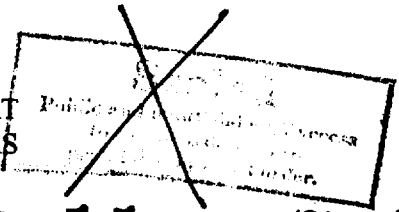


**UNSEALED
PER ORDER**

12/27/2011

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION



H 11 - 783

UNITED STATES OF AMERICA,
Plaintiff,

v.

FRANCISCO MORALES
aka Dr. Frank Morales
JESUS ALBERTO RAMON
aka Dr. Alberto Ramon
VINCENT DAMMAI,
Defendants.

§ **CRIMINAL NO**
§ 18 U.S.C. § 2
§ 18 U.S.C. § 371
§ 18 U.S.C. § 1341
§ 18 U.S.C. § 1343
§ 18 U.S.C. § 981(a)(1)(C)
§ 18 U.S.C. § 1001
§ 21 U.S.C. § 331(a), 333(a)(2)
§ 21 U.S.C. § 331(d), 333(a)(2)
§

United States District Court
Southern District of Texas
FILED

NOV 09 2011

David J. Bradley, Clerk of Court

INDICTMENT

THE UNITED STATES CHARGES:

COUNT ONE
(Conspiracy – 18 U.S.C. § 371)

At all times material to this Indictment:

Introduction

1. Defendant FRANCISCO MORALES was a resident of Brownsville, Texas.
2. Defendant FRANCISCO MORALES falsely represented to the public that he was a physician licensed to practice medicine in the United States.
3. Defendant FRANCISCO MORALES leased a United Parcel Service (UPS) commercial mail box drop at 11474 West Price Road, Number 450 in Brownsville, Texas 78520, utilizing the name RIO VALLEY MEDICAL CLINIC.
4. Defendant FRANCISCO MORALES routinely received “stems cells” at his personal residence located in Brownsville, Texas that had traveled in interstate

commerce. The invoices accompanying the stem cells were addressed to “Dr. Frank Morales.” The stems cells were later used by defendant Morales to perform medical procedures in The United Mexican States (“Mexico”).

5. Defendant JESUS ALBERTO RAMON was the owner and operator of The Maternity Care Center (“The Maternity Care Clinic”), a medical clinic located at 1308 Las Vacas Street, Del Rio, Texas 78840. This clinic primarily focused on the delivery of babies.

6. Defendant JESUS ALBERTO RAMON was a midwife licensed by the Texas Department of Health Midwifery Board. As a midwife, the defendant was authorized to deliver newborns. The defendant was not a licensed physician.

7. Defendant JESUS ALBERTO RAMON received “umbilical cords” and “placental tissue” obtained from the births of newborns and sold the cords to Global Laboratories LLC and an unindicted coconspirator. The payments and correspondence were addressed to “Dr. Alberto Ramon.”

8. Defendant VINCENT DAMMAI was an Assistant Professor of Pathology and Laboratory Medicine at the Medical University of South Carolina located at 86 Jonathan Lucas Street, Charleston, South Carolina 29425.

9. Defendant VINCENT DAMMAI was a consultant to Global Laboratories LLC and an unindicted coconspirator regarding the harvesting of stem cells from umbilical cords.

10. Defendant VINCENT DAMMAI routinely received umbilical cords from Global Laboratories LLC and an unindicted coconspirator which he then used to create stem cells. The defendant would create stem cells utilizing the facilities at the Medical University of South Carolina. The stem cells were later sold to codefendant Francisco Morales.

11. The sale and distribution of umbilical cords by defendants that were used to create stem cells were not associated with any clinical trial or procedure approved or sanctioned by the United States Food and Drug Administration.

12. The creation, sale and use of stem cells by defendants were not associated with any clinical trial or procedure approved or sanctioned by the United States Food and Drug Administration.

13. The possible use of umbilical cords and stem cells by the defendants and others to treat medical conditions was not approved by the Food and Drug Administration.

FDA STATUTES AND REGULATIONS

14. The United States Food and Drug Administration (FDA) is charged by federal statutes and regulations with the responsibility of protecting the health and safety of the American public by, among other things, ensuring the safety and effectiveness of drugs distributed in the United States. The Public Health Services Act (PHSA) and the Food, Drug and Cosmetic Act (FDCA) are statutes that fall under the purview of the FDA.

15. Under the PHSA, the term “biological product is defined as a virus, therapeutic serum, toxin, antitoxin, vaccine, blood, blood component or derivative, allergenic product, or analogous product . . . applicable to the prevention, treatment, or cure of a disease or condition of human beings.” Title 42, United States Code, Section 262(i).

16. Under the PHSA, no person is permitted to introduce or deliver for introduction into interstate commerce any biological product unless, among other things, a biologics license is in effect for the biological product. Title 42, United States Code, Section 262(a)(1).

17. Biological products may be exempt from the requirements of 42 U.S.C. § 262(a) if they are the subject of an Investigational New Drug Application (IND). Title 42, United States Code, Section 262(a)(3) and Title 21, Code of Federal Regulations, Section 601.21.

18. Stem cells derived from umbilical cord blood used for the treatment of amyotrophic lateral sclerosis (ALS), multiple sclerosis (MS), muscular dystrophy and other incurable diseases are biological products with the meaning of 42 U.S.C. § 262(i). Umbilical cord blood, if used for the treatment or prevention of disease in human beings, would also be considered a “drug” under the Food Drug and Cosmetic Act. Biological products that are not licensed under 42 U.S.C. § 262(a) and that meet the FDCA’s definition of a drug are subject to the FDCA’s drug provisions, such as provisions related to drug adulteration, drug misbranding and “new drugs,” including the requirement that all “new drugs” must have an approved new drug application before marketing the drug. Under 42 U.S.C. § 262(j), biological products that are licensed under 42 U.S.C. § 262(a) and that meet the FDCA’s drug definition are exempt from compliance with the FDCA “new drug” approval provisions; however, they are still subject to the FDCA’s drug provisions related to adulteration and misbranding.

19. Under the FDCA, the term “drug” includes articles which are (1) intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man; or (2) intended to affect the structure or any function of the body of man. Title 21, United States Code, Section 321(g)(1)(B) and (C).

20. Stem cells derived from umbilical cord blood used for the treatment of Amyotrophic lateral sclerosis (ALS), multiple sclerosis (MS), muscular dystrophy, and other incurable diseases are drugs within the meaning of Title 21, United States Code, Section 321(g).

21. The FDCA prohibits the introduction or delivery for introduction into interstate commerce, or the causing thereof, of any drug that is adulterated or misbranded. Title 21, United States Code, Section 331(a).

22. Under the FDCA, a drug is deemed misbranded unless its labeling bears adequate directions for use. Title 21, United States Code, Section 352(f)(1).

23. Under the FDCA, the term "label" means a display of written, printed or graphic matter upon the immediate container of any article. Title 21, United States Code, Section 321(k). The term "labeling" means all labels and other written, printed, or graphic matter (1) upon any article or any of its containers or wrappers, or (2) accompanying such article. Title 21, United States Code Section 321(m).

THE CONSPIRACY

24. Beginning in or about January 2007 and continuing thereafter to in or about April 2010, in the Houston Division of the Southern District of Texas and elsewhere, defendants,

**FRANCISCO MORALES
aka Dr. Frank Morales
JESUS ALBERTO RAMON
aka Dr. Alberto Ramon
VINCENT DAMMAI**

did knowingly and willfully combine, conspire and confederate and agree with each other and were aided and abetted by others known and unknown by the Grand Jury to commit certain offenses against the United States, namely:

- a To use the United States Postal Service or a commercial or private interstate carrier of mail matter in furtherance of a scheme and artifice to defraud in violation of Title 18, United States Code, Section 1341.

- b. To violate the Food, Drug and Cosmetic Act, namely, with the intent to defraud and mislead, cause the introduction of an Unapproved New Drug into interstate commerce, in violation of Title 21, United States Code, Section 331(d) and 333(a)(2).
- c. To violate the Food, Drug and Cosmetic Act, namely, with the intent to defraud and mislead, cause the introduction and delivery for introduction into interstate commerce, umbilical cords and stem cells that were misbranded, in violation of Title 21, United States Code, Sections 331(a) and 333(a)(2).

OBJECT OF THE CONSPIRACY

25. It was the object of the conspiracy for the defendants and others to unlawfully enrich themselves by manufacturing, distributing and utilizing stem cells and products created from umbilical cord blood to perform unapproved procedures to treat patients suffering from cancer, Amyotrophic lateral sclerosis (ALS), multiple sclerosis (MS) and other autoimmune disorders. As a result of this fraudulent scheme, the defendants received more than \$1,500,000.00 from the sale of stem cells which were utilized to treat patients.

MANNER AND MEANS

The manner and means of the conspiracy included, but were not limited to the following:

It was part of the conspiracy that:

26. Defendant FRANCISCO MORALES would and did falsely represent to the public that he was a physician licensed to practice in the United States.

27. Defendant FRANCISCO MORALES would and did utilize the name Rio Valley Medical Clinic to falsely create the impression that he had an actual medical clinic.

28. Defendant FRANCISCO MORALES would and did travel throughout the United States and falsely represent that he was an expert in stem cells created from umbilical cord blood.

30. Defendant FRANCISCO MORALES would and did receive stem cells that had traveled in interstate commerce with the intent to perform medical procedures that had not been approved by the Food and Drug Administration.

31. Defendant FRANCISCO MORALES would and did falsely represent that he was involved in stem cell research being conducted at Duke, Harvard and UCLA.

32. Defendant FRANCISCO MORALES would and did perform medical procedures on patients with these stems that had not been approved by the FDA.

33. Defendant JESUS ALBERTO RAMON would and did perform births of patients who were citizens of Mexico at The Maternity Care Center.

34. Defendant JESUS ALBERTO RAMON would and did sell the umbilical cords obtained after the birth of newborns to Global Laboratories, LLC and an unindicted coconspirator for the purpose of creating viable stem cells.

35. Defendant JESUS ALBERTO RAMON would and did falsely represent to patients of The Maternity Care Center that the umbilical cord would be donated to a research facility when he in fact sold such cords to Global Laboratories, LLC and an unindicted coconspirator.

36. Defendant JESUS ALBERTO RAMON would and did sell umbilical cords knowing they would be used to create stem cells for non-research related purposes.

37. Defendant VINCENT DAMMAI would and did serve as a paid consultant to Global Laboratories, LLC and an unindicted coconspirator regarding the creation of viable stem cells from umbilical cords.

38. Defendant VINCENT DAMMAI would and did create viable stem cells from umbilical cords obtained from The Maternity Care Center and he well knew that such stem cells would be sold for non-research related purposes.

39. Defendant VINCENT DAMMAI would and did create viable stem cells knowing that such creation was not part of any FDA approved clinical trial.

OVERT ACTS

40. In furtherance of the conspiracy and to effect the objects thereof, the following Overt Acts, among others, were committed in the Southern District of Texas and elsewhere:

(1) On or about August 11, 2007, defendant FRANCISCO MORALES falsely represented that RIO VALLEY MEDICAL CLINIC located at Brownsville, Texas was an actual medical clinic when in fact it was his personal residential home address and not a clinic.

(2) In or about November 2008, defendant FRANCISCO MORALES falsely represented to K.E., an individual known to the Grand Jury, that he was licensed to practice medicine in the United States.

(3) On or about November 14, 2008, defendant FRANCISCO MORALES gave medical advice to K.E. and M.E., an individual known to the Grand Jury, regarding the benefits of stem cells to treat MS. The defendant indicated that stem cell treatments would drastically improve the medical condition of M.E., who suffered from MS.

(4) In or about May 18, 2009, defendant VINCENT DAMMAI signed a consultant agreement with Global Laboratories, LLC and an unindicted coconspirator to provide guidance and assistance with the creation of stem cells.

(5) On or about June 3, 2009, defendant JESUS ALBERTO RAMON caused a shipment containing cord blood to be sent from The Maternity Care Center in Del Rio, Texas to Global Laboratories, LLC in Scottsdale, Arizona for the purpose of creating viable stem cells.

(6) On or about June 4, 2009, defendant VINCENT DAMMAI received umbilical cord blood that had been sent in interstate commerce from Global Laboratories, LLC for the purpose of creating stems.

(7) In or about June 15, 2009, defendant FRANCISCO MORALES received a shipment containing stem cells sent from Global Laboratories, LLC in Scottsdale, Arizona to Brownsville, Texas for the purpose of performing unapproved stem cell procedures.

(8) On or about June 22, 2009, defendant JESUS ALBERTO RAMON caused a shipment containing umbilical cord blood to be sent from The Maternity Care Center in Del Rio, Texas to Global Laboratories, LLC in Scottsdale, Arizona for the purpose of creating viable stem cells.

(9) On or about June 23, 2009, defendant VINCENT DAMMAI received umbilical cord blood that had been sent in interstate commerce from Global Laboratories, LLC for the purpose of creating stem cells.

(10) On or about July 8, 2009, defendant VINCENT DAMMAI caused a shipment containing stem cells to travel in interstate commerce from Mount Pleasant, South Carolina to Global Laboratories, LLC in Scottsdale, Arizona. The stem cells were later sold by Global Laboratories, LLC to codefendant Francisco Morales aka Dr. Frank Morales.

(11) On or about July 10, 2009, defendant JESUS ALBERTO RAMON caused a shipment containing cord blood to be sent from The Maternity Care Center in Del Rio, Texas to

Global Laboratories, LLC in Scottsdale, Arizona for the purpose of creating viable stem cells.

(12) On or about July 22, 2009, defendant VINCENT DAMMAI received cord blood that had been placed in interstate commerce by Global Laboratories, LLC for the purpose of creating stems from the cord blood. The creation of stem cells for the purpose of treating patients was not approved by the FDA.

(13) In or about August 4, 2009, defendant FRANCISCO MORALES received a shipment containing stem cells sent from Global Laboratories, LLC in Scottsdale, Arizona to Brownsville, Texas for the purpose of performing unapproved stem cell procedures.

(14) On or about August 4, 2009, defendant VINCENT DAMMAI received cord blood that had been placed in interstate commerce by Global Laboratories, LLC for the purpose of creating stems from the cord blood. The creation of stem cells for the purpose of treating patients was not approved by the FDA.

(15) On or about August 10, 2009, defendant JESUS ALBERTO RAMON caused a shipment containing cord blood to be sent from The Maternity Care Center in Del Rio, Texas to Global Laboratories, LLC in Scottsdale, Arizona for the purpose of creating viable stem cells.

(16) In or about August 10, 2009, defendant FRANCISCO MORALES received a shipment containing stem cells sent from Global Laboratories, LLC in Scottsdale, Arizona to Brownsville, Texas for the purpose of performing unapproved stem cell procedures.

(17) On or about August 11, 2009, defendant VINCENT DAMMAI received cord blood that had been placed in interstate commerce by Global Laboratories, LLC for the purpose of creating stems from the cord blood. The creation of stem cells for the purpose of treating patients was not approved by the FDA.

(18) On or about August 22, 2009, defendant FRANCISCO MORALES received \$10,000 to perform unapproved stem cell treatments on M.E., a patient who suffered from MS.

(19) In or about August 2009, defendant FRANCISCO MORALES met K.E. and M.E. at the airport in Brownsville, Texas and drove them into Mexico for the purpose of performing medical procedures using stem cells.

(20) On or about September 30, 2009, defendant VINCENT DAMMAI caused a shipment containing stem cells placed to travel in interstate commerce to Global Laboratories, LLC. The creation of stem cells for the purpose of treating patients was not approved by the FDA.

(21) On or about February 11, 2010, defendant FRANCISCO MORALES received a shipment containing stem cells sent from Scottsdale, Arizona to Brownsville, Texas. The invoice accompanying the shipment indicated the price for the stem cells was \$5,174.55.

In violation of Title 18, United States Code, Section 371.

COUNTS TWO THROUGH ELEVEN
(Mail Fraud-Using non-FDA approved drugs)
(18 U.S.C. § 1341)

1. The Grand Jury realleges paragraphs 1 through 23 of Count One above and incorporates them as if alleged herein.

SCHEME TO DEFRAUD

2. From on or about April 4, 2009 and continuing to on or about February 15, 2010, the defendant devised and intended to devise a scheme and artifice to defraud for obtaining money

by means of material false and fraudulent pretenses and representations in that the defendant falsely represented that he was a physician licensed to practice medicine in the United States and provided false medical advice to patients regarding the benefits of stem cells to treat incurable diseases such as ALS and MS.

MANNER AND MEANS

The manner and means of the scheme and artifice to defraud included, but were not limited to the following:

3. Defendant FRANCISCO MORALES would and did falsely represent to the public that he was a physician licensed to practice medicine in the United States.
4. Defendant FRANCISCO MORALES would and did utilize the name Dr. Frank Morales.
5. Defendant FRANCISCO MORALES would and did order stem cells from Global Laboratories, LLC and an unindicted coconspirator.
6. Defendant FRANCISCO MORALES would and did use stem cells that had traveled in interstate commerce to perform procedures that had not been approved by the FDA.

EXECUTION OF THE SCHEME TO DEFRAUD

7. On or about the dates listed below, in the Southern District of Texas and elsewhere, the defendant,

**FRANCISCO MORALES
aka Dr. Frank Morales**

aided and abetted by other persons, intentionally and knowingly and for the purpose of executing and attempting to execute the scheme and artifice to defraud, and obtaining money and property by means of materially false and fraudulent pretenses, representations and promises described above, did knowingly cause vials containing stem cells to be delivered by mail or private or commercial interstate carrier, specifically by United Parcel Service (UPS), as indicated below:

CT	DATE OF SHIPMENT BY UPS (on or about)	PRODUCT SENT	PRODUCT SHIPPED FROM	PRODUCT SHIPPED TO
2	4/6/2009	stem cells	Global Laboratories, Scottsdale, AZ	
3	5/29/2009	stem cells	Global Laboratories, Scottsdale, AZ	
4	6/15/2009	stem cells	Global Laboratories, Scottsdale, AZ	
5	7/29/2009	stem cells	Global Laboratories, Scottsdale, AZ	
6	8/4/2009	stem cells	Global Laboratories, Scottsdale, AZ	
7	8/10/2009	stem cells	Global Laboratories, Scottsdale, AZ	
8	9/02/2009	stem cells	Global Laboratories, Scottsdale, AZ	
9	11/20/2009	stem cells	Global Laboratories, Scottsdale, AZ	
10	12/07/2009	stem cells	Global Laboratories, Scottsdale, AZ	
11	2/11/2010	stem cells	Global Laboratories, Scottsdale, AZ	

In violation of Title 18, United States Code, Sections 1341 and 2.

COUNT TWELVE
(Wire Fraud)
(18 U.S.C. § 1343)

1. The Grand Jury realleges the preceding paragraphs 1 through 23 of Count One and incorporates them as though set forth fully herein.

SCHEME TO DEFRAUD

2. From on or about August 11, 2007 and continuing to on or about February 15, 2010, the defendant devised and intended to devise a scheme and artifice to defraud for obtaining money by means of material false and fraudulent pretenses and representations in that the defendant falsely represented that he was a physician licensed to practice medicine in the United States and provided false medical advice to patients regarding the benefits of stem cells to treat incurable diseases such as ALS and MS.

MANNER AND MEANS

The manner and means of the scheme and artifice to defraud included, but were not limited to the following:

3. Defendant FRANCISCO MORALES would and did falsely represent to the public that he was a physician licensed to practice medicine in the United States.

4. Defendant FRANCISCO MORALES would and did utilize the name Dr. Frank Morales.

5. Defendant FRANCISCO MORALES would and did travel throughout the United States and falsely represent that he was an expert in stem cell treatments.

States and falsely represent that he was an expert in stem cell treatments.

6. Defendant FRANCISCO MORALES would and did represent to patients that stem cell procedures would improve their medical condition.

7. Defendant FRANCISCO MORALES would and did falsely represent that he was associated with stem cell research being conducted at Duke, Harvard and UCLA Universities.

8. Defendant FRANCISCO MORALES would and did order stem cells from Global Laboratories, LLC and an unindicted coconspirator.

9. Defendant FRANCISCO MORALES would and did use stem cells that had traveled in interstate commerce to perform procedures that had not been approved by the FDA.

EXECUTION OF THE SCHEME TO DEFRAUD

10. On or about August 24, 2009, in the Southern District of Texas and elsewhere, the defendant,

**FRANCISCO MORALES
aka Dr. Frank Morales**

for the purpose of executing and attempting to execute a scheme and artifice to defraud, did knowingly cause to be transmitted by means of wire communication in interstate commerce certain writings, signs, signals, pictures and sounds, that is, a wire transfer in the amount of \$10,000 from a Chase Bank in Sterling Heights, Michigan, account number xxxx1150 to a Wells Fargo Bank in Houston, deposited in the bank account, code xxxx0659 of the defendant in Houston, Texas for a stem cell procedure to be performed on M.E.

In violation of Title 18, United States Code, Section 1343.

COUNT THIRTEEN
(False Statement)
(18 U.S.C. § 1001)

1. On or about March 16, 2010, in the Southern District of Texas and elsewhere, the defendant,

FRANCISCO MORALES
aka Dr. Frank Morales

did intentionally and knowingly, in a matter within the jurisdiction of the Food and Drug Administration, an agency of the United States Government, make a materially false and fraudulent statement and representation, namely, that he told a representative of the FDA that he did not practice medicine in the United States when the defendant well knew he had provided medical advice to patients, including K.E. and M.E. with whom he met in Brownsville, Texas concerning a stem cell treatment that was performed in the United Mexican States, and the defendant made such a statement to mislead the FDA regarding the use of stem cells for a non-FDA approved purpose.

In violation of Title 18, United States Code, Section 1001.

COUNT FOURTEEN
(Introduction of an Unapproved New Drug)
(21 U.S.C. § 331(d))

1. On or about June 3, 2009 and continuing through February 2010, in the Southern District of Texas and elsewhere, the defendants,

FRANCISCO MORALES
aka Dr. Frank Morales
JESUS ALBERTO RAMON

aided and abetted by other persons known and unknown to the Grand Jury, with the intent to defraud and mislead, caused the introduction and delivery for introduction into interstate commerce, from Scottsdale, Arizona to Brownsville, Texas, quantities of an unapproved new drug; namely, stem cells, derived from umbilical cord blood, which was a new drug within the meaning of the Food, Drug and Cosmetic Act and not approved for use in the United States, as Global Laboratories, LLC did not have in effect with the FDA an approved New Drug Application, Abbreviated New Drug Application, and Investigational New Drug Application for the creation and distribution of stem cells.

In violation of Title 21, United States Code, Section 331(d) and 333(a)(2).

COUNT FIFTEEN
(Misbranded Drugs)
(21 U.S.C. § 331(a))

1. On or about July 29, 2009, in the Southern District of Texas and elsewhere, the defendant,

FRANCISCO MORALES,
aka Frank Morales,

with the intent to defraud and mislead, caused the introduction and delivery for introduction into interstate commerce stem cells that were misbranded in that the stem cells did not contain any directions for use.

In violation of Title 21, United States Code, Sections 331(a) and 333(a)(2).

NOTICE OF CRIMINAL FORFEITURE
(18 U.S.C. § 981(a)(1)(C); 28 U.S.C. § 2461(c))

Pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 981(a)(1)(C), the United States gives notice to the defendants,

**FRANCISCO MORALES,
aka Dr. Frank Morales,
JESUS ALBERTO RAMON,
aka Dr. Alberto Ramon, and
VINCENT DAMMAI,**

that in the event of their conviction for a violation of 18 U.S.C. §§ 371, 1341 and 1343, the United States intends to seek forfeiture of all property, real or personal, that constitutes or is derived, directly or indirectly, from proceeds traceable to such offenses. The offenses include:

- a. the conspiracy charged in Count One of the Indictment;
- b. the substantive violations of 18 U.S.C. § 1341 charged in Counts Two through Eleven of the Indictment; and
- c. the substantive violation of 18 U.S.C. § 1343 charged in Count Twelve of the Indictment.

The property subject to forfeiture includes, but is not limited to:

1. approximately \$2,000,000.00 in United States dollars, representing the amount of proceeds obtained as a result of the conspiracy charged in Count 1;
2. the amount of proceeds obtained as a result of each offense charged in Counts 2- 11; and
3. the amount of proceeds obtained as a result of the offense charged in Count 12.

The United States gives notice that upon defendants' conviction, a money judgment may be imposed equal to the total value of the property subject to forfeiture, for which the defendants may be jointly and severally liable.

The United States gives notice that in the event that the property which is subject to forfeiture to the United States, as a result of any act or omission of the defendants,

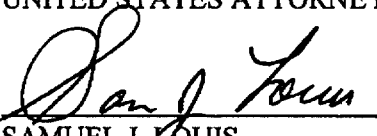
- (a) cannot be located upon exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States to seek forfeiture of any other property of the defendants up to the value of such property, pursuant to Title 21 United States Code, Section 853(p), incorporated by reference in Title 28, United States Code, Section 2461(c).

A TRUE BILL:

Original Signature on File
FOREPERSON

KENNETH MAGIDSON
UNITED STATES ATTORNEY

By: 
SAMUEL J. LOUIS
Assistant United States Attorney
(713) 567-9737