

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Crim. No. 12-

v. : Hon.

REYNALDO TAPANES, : 18 U.S.C. § 371
a/k/a "El Gordo"

I N F O R M A T I O N

The defendant having waived in open court prosecution by indictment, the United States Attorney for the District of New Jersey charges:

COUNT ONE

Conspiracy to Possess a Stolen Interstate Shipment
(18 U.S.C. § 371)

1. At all times relevant to this Information:
 - a. On or about September 8, 2009, a tractor trailer containing pharmaceutical products manufactured by Dey L.P., a subsidiary of Mylan, Inc., and shipped from Texas, was stolen from Tampa, Florida while it was en route to a customer in Clearwater, Florida (hereinafter the "Mylan Load"). The wholesale acquisition cost ("WAC") of the Mylan Load was approximately \$264,960.
 - b. The stolen items in the Mylan Load included prescription respiratory medicine, such as Ipratropium Bromide Inhalation and Albuterol Sulfate Inhalation Solutions.

The Conspiracy

2. From in or about September 2009 until in or about October 2009, in the District of New Jersey, and elsewhere, the defendant,

**REYNALDO TAPANES,
a/k/a "El Gordo,"**

did knowingly and intentionally conspire and agree with A.G., R.L.B., and others to possess goods and chattel, namely prescription respiratory medicine, having a value of more than \$1,000, which were moving as and which were part of and which constituted an interstate shipment of freight, express, and other property, knowing the same to have been embezzled and stolen, contrary to Title 18, United States Code, Section 659.

Object of the Conspiracy

3. It was the object of the conspiracy for defendant REYNALDO TAPANES and his co-conspirators to receive stolen goods and to profit from the illicit sale of those stolen goods.

Manner and Means of the Conspiracy

4. It was part of the conspiracy that defendant REYNALDO TAPANES and his co-conspirators received stolen goods, namely, the Mylan Load, which goods were moving as part of an interstate shipment from Texas to a customer in Florida.

5. It was further part of the conspiracy that defendant REYNALDO TAPANES and his co-conspirators ultimately sold the stolen goods and profited thereby through their illicit sales.

Overt Acts

6. In furtherance of the conspiracy and in order to effect the object thereof, defendant REYNALDO TAPANES and his co-conspirators committed and caused to be committed the following overt acts in the District of New Jersey and elsewhere:

a. On or about October 20, 2009, defendant REYNALDO TAPANES delivered samples of stolen prescription respiratory medicine to a confidential source in Elizabeth, New Jersey.

b. On or about October 29, 2009, defendant REYNALDO TAPANES and co-conspirator A.G. delivered a tractor trailer containing the stolen Mylan Load to a confidential source in Miramar, Florida.

c. On or about October 29, 2009, defendant REYNALDO TAPANES and co-conspirators A.G. and R.L.B. received approximately \$140,000 in payment for the sale of the Mylan Load at the residence of A.G. in Miami, Florida.

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

COUNT TWO

Conspiracy to Receive and Sell Stolen Goods
(18 U.S.C. § 371)

7. At all times relevant to this Information:

a. On or about August 9, 2008, a tractor trailer containing products belonging to L'Oreal Corporation which had been shipped from Ohio, and destined for a customer in Largo, Florida, was stolen in San Antonio, Florida (hereinafter the "L'Oreal Load"). The wholesale acquisition cost ("WAC") of the L'Oreal Load was approximately \$330,053.

b. The stolen items in the L'Oreal Load included Redken hair products, including shampoo, mousse, and hair color gels.

The Conspiracy

8. From in or about August 2008 until in or about October 2009, in Essex County, in the District of New Jersey, and elsewhere, the defendant,

REYNALDO TAPANES,
a/k/a "El Gordo,"

did knowingly and intentionally conspire and agree with E.R.V. and others to commit an offense against the United States, namely, to receive, possess, conceal, store, sell, and dispose of goods, namely, hair care products, having a value of \$5,000 or more, which had crossed a State boundary after being stolen, unlawfully converted, and taken, knowing the same to have been stolen, unlawfully converted, and taken, contrary to Title 18, United States Code, Section 2315.

Object of the Conspiracy

9. It was the object of the conspiracy for defendant REYNALDO TAPANES and his co-conspirators to receive stolen goods and to profit from the illicit sale of those stolen goods.

Manner and Means of the Conspiracy

10. It was part of the conspiracy that defendant REYNALDO TAPANES and his co-conspirators received stolen goods, namely, the L'Oreal Load, which had traveled in interstate commerce after having been stolen.

11. It was further part of the conspiracy that defendant REYNALDO TAPANES and his co-conspirators ultimately sold the stolen goods and profited thereby through their illicit sales.

Overt Acts

12. In furtherance of the conspiracy and in order to effect the object thereof, defendant REYNALDO TAPANES and his co-conspirators committed and caused to be committed the following overt acts in the District of New Jersey and elsewhere:

a. On or about October 16, 2009, defendant REYNALDO TAPANES had a telephone discussion with a confidential source regarding the sale and delivery of the L'Oreal Load.

b. On or about October 21, 2009, defendant REYNALDO TAPANES delivered the L'Oreal Load to a warehouse on Jefferson Street, in Newark, New Jersey.

c. Shortly after the delivery of the L'Oreal Load, defendant REYNALDO TAPANES received approximately \$40,000 in cash for himself and others in the parking lot of Toys-R-Us in North Bergen, New Jersey.

d. On or about October 29, 2009, co-conspirator E.R.V. received a payment of approximately \$4,000 in Hallendale, Florida for brokering the sale and purchase of the stolen hair care products.

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



PAUL J. FISHMAN
UNITED STATES ATTORNEY

CASE NUMBER: 12 -

**United States District Court
District of New Jersey**

UNITED STATES OF AMERICA

v.

**REYNALDO TAPANES,
a/k/a "El Gordo"**

INFORMATION FOR

18 U.S.C. § 371

PAUL J. FISHMAN
U.S. ATTORNEY NEWARK, NEW JERSEY

LESLIE FAYE SCHWARTZ
ASSISTANT U.S. ATTORNEY
NEWARK, NEW JERSEY
(973) 645-3986
