

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

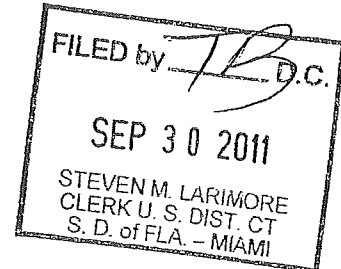
CASE NO.

11-20698

OR-MOORE

/TORRES

21 U.S.C. § 846  
21 U.S.C. § 841(a)(1)  
18 U.S.C. § 1349  
18 U.S.C. § 982(a)(7)  
21 U.S.C. § 853



UNITED STATES OF AMERICA

vs.

AIMAN IZZEDIN ARYAN,  
EMERSON CARMONA,  
FRANK J. BALLESTEROS,  
GERARDO GOMEZ,  
    a/k/a "Gerry,"  
JUAN DE DIOS GOMEZ,  
    a/k/a "Juancito,"  
    a/k/a "Papa,"  
DANAY C. MANSO,  
    a/k/a "Danay C. Manso-Perez,"  
    a/k/a "Danay Camila Manso-Perez,"  
    a/k/a "Danay Camila Manso,"  
    a/k/a "Danay Camila M. Perez,"  
    a/k/a "Camila,"  
DANILO FALCON,  
    a/k/a "Danny,"  
ELIEZER SALGADO,  
    a/k/a "Lito,"  
FRANCISCO HERNANDEZ,  
LEROY PAIGE,  
    a/k/a "Batman,"  
    a/k/a "Bat,"  
ALYSSA LYN PAIGE,  
CYNTHIA SUZETTE ADDERLEY,  
VICTOR D. ALEXANDER,  
AARON LAMAR ALLEN,  
HENRY LOUIS CONLEY, Jr.,  
HATTIE MAE GREEN,  
PETRONELLA SMITH HOWARD,

ERIC FYKE MILLER,  
a/k/a "Jaysyn,"  
ANNIE MIMS SIMMONS,  
a/k/a "Miss Annie,"  
BOBBIE LEE ANDERSON,  
DENISE DARCELLE DARDY,  
MARGARET MARIE ELLIOTT,  
BILLY JOE MCCOY,  
and  
RONALD REGAINS,

Defendants.

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**INDICTMENT**

The Grand Jury charges that:

**COUNT 1**

**Conspiracy to Possess with Intent to  
Distribute a Controlled Substance  
(21 U.S.C. § 846)**

Beginning as early as November 2007, the exact date being unknown to the Grand Jury, and continuing through on or about the date of this indictment, in Miami-Dade, Broward, Palm Beach, Martin, and St. Lucie Counties, in the Southern District of Florida, and elsewhere, the defendants,

AIMAN IZZEDIN ARYAN,  
EMERSON CARMONA,  
FRANK J. BALLESTEROS,  
GERARDO GOMEZ,  
a/k/a "Gerry,"  
JUAN DE DIOS GOMEZ,  
a/k/a "Juancito,"  
a/k/a "Papa,"  
DANAY C. MANSO,  
a/k/a "Danay C. Manso-Perez,"  
a/k/a "Danay Camila Manso-Perez,"  
a/k/a "Danay Camila Manso,"  
a/k/a "Danay Camila M. Perez,"  
a/k/a "Camila,"  
DANILO FALCON,  
a/k/a "Danny,"

**ELIEZER SALGADO,  
a/k/a "Lito,"  
FRANCISCO HERNANDEZ,  
LEROY PAIGE,  
a/k/a "Batman,"  
a/k/a "Bat,"  
ALYSSA LYN PAIGE,  
CYNTHIA SUZETTE ADDERLEY,  
VICTOR D. ALEXANDER,  
AARON LAMAR ALLEN,  
HENRY LOUIS CONLEY, Jr.,  
HATTIE MAE GREEN,  
PETRONELLA SMITH HOWARD,  
ERIC FYKE MILLER,  
a/k/a "Jaysyn,"  
ANNIE MIMS SIMMONS,  
a/k/a "Miss Annie,"  
BOBBIE LEE ANDERSON,  
DENISE DARCELLE DARDY,  
MARGARET MARIE ELLIOTT,  
BILLY JOE MCCOY,  
and  
RONALD REGAINS,**

did knowingly and intentionally combine, conspire, confederate, and agree with each other and with other persons known and unknown to the Grand Jury, to possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1); all in violation of Title 21, United States Code, Section 846.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a Schedule II controlled substance, that is, a mixture and substance containing a detectable amount of oxycodone.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a Schedule II controlled substance, that is, a mixture and substance containing a detectable amount of oxymorphone.

**COUNT 2**  
**Possession with Intent to**  
**Distribute a Controlled Substance**  
**(21 U.S.C. § 841(a)(1))**

On or about October 8, 2010, in Miami-Dade County, in the Southern District of Florida, the  
defendants,

**FRANK J. BALLESTEROS,**  
**LEROY PAIGE,**  
**a/k/a "Batman,"**  
**a/k/a "Bat,"**  
**HATTIE MAE GREEN,**  
**and**  
**DENISE DARCELLE DARDY,**

did knowingly and intentionally possess with intent to distribute a controlled substance, in violation  
of Title 21, United States Code, Section 841(a)(1), and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this  
violation involved a Schedule II controlled substance, that is, a mixture and substance containing a  
detectable amount of oxycodone.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this  
violation involved a Schedule II controlled substance, that is, a mixture and substance containing a  
detectable amount of oxymorphone.

**COUNT 3**  
**Possession with Intent to**  
**Distribute a Controlled Substance**  
**(21 U.S.C. § 841(a)(1))**

On or about October 8, 2010, in Miami-Dade County, in the Southern District of Florida, the  
defendants,

**JUAN DE DIOS GOMEZ,**  
**a/k/a "Juancito,"**  
**a/k/a "Papa,"**  
**and**  
**LEROY PAIGE,**  
**a/k/a "Batman,"**  
**a/k/a "Bat,"**

did knowingly and intentionally possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a Schedule II controlled substance, that is, a mixture and substance containing a detectable amount of oxycodone.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a Schedule II controlled substance, that is, a mixture and substance containing a detectable amount of oxymorphone.

**COUNT 4**  
**Possession with Intent to**  
**Distribute a Controlled Substance**  
**(21 U.S.C. § 841(a)(1))**

On or about October 25, 2010, in Miami-Dade County, in the Southern District of Florida,  
the defendants,

**FRANK J. BALLESTEROS,**  
**LEROY PAIGE,**  
**a/k/a "Batman,"**  
**a/k/a "Bat,"**  
**ERIC FYKE MILLER,**  
**a/k/a "Jaysyn,"**  
**and**  
**RONALD REGAINS,**

did knowingly and intentionally possess with intent to distribute a controlled substance, in violation

of Title 21, United States Code, Section 841(a)(1), and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a Schedule II controlled substance, that is, a mixture and substance containing a detectable amount of oxycodone.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a Schedule II controlled substance, that is, a mixture and substance containing a detectable amount of oxymorphone.

**COUNT 5**  
**Possession with Intent to**  
**Distribute a Controlled Substance**  
**(21 U.S.C. § 841(a)(1))**

On or about January 4, 2011, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

**LEROY PAIGE,**  
**a/k/a "Batman,"**  
**a/k/a "Bat,"**  
**and**  
**RONALD REGAINS,**

did knowingly and intentionally possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a Schedule II controlled substance, that is, a mixture and substance containing a detectable amount of oxycodone.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a Schedule II controlled substance, that is, a mixture and substance containing a

detectable amount of oxymorphone.

**COUNT 6**  
**Possession with Intent to**  
**Distribute a Controlled Substance**  
**(21 U.S.C. § 841(a)(1))**

On or about January 5, 2011, in Miami-Dade, St. Lucie, and Broward Counties, in the Southern District of Florida, and elsewhere, the defendants,

**LEROY PAIGE,**  
**a/k/a "Batman,"**  
**a/k/a "Bat,"**  
**CYNTHIA SUZETTE ADDERLEY,**  
**PETRONELLA SMITH HOWARD,**  
**BOBBIE LEE ANDERSON,**  
**MARGARET MARIE ELLIOT,**  
**and**  
**BILLY JOE MCCOY,**

did knowingly and intentionally possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a Schedule II controlled substance, that is, a mixture and substance containing a detectable amount of oxycodone.

**COUNT 7**  
**Attempted Possession with Intent to**  
**Distribute a Controlled Substance**  
**(21 U.S.C. § 846)**

On or about January 26, 2011, in Miami-Dade County, in the Southern District of Florida, the defendants,

**GERARDO GOMEZ,**  
**a/k/a "Gerry,"**  
**JUAN DE DIOS GOMEZ,**

a/k/a "Juancito,"  
a/k/a "Papa,"  
**DANILO FALCON,**  
a/k/a "Danny,"  
**LEROY PAIGE,**  
a/k/a "Batman,"  
a/k/a "Bat,"  
and  
**ALYSSA LYN PAIGE,**

did knowingly and intentionally attempt to possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1); in violation of Title 21, United States Code, Section 846, and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a Schedule II controlled substance, that is, a mixture and substance containing a detectable amount of oxycodone.

**COUNT 8**  
**Possession with Intent to**  
**Distribute a Controlled Substance**  
**(21 U.S.C. § 841(a)(1))**

On or about April 6, 2011, in Miami-Dade County, in the Southern District of Florida, the defendants,

**GERARDO GOMEZ,**  
a/k/a "Gerry,"  
**DANILO FALCON,**  
a/k/a "Danny,"  
**LEROY PAIGE,**  
a/k/a "Batman,"  
a/k/a "Bat,"  
and  
**ALYSSA LYN PAIGE,**

did knowingly and intentionally possess with intent to distribute a controlled substance, in violation



of Title 21, United States Code, Section 841(a)(1), and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a Schedule II controlled substance, that is, a mixture and substance containing a detectable amount of oxycodone.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a Schedule II controlled substance, that is, a mixture and substance containing a detectable amount of oxymorphone.

### **HEALTH CARE FRAUD**

#### **General Allegations**

At all times relevant to this Indictment:

#### **The Health Insurance Programs**

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 was a “health care benefit program,” as defined by Title 18, United States Code, Section 24(b).

3. Part D of the Medicare program subsidized the costs of prescription drugs for Medicare beneficiaries in the United States. It was enacted as part of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, and went into effect on January 1, 2006. Part

D benefits were administered by private insurance plans that were reimbursed by Medicare through CMS.

4. Beneficiaries could obtain Part D benefits in two different ways: they could join a Prescription Drug Plan which covered only prescription drugs; or they could join a Medicare Advantage Plan that covered both prescription drugs and medical services.

5. Under Part D, a pharmacy would contract with multiple private insurance plans or their Pharmacy Benefit Managers which provided Medicare Part D coverage but could also submit claims for payment to a private insurance plan with which it did not have a contract. The pharmacy would submit claims for prescription fills obtained by Medicare Part D beneficiaries.

6. Typically, a Medicare beneficiary enrolled in a Medicare Part D plan would fill their prescriptions at a pharmacy utilizing their Medicare Part D plan coverage to pay for the prescription. The pharmacy would then submit the prescription claim for reimbursement to the Medicare Part D beneficiary's Part D for payment under the beneficiary's Health Insurance Claim Number and/or Medicare Plan identification number.

7. The Florida Medicaid program ("Medicaid") was a federal and state funded health care program providing benefits to individuals and families who met specified financial and other eligibility requirements, and certain other individuals who lacked adequate resources to pay for medical care. CMS was responsible for overseeing the Medicaid program in participating states, including Florida. Individuals who received benefits under the Medicaid program were similarly referred to as "beneficiaries."

8. Medicaid was a "health care benefit program," as defined by Title 18, United States Code, Section 24(b).

9. Medicaid covered the costs of medical services and products. Among the specific medical services and products provided by Medicaid was reimbursements to pharmacies for the provision of prescription drugs. Generally, Medicaid covered these costs if, among other requirements, they were medically necessary and ordered by a physician.

10. In addition to Medicare and Medicaid, numerous private entities (collectively “the private insurers”), also provided health insurance plans, affecting commerce, under which medical benefits, items, and services, were provided to individuals. Individuals who received benefits under health insurance plans offered by private insurers are similarly referred to as “beneficiaries.”

11. The private insurers provided health insurance plans that constituted “health care benefit programs” as defined by Title 18, United States Code, Section 24(b).

12. The private insurers compensated medical service providers for medical services, including the provision of prescription drugs, that were actually rendered and were medically necessary.

13. To receive reimbursement from the private insurers, medical service providers submitted or caused the submission of claims, either electronically or in writing, to the private insurer for payment of services, either directly or through a billing company.

#### **The Pain Clinics**

14. Defendants **GERARDO GOMEZ** and **JUAN DE DIOS GOMEZ** operated and utilized medical clinics (the “pain clinics”) at the following addresses in Miami-Dade and Broward Counties: 3068-C Palm Avenue, Hialeah; 893 E 10th Avenue, Hialeah; 2780 SW 87th Avenue, Miami; 752 W Flagler Street, Miami; 1420 W Flagler Street, Miami; and 901 So. State Road 7, Plantation.

**The Pharmacies**

15. Defendant **AIMAN IZZEDIN ARYAN** was the beneficial owner, controller, and manager of Florida corporations that did business as pharmacies under the name “Robert’s Drug Store,” at the following locations in Miami: “Robert’s Drug Store #1,” 590 West Flagler Street; “Robert’s Drug Store #2,” 3454 NW 7th Avenue; “Robert’s Drug Store #3,” 2505 NW 54th Street; and “Robert’s Drug Store #4,” 111 NW 1st Street (hereafter generically referred to as a “Robert’s Drug Store”).

16. Defendant **EMERSON CARMONA** was the beneficial owner, controller, and manager of a Florida corporation that did business as a pharmacy under the name “Pharmalife Pharmacy” at 801 SW 1st Street, Miami, Florida.

**COUNT 9**  
**Health Care Fraud Conspiracy**  
**(18 U.S.C. § 1349)**

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

18. Beginning as early as November 2007, the exact date being unknown to the Grand Jury, and continuing through on or about the date of this indictment, in Miami-Dade County in the Southern District of Florida, and elsewhere, the defendants,

**AIMAN IZZEDIN ARYAN,**  
**EMERSON CARMONA,**  
**FRANK J. BALLESTEROS,**  
**GERARDO GOMEZ,**  
**a/k/a “Gerry,”**  
**JUAN DE DIOS GOMEZ,**  
**a/k/a “Juancito,”**  
**a/k/a “Papa,”**  
**DANAY C. MANSO,**

a/k/a "Danay C. Manso-Perez,"  
a/k/a "Danay Camila Manso-Perez,"  
a/k/a "Danay Camila Manso,"  
a/k/a "Danay Camila M. Perez,"  
a/k/a "Camila,"  
DANILO FALCON,  
a/k/a "Danny,"  
ELIEZER SALGADO,  
a/k/a "Lito,"  
FRANCISCO HERNANDEZ,  
LEROY PAIGE,  
a/k/a "Batman,"  
a/k/a "Bat,"  
ALYSSA LYN PAIGE,  
CYNTHIA SUZETTE ADDERLEY,  
VICTOR D. ALEXANDER,  
AARON LAMAR ALLEN,  
HENRY LOUIS CONLEY, Jr.,  
HATTIE MAE GREEN,  
PETRONELLA SMITH HOWARD,  
ERIC FYKE MILLER,  
a/k/a "Jaysyn,"  
ANNIE MIMS SIMMONS,  
a/k/a "Miss Annie,"  
BOBBIE LEE ANDERSON,  
DENISE DARCELLE DARDY,  
MARGARET MARIE ELLIOTT,  
BILLY JOE MCCOY,  
and  
RONALD REGAINS,

did knowingly and willfully combine, conspire, confederate and agree with each other and with others known and unknown to the Grand Jury, to violate Title 18, United States Code, Section 1347, that is, to execute a scheme and artifice to defraud a health care benefit program affecting commerce, as defined in Title 18, United States Code, Section 24(b), that is, Medicare, Medicaid, and private insurance plans, 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

program, in connection with the delivery of and payment for health care benefits, items, and services.

### **Purpose of the Conspiracy**

19. It was a purpose of the conspiracy for 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 Medicare, Medicaid, and private insurance plans; (b) concealing the submission of false and fraudulent claims to Medicare, Medicaid, and private insurance plans; and (c) diverting the proceeds of fraud for the personal use and benefit of themselves and others.

### **Manner and Means**

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

20. The defendants **GERARDO GOMEZ** and **JUAN DE DIOS GOMEZ** would operate and utilize the pain clinics as a source of fraudulent prescriptions for oxycodone and oxymorphone, which they would obtain for distribution.

21. Defendant **FRANK J. BALLESTEROS** was a licensed physician who worked at the pain clinics located at 3068-C Palm Avenue and 893 E 10th Avenue, in Hialeah, and elsewhere. **FRANK D. BALLESTEROS** would write prescriptions for oxycodone, oxymorphone, and other drugs, without regard to medical necessity, and knowing that the patients for whom the drugs were prescribed would distribute them.

22. Defendant **DANAY C. MANSO** worked at pain clinics at 3068-C Palm Avenue, Hialeah, and 752 W. Flagler Street, Miami, and elsewhere, where she would facilitate the issuance of false and fraudulent prescriptions for oxycodone, oxymorphone, and other drugs to Medicare, Medicaid, and private insurance beneficiaries, without regard to medical necessity, and knowing that

the patients for whom the drugs were prescribed would distribute them.

23. Defendants **LEROY PAIGE, ALYSSA LYN PAIGE, CYNTHIA SUZETTE ADDERLEY, VICTOR D. ALEXANDER, AARON LAMAR ALLEN, HENRY LOUIS CONLEY, Jr., HATTIE MAE GREEN, PETRONELLA SMITH HOWARD, ERIC FYKE MILLER, and ANNIE MIMS SIMMONS** would recruit Medicare, Medicaid, and private insurance beneficiaries to visit the pain clinics for the purpose of obtaining false and fraudulent prescriptions for oxycodone, oxymorphone, and other prescription drugs.

24. Defendants **GERARDO GOMEZ and JUAN DE DIOS GOMEZ** would offer and provide kickbacks, bribes, and other inducements to beneficiary recruiters, including defendants **LEROY PAIGE, ALYSSA LYN PAIGE, CYNTHIA SUZETTE ADDERLEY, VICTOR D. ALEXANDER, AARON LAMAR ALLEN, HENRY LOUIS CONLEY, Jr., HATTIE MAE GREEN, PETRONELLA SMITH HOWARD, ERIC FYKE MILLER, and ANNIE MIMS SIMMONS** who would themselves offer and provide kickbacks bribes, and other inducements to Medicare, Medicaid, and private insurance beneficiaries, for the purpose of inducing the beneficiaries to: (1) visit the pain clinics where the beneficiaries would obtain prescriptions for oxycodone, oxymorphone, and other drugs, that were medically unnecessary; (2) present those prescriptions at a "Robert's Drug Store" pharmacy, Pharmalife Pharmacy, and other pharmacies, for filling and billing; and (3) distribute the oxycodone and oxymorphone.

25. Defendants **LEROY PAIGE, ALYSSA LYN PAIGE, CYNTHIA SUZETTE ADDERLEY, VICTOR D. ALEXANDER, AARON LAMAR ALLEN, HENRY LOUIS CONLEY, Jr., HATTIE MAE GREEN, PETRONELLA SMITH HOWARD, ERIC FYKE MILLER, and ANNIE MIMS SIMMONS** would transport and assist in transporting Medicare,

Medicaid, and private insurance beneficiaries to the pain clinics and pharmacies for the purpose of obtaining false and fraudulent prescriptions for oxycodone, oxymorphone, and other drugs that were medically unnecessary, take possession of the oxycodone and oxymorphone after the prescriptions were filled, and distribute the oxycodone and oxymorphone to defendants **GERARDO GOMEZ, JUAN DE DIOS GOMEZ, DANILO FALCON, and ELIEZER SALGADO.**

26. Defendants **BOBBIE LEE ANDERSON, DENISE DARCELLE DARDY, MARGARET MARIE ELLIOTT, BILLY JOE MCCOY, and RONALD REGAINS** were beneficiaries of Medicare, Medicaid, and private insurance. Defendants **BOBBIE LEE ANDERSON, DENISE DARCELLE DARDY, MARGARET MARIE ELLIOTT, BILLY JOE MCCOY, and RONALD REGAINS** would: (1) visit the pain clinics where they would obtain prescriptions for oxycodone, oxymorphone, and other drugs that were medically unnecessary; (2) present those prescriptions at “Robert’s Drug Store” pharmacies, Phamalife Pharmacy, and other pharmacies, for filling pursuant to their Medicare, Medicaid, or private insurance; (3) after the prescriptions were filled, they would distribute the oxycodone and oxymorphone to defendants **A. LEROY PAIGE, HATTIE MAE GREEN, PETRONELLA SMITH HOWARD, and ERIC FYKE MILLER,** among others.

27. Defendant **AIMAN IZZEDIN ARYAN** would cause “Robert’s Drug Store” pharmacies to bill Medicare, Medicaid, and private insurers for prescription medications, including oxycodone and oxymorphone, that were medically unnecessary for the beneficiaries for whom they were prescribed and intended for distribution to other persons.

28. Defendant **EMERSON CARMONA** would cause Pharmalife Pharmacy to bill Medicare, Medicaid, and private insurers for prescription medications, including oxycodone and



oxymorphone, that were medically unnecessary for the beneficiaries for whom they were prescribed and intended for distribution to other persons.

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

### **FORFEITURE ALLEGATIONS**

1. The allegations of this Indictment are realleged and by this reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America of certain property in which one or more of the defendants has an interest

2. Upon conviction of any of the violations alleged in Counts 1 through 8 of this Indictment, the defendants shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, all of their respective rights in any property constituting or derived from any proceeds which such defendant obtained, directly or indirectly, as the result of such violation, and any property which the defendant used, or intended to be used, in any manner or part, to commit or to facilitate the commission of such violation, including, but is not limited to, the following:

(i) Approximately \$1,490.00 in United States currency, seized on or about April 6, 2011, from a vehicle driven by defendant **GERARDO GOMEZ**, in which defendant **DANILO FALCON** was a passenger;

(ii) Approximately \$8,213.00 in United States currency, seized on or about April 6, 2011, from defendant **LEROY PAIGE**;

(iii) Approximately \$8,640.00 in United States currency, seized on or about April 6, 2011, from defendant **ALYSSA LYN PAIGE**; and


(iv) the sum of approximately \$40,000,000.00 in United States currency which represents the amount of proceeds which the defendants derived from the offenses charged in Counts

1 through 8.

3. Upon conviction of the violation alleged in Count 9 of this Indictment, the defendants shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(7), all property, real or personal, that constitutes or is derived, directly or indirectly, from gross proceeds traceable to the commission of the offense, including, but not limited to the following: the sum of approximately \$15,000,000.00 in United States currency which represents the amount of proceeds which the defendants derived from the offense charged in Count 9.

All pursuant to Title 18, United States Code, Sections 982(a)(7) and (b)(1); and Title 21, United States Code, Section 853.

A TRUE BILL

  
\_\_\_\_\_  
WIFREDO A. FERRER  
UNITED STATES ATTORNEY

  
\_\_\_\_\_  
DWAYNE B. WILLIAMS  
ASSISTANT UNITED STATES ATTORNEY