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Southern District of Florida

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Date 6/4/15

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No.

15-20411

18 U.S.C. § 1349
18 U.S.C. § 1347
18 U.S.C. § 2
18 U.S.C. § 982

CR-MIDDLEBROOKS

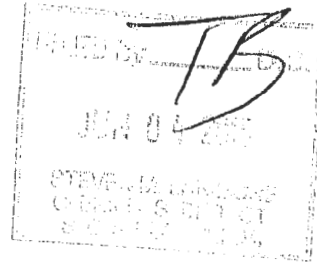
**MAGISTRATE JUDGE
GARBER**

UNITED STATES OF AMERICA

vs.

DANIEL SUAREZ,
MARIA E. ECHARRI,
ANGELINA GONZALEZ,
ODALYS DEL CARMEN BORREGO,
VICTOR MANUEL RON,
EVELYN PARRADO,
ENIMISIS TORRES
a/k/a "Chachi," and
AIMEE GEADA,

Defendants.



INDICTMENT

The Grand Jury charges that:

GENERAL ALLEGATIONS

At all times material to this Indictment:

The Medicare Program

1. The Medicare Program ("Medicare") was a federally funded program that provided free or below-cost health care benefits to certain individuals, primarily the elderly, blind, and disabled. The benefits available under Medicare were governed by federal statutes and regulations. The United States Department of Health and Human Services, through its agency, the Centers for Medicare and Medicaid Services ("CMS"), oversaw and administered Medicare. Individuals who received benefits under Medicare were commonly referred to as Medicare "beneficiaries."

2. Medicare programs covering different types of benefits were separated into different program "parts." Part D of Medicare (the "Medicare Part D Program") subsidized the costs of prescription drugs for Medicare beneficiaries in the United States. The Medicare Part D Program was enacted as part of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 and went into effect on January 1, 2006.

3. In order to receive Part D benefits, a beneficiary enrolled in a Medicare drug plan. Medicare drug plans were operated by private companies approved by Medicare. Those companies were often referred to as drug plan "sponsors." A beneficiary in a Medicare drug plan could fill a prescription at a pharmacy and use his or her plan to pay for some or all of the prescription.

4. A pharmacy could participate in Part D by entering a retail network agreement directly with a plan or with one or more Pharmacy Benefit Managers ("PBMs"). A PBM acted on behalf of one or more Medicare drug plans. Through a plan's PBM, a pharmacy could join the plan's network. When a Part D beneficiary presented a prescription to a pharmacy, the pharmacy submitted a claim either directly to the plan or to a PBM that represented the beneficiary's Medicare drug plan. The plan or PBM determined whether the pharmacy was entitled to payment for each claim and periodically paid the pharmacy for outstanding claims. The drug plan's sponsor reimbursed the PBM for its payments to the pharmacy.

5. A pharmacy could also submit claims to a Medicare drug plan to whose network the pharmacy did not belong. Submission of such out-of-network claims was not common and often resulted in smaller payments to the pharmacy by the drug plan sponsor.

6. Medicare, through CMS, compensated the Medicare drug plan sponsors. Medicare paid the sponsors a monthly fee for each Medicare beneficiary of the sponsors' plans. Such payments were called capitation fees. The capitation fee was adjusted periodically based on various

factors, including the beneficiary's medical conditions. In addition, in some cases where a sponsor's expenses for a beneficiary's prescription drugs exceeded that beneficiary's capitation fee, Medicare reimbursed the sponsor for a portion of those additional expenses.

7. Medicare and Medicare drug plan sponsors were "health care benefit program[s]," as defined by Title 18, United States Code, Section 24(b).

Medicare Drug Plan Sponsors

8. Accendo Insurance Company ("Accendo"), Aetna Life Insurance Company ("Aetna"), Silverscript Insurance Company ("Silverscript"), Cigna Health and Life Insurance Company ("Cigna"), Medco Containment Life Insurance Company ("Medco"), United Healthcare Insurance Corporation ("United Healthcare"), Blue Cross Blue Shield of Florida, Inc. ("BCBS"), and Pennsylvania Life Insurance Company ("Penn Life"), were Medicare drug plan sponsors.

The Defendants and Related Companies

9. Alpha Pharmacy & Discount, Inc. ("Alpha") was a Florida corporation that did business in Miami-Dade County, purportedly providing prescription drugs to Medicare beneficiaries.

10. Galaxy Pharmacy & Discount Inc. ("Galaxy") was a Florida corporation that did business in Miami-Dade County, purportedly providing prescription drugs to Medicare beneficiaries.

11. Dixie Pharmacy Discount Inc. ("Dixie") was a Florida corporation that did business in Miami-Dade County, purportedly providing prescription drugs to Medicare beneficiaries.

12. Nicole Pharmacy LLC ("Nicole") was a Florida corporation that did business in Miami-Dade County, purportedly providing prescription drugs to Medicare beneficiaries.

13. NW Pharmacy, Inc. ("NW") was a Florida corporation that did business in Miami-Dade County, purportedly providing prescription drugs to Medicare beneficiaries.

14. Palmetto Comprehensive Healthcare, Inc. (“Palmetto”) was a Florida corporation that did business in Miami-Dade County, purportedly providing medical items and services to Medicare beneficiaries.

15. Clinic A was a Florida corporation that did business in Miami-Dade County, purportedly providing medical items and services to Medicare beneficiaries.

16. **DANIEL SUAREZ**, a resident of Miami-Dade County, was an owner and registered representative of Alpha.

17. **MARIA E. ECHARRI**, a resident of Miami-Dade County, was an owner and registered representative of Dixie and Nicole.

18. **ANGELINA GONZALEZ**, a resident of Miami-Dade County, was an owner and registered representative of Galaxy.

19. **ODALYS DEL CARMEN BORREGO**, a resident of Miami-Dade County, was a representative of Alpha.

20. **VICTOR MANUEL RON** was a resident of Miami-Dade County.

21. **EVELYN PARRADO**, a resident of Miami-Dade County, was an owner and registered representative of NW.

22. **ENIMISIS TORRES**, a/k/a “Chachi,” resident of Miami-Dade County, was an owner and registered representative of Palmetto.

23. **AIMEE GEADA** was a resident of Miami-Dade County.

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

1. Paragraphs 1 through 12, 14 through 19, and 22 through 23 of the General Allegations section of this Indictment are realleged and incorporated by reference as though fully set forth herein.

2. From in or around September 2010, and continuing through in or around November of 2014, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

**DANIEL SUAREZ,
MARIA E. ECHARRI,
ANGELINA GONZALEZ,
ODALYS DEL CARMEN BORREGO,
ENIMISIS TORRES, a/k/a "Chachi," and
AIMEE GEADA,**

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 offenses against the United States, that is:

a. to knowingly and willfully 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, Aetna, Silverscript, Cigna, Medco, United Healthcare, BCBS, and Penn Life, and to obtain, by means of materially false and fraudulent pretenses, representations, and promises, money and property owned by, and under the custody and control of, said health care benefit programs, in connection with the delivery of and payment for health care benefits, items, and services, in violation of Title 18, United States Code, Section 1347; and

b. to knowingly and with the intent to defraud, devise and intend to devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, knowing that the pretenses, representations, and promises were false and fraudulent when made, and for the purpose of executing the scheme and artifice, did knowingly transmit and cause to be transmitted by means of wire communication in interstate commerce, certain writings, signals, pictures, and sounds, in violation of Title 18, United States Code, Section 1343.

PURPOSE OF THE CONSPIRACY

3. It was the purpose of the conspiracy for the defendants and their co-conspirators to unlawfully enrich themselves by, among other things: (a) submitting and causing the submission of false and fraudulent claims to health care benefit programs; (b) concealing the submission of false and fraudulent claims to health care benefit programs, and the receipt and transfer of fraud proceeds; and (c) diverting fraud proceeds for the personal use and benefit of themselves and others.

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 other things, the following:

4. **DANIEL SUAREZ, MARIA E. ECHARRI, ANGELINA GONZALEZ, ENIMISIS TORRES** and co-conspirator patient recruiters paid Medicare beneficiaries so that their Medicare beneficiary numbers would serve as the bases of claims filed with the Medicare Part D program used in conjunction with the false and fraudulent bills of the Medicare Part D Program through Alpha, Galaxy, Dixie, and Nicole.

5. **ENIMISIS TORRES, AIMEE GEADA**, and co-conspirators forged and altered, and caused the forging and altering of, Medicare beneficiary prescriptions at Palmetto and at Clinic A, and sold the forged and altered prescriptions to their co-conspirators, who in turn, caused false and fraudulent claims to be filed with the Medicare Part D program through **DANIEL SUAREZ, MARIA E. ECHARRI, ANGELINA GONZALEZ, and ODALYS DEL CARMEN BORREGO** at Alpha, Galaxy, Dixie, and Nicole.

6. **DANIEL SUAREZ, MARIA E. ECHARRI, ANGELINA GONZALEZ, ODALYS DEL CARMEN BORREGO, ENIMISIS TORRES, AIMEE GEADA**, and their co-conspirators submitted and caused the submission of claims, via interstate wire, to health care

benefit programs that falsely and fraudulently represented that various health care benefits, primarily prescription drugs, were medically necessary, prescribed by a doctor, and had been provided to Medicare beneficiaries by Alpha, Galaxy, Dixie, and Nicole.

7. As a result of such false and fraudulent claims, Medicare prescription drug plan sponsors, through their PBMs, made overpayments funded by the Medicare Part D Program to Alpha, Galaxy, Dixie, and Nicole, in the approximate amount of \$12 million.

8. DANIEL SUAREZ, MARIA E. ECHARRI, ANGELINA GONZALEZ, ODALYS DEL CARMEN BORREGO, ENIMISIS TORRES, AIMEE GEADA and their co-conspirators used the proceeds from the false and fraudulent Medicare Part D claims for their own use, the use of others, and to further the fraud.

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

COUNT 2
Conspiracy to Commit Health Care Fraud and Wire Fraud
(18 U.S.C. § 1349)

1. Paragraphs 1 through 8, 13 through 14, and 20 through 23 of the General Allegations section of this Indictment are realleged and incorporated by reference as though fully set forth herein.

2. From in or around August of 2010, and continuing through in or around November of 2011, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

VICTOR MANUEL RON,
EVELYN PARRADO,
ENIMISIS TORRES, a/k/a "Chachi," and
AIMEE GEADA,

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 offenses against the United States, that is:

a. to knowingly and willfully 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, Accendo, and Penn Life, and to obtain, by means of materially false and fraudulent pretenses, representations, and promises, money and property owned by, and under the custody and control of, said health care benefit programs, in connection with the delivery of and payment for health care benefits, items, and services, in violation of Title 18, United States Code, Section 1347; and

b. to knowingly, and with the intent to defraud, devise and intend to devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, knowing that the pretenses, representations, and promises were false and fraudulent when made, and for the purpose of executing the scheme and artifice, did knowingly transmit and cause to be transmitted by means of wire communication in interstate commerce, certain writings, signals, pictures, and sounds, in violation of Title 18, United States Code, Section 1343.

PURPOSE OF THE CONSPIRACY

3. It was the purpose of the conspiracy for the defendants and their co-conspirators to unlawfully enrich themselves by, among other things: (a) submitting and causing the submission of false and fraudulent claims to health care benefit programs; (b) concealing the submission of false and fraudulent claims to health care benefit programs, and the receipt and transfer of fraud proceeds; and (c) diverting fraud proceeds for the personal use and benefit of themselves and others.

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 other things, the following:

4. **VICTOR MANUEL RON, EVELYN PARRADO, ENIMISIS TORRES,** and co-conspirator patient recruiters paid Medicare beneficiaries so that their Medicare beneficiary numbers would serve as the bases of claims filed with the Medicare Part D program used in conjunction with the false and fraudulent bills of the Medicare Part D Program through NW.

5. **ENIMISIS TORRES, AIMEE GEADA,** and co-conspirators forged and altered, and caused the forging and altering of, Medicare beneficiary prescriptions at Palmetto and at Clinic A, and sold the forged and altered prescriptions to their co-conspirators, who in turn, caused false and fraudulent claims to be filed with the Medicare Part D program through **VICTOR MANUEL RON** and **EVELYN PARRADO** at NW.

6. **VICTOR MANUEL RON, EVELYN PARRADO, ENIMISIS TORRES,** and **AIMEE GEADA** and their co-conspirators submitted and caused the submission of claims, via interstate wire, to health care benefit programs that falsely and fraudulently represented that various health care benefits, primarily prescription drugs, were medically necessary, prescribed by a doctor, and had been provided to Medicare beneficiaries by NW.

7. As a result of such false and fraudulent claims, Medicare prescription drug plan sponsors, through their PBMs, made overpayments funded by the Medicare Part D Program to NW, in the approximate amount of \$1.7 million.

8. **VICTOR MANUEL RON, EVELYN PARRADO, ENIMISIS TORRES,** and **AIMEE GEADA** and their co-conspirators used the proceeds from the false and fraudulent Medicare Part D claims for their own use, the use of others, and to further the fraud.

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

COUNTS 3-22
Health Care Fraud
(18 U.S.C. § 1347)

1. Paragraphs 1 through 12, 14 through 19, and 22 through 23 of the General Allegations section of this Indictment are realleged and incorporated by reference as though fully set forth herein.

2. From in or around August of 2010, and continuing through in or around November of 2014, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

DANIEL SUAREZ,
MARIA E. ECHARRI,
ANGELINA GONZALEZ,
ODALYS DEL CARMEN BORREGO,
ENIMISIS TORRES, a/k/a “Chachi,” and
AIMEE GEADA,

as specified in each count below, 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 health care benefit programs affecting commerce, as defined by Title 18, United States Code, Section 24(b), that is, Medicare, Accendo, Aetna, Silverscript, Cigna, Medco, United Healthcare, BCBS, and Penn Life, and to obtain, by means of materially false and fraudulent pretenses, representations, and promises, money and property owned by, and under the custody and control of, said health care benefit programs.

PURPOSE OF THE SCHEME AND ARTIFICE

3. It was the purpose of the scheme and artifice for the defendants and their accomplices to unlawfully enrich themselves by, among other things: (a) submitting and causing the submission of false and fraudulent claims to health care benefit programs; (b) concealing the submission of false and fraudulent claims to health care benefit programs, and the receipt and transfer

of fraud proceeds; and (c) diverting fraud proceeds for the personal use and benefit of themselves and others.

THE SCHEME AND ARTIFICE

4. The allegations contained in paragraphs 4 through 8 of the Manner and Means section of Count 1 of this Indictment are realleged and incorporated by reference as though fully set forth herein as a description of the scheme and artifice.

**ACTS IN EXECUTION OR ATTEMPTED EXECUTION
OF THE SCHEME AND ARTIFICE**

5. On or about the dates set forth as to each count below, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants, as specified in each count below, in connection with the delivery of and payment for health care benefits, items, and services, did knowingly and willfully execute, and attempt to execute, the above-described scheme and artifice to defraud health care benefit programs affecting commerce, as defined by Title 18, United States Code, Section 24(b), that is, Medicare, Aetna, Silverscript, Cigna, Medco, United Healthcare, BCBS, and Penn Life, and to obtain, by means of materially false and fraudulent pretenses, representations, and promises, money and property owned by, and under the custody and control of, said health care benefit programs, in that the defendant submitted and caused the submission of false and fraudulent claims seeking the identified dollar amounts, and representing that Alpha, Galaxy, Dixie, and Nicole provided pharmaceutical items and services to Medicare beneficiaries pursuant to physicians' orders and prescriptions, as set forth below:

Count	Defendants	Pharmacy and Approx. Date of Claim	Medicare Drug Plan Sponsor	Medicare Bene.	Medicare Claim Number	Item Claimed; Approx. Amount Claimed
3	DANIEL SUAREZ, MARIA E. ECHARRI, ANGELINA GONZALEZ, and ODALYS DEL CARMEN BORREGO	Alpha 3/30/2012	Penn Life	G.M.	120905 63243 104699 99098	SEROQUEL TAB 400MG; \$1177
4	DANIEL SUAREZ, MARIA E. ECHARRI, ANGELINA GONZALEZ, and ODALYS DEL CARMEN BORREGO	Alpha 3/30/2012	Silverscript	M.F.	120904 74041 905799 79110	DOVONEX CRE 0.005%; \$497
5	DANIEL SUAREZ, MARIA E. ECHARRI, ANGELINA GONZALEZ, ODALYS DEL CARMEN BORREGO, ENIMISIS TORRES, and AIMEE GEADA	Alpha 4/3/2012	United Healthcare	G.B.	12094 264038 1078999	SEROQUEL TAB 300MG; \$973

Count	Defendants	Pharmacy and Approx. Date of Claim	Medicare Drug Plan Sponsor	Medicare Bene.	Medicare Claim Number	Item Claimed; Approx. Amount Claimed
6	DANIEL SUAREZ, MARIA E. ECHARRI, ANGELINA GONZALEZ, and ODALYS DEL CARMEN BORREGO	Alpha 4/12/2012	Aetna	P.R.	300014 80309 78500 000002	QUETIAPINE TAB 400MG; \$898
7	DANIEL SUAREZ, MARIA E. ECHARRI, ANGELINA GONZALEZ, and ODALYS DEL CARMEN BORREGO	Alpha 4/27/2012	United Healthcare	G.B.	12118 350724 9073999	SYMBICORT AER 160-4.5; \$226
8	DANIEL SUAREZ, MARIA E. ECHARRI, ANGELINA GONZALEZ, and ODALYS DEL CARMEN BORREGO	Alpha 5/1/2012	Medco	G.M.	21780 164587 6666 3302642 6964 3255575 3304072	DOVONEX CRE 0.005%; \$609
9	DANIEL SUAREZ, MARIA E. ECHARRI, ANGELINA GONZALEZ, and ODALYS DEL CARMEN BORREGO	Alpha 5/17/2012	Medco	P.R.	82709 496270 74983 303388 20066 701517 3304072	SOLARAZE GEL 3% W/W; \$566

Count	Defendants	Pharmacy and Approx. Date of Claim	Medicare Drug Plan Sponsor	Medicare Bene.	Medicare Claim Number	Item Claimed; Approx. Amount Claimed
10	DANIEL SUAREZ, MARIA E. ECHARRI, ANGELINA GONZALEZ, ODALYS DEL CARMEN BORREGO, ENIMISIS TORRES, and AIMEE GEADA	Galaxy 6/8/2012	Cigna	G.B.	12560 8486361 00000 01219725	OLANZAPINE TAB 20MG; \$240
11	DANIEL SUAREZ, MARIA E. ECHARRI, ANGELINA GONZALEZ, and ODALYS DEL CARMEN BORREGO	Galaxy 6/26/2012	Silverscript	M.F.	12178353 3320050 9989110	MEGACE ES SUS 625/5ML; \$610
12	DANIEL SUAREZ, MARIA E. ECHARRI, ANGELINA GONZALEZ, and ODALYS DEL CARMEN BORREGO	Galaxy 7/10/2012	Cigna	G.B.	12592 6874721 00000 01234557	DOVONEX CRE 0.005%; \$758

Count	Defendants	Pharmacy and Approx. Date of Claim	Medicare Drug Plan Sponsor	Medicare Bene.	Medicare Claim Number	Item Claimed; Approx. Amount Claimed
13	DANIEL SUAREZ, MARIA E. ECHARRI, ANGELINA GONZALEZ, and ODALYS DEL CARMEN BORREGO	Galaxy 7/24/2012	Penn Life	P.R.	12206382 4935013 9979098	MEGACE ES SUS 625/5ML; \$636
14	DANIEL SUAREZ, MARIA E. ECHARRI, ANGELINA GONZALEZ, and ODALYS DEL CARMEN BORREGO	Galaxy 7/31/2012	Penn Life	G.M.	12213489 5505060 9996279	DOVONEX CRE 0.005%; \$767
15	DANIEL SUAREZ, MARIA E. ECHARRI, ANGELINA GONZALEZ, and ODALYS DEL CARMEN BORREGO	Galaxy 8/3/2012	Penn Life	P.R.	12216589 3738136 9989098	ADVAIR DISKU AER 250/50; \$250
16	DANIEL SUAREZ, MARIA E. ECHARRI, ANGELINA GONZALEZ, and ODALYS DEL CARMEN BORREGO	Dixie 1/15/2013	United Healthcare	A.C.	13015436 9844 086996	ABILIFY TAB 30MG; \$916

Count	Defendants	Pharmacy and Approx. Date of Claim	Medicare Drug Plan Sponsor	Medicare Bene.	Medicare Claim Number	Item Claimed; Approx. Amount Claimed
17	DANIEL SUAREZ, MARIA E. ECHARRI, ANGELINA GONZALEZ, and ODALYS DEL CARMEN BORREGO	Dixie 3/18/2013	United Healthcare	A.C.	13077274 6501 072998	AGGRENOX CAP 25-200MG; \$272
18	DANIEL SUAREZ, MARIA E. ECHARRI, ANGELINA GONZALEZ, and ODALYS DEL CARMEN BORREGO	Dixie 6/17/2013	Cigna	M.F.	13568 5234711 00000 01614477	MEGACE ES SUS 625/5ML; \$696
19	DANIEL SUAREZ, MARIA E. ECHARRI, ANGELINA GONZALEZ, ODALYS DEL CARMEN BORREGO, ENIMISIS TORRES, and AIMEE GEADA	Dixie 6/17/2013	Cigna	M.F.	135683 586861 00000 01614477	ADVAIR DISKU AER 500/50; \$346

Count	Defendants	Pharmacy and Approx. Date of Claim	Medicare Drug Plan Sponsor	Medicare Bene.	Medicare Claim Number	Item Claimed; Approx. Amount Claimed
20	DANIEL SUAREZ, MARIA E. ECHARRI, ANGELINA GONZALEZ, and ODALYS DEL CARMEN BORREGO	Nicole 10/15/2013	Medco	D.L.	84842569 03557836 40963032 69774445 82406487	CALCIPOTRIE N CRE 0.005%; \$766
21	DANIEL SUAREZ, MARIA E. ECHARRI, ANGELINA GONZALEZ, and ODALYS DEL CARMEN BORREGO	Nicole 12/9/2013	Medco	A.G.	43602588 77979471 50817724 39060428 53406487	ABILIFY TAB 30MG; \$930
22	DANIEL SUAREZ, MARIA E. ECHARRI, ANGELINA GONZALEZ, and ODALYS DEL CARMEN BORREGO	Nicole 12/10/2013	BCBS	M.F.	13344321 5022 026997	ACITRETIN CAP 25MG; \$809

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

COUNTS 23-26
Health Care Fraud
(18 U.S.C. § 1347)

1. Paragraphs 1 through 8, 13 through 14, and 20 through 23 of the General Allegations section of this Indictment are realleged and incorporated by reference as though fully set forth herein.

2. From in or around August of 2010, and continuing through in or around November of 2011, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

**VICTOR MANUEL RON,
EVELYN PARRADO,
ENIMISIS TORRES, a/k/a "Chachi," and
AIMEE GEADA,**

as specified in each count below, 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 health care benefit programs affecting commerce, as defined by Title 18, United States Code, Section 24(b), that is, Medicare, Accendo, and Penn Life, and to obtain, by means of materially false and fraudulent pretenses, representations, and promises, money and property owned by, and under the custody and control of, said health care benefit programs.

PURPOSE OF THE SCHEME AND ARTIFICE

3. It was the purpose of the scheme and artifice for the defendants and their accomplices to unlawfully enrich themselves by, among other things: (a) submitting and causing the submission of false and fraudulent claims to health care benefit programs; (b) concealing the submission of false and fraudulent claims to health care benefit programs, and the receipt and transfer of fraud proceeds; and (c) diverting fraud proceeds for the personal use and benefit of themselves and others.

THE SCHEME AND ARTIFICE

4. The allegations contained in paragraphs 4 through 8 of the Manner and Means section of Count 2 of this Indictment are realleged and incorporated by reference as though fully set forth herein as a description of the scheme and artifice.

**ACTS IN EXECUTION OR ATTEMPTED EXECUTION
OF THE SCHEME AND ARTIFICE**

5. On or about the dates set forth as to each count below, in Miami-Dade County, in the

Southern District of Florida, and elsewhere, the defendants, as specified in each count below, in connection with the delivery of and payment for health care benefits, items, and services, did knowingly and willfully execute, and attempt to execute, the above-described scheme and artifice to defraud health care benefit programs affecting commerce, as defined by Title 18, United States Code, Section 24(b), that is, Medicare, Accendo, and Penn Life, and to obtain, by means of materially false and fraudulent pretenses, representations, and promises, money and property owned by, and under the custody and control of, said health care benefit programs, in that the defendants submitted and caused the submission of false and fraudulent claims seeking the identified dollar amounts, and representing that NW provided pharmaceutical items and services to Medicare beneficiaries pursuant to physicians' orders and prescriptions, as set forth below:

Count	Defendants	Approx. Date of Claim	Medicare Drug Plan Sponsor	Medicare Bene.	Medicare Claim Number	Item Claimed; Approx. Amount Claimed
23	VICTOR MANUEL RON, EVELYN PARRADO, ENIMISIS TORRES, and AIMEE GEADA	3/16/2011	Penn Life	A.C.	34215 85593 7191 362034 2158 559371 9136 204444	SEROQUEL XR TAB 300MG; \$725
24	VICTOR MANUEL RON and EVELYN PARRADO	4/21/2011	Accendo	D.L.	30000 81269 5530	DOVONEX CRE 0.005%; \$542

Count	Defendants	Approx. Date of Claim	Medicare Drug Plan Sponsor	Medicare Bene.	Medicare Claim Number	Item Claimed; Approx. Amount Claimed
25	VICTOR MANUEL RON, EVELYN PARRADO, ENIMISIS TORRES, and AIMEE GEADA	NW 4/21/2011	Accendo	M.F.	3000 081271 0336	GEODON CAP 80MG; \$520
26	VICTOR MANUEL RON and EVELYN PARRADO	NW 5/19/2011	Accendo	D.L.	30000826 32 1214	ZYPREXA TAB 20MG; \$1032

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

FORFEITURE
(18 U.S.C. § 982)

1. The allegations contained in this 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 the defendants, **DANIEL SUAREZ, MARIA E. ECHARRI, ANGELINA GONZALEZ, ODALYS DEL CARMEN BORREGO, VICTOR MANUEL RON, EVELYN PARRADO, ENIMISIS TORRES,** and **AIMEE GEADA,** have an interest.

2. Upon conviction of any violation of Title 18, United States Code, Sections 1347 and 1349, as alleged in Counts 1 through 26 of the Indictment, the defendant so convicted shall forfeit all of his right, title and interest to the United States of any property, real or personal, that constitutes or is derived, directly or indirectly, from gross proceeds traceable to the commission of such violations,

pursuant to Title 18, United States Code, Section 982(a)(7).

3. The property subject to forfeiture includes, but is not limited to, the sum of at least \$13,443,868, in United States currency, which is a sum of money equal in value to the gross proceeds traceable to the commission of the violations alleged in this Indictment, which the United States will seek as a forfeiture money judgment as part of the defendant's sentence.

All pursuant to Title 18, United States Code, Section 982(a)(7); and the procedures set forth at Title 21, United States Code, Section 853, as made applicable through Title 18, United States Code, Section 982(b)(1).

A TRUE BILL

FOREPERSON



WIFREDO A. FERRER
UNITED STATES ATTORNEY



ROGER CRUZ
ASSISTANT UNITED STATES ATTORNEY