



U. S. Department of Justice

Carlie Christensen

**United States Attorney
District of Utah**

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CONTACT: MELODIE RYDALCH
U.S. Attorney's Office
801-325-3206
801-243-6475 (cell)

PRESS RELEASE
***GRAND JURY RETURNS INDICTMENT
IN HOLLYWOOD BODY CASE;
FERGUSON, CHOATE FACE
26 COUNTS OF MAIL, WIRE FRAUD***

SALT LAKE CITY – A federal grand jury returned a 26-count indictment Wednesday afternoon charging William Ricker Ferguson, age 52, of Orem, and Ashlee Choate, age 21, of Midvale, with mail fraud and wire fraud in connection with a fraud scheme involving a Utah business known variously as Hollywood Body MD Cosmetic Surgery and Laser Center, Hollywood Body and Laser Center, and Spamedica Group.

The indictment charges 13 counts of mail fraud and 13 counts of wire fraud. Each mail fraud count carries a potential sentence of 30 years in prison and a \$1 million fine. The maximum penalty for each wire fraud count is 20 years and a \$250,000 fine. Ferguson and Choate will be arraigned on the indictment Thursday at 9:45 a.m. before U.S. Magistrate Judge Brooke Wells. Both were arrested last week. Ferguson, found to be a danger to the community, has been detained pending trial. Choate has been released.

Indictments are not findings of guilt. Individuals charged in indictments are presumed innocent unless or until proven guilty in court.

According to the indictment, Ferguson was the owner and controlling authority of the business, which is self-described as “Utah’s largest facility using the world’s most advanced, state-of-the-art, FDA approved advanced technology to safely and effectively restore the beauty that enriches our lives.” Choate was employed as a “master

esthetician” and office manager. She was listed as the owner of the company on an application for a business license filed in Sandy on April 1, 2011.

The indictment alleges Ferguson employed licensed physicians to act as “medical directors” for Hollywood Body. However, none of the physicians had any ownership interest in the business nor did any of them utilize the business as their primary source of income. The physicians also were not present at the business for any substantial periods of time. Ferguson, the indictment alleges, utilized the names and DEA registration numbers of the “medical directors,” usually without their knowledge, to obtain prescription medications including HCG, Botox, Valium, Percocet, and other controlled substances, and to obtain medical equipment for laser hair removal, liposuction, and facial laser treatments.

The indictment also alleges that Ferguson, who at no time was a licensed physician, posed as a medical doctor to prospective and actual patients, performed medical procedures, and prescribed medicine.

According to the indictment, Ferguson and Choate used photocopies and rubber signature stamps purporting to contain the signature of various “medical directors” of Hollywood Body to obtain medications and to provide prescriptions for medication to business clients without appropriate physician/patient relationships, without physical examinations, and without the actual approval of the physician whose signature was utilized.

Ferguson utilized the unauthorized signature of a physician to lease medical equipment from suppliers. After the equipment was obtained by Ferguson, lease payments were not made and the physician was sued in an effort to collect payments on the lease. The indictment alleges Ferguson engaged in efforts to remove serial numbers from the medical equipment and to conceal the equipment to prevent the repossession of the equipment by the lending physician or the physician whose name he had used to lease it.

“The public must have confidence that those who present themselves as health care professionals are who they purport to be, and that the drug products that the public receives are FDA-compliant products,” said Special Agent in Charge Patrick J. Holland of FDA’s Office of Criminal Investigations, Kansas City Field Office. “The impersonation of a health care professional, as today’s indictment alleges, is a callous breach of patient trust, which potentially subjects patients to significant harm. The FDA will continue to aggressively pursue perpetrators of such acts, as well as those who dispense misbranded drug products, and ensure that they are punished to the full extent of the law.”

The wire fraud counts in the indictment allege Ferguson and Choate transmitted fraudulent prescriptions for HCG from Hollywood Body in Sandy to Rejuvi Pharmacy in Boca Raton, Florida, on 13 occasions in September 2009. The mail fraud counts allege

the pair caused fraudulently prescribed HCG to be mailed from Boca Raton, Florida, to Hollywood Body in Sandy on 13 occasions.

The case is being investigated by the FDA's Office of Criminal Investigations, the U.S. Postal Inspection Service, the Sandy City Police Department, and the Utah Division of Occupational and Professional Licensing.

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