	Oxycodone	30 Mg	300
208	10/9/2014	10/10/2014	M.V.	Mixed Amphetamine Salts	30 Mg	30
209	10/9/2014	10/10/2014	M.V.	Oxycodone	15 Mg	240
210	10/9/2014	10/22/2014	M.V.	Oxycodone	30 Mg	300
211	10/9/2014	11/1/2014	M.V.	Oxycodone	30 Mg	300
212	1/13/2015	1/13/2015	M.V.	Oxycodone	15 Mg	240
213	1/13/2015	1/13/2015	M.V.	Alprazolam	0.5 Mg	30
214	1/13/2015	1/13/2015	M.V.	Mixed Amphetamine Salts	30 Mg	30
215	1/13/2015	1/15/2015	M.V.	Oxycodone	30 Mg	300
216	1/13/2015	1/29/2015	M.V.	Oxycodone	30 Mg	300
217	1/13/2015	2/7/2015	M.V.	Oxycodone	30 Mg	300
218	2/12/2015	2/14/2015	M.V.	Oxycodone	15 Mg	240
219	2/12/2015	2/14/2015	M.V.	Mixed Amphetamine Salts	30 Mg	30
220	2/12/2015	2/15/2015	M.V.	Oxycodone	30 Mg	300
221	2/12/2015	2/27/2015	M.V.	Oxycodone	30 Mg	300
222	2/12/2015	3/7/2015	M.V.	Oxycodone	30 Mg	300
223	3/9/2015	3/17/2015	M.V.	Oxycodone	30 Mg	300
224	3/9/2015	3/17/2015	M.V.	Mixed Amphetamine Salts	30 Mg	30
225	3/9/2015	3/29/2015	M.V.	Oxycodone	30 Mg	300
226	3/9/2015	4/7/2015	M.V.	Oxycodone	30 Mg	300
227	4/14/2015	4/19/2015	M.V.	Mixed Amphetamine Salts	30 Mg	30
228	4/14/2015	4/19/2015	M.V.	Oxycodone	15 Mg	240
229	4/14/2015	4/19/2015	M.V.	Oxycodone	30 Mg	300
230	4/14/2015	5/5/2015	M.V.	Oxycodone	30 Mg	300

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

COUNTS 231-240

(Distribution of Controlled Substances, 21 U.S.C. § 841(a)(1))

The Grand Jury further charges:

101. The Grand Jury reincorporates by reference the allegations set forth in paragraphs 1 through 20 of this Indictment as if fully set forth herein.

102. On or about the following dates in the Northern District of Ohio, Eastern Division, Defendant GARY FRANTZ did knowingly and intentionally distribute and dispense a mixture and substance containing a detectable amount of methadone, a Schedule II controlled substance, by issuing “prescriptions” outside the usual course of professional practice and not for a legitimate medical purpose, as indicated below:

<u>Count</u>	<u>Date Rx Written</u>	<u>Date Rx Filled</u>	<u>Customer</u>	<u>Substance</u>	<u>Strength</u>	<u>Qty</u>
231	8/14/2014	8/14/2014	R.G.	Methadone	10 Mg	420
232	8/14/2014	9/12/2014	R.G.	Methadone	10 Mg	420
233	10/8/2014	10/11/2014	R.G.	Methadone	10 Mg	420
234	10/8/2014	---	R.G.	Methadone	10 Mg	420
235	12/8/2014	12/8/2014	R.G.	Methadone	10 Mg	420
236	12/8/2014	---	R.G.	Methadone	10 Mg	420
237	1/27/2015	1/29/2015	R.G.	Methadone	10 Mg	480
238	1/27/2015	---	R.G.	Methadone	10 Mg	480
239	3/24/2015	---	R.G.	Methadone	10 Mg	480
240	3/24/2015	3/30/2015	R.G.	Methadone	10 Mg	480

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

COUNTS 241-242

(Distribution of Controlled Substances, 21 U.S.C. § 841(a)(1))

The Grand Jury further charges:

103. The Grand Jury reincorporates by reference the allegations set forth in paragraphs 1 through 20 of this Indictment as if fully set forth herein.

104. On or about the following dates in the Northern District of Ohio, Eastern Division, Defendant GARY FRANTZ did knowingly and intentionally distribute and dispense a

mixture and substance containing a detectable amount of methadone, a Schedule II controlled substance, and clonazepam, a Schedule IV controlled substance, by issuing “prescriptions” outside the usual course of professional practice and not for a legitimate medical purpose, as indicated below:

<u>Count</u>	<u>Date Rx Written</u>	<u>Date Rx Filled</u>	<u>Customer</u>	<u>Substance</u>	<u>Strength</u>	<u>Qty</u>
241	8/26/2014	8/26/2014	L.T.	Clonazepam	0.5 Mg	90
242	8/26/2014	8/26/2014	L.T.	Methadone	10 Mg	360

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

### **FORFEITURE**

The Grand Jury further charges:

105. For the purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853, the allegations of Counts 1 through 242 are incorporated herein by reference. As a result of the foregoing offenses, Defendants GARY FRANTZ and CHRISTOPHER FULK shall forfeit to the United States any and all property constituting, or derived from, any proceeds they obtained, directly or indirectly, as the result of such violations; and any and all of their property used or intended to be used, in any manner or part, to commit or to facilitate the commission of such violations.

A TRUE BILL.

Original document - Signatures on file with the Clerk of Courts, pursuant to the E-Government Act of 2002.