1534

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	)	Criminal No. 19-121
	)	
v.	)	(18 U.S.C. §§ 371, 545, 554, 1341 and 1343
	)	and 21 U.S.C. §§ 331(a) and 333(a)(2))
KOLEDIN ENTERPRISES, INC.	)	
EMIL KOLEDIN	)	
aka BUTCH KOLEDIN	)	

FILED

APR 30 2019

CLERK U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

INFORMATION

The United States Attorney charges:

INTRODUCTION

At all material times:

1. The defendant, KOLEDIN ENTERPRISES, INC. was a Pennsylvania corporation that sold and distributed to consumers in the United States and in other countries, through the internet website awakebrain.com, various drugs, including but not limited to the followings drugs:

a. Adrafinil, a/k/a Noofon;

b. Bromantane, a/k/a Ladastan;

c. Coluracetam, a/k/a Cartam;

d. Etifoxine, a/k/a Stresam;

e. Noopept;

f. Piracetam, a/k/a Nootropil;

g. Phenylpiracetam, a/k/a Phenotropil;

h. Picamilon;

i. Sunifiram;

j. Tianetine, a/k/a Blissful Mind-T.

2. The defendant, EMIL KOLEDIN a/k/a/ BUTCH KOLEDIN, operated KOLEDIN ENTERPRISES, INC.

3. Many of the drugs that the defendant, KOLEDIN ENTERPRISES, INC., distributed were manufactured primarily for the Russian market, contained labeling in the Russian language, and were not approved for distribution in the United States.

4. The defendant, KOLEDIN ENTERPRISES, INC., advertised these drugs, through a website, as "nootropics" and described them as "smart drugs, memory enhancers, neuro exchangers, and intelligence enhancers[.]"

5. The defendant, KOLEDIN ENTERPRISES, INC., represented on the website that these drugs were legal to be sold in the United States when many of the drugs were not legal to sell in the United States.

6. The defendant, KOLEDIN ENTERPRISES, INC., imported and exported many of the drugs referred to above, mainly from Russia and China and to Canada.

FEDERAL FOOD, DRUG AND COSMETIC ACT

7. The Food and Drug Administration ("FDA") was the agency of the United States responsible for regulating the manufacture, labeling, and distribution of drugs in the United States. Among other things, the FDA was responsible for enforcing the provisions of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. § 301 et seq. ("FDCA"), including regulating the manufacture, labeling, and distribution of human drugs.

8. A "drug" was defined by the FDCA as, among other things, any article intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or other animals; articles (other than food) intended to affect the structure or any function of the body of man or other animals; and articles intended for use as a component of any such articles. 21 U.S.C. §

321(g)(1)(B)-(D).

9. Before a new drug could be introduced in interstate commerce or marketed in the United States, it must have been the subject of an approved application filed with FDA, either for a pioneer drug or a generic version of the pioneer drug. 21 U.S.C. §§ 331(d), 355(a), (j). FDA approval was required not only for the molecular entity itself (i.e. the active and inactive ingredients) but approval was also required for the labeling.

10. The FDCA prohibited the introduction and delivery for introduction, and causing the introduction or delivery for introduction, into interstate commerce of any drug that was misbranded. 21 U.S.C. § 331(a). Interstate commerce was defined in the FDCA as "commerce between any state or Territory and any place outside thereof." 21 U.S.C. § 321(b)(1).

11. The defendant, KOLEDIN ENTERPRISES, INC., imported, exported, and distributed drugs that were misbranded in the following ways, among others:

a. The labeling was false or misleading in any particular. 21 U.S.C. § 331(a);

b. The labeling for the drugs lacked adequate directions for use, as required by 21 U.S.C. § 352(f)(1). By regulation, the FDA defined "adequate directions for use" to mean "directions under which the layman can use a drug safely and for the purposes for which it is intended." 21 C.F.R. § 201.5;

c. The drugs lacked labels containing the name and place of business of the manufacturer, as required by 21 U.S.C. § 352(b)(1);

d. The labeling lacked information required under the Act (21 U.S.C. § 331(c)), in that all information required by or under the authority of the Act must appear in the English language. 21 C.F.R. § 203.15(c); and

e. The drugs were manufactured in an establishment not duly registered under 21 U.S.C. § 360, as required by 21 U.S.C. § 352(o).

12. United States Customs and Border Protection ("CBP") was the agency of the United States responsible for assessing duties, collecting duties on imported goods and preventing the smuggling of goods into and out of the United States. By agreement with the FDA, CBP also cooperates in the enforcement of provisions of the FDCA relative to drugs.

COUNT ONE – CONSPIRACY

13. The allegations set forth in paragraphs 1 through 12 are incorporated herein as if set forth in full.

14. From in and around a date uncertain in 2012, and continuing thereafter to in and around March 2017, in the Western District of Pennsylvania and elsewhere, the defendants, KOLEDIN ENTERPRISES, INC. and EMIL KOLEDIN a/k/a/ BUTCH KOLEDIN, and other individuals and entities known and unknown to the United States Attorney, did knowingly conspire, confederate, and agree with each other and others known and unknown to the United States Attorney to defraud the FDA and the CBP, agencies of the United States, for the purpose of impeding, impairing, obstructing, and defeating their lawful governmental functions of inspecting, taxing, approving, evaluating and clearing drugs imported into the United States and drugs exported from the United States, and drugs distributed in the United States in interstate commerce.

MANNER AND MEANS OF THE CONSPIRACY

It was part of the conspiracy that:

15. Individuals known and unknown to the United States Attorney sold the defendant, KOLEDIN ENTERPRISES, INC., and caused the importation into the United States, misbranded and unapproved new drugs.

16. The defendants, KOLEDIN ENTERPRISES, INC. and EMIL KOLEDIN a/k/a/ BUTCH KOLEDIN, distributed and caused the distribution of the misbranded and unapproved new drugs to consumers in the United States and in other countries.

OVERT ACTS

17. In furtherance of the conspiracy, and to effect the objects of the conspiracy, the defendants, KOLEDIN ENTERPRISES, INC. and EMIL KOLEDIN a/k/a/ BUTCH KOLEDIN,

and other individuals known and unknown to the United States Attorney, did commit and cause to be committed, the following overt acts, among others, in the Western District of Pennsylvania and elsewhere:

a. On or about March 23, 2012, an individual not known to the United States Attorney wrote an e-mail to the defendant, EMIL KOLEDIN a/k/a/ BUTCH KOLEDIN, which reads as follows: "One more problem form Moscow side. I just meet with delivery men from dhl, but not suksesfully (sic). Delivers must check boxes. And when he had checked my box he sad (sic) that phisical (sic) person can not send medical tablets from Russia. Same shit in ups, if I undestend (sic) right. At this time I try call to fedex, but dont unsver. What way we cant chuse (sic) now, for make this ship?

b. On or about January 12, 2016, the defendant, EMIL KOLEDIN a/k/a/ BUTCH KOLEDIN, responded to an e-mail inquiry from an individual known to the United States Attorney regarding the effectiveness of Tianeptine and Coluracetam, unapproved drugs, in combatting depressive disorder and helping with cognitive improvement, indicating as follows: "Lance, These sorts of products are very individualized, but the BlissfulMind Tianeptine would be a good one to start. It has become very popular. Thanks, Butch";

c. On or about January 27, 2016, the defendant, EMIL KOLEDIN a/k/a/ BUTCH KOLEDIN, sent to an address not known to the United States Attorney in the Western District of Pennsylvania, a package containing Tianeptine, a/k/a Blissful Mind-T, which was a misbranded and unapproved new drug;

d. On or about January 27, 2016, the defendant, EMIL KOLEDIN a/k/a/ BUTCH KOLEDIN, sent to an address known to the United States Attorney in the Western District of Pennsylvania, a package containing Picamilon, which was a misbranded and unapproved new

drug;

e. On or about February 11, 2016, the defendant, EMIL KOLEDIN a/k/a/ BUTCH KOLEDIN, sent to an address known to the United States Attorney in the Western District of Pennsylvania, a package containing Etifoxine, a/k/a Stresam, which was a misbranded and unapproved new drug;

f. On or about February 14, 2016, the defendant, EMIL KOLEDIN a/k/a/ BUTCH KOLEDIN, sent an e-mail to an individual not known to the United States Attorney, in which he discussed the benefits of some of his unapproved and misbranded drugs in the treatment of Attention Deficit and Hyperactivity Disorder, indicating as follows: "Dale, The primary benefits of Bromantan are; 1) delays the onset of physical and mental fatigue, and 2) reduces anxiety. It does both of these very well. I don't believe there is a direct effect on ADHD, though the reduction in anxiety may be beneficial. It is not the same as sulbutiamine. Adaptol (http://awakebrain.com/adaptol.html) has been shown to improve ADHD. See: http://www.ncbi.nlm.nih.gov/pubmed/19738569 Another Nootropic which has shown effectiveness with ADHD is Semax (http://awakebrain.com/semax.html). Semax is also good for focus and concentration. Phenotropil is a stimulant Nootropic that also seems useful with compulsive behavior, of which ADHD is a variant. See: http://awakebrain.com/phenotropil.html I hope this helps. Thanks, Butch";

g. On or about October 14, 2016, the defendant, EMIL KOLEDIN a/k/a/ BUTCH KOLEDIN, sent an e-mail to an individual not known to the United States Attorney, in which he wrote: "Please wait to send Phenylpiracetam last. After I get the last Tianeptine we will begin sending the rest of the Adrafinil. I had issues with FDA on the Phenylpiracetam. I want to put as much time as possible before shipping the rest;"

h. On or about July 25, 2016, an individual not known to the United States Attorney sent an e-mail to the defendant, EMIL KOLEDIN a/k/a/ BUTCH KOLEDIN, which reads as follows: "I am sorry to disappoint you but I just received very unfortunate news from my contact in China. Some of the products you sell are prohibited in China and the bank has not noticed that until today, and even though this bank does a whole lot of processing for Nutra, your account to them is way too risky. They decided to reverse their decision for now. With that been said, the Cyprus solution is still available for you;"

i. On or about January 27, 2017, the defendant, EMIL KOLEDIN a/k/a/ BUTCH KOLEDIN, responded to an e-mail inquiry from an individual known to the United States Attorney regarding a suggestion for a drug to address anxiety, and the defendant, EMIL KOLEDIN a/k/a/ BUTCH KOLEDIN, suggested the drugs Stresam and Bromantan, unapproved and misbranded drugs, indicating as follows: "Each of the products has a "fan base" as far as what works for them. What works for one may not for another so a little trial and error may be required. You may consider Stresam and Bromantan to start. See: https://www.awakebrain.com/anxiety/stresam.html https://www.awakebrain.com/anxiety/bromantane.html Thanks, Butch"; and

j. On or about March 7, 2017, the defendant, KOLEDIN ENTERPRISES, INC., maintained an inventory of unapproved and misbranded drugs for sale, including but not limited to the following misbranded and unapproved new drugs:

i. Adrafinil, a/k/a Noofon;

ii. Bromantane;

iii. Coluracetam;

iv. Etifoxine, a/k/a Stresam;

v. Noopept;

vi. Piracetam, a/k/a Nootropil;

vii. Phenylpiracetam, a/k/a Phenotropil;

viii. Sunifiram; and

ix. Tianetine, a/k/a Blissful Mind-T.

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

COUNT TWO

The United States Attorney further charges:

18. The allegations set forth in paragraphs 1 through 12 are incorporated herein as if set forth in full.

19. On or about January 27, 2016, in the Western District of Pennsylvania and elsewhere, the defendant, KOLEDIN ENTERPRISES, INC., sold and facilitated the sale and transportation and sale of merchandise, namely 30 tablets containing Picamilon and 60 capsules containing Theanine and Tianeptine, after importation of that merchandise, knowing that the merchandise was imported and brought into the United States contrary to law.

All in violation of Title 18, United States Code, Section 545.

COUNT THREE

The United States Attorney further charges:

20. The allegations set forth in paragraphs 1 through 12 are incorporated herein as if set forth in full.

21. On or about February 10, 2016, in the Western District of Pennsylvania and elsewhere, the defendant, KOLEDIN ENTERPRISES, INC., sold and facilitated the sale and transportation and sale of merchandise, namely 50 capsules containing Etifoxine, after importation of that merchandise, knowing that the merchandise was imported and brought into the United States contrary to law.

In violation of Title 18, United States Code, Section 545.

COUNTS FOUR - FOURTEEN

The United States Attorney further charges:

22. The allegations set forth in paragraphs 1 through 12 are incorporated herein as if set forth in full.

23. On or about the dates set forth below, in the Western District of Pennsylvania and elsewhere, the defendant, KOLEDIN ENTERPRISES, INC., sold and facilitated the sale and transportation of merchandise, namely the misbranded drugs set forth below, prior to exportation, knowing the merchandise to be intended for exportation contrary to any law or regulation of the United States, specifically that the drugs were misbranded and their sale was in violation of 21 U.S.C. § 331(a), and that the customs declarations associated with the shipments contained the materially false, fictitious and fraudulent statements and representations set forth below, in violation of 18 U.S.C. § 1001:

Count	Date	Misbranded Drug	Materially False, Fictitious, and Fraudulent Statements and Representations
Four	May 4, 2014	Semax	Contents: Commercial Sample Detailed Description of Contents: Dietary Supplement – Amino Acid Value: $4.99
Five	May 4, 2014	Afobazole	Contents: Commercial Sample Detailed Description of Contents: Dietary Supplement – Amino Acid Value: $7.77
Six	May 4, 2014	Bromantane, a/k/a Ladasten	Contents: Commercial Sample Detailed Description of Contents: Dietary Supplement – Amino Acid Value: $5.67
Seven	June 12, 2014	Semax	Contents: Commercial Sample Detailed Description of Contents: Dietary Supplement – Amino Acid Value: $9.98

Count	Date	Misbranded Drug	Materially False, Fictitious, and Fraudulent Statements and Representations
Eight	June 12, 2014	Picamilon and Metaprot	Contents: Commercial Sample Detailed Description of Contents: Dietary Supplement – Vitamin B3; Dietary Supplement – Amino Acid Value: $8.96
Nine	June 12, 2014	Bromantane, a/k/a Ladasten	Contents: Commercial Sample Detailed Description of Contents: Dietary Supplement – Amino Acid Value: $6.99
Ten	June 13, 2014	Adrafinil, a/k/a Noofon	Contents: Commercial Sample Detailed Description of Contents: Dietary Supplement – Ginko Value: $4.99
Eleven	June 13, 2014	Afobazole	Contents: Commercial Sample Detailed Description of Contents: Dietary Supplement – Amino Acid Value: $2.37
Twelve	June 13, 2014	Picamilon	Contents: Commercial Sample Detailed Description of Contents: Dietary Supplement – GABA; Dietary Supplement – Amino Acid; Dietary Supplement – Antioxident Value: $6.05
Thirteen	June 16, 2014	Picamilon	Contents: Commercial Sample Detailed Description of Contents: Dietary Supplement – Vitamin B3 Value: $8.99
Fourteen	June 16, 2014	Semax	Contents: Commercial Sample Detailed Description of Contents: Dietary Supplement – Amino Acid Value: $8.99

In violation of Title 18, United States Code, Section 554.

COUNTS FIFTEEN – TWENTY-FIVE

The United States Attorney further charges:

24. The allegations set forth in paragraphs 1 through 12 are incorporated herein as if set forth in full.

25. On or about the dates set forth below, in the Western District of Pennsylvania and elsewhere, the defendant, KOLEDIN ENTERPRISES, INC., with the intent to defraud and mislead, introduced, delivered for introduction, and caused the introduction and delivery for introduction of, misbranded drugs into interstate commerce, namely the drugs listed below that were misbranded for the reasons set forth below:

Count	Date	Misbranded Drug	Reasons Drug is Misbranded
Fifteen	August 17, 2015	Mildonium	Manufactured in facility not registered with FDA (in violation of 21 U.S.C. § 352(o)); Labeling lacked information required by FDCA (in violation of 21 U.S.C. § 352(c))
Sixteen	August 21, 2015	Mebicar	Labeling was false or misleading in any particular (in violation of 21 U.S.C. § 352(a)); Labeling lacked information required by FDCA (in violation of 21 U.S.C. § 352(c))
Seventeen	January 28, 2016	Picamilon	Labeling was false or misleading in any particular (in violation of 21 U.S.C. § 352(a)); Manufactured in facility not registered with FDA (in violation of 21 U.S.C. § 352(o))

Count	Date	Misbranded Drug	Reasons Drug is Misbranded
Eighteen	January 28, 2016	Tianeptine	Manufactured in facility not registered with FDA (in violation of 21 U.S.C. § 352(o))
Nineteen	February 10, 2016	Etifoxine	Labeling lacked information required by FDCA (in violation of 21 U.S.C. § 352(c))
Twenty	August 22, 2016	Piracetam	Labeling was false or misleading in any particular (in violation of 21 U.S.C. § 352(a)); Labeling lacked information required by FDCA (in violation of 21 U.S.C. § 352(c))
Twenty-One	January 3, 2017	Semax	Labeling was false or misleading in any particular (in violation of 21 U.S.C. § 352(a)); Labeling lacked information required by FDCA (in violation of 21 U.S.C. § 352(c))
Twenty-Two	January 23, 2017	Emoxypine	Manufactured in facility not registered with FDA (in violation of 21 U.S.C. § 352(o)); Labeling lacked information required by FDCA (in violation of 21 U.S.C. § 352(c))
Twenty-Three	February 1, 2017	Bromantan	Manufactured in facility not registered with FDA (in violation of 21 U.S.C. § 352(o))
Twenty-Four	February 14, 2017	Phenylpiracetam	Labeling was false or misleading in any particular (in violation of 21 U.S.C. § 352(a)); Manufactured in facility not registered with FDA (in violation of 21 U.S.C. § 352(o))
Twenty-Five	March 4, 2017	Noopept	Manufactured in facility not registered with FDA (in violation of 21 U.S.C. § 352(o))

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

COUNTS TWENTY-SIX - THIRTY

The United States Attorney further charges:

26. The allegations set forth in paragraphs 1 through 12 are incorporated herein as if set forth in full.

27. On or about the dates set forth below, in the Western District of Pennsylvania and elsewhere, the defendant, KOLEDIN ENTERPRISES, INC., with the intent to defraud and mislead, introduced, delivered for introduction, and caused the introduction and delivery for introduction of, misbranded drugs into interstate commerce, namely the following number of Picamilon tablets sent to an address in the following city and state, that were misbranded in that:

a. The labeling was false or misleading in any particular, in violation of 21 U.S.C. § 331(a);

b. The labeling for the drugs lacked adequate directions for use, as required by 21 U.S.C. § 352(f)(1). (By regulation, the FDA defined "adequate directions for use" to mean "directions under which the layman can use a drug safely and for the purposes for which it is intended.") 21 C.F.R. § 201.5;

c. The drugs lacked labels containing the name and place of business of the manufacturer, as required by 21 U.S.C. § 352(b)(1);

d. The labeling lacked information in the English language as required under 21 U.S.C. § 331(c) and21 C.F.R. § 203.15(c); and

e. The drugs were manufactured in an establishment not duly registered under 21 U.S.C. § 360, as required by 21 U.S.C. § 352(o).

Count	Date	No. of Tablets of Picamilon	City and State to Which the Picamilon was Sent
Twenty-Six	December 30, 2015	120	Bountiful, UT
Twenty-Seven	December 31, 2015	120	Tucson, AZ
Twenty-Eight	January 4, 2016	300	Woodside, NY
Twenty-Nine	January 6, 2016	120	Cambridge, MA
Thirty	January 9, 2016	90	Albuquerque, NM

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

COUNTS THIRTY-ONE - THIRTY-FIVE

The United States Attorney further charges:

28. The allegations set forth in paragraphs 1 through 12 are incorporated herein as if set forth in full.

29. From in and around an uncertain date in 2012, and continuing thereafter to on or about March 7, 2017, in the Western District of Pennsylvania and elsewhere, the defendant, KOLEDIN ENTERPRISES, INC., devised and intended to devise a scheme and artifice to defraud and for obtaining money and property by means of false and fraudulent pretenses, representations and promises, well knowing at the time that the pretenses, representations and promises were false and fraudulent when made.

30. It was part of the scheme and artifice to defraud that the defendant, KOLEDIN ENTERPRISES, INC., advertised the sale of drugs through an internet websites that contained false representations, including but not limited to the following:

a. The products were dietary supplements when, as the defendant, KOLEDIN ENTERPRISES, INC., then well knew, many of the products were drugs and not dietary supplements; and

b. The defendant, KOLEDIN ENTERPRISES, INC. , will "only sell products legal in the US" when, as the defendant, KOLEDIN ENTERPRISES, INC., then well knew, it was illegal to sell in the United States many of the products advertised on the website. They were not scheduled substances.

31. It was further a part of the scheme and artifice to defraud that, to the extent that the purchases were made using credit cards, participants in the scheme caused the concealment of the company name from the credit card companies in order to conceal the true nature of the transactions from the credit card companies, that is, the illegal sale of drugs.

32. It was further a part of the scheme and artifice to defraud that, to the extent that the purchases were made using credits cards and the company name was to be concealed from the credit cards companies, the defendant, KOLEDIN ENTERPRISES, INC., caused an insert to be included in the packaging to alert the customer to what would appear on the credit card statement in an attempt to avoid charge-backs.

33. It was further a part of the scheme and artifice to defraud that individuals not known to the United States Attorney, when importing products to the defendant, KOLEDIN ENTERPRISES, INC., made misrepresentations on the declaration forms about the contents of the shipments and the value of the shipments.

34. It was further a part of the scheme and artifice to defraud that the defendant, KOLEDIN ENTERPRISES, INC., when sending material to countries other than the United States, made misrepresentations on the declaration forms about the contents of the shipments and the value of the shipments.

THE MAILINGS

35. On or about the dates set forth below, in the Western District of Pennsylvania and elsewhere, the defendant, KOLEDIN ENTERPRISES, INC., for the purpose of executing the aforesaid scheme and artifice to defraud, and in attempting to do so, did cause to be placed in the United States mail, according to the directions thereon, the following matters:

Count	Date	Description
Thirty-One	June 12, 2014	Shipment of Picamilon and Metaprot sent to an address known to the United States Attorney located outside of the United States
Thirty-Two	June 13, 2014	Shipment of Picamilon sent to an address known to the United States Attorney located outside of the United States
Thirty-Three	June 16, 2014	Shipment of Picamilon sent to an address known to the United States Attorney located outside of the United States
Thirty-Four	January 27, 2016	A package with 30 tablets containing Picamilon and 60 capsules containing Theanine and Tianeptine sent to an address known to the United States Attorney located in the Western District of Pennsylvania
Thirty-Five	February 11, 2016	A package with 50 capsules containing Etifoxine sent to an address known to the United States Attorney located in the Western District of Pennsylvania

In violation of Title18, United States Code, Section 1341.

COUNTS THIRTY-SIX - FORTY

The United States Attorney further charges:

36. The allegations set forth in paragraphs 1 through 12 are incorporated herein as if set forth in full.

37. From in and around an uncertain date in 2012, and continuing thereafter to on or about March 7, 2017, in the Western District of Pennsylvania and elsewhere, the defendant, KOLEDIN ENTERPRISES, INC., devised and intended to devise a scheme and artifice to defraud and for obtaining money and property by means of false and fraudulent pretenses, representations and promises, well knowing at the time that the pretenses, representations and promises were false and fraudulent when made.

38. It was part of the scheme and artifice to defraud that the defendant, KOLEDIN ENTERPRISES, INC., advertised the sale of drugs through an internet websites that contained false representations, including but not limited to the following:

a. The products were dietary supplements when, as the defendant then well knew, many of the products were not dietary supplements; and

b. The company "only sells products legal in the US" when, as the defendant then well knew, it was illegal to sell in the United States many of the products advertised on the website.

39. It was further a part of the scheme and artifice to defraud that, to the extent that the purchases were made using credit cards, participants in the scheme caused the concealment of the company name from the credit card companies in order to conceal the true nature of the transactions from the credit card companies, that is, the illegal sale of drugs.

40. It was further a part of the scheme and artifice to defraud that, to the extent that the purchases were made using credits cards and the company names was to be concealed from the credit cards companies, the defendant, KOLEDIN ENTERPRISES, INC., caused an insert to be included in the packaging to alert the customer to what would appear on the credit card statement in an attempt to avoid charge-backs.

41. It was further a part of the scheme and artifice to defraud that individuals not known to the United States Attorney, when importing products to the defendant, KOLEDIN ENTERPRISES, INC., made misrepresentations on the declaration forms about the contents of the shipments and the value of the shipments.

42. It was further a part of the scheme and artifice to defraud that the defendant, KOLEDIN ENTERPRISES, INC., when sending material to countries other than the United States, made misrepresentations on the declaration forms about the contents of the shipments and the value of the shipments.

THE WIRES

43. On or about the dates set forth below, in the Western District of Pennsylvania and elsewhere, the defendant, KOLEDIN ENTERPRISES, INC., for the purpose of executing the aforesaid scheme and artifice to defraud, and in attempting to do so, did knowingly cause to be transmitted in interstate and foreign commerce, by means of a wire communication, the following writings, signs and signals:

Count	Date	Description
Thirty-Six	March 19, 2015	Wire Transfer of $7,500.00 from Huntington Bank (Originating Bank) to Deutsche Bank Trust Co. Americas (Credit Bank) and Vladimir Pitenin Ivanovich (Beneficiary)
Thirty-Seven	January 26, 2016	Wire Transfer of $8,000.00 from Bank of America (Originating Bank) to China Everbright Bank (Beneficiary Bank) and Hao Tong (Beneficiary)
Thirty-Eight	February 23, 2016	Wire Transfer of $2,135.00 from Bank of America (Originating Bank) to China Everbright Bank (Beneficiary Bank) and Hao Tong (Beneficiary)
Thirty-Nine	April 15, 2016	Wire Transfer of $4,770.00 from Bank of America (Originating Bank) to Bank of Communications (Beneficiary Bank) and Hefei Anyuan Trading Company (Beneficiary)
Forty	July 6, 2016	Wire Transfer of $4,065.00 from Bank of America (Originating Bank) to Bank of China (Beneficiary Bank) and Wanquin Xiao (Beneficiary)

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

SCOTT W. BRADY
United States Attorney
PA ID No. 88352