

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Criminal Case No. 12-cr-00374-CMA(s)

UNITED STATES OF AMERICA

Plaintiff,

v.

1. JUNAID QADIR,
a/k/a "Junaid Qadir Moten,"
a/k/a "Jimmy,"
a/k/a "Brad Pitt,"
a/k/a "usajason,"
a/k/a "jason," and
2. SHEHZAD QADIR,
a/k/a "Shehzad Qadir Moten,"
a/k/a "Shehzad Khan,"
a/k/a "Brian,"

Defendants.

SUPERSEDING INDICTMENT

18 U.S.C. §2
18 U.S.C. §371
18 U.S.C. §545
21 U.S.C. §331(a),(d),(i)
21 U.S.C. §333(a)(2)
21 U.S.C. §841(a)(1)
21 U.S.C. §952(b)
21 U.S.C. §960(a)(1),(b)
21 U.S.C. §963
21 U.S.C. §841(a)(1)
21 U.S.C. §846
18 U.S.C. §982(a)(2)
21 U.S.C. §853
21 U.S.C. §970

The Grand Jury charges that:

GENERAL ALLEGATIONS

At all times material to this Indictment:

1. The United States Food and Drug Administration ("FDA") was the agency of the United States responsible, among other things, for enforcing the provisions of the Federal Food, Drug, and Cosmetic Act (the "FDCA"), Title 21, United States Code, Sections 301-397, and the regulations promulgated thereunder. The FDA's responsibilities included regulating the manufacture, labeling, and distribution of drugs shipped or received in interstate commerce.

2. The FDCA defined a "drug" as including (a) articles recognized as drugs in the official United States Pharmacopoeia and certain other enumerated recognized publications; (b) articles intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man; (c) articles (other than food) intended to affect the structure or any function of the human body; and (d) articles intended for use as components of drugs (Title 21, United States Code, Section 321(g)(1)).

3. Under the FDCA, it was a prohibited act to introduce or deliver for introduction into interstate commerce a new drug that had not first been approved by the FDA for the uses intended for the drug (Title 21, United States Code, Sections 331(d), 333(a))

4. Under the FDCA, a "new drug" was any drug not generally recognized as safe and effective for use under the conditions prescribed, recommended or suggested in its labeling (Title 21, United States Code, Section 321(p)). Under the FDCA, unless there was in effect with the FDA an approved new drug application ("NDA"), an approved abbreviated new drug application ("ANDA") or a notice of claimed exemption for an investigational new drug ("IND"), a drug which came within the FDCA's definition of "new drug" was deemed an unapproved new drug and

could not lawfully be introduced into interstate commerce (Title 21, United States Code, Sections 355(a), 331(d)).

5. In determining whether to approve a new drug, pursuant to these applications, the FDA considered and was required to approve a number of matters associated with the new drug, including the drug's active pharmaceutical ingredient ("API") and other aspects of its chemical composition; the contemplated dosages of the drug; the packaging of the drug; the labeling of the drug; and the drug's manufacturing methods and sources. In order for a "new drug" to be deemed approved by the FDA and lawful for introduction into United States interstate commerce, the drug had to satisfy and be approved by the FDA with respect to all of these parameters of approval.

6. Under the FDCA, it was a prohibited act to introduce or deliver for introduction into interstate commerce a misbranded drug. A drug was deemed "misbranded," under the FDCA, if, among other things, (a) its labeling was false or misleading in any particular way; (b) the drug was in package form and did not bear a label containing the name and place of business of the manufacturer, packer, or distributor; (c) the labeling on the drug did not bear adequate directions for use; or (d) the labeling on the drug did not bear adequate warnings against use under certain circumstances prescribed by statute (Title 21, United States Code, Section 352). A prescription drug dispensed without a valid prescription by a licensed medical practitioner was also deemed "misbranded" under the FDCA (Title 21, United States Code, Section 353 (b)(1)).

7. The FDCA defined a "counterfeit drug" as a drug which, or the container or labeling of which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, or device, or any likeness thereof, of a drug manufacturer, processor, packer, or distributor other than the person or persons who in fact manufactured, processed, packed, or distributed such drug and which thereby falsely purports or is represented to be the product of, or

to have been packed or distributed by, such other drug manufacturer, processor, packer, or distributor. (Title 21, United States Code, Section 321 (g)(2)). Under the FDCA, it was a prohibited act to do any act which causes a drug to be a counterfeit drug, or sell or dispense, or hold for sale or dispense, a counterfeit drug. (Title 21, United States Code, Section 331 (i)(3)).

8. The Controlled Substances Act governed the manufacture, distribution and dispensing of controlled substance in the United States, as well as the importation of such substances into the United States (Title 21, United States Code, Sections 801-971).

9. Various drugs were deemed controlled substances under the Controlled Substances Act (“CSA”) and were subject to regulation under that statute as well. Controlled substances were classified under the CSA under specific schedules, in accordance with a determination of their potential for abuse.

10. Testosterone, Nandrolone and Stanozolol were each considered to be anabolic steroids under the CSA and the regulations promulgated under that statute and, as such, were classified as non-narcotic Schedule III controlled substances under the CSA and the regulations promulgated under that statute.

11. The following drugs were classified as non-narcotic Schedule IV controlled substances under the CSA and the regulations promulgated under that statute:

- (a) Lorazepam, a depressant and the API for the prescription drug commonly known by the trade name Ativan; and
- (b) Alprazolam, a depressant and the API for the prescription drug commonly known by the trade name Xanax.
- (c) Diazepam, a [depressant] and the API for the prescription drug commonly known by the trade name Valium.
- (d) Zolpidem, a [depressant] and the API for the prescription drug commonly known by the trade name Ambien.

- (e) Phenterime, a [depressant] and the API for the prescription drug commonly known by the trade name Adipex-P.

12. Under the CSA, Schedules III and IV controlled substances deemed prescription drugs under the FDCA could not generally be dispensed to an individual using the drug except pursuant to a written prescription (Title 21, United States Code, Section 829).

13. Under the CSA, Schedules III and IV controlled substances could not generally lawfully be imported into the United States unless the controlled substance was imported for medical, scientific or other legitimate uses and pursuant to permits, notifications and declarations prescribed by regulation (Title 21, United States Code, Sections 952-953). Under such regulations then in effect, non-narcotic Schedules III and IV controlled substances could only lawfully be imported into the United States, pursuant to a prescribed import/export declaration completed by or through an individual or entity registered with the United States Drug Enforcement Administration (“DEA”). The prescribed import/export declaration was required to be furnished to the DEA prior to the importation and to accompany the imported drug when it entered the United States. Under both the CSA and the regulations promulgated thereunder, only persons or entities registered with the DEA could import non-narcotic Schedules III and IV controlled substances into the United States or be involved in their distribution in the United States.

14. Defendants JUNAID QADIR and SHEHZAD QADIR were brothers and citizens and residents of the country of Pakistan.

15. Defendants JUNAID QADIR and SHEHZAD QADIR were two of the principals of a family owned and operated business in Karachi, Pakistan known as JNS Impex. JNS Impex held itself out to be, among other things, a leading and long-standing exporter of branded and

generic pharmaceutical drugs and surgical products. In its websites and other internet postings, JNS Impex claimed, among other things, that it had access to and could supply most brand name pharmaceutical products; that it was affiliated with many multinational pharmaceutical manufacturers; and that it was licensed to distribute and export over-the-counter, prescription and narcotic pharmaceutical drugs.

16. At no times material to this indictment was either defendant JUNAID QADIR or SHEHZAD QADIR, or JNS Impex or businesses with which they were associated, registered with the DEA to import controlled substance into the United States or to distribute controlled substances in the United States.

COUNTS 1-23

17. The allegations contained in paragraphs 1 through 16 of this Indictment are realleged and incorporated by reference in Counts 1 through 23 of this Indictment.

18. On or about the dates enumerated as to each count below, in the State and District of Colorado, and elsewhere, the defendants,

**JUNAID QADIR,
a/k/a "Junaid Qadir Moten,"
a/k/a "Jimmy,"
a/k/a "Brad Pitt,"
a/k/a "usajason,"
a/k/a "jason," and
SHEHZAD QADIR,
a/k/a "Shehzad Qadir Moten,"
a/k/a "Shehzad Khan,"
a/k/a "Brian,"**

with the intent to defraud and mislead, did introduce and deliver for introduction into interstate commerce, and did cause the introduction of and delivery for introduction into interstate commerce of, new drugs that had not been approved by application filed pursuant to Title 21,

United States Code, Sections 355(b) or 355(j), which application was effective with respect to such drugs, to wit, the following new drugs:

<u>Count</u>	<u>Date</u>	<u>Defendant</u>	<u>Description of Unapproved New Drug</u>	<u>Mail Tracking Number For Package Containing Unapproved New Drug</u>
1	8/6/10	JUNAID QADIR	1,000 tablets identified as Wyeth brand 2 mg. Ativan, containing the API Lorazepam	03100480000299906508
2	8/16/10	JUNAID QADIR	1,023 white oblong tablets embossed with the markings "GG249," purporting to be a generic version of Xanax, containing the API Alprazolam	EB009674115PK
3	8/27/10	JUNAID QADIR	3,800 tablets identified as Wyeth brand 2 mg. Ativan, containing the API Lorazepam	04969007907001114334
4	9/28/10	JUNAID QADIR	1,006 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED084732047IN
5	11/1/10	JUNAID QADIR	5,234 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED084756057IN ED084756794IN ED084757358IN ED084757361IN
6	11/10/10	SHEHZAD QADIR	60 blue diamond shaped tablets with the tradename "Kamagra," embossed with the marking "KGR100," purporting to be a generic version of Viagra, containing the API Sildenafil Citrate	ED084759053IN
7	11/10/10	SHEHZAD QADIR	21 packets marked "Kamagra 100 mg. Oral Jelly," purporting to be a generic version of Viagra, containing the API Sildenafil Citrate	ED084759067IN
8	11/29/10	JUNAID QADIR	2,440 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED084758676IN ED084758680IN

9	12/20/10	JUNAID QADIR	5,766 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	03080070000201033188
10	1/19/11	SHEHZAD QADIR	587 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	03083390000197973071
11	3/28/11	JUNAID QADIR	1,051 white oblong tablets embossed with the markings "GG249," purporting to be a generic version of Xanax, containing the API Alprazolam	EB009655898PK
12	3/28/11	SHEHZAD QADIR	500 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	03101230000115009172
13	8/31/11	JUNAID QADIR	4837 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED374386315IN ED374386369IN ED374386355IN ED374386324IN ED374386341IN
14	9/1/11	JUNAID QADIR	3391 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED374385261IN ED374385275IN ED374385258IN
15	9/2/11	JUNAID QADIR	990 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED374386338IN
16	9/13/11	JUNAID QADIR	1031 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED374385289IN
17	9/27/11	SHEHZAD QADIR	5 1-ml. ampoules of liquid identified as containing Nandrolone Decanoate, and containing Nandrolone	RJ679267021GB
18	9/27/11	SHEHZAD QADIR	1 bottle of liquid, labeled Depo-Test 250, identified as containing Testosterone Enanthate, and containing Testosterone	RJ679267021GB

19	9/27/11	SHEHZAD QADIR	50 white tablets identified to be 50 mg. Stanozolol tablets, containing Stanozolol	RJ679267021GB
20	12/1/11	SHEHZAD QADIR	2500 white tablets identified to be 10 mg. Stanozolol tablets, containing Stanozolol	RJ333171434GB
21	12/12/11	SHEHZAD QADIR	2550 white tablets identified to be 10 mg. Stanozolol tablets, containing Stanozolol	RJ333171451GB
22	3/12/12	JUNAID QADIR	954 white rectangular tablets embossed with the markings "ONAX," purporting to be a generic version of Xanax, containing the API Alprazolam	0311255000039986136
23	5/1/12	JUNAID QADIR	908 white rectangular tablets embossed with the markings "ONAX," purporting to be a generic version of Xanax, containing the API Alprazolam	LY725381255GB

In violation of Title 21, United States Code, Sections 331(d) and 333(a)(2), and Title 18, United States Code, Section 2.

COUNTS 24-46

19. The allegations contained in paragraphs 1 through 16 of this Indictment are realleged and incorporated by reference in Counts 24 through 46 of this Indictment.

20. On or about the dates enumerated as to each count below, in the State and District of Colorado, and elsewhere, the defendants,

**JUNAID QADIR,
a/k/a "Junaid Qadir Moten,"
a/k/a "Jimmy,"
a/k/a "Brad Pitt,"
a/k/a "usajason,"
a/k/a "jason," and
SHEHZAD QADIR,
a/k/a "Shehzad Qadir Moten,"
a/k/a "Shehzad Khan,"
a/k/a "Brian,"**

with the intent to defraud and mislead, did introduce and deliver for introduction into interstate commerce, and did cause the introduction of and delivery for introduction into interstate commerce of, misbranded drugs, within the meaning of Title 21, United States Code, Sections 352(a), (b), and (f), to wit, the following drugs:

<u>Count</u>	<u>Date</u>	<u>Defendant</u>	<u>Description of Misbranded Drug</u>	<u>Mail Tracking Number For Package Containing Misbranded Drug</u>
24	8/6/10	JUNAID QADIR	1,000 tablets identified as Wyeth brand 2 mg. Ativan, containing the API Lorazepam	03100480000299906508
25	8/16/10	JUNAID QADIR	1,023 white oblong tablets embossed with the markings "GG249," purporting to be a generic version of Xanax, containing the API Alprazolam	EB009674115PK
26	8/27/10	JUNAID QADIR	3,800 tablets identified as Wyeth brand 2 mg. Ativan, containing the API Lorazepam	04969007907001114334
27	9/28/10	JUNAID QADIR	1,006 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED084732047IN
28	11/1/10	JUNAID QADIR	5,234 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED084756057IN ED084756794IN ED084757358IN ED084757361IN
29	11/10/10	SHEHZAD QADIR	60 blue diamond shaped tablets with the tradename "Kamagra," embossed with the marking "KGR100," purporting to be a generic version of Viagra, containing the API Sildenafil Citrate	ED084759053IN
30	11/10/10	SHEHZAD QADIR	21 packets marked "Kamagra 100 mg. Oral Jelly," purporting to be a generic version of Viagra, containing the API Sildenafil Citrate	ED084759067IN
31	11/29/10	JUNAID	2,440 blue diamond shaped tablets,	ED084758676IN

		QADIR	embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED084758680IN
32	12/20/10	JUNAID QADIR	5,766 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	03080070000201033188
33	1/19/11	SHEHZAD QADIR	587 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	03083390000197973071
34	3/28/11	JUNAID QADIR	1,051 white oblong tablets embossed with the markings "GG249," purporting to be a generic version of Xanax, containing the API Alprazolam	EB009655898PK
35	3/28/11	SHEHZAD QADIR	500 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	03101230000115009172
36	8/31/11	JUNAID QADIR	4837 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED374386315IN ED374386369IN ED374386355IN ED374386324IN ED374386341IN
37	9/1/11	JUNAID QADIR	3391 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED374385261IN ED374385275IN ED374385258IN
38	9/2/11	JUNAID QADIR	990 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED374386338IN
39	9/13/11	JUNAID QADIR	1031 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED374385289IN
40	9/27/11	SHEHZAD QADIR	5 1-ml. ampoules of liquid identified as containing Nandrolone Decanoate, and containing Nandrolone	RJ679267021GB
41	9/27/11	SHEHZAD QADIR	1 bottle of liquid, labeled Depo-Test 250, identified as containing	RJ679267021GB

			Testosterone Enanthate, and containing Testosterone	
42	9/27/11	SHEHZAD QADIR	50 white tablets identified to be 50 mg. Stanozolol tablets, containing Stanozolol	RJ679267021GB
43	12/1/11	SHEHZAD QADIR	2500 white tablets identified to be 10 mg. Stanozolol tablets, containing Stanozolol	RJ333171434GB
44	12/12/11	SHEHZAD QADIR	2550 white tablets identified to be 10 mg. Stanozolol tablets, containing Stanozolol	RJ333171451GB
45	3/12/12	JUNAID QADIR	954 white rectangular tablets embossed with the markings "ONAX," purporting to be a generic version of Xanax, containing the API Alprazolam	0311255000039986136
46	5/1/12	JUNAID QADIR	908 white rectangular tablets embossed with the markings "ONAX," purporting to be a generic version of Xanax, containing the API Alprazolam	LY725381255GB

In violation of Title 21, United States Code, Sections 331(a) and 333(a)(2), and Title 18, United States Code, Section 2.

COUNTS 47-55

21. The allegations contained in paragraphs 1 through 16 of this Indictment are realleged and incorporated by reference in Counts 47 through 55 of this Indictment.

22. On or about the dates enumerated as to each count below, in the State and District of Colorado, and elsewhere, the defendants,

**JUNAID QADIR,
a/k/a "Junaid Qadir Moten,"
a/k/a "Jimmy,"
a/k/a "Brad Pitt,"
a/k/a "usajason,"
a/k/a "jason," and
SHEHZAD QADIR,
a/k/a "Shehzad Qadir Moten,"
a/k/a "Shehzad Khan,"**

a/k/a "Brian,"

with the intent to defraud and mislead, did sell and cause to be sold counterfeit drugs, within the meaning of Title 21, United States Code, Sections 321(g)(2), to wit, the following drugs:

<u>Count</u>	<u>Date</u>	<u>Defendant</u>	<u>Description of Counterfeit Drug</u>	<u>Mail Tracking Number For Package Containing Counter-feit Drug</u>
47	8/16/10	JUNAID QADIR	1,023 white oblong tablets embossed with the markings "GG249," purporting to be a generic version of Xanax, containing the API Alprazolam	EB009674115PK
48	9/28/10	JUNAID QADIR	1,006 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED084732047IN
49	11/1/10	JUNAID QADIR	5,234 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED084756057IN ED084756794IN ED084757358IN ED084757361IN
50	11/29/10	JUNAID QADIR	2,440 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED084758676IN ED084758680IN
51	12/20/10	JUNAID QADIR	5,766 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	03080070000201033188
52	1/19/11	SHEHZAD QADIR	587 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	03083390000197973071
53	3/28/11	JUNAID QADIR	1,051 white oblong tablets embossed with the markings "GG249," purporting to be a generic version of Xanax, containing the API Alprazolam	EB009655898PK

54	3/28/11	SHEHZAD QADIR	500 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	03101230000115009172
55	8/31/11-9/13/11	JUNAID QADIR	10,249 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED374386315IN ED374386369IN ED374386355IN ED374386324IN ED374386341IN ED374385261IN ED374385275IN ED374385258IN ED374386338IN ED374385289IN

In violation of Title 21, United States Code, Sections 331(i)(3) and 333(a)(2), and Title 18, United States Code, Section 2.

COUNTS 56-58

23. The allegations contained in paragraphs 1 through 16 of this Indictment are realleged and incorporated by reference in Counts 56 through 58 of this Indictment.

24. On or about the dates enumerated as to each count below, in the State and District of Colorado, and elsewhere, the defendant,

**JUNAID QADIR,
a/k/a "Junaid Qadir Moten,"
a/k/a "Jimmy,"
a/k/a "Brad Pitt,"
a/k/a "usajason,"
a/k/a "jason,"**

did knowingly and intentionally import into the United States, from a place outside thereof, Schedule IV non-narcotic controlled substances, that is, detectable amounts of the following controlled substances, contained within the following items:

<u>Count</u>	<u>Date</u>	<u>Description of Item & Controlled Substance</u>	<u>Mail Tracking Number For Package Containing Controlled Substance</u>
56	8/16/10	1,023 white oblong tablets embossed with the markings "GG249," purporting to be a generic version of Xanax, containing the API Alprazolam	EB009674115PK
57	3/28/11	1,051 white oblong tablets embossed with the markings "GG249," purporting to be a generic version of Xanax, containing the API Alprazolam	EB009655898PK
58	5/1/12	908 white rectangular tablets embossed with the markings "ONAX," purporting to be a generic version of Xanax, containing the API Alprazolam	LY725381255GB

In violation of Title 21, United States Code, Sections 952(b) and 960(a)(1), (b)(6), and Title 18, United States Code, Section 2.

COUNTS 59-63

25. The allegations contained in paragraphs 1 through 16 of this Indictment are realleged and incorporated by reference in Counts 59 through 63 of this Indictment.

26. On or about the dates enumerated as to each count below, in the State and District of Colorado, and elsewhere, the defendant,

**SHEHZAD QADIR,
a/k/a "Shehzad Qadir Moten,"
a/k/a "Shehzad Khan,"
a/k/a "Brian,"**

did knowingly and intentionally import into the United States, from a place outside thereof, Schedule III non-narcotic controlled substances, that is, detectable amounts of the following controlled substances, contained within the following items:

<u>Count</u>	<u>Date</u>	<u>Description of Item & Controlled Substance</u>	<u>Mail Tracking Number For Package Containing Controlled Substance</u>
59	9/27/11	5 1-ml. ampoules of liquid purporting to be Nandrolone Decanoate, containing Nandrolone	RJ679267021GB
60	9/27/11	1 bottle of liquid, labeled Depo-Test 250, purporting to contain Testosterone Enanthate, containing Testosterone	RJ679267021GB
61	9/27/11	50 white tablets purporting to be 50 mg. Stanozolol tablets, containing Stanozolol	RJ679267021GB
62	12/1/11	2500 white tablets purporting to be 10 mg. Stanozolol tablets, containing Stanozolol	RJ333171434GB
63	12/12/11	2550 white tablets purporting to be 10 mg. Stanozolol tablets, containing Stanozolol	RJ333171451GB

In violation of Title 21, United States Code, Sections 952(b) and 960(a)(1), (b)(5), and Title 18, United States Code, Section 2.

COUNTS 64-66

27. The allegations contained in paragraphs 1 through 16 of this Indictment are realleged and incorporated by reference in Counts 64 through 66 of this Indictment.

28. On or about the dates enumerated as to each count below, in the State and District of Colorado, and elsewhere, the defendant,

**JUNAID QADIR,
a/k/a "Junaid Qadir Moten,"
a/k/a "Jimmy,"
a/k/a "Brad Pitt,"
a/k/a "usajason,"
a/k/a "jason,"**

did knowingly and intentionally distribute Schedule IV non-narcotic controlled substances, that is, detectable amounts of the following controlled substances, contained within the following items:

<u>Count</u>	<u>Date</u>	<u>Description of Item & Controlled Substance</u>	<u>Mail Tracking Number For Package Containing Controlled Substance</u>
64	8/6/10	1,000 tablets identified as Wyeth brand 2 mg. Ativan, containing the API Lorazepam	03100480000299906508
65	8/27/10	3,800 tablets identified as Wyeth brand 2 mg. Ativan, containing the API Lorazepam	04969007907001114334
66	3/12/12	954 white rectangular tablets embossed with the markings "ONAX," purporting to be a generic version of Xanax, containing the API Alprazolam	03112550000039986136

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

COUNTS 67-93

29. The allegations contained in paragraphs 1 through 28 of this Indictment are realleged and incorporated by reference in Count 67 through 93 of this Indictment.

30. On or about the dates enumerated as to each count below, in the State and District of Colorado, and elsewhere, the defendants,

**JUNAID QADIR,
a/k/a "Junaid Qadir Moten,"
a/k/a "Jimmy,"
a/k/a "Brad Pitt,"
a/k/a "usajason,"
a/k/a "jason," and
SHEHZAD QADIR,
a/k/a "Shehzad Qadir Moten,"
a/k/a "Shehzad Khan,"
a/k/a "Brian,"**

did fraudulently and knowingly import into the United States merchandise contrary to law, to wit, the following items, constituting unapproved new drugs, misbranded drugs, counterfeit drugs, and unlawful controlled substances, as set forth in this Indictment:

<u>Count</u>	<u>Date</u>	<u>Defendant</u>	<u>Description of Imported Drug Merchandise</u>	<u>Mail Tracking Number For Package Containing Imported Items</u>
67	8/16/10	JUNAID QADIR	1,023 white oblong tablets embossed with the markings "GG249," purporting to be a generic version of Xanax, containing the API Alprazolam	EB009674115PK
68	9/28/10	JUNAID QADIR	1,006 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED084732047IN
69	10/29/10	JUNAID QADIR	1,374 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED084756057IN
70	10/29/10	JUNAID QADIR	1,308 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED084756794IN
71	10/29/10	JUNAID QADIR	1,277 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED084757358IN
72	10/29/10	JUNAID QADIR	1,275 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED084757361IN
73	11/10/10	SHEHZAD QADIR	60 blue diamond shaped tablets with the tradename "Kamagra," embossed with the marking "KGR100," purporting to be a generic version of Viagra, containing the API Sildenafil Citrate	ED084759053IN
74	11/10/10	SHEHZAD QADIR	21 packets marked "Kamagra 100 mg. Oral Jelly," purporting to be a generic version of Viagra, containing the API Sildenafil Citrate	ED084759067IN

75	11/29/10	JUNAID QADIR	1,020 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED084758676IN
76	11/29/10	JUNAID QADIR	1,420 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED084758680IN
77	3/28/11	JUNAID QADIR	1,051 white oblong tablets embossed with the markings "GG249," purporting to be a generic version of Xanax, containing the API Alprazolam	EB009655898PK
78	8/31/11	JUNAID QADIR	901 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED374386315IN
79	8/31/11	JUNAID QADIR	1,016 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED374386369IN
80	8/31/11	JUNAID QADIR	1,005 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED374386355IN
81	8/31/11	JUNAID QADIR	991 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED374386324IN
82	8/31/11	JUNAID QADIR	915 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED374386341IN
83	9/1/11	JUNAID QADIR	1,003 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED374385261IN
84	9/1/11	JUNAID QADIR	1,105 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED374385275IN
85	9/1/11	JUNAID QADIR	1,283 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED374385258IN

86	9/2/11	JUNAID QADIR	990 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED374386338IN
87	9/13/11	JUNAID QADIR	1,031 blue diamond shaped tablets, embossed with the marking "100," purporting to be Viagra, containing the API Sildenafil Citrate	ED374385289IN
88	9/27/11	SHEHZAD QADIR	5 1-ml. ampoules of liquid purporting to be Nandrolone Decanoate, containing Nandrolone	RJ679267021GB
89	9/27/11	SHEHZAD QADIR	1 bottle of liquid, labeled Depo-Test 250, purporting to contain Testosterone Enanthate, containing Testosterone	RJ679267021GB
90	9/27/11	SHEHZAD QADIR	50 white tablets purporting to be 50 mg. Stanozolol tablets, containing Stanozolol	RJ679267021GB
91	12/1/11	SHEHZAD QADIR	2500 white tablets purporting to be 10 mg. Stanozolol tablets, containing Stanozolol	RJ333171434GB
92	12/12/11	SHEHZAD QADIR	2550 white tablets purporting to be 10 mg. Stanozolol tablets, containing Stanozolol	RJ333171451GB
93	5/1/12	JUNAID QADIR	908 white rectangular tablets embossed with the markings "ONAX," purporting to be a generic version of Xanax, containing the API Alprazolam	LY725381255GB

In violation of Title 18, United States Code, Sections 545 and 2.

COUNT 94

31. The allegations contained in paragraphs 1 through 30 of this Indictment are realleged and incorporated by reference in Count 94 of this Indictment.

32. From in or about June 2006 and continuing until in or about May 2012, the exact dates being unknown to the Grand Jury, in the State and District of Colorado, and elsewhere, the defendants,

**JUNAID QADIR,
a/k/a "Junaid Qadir Moten,"
a/k/a "Jimmy,"**

**a/k/a "Brad Pitt,"
a/k/a "usajason,"
a/k/a "jason," and
SHEHZAD QADIR,
a/k/a "Shehzad Qadir Moten,"
a/k/a "Shehzad Khan,"
a/k/a "Brian,"**

did knowingly combine, conspire, confederate, and agree with each other and with persons known and unknown to the Grand Jury,

(a) to defraud the United States and one of its agencies, the FDA, by impeding, impairing, defeating and obstructing the lawful governmental functions of the FDA; and

(b) to commit the following offenses against the United States:

(i) with the intent to defraud and mislead, causing the introduction and delivery for introduction of misbranded drugs into interstate commerce, within the meaning of the FDCA, in violation of Title 21, United States Code, Sections 331(a) and 333(a)(2);

(ii) with the intent to defraud and mislead, causing the introduction and delivery for introduction of unapproved new drugs into interstate commerce, within the meaning of the FDCA, in violation of Title 21, United States Code, Sections 331(d) and 333(a)(2);

(iii) with the intent to defraud and mislead, causing the introduction and delivery for introduction of counterfeit drugs into interstate commerce, within the meaning of the FDCA, in violation of Title 21, United States Code, Sections 331(i)(3) and 333(a)(2); and

(iv) causing the importation into the United States of merchandise, that is, prescription pharmaceutical drugs, contrary to law, and smuggling such same items, which should have been invoiced for customs purposes, into the United States, in violation of Title 18, United States Code, Section 545.

MANNER AND MEANS OF THE CONSPIRACY

33. It was part of the manner and means of carrying out the conspiracy that the defendants, through advertisements on an internet websites for or on behalf of JNS Impex and through business-to-business internet website platforms, working together and with other known and unknown co-conspirators, would solicit orders for a variety of brand name and generic pharmaceutical prescription, mostly in commercial and wholesale quantities. The defendants would take in these orders over the internet primarily from individuals and entities operating internet pharmacy websites and other types of illicit pharmacy operations who, in turn, were undertaking to sell these drugs to their retail customers without valid prescriptions from licensed medical professionals. The defendants would take in orders for bulk drug shipments directly to these pharmacy operations and for drop shipments directly to the customers of these pharmacy operations. A substantial portion of the orders taken in by the defendant were for shipment to businesses and individuals located in the United States.

34. As part of the manner and means of carrying out the conspiracy, the defendants, together and with other known and unknown co-conspirators, would undertake to fill these drug orders to the United States businesses and residents by procuring brand name and generic drugs that they knew to be unapproved for the United States market by the FDA from suppliers whose drug manufacturing facilities were not approved by the FDA and whose packaging and patient literature for their drugs was also not approved by the FDA.

35. As part of the manner and means of carrying out the conspiracy, the defendants, together and with other known and unknown co-conspirators, using a series of email addresses, would forward the drug orders to a network of drug suppliers in Pakistan, India, the United Kingdom, and China.

36. As part of the manner and means of carrying out the conspiracy, the defendants, together and with other known and unknown co-conspirators, would obtain stockpiles of the drugs being ordered and, from these stockpiles or from the suppliers directly, would cause the orders to be filled by shipments through the international mail to or on behalf of their customers. With respect to some of the drug shipments ultimately intended for United States recipients, the defendants, together and with other known and unknown co-conspirators, would alternatively employ a network of individuals located in the United States to receive the imported drugs and re-ship them to the ultimate customers within the United States once the drugs had been safely imported. These United States operatives, upon direction of the defendants and their co-conspirators, would, at times, stockpile the various drugs shipped to them and from these stockpiles fill the domestic orders that the defendants and their co-conspirators were taking in or transfer the stockpiled drugs to one another in order to do so.

37. As part of the manner and means of carrying out the conspiracy, the defendants, together and with other known and unknown co-conspirators, would often cause the drugs being shipped to the United States to evade detection by United States customs and foreign customs authorities by having those drugs concealed, in loose format, in plastic vitamin bottles and plastic water bottles. They would also cause the drug shipments to evade customs detection by causing the shipments to be accompanied by customs declarations that inaccurately or misleadingly described the contents of the shipments or without customs declarations altogether. The drugs would often be shipped in mail parcels without packaging, without labels, and without patient safety leaflets or other written instructions and information.

38. In order to secure payment for the drug shipments, the defendants and their

co-conspirators would have their United States customers send money transfers, by way of Western Union and similar money transferring services, to themselves in their own names or in the names of various individuals located in Pakistan or, alternatively, would have the customers send bank wire transfers to various bank accounts in the names of associated businesses or their own names at financial institutions located and based in the United Arab Emirates, China and elsewhere. The defendants, on occasion, would also have their domestic operatives transfer money to one another in order to satisfy obligations that the defendants and their co-conspirators had to them.

Overt Acts

39. In furtherance of the conspiracy and to effect the objects thereof, one or more overt acts were carried out by at least one co-conspirator in the State and District of Colorado and elsewhere, which overt acts included the following:

A. The introduction, sale and importation of the drugs and accompanying items described and set forth in Counts 1 through 93 of this Indictment are incorporated herein and re-alleged as though restated as individual overt acts done in furtherance of the conspiracy.

B. On or about June 2, 2006, an email was sent from email address jnsimpex@yahoo.com to email address samy_150@hotmail.com stating, “thank you we will send as we get the wire,” signed, “Junaid.”

C. On or about August 26, 2006, a mail parcel addressed to a name used by an undercover operative for Pharmaceutical Company 1 was sent from Karachi, Pakistan which parcel was received in Greenwood, Indiana on or about September 11, 2006.

D. On or about September 16, 2008, an individual in Florida (Person 1) and his business partner caused a wire transfer request to be made to transfer \$7,760 from a business

account at Wachovia Bank, N.A., to the Standard Chartered Bank in Dubai, United Arab Emirates, for an account in the name of Shehzad Qadir.

E. On or about March 2, 2010, an email was sent from email address bradpitt92@ymail.com to an email address of an individual in Arizona (Person 2) transmitting one excel spreadsheet as attachment.

F. On or about March 18, 2010, an email was sent from email address bradpitt92@ymail.com to an email address of an individual in Pennsylvania (Person 3) requesting that a mail parcel be forwarded to a business operated by Person 2.

G. On or about April 13, 2010, an email was sent from email address bradpitt92@ymail.com to email address trcling@gmail.com, with the subject identified as “send payment,” and identifying recipient as “Junaid qadir” “Pakistan.”

H. On or about July 3, 2010, an email was sent from email address bradpitt92@ymail.com to an email address used by a federal law enforcement agent in an undercover capacity, which email provided tracking number LY228567615GB for mail shipment of drug samples.

I. On or about July 9, 2010, a mail parcel shipped under tracking number LY228567615GB was caused to be delivered to an address in Parker, Colorado, which parcel was accompanied by a United States Customs Declaration declaring the parcels contains as “Healthcare.”

J. On or about July 19, 2010, an email was sent from email address bradpitt92@ymail.com to email address mg_mg_123@hotmail.com, with the subject identified as “RE: CIALIS IS GENERIC 20MG,” stating that payment should be made by Western Union or Money Gram to “First Name = Junaid,” “Last Name=Qadir,” “City=Karachi,”

“Country=Pakistan.”

K. On or about September 20, 2010, an undercover operative for Pharmaceutical Company 2 met with defendant SHEZHAD QADIR in Thailand.

L. On or about October 26, 2010, an email was sent from email address bradpitt92@ymail.com to email address Shehzad@jnsimpex.com, identifying the subject as “Re: FW: Kama trial order.”

M. On or about October 28, 2010, an email was sent from email address bradpitt92@ymail.com to email address Shehzad@jnsimpex.com, with copy to n*****@jnsimpex.com, identifying the subject as “kama trial order === TRACKING.”

N. On or about November 12, 2010, an email was sent from email address bradpitt92@ymail.com to email address Shehzad@jnsimpex.com, identifying the subject as “Re:FW: ADIPEX ORDER === tracking,” and supplying trackingED084769807IN.

O. On or about November 14, 2010, an email was sent from email address junaaid@jnsimpex.com to email address bradpitt92@ymail.com, identifying the subject as “FW:oxy client for u.”

P. On or about March 3, 2011, an email was sent from email address bradpitt92@ymail.com to an email address for Person 3 in Pennsylvania with tracking number identified as 0310-1230-0001-1501-2189.

Q. On or about August 3, 2011, an email was sent from email address junaaid@jnsimpex.com to email address usajason@ymail.com, identifying the subject as “FW:shipments.”

R. On or about August 19, 2011, an email was sent from email address bradpitt92@ymail.com to an email address used by a federal law enforcement agent in an

undercover capacity, responding to an inquiry regarding the purchase of steroids.

S. On or about August 19, 2011, an email was sent from email address shhzad@jnsimpex.com to an email address used by a federal law enforcement agent in an undercover capacity, which email contained information about the pricing and delivery options for the purchase of steroids.

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

COUNT 95

40. The allegations contained in paragraphs 1 through 30 and paragraphs 33 through 39 of this Indictment are realleged and incorporated by reference in Count 94 of this Indictment.

41. From in or about June 2006 and continuing until in or about May 2012, the exact dates being unknown to the Grand Jury, in the State and District of Colorado, and elsewhere, the defendants,

**JUNAID QADIR,
a/k/a "Junaid Qadir Moten,"
a/k/a "Jimmy,"
a/k/a "Brad Pitt,"
a/k/a "usajason,"
a/k/a "jason," and
SHEHZAD QADIR,
a/k/a "Shehzad Qadir Moten,"
a/k/a "Shehzad Khan,"
a/k/a "Brian,"**

did knowingly combine, conspire, confederate, and agree with each other and with persons known and unknown to the Grand Jury, to import into the United States and the customs territory of the United States, from a place outside thereof, Schedule IV non-narcotic controlled substances, including quantities of the following controlled substances:

(a) Zolpidem Tartrate, the API for the prescription drug commonly known by

the trade name Ambien;

(b) Lorazepam, the API for the prescription drug commonly known by the trade name Ativan;

(c) Diazepam, the API for the prescription drug commonly known by the trade name Valium;

(d) Alprazolam, the API for the prescription drug commonly known by the trade name Xanax; and

(e) Phentermine, the API for the prescription drug commonly known by the trade name Adipex-P,

in violation of Title 21, United States Code, Sections 952(b), 960(a)(1), 960(b)(4).

All in violation of Title 21, United States Code, Section 963.

COUNT 96

42. The allegations contained in paragraphs 1 through 30 and paragraphs 33 through 39 of this Indictment are realleged and incorporated by reference in Count 94 of this Indictment.

43. From in or about June 2006 and continuing until in or about May 2012, the exact dates being unknown to the Grand Jury, in the State and District of Colorado, and elsewhere, the defendants,

**JUNAID QADIR,
a/k/a "Junaid Qadir Moten,"
a/k/a "Jimmy,"
a/k/a "Brad Pitt,"
a/k/a "usajason,"
a/k/a "jason," and
SHEHZAD QADIR,
a/k/a "Shehzad Qadir Moten,"
a/k/a "Shehzad Khan,"
a/k/a "Brian,"**

did knowingly combine, conspire, confederate, and agree with each other and with persons known and unknown to the Grand Jury, to distribute and possess with intent to distribute Schedule IV non-narcotic controlled substances, including quantities containing the following controlled substances:

- (a) Zolpidem Tartrate, the API for the prescription drug commonly known by the trade name Ambien;
- (b) Lorazepam, the API for the prescription drug commonly known by the trade name Ativan;
- (c) Diazepam, the API for the prescription drug commonly known by the trade name Valium;
- (d) Alprazolam, the API for the prescription drug commonly known by the trade name Xanax; and
- (e) Phentermine, the API for the prescription drug commonly known by the trade name Adipex-P,

in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(2).

All in violation of Title 21, United States Code, Section 846.

FORFEITURE ALLEGATION

44. The allegations contained in Counts 1 through 96 of this Superseding Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(2); Title 21, United States Code, Sections 334, 853, and 970; and Title 28 United States Code, Section 2461(c).

45. Upon conviction of the violations alleged in Counts 1 through 55 of this Superseding Indictment involving violations of Title 21, United States Code, Sections 331 and 333(a)(2), and Title 18, United States Code, Section 2, defendants JUNAID QADIR and SHEHZAD QADIR shall forfeit to the United States, pursuant to Title 21, United States Code, Section 334 and Title 28 United States Code, Section 2461(c) any article of food, drug, or cosmetic that was introduced, which may not have been introduced into interstate commerce under Title 21, United States Code, Sections 321, 352, and 355.

46. Upon conviction of the violations alleged in Counts 56 through 58 of this Superseding Indictment involving violations of Title 21, United States Code, Sections 952(b) and 960(a)(1), (b)(6) and Title 18, United States Code, Section 2, defendant JUNAID QADIR shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all of the defendant's right, title and interest in all property constituting and derived from any proceeds obtained directly and indirectly as a result of such offense, and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of such offense, including, but not limited to: A money judgment in the amount of proceeds obtained by the defendant.

47. Upon conviction of the violations alleged in Counts 59 through 63 of this Superseding Indictment involving violations of Title 21, United States Code, Sections 952(b) and 960(a)(1), (b)(6), and Title 18, United States Code, Section 2, defendant SHEHZAD QADIR shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all of the defendant's right, title and interest in all property constituting and derived from any proceeds obtained directly and indirectly as a result of such offense, and in all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of such offense, including, but not limited to: A money judgment in the amount of proceeds obtained by the

defendant.

48. Upon conviction of the violations alleged in Counts 64 through 66 of this Superseding Indictment involving violations of Title 21, United States Code, Sections 841(a)(1), (b)(2) and Title 18, United States Code, Section 2, defendant JUNAID QADIR shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853 any and all of the defendant's right, title and interest in all property constituting and derived from any proceeds obtained directly and indirectly as a result of such offense, and in all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of such offense, including, but not limited to: A money judgment in the amount of proceeds obtained by the defendant.

49. Upon conviction of the violations alleged in Counts 67 through 93 of this Superseding Indictment involving violations of Title 18, United States Code, Sections 545 and 2, defendants JUNAID QADIR and SHEHZAD QADIR shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(2) any and all any merchandise introduced into the United States in violation of Title 18, United States Code, Sections 545, or the value thereof, and any and all of the defendants' right, title and interest in all property constituting and derived from any proceeds obtained directly and indirectly as a result of such offense, including, but not limited to: A money judgment in the amount of proceeds obtained by the by the defendants, for which the defendants are joint and severally liable.

50. Upon conviction of the violations alleged in Count 94 of this Superseding Indictment involving violations of Title 18, United States Code, Section 371, defendants, JUNAID QADIR and SHEHZAD QADIR shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c) any and all of the defendants' right, title and interest in all property constituting and derived from any proceeds

the defendants obtained directly and indirectly as a result of such offense, including, but not limited to: A money judgment in the amount of proceeds obtained by the conspiracy and by the defendants, for which the defendants are joint and severally liable.

51. Upon conviction of the violations alleged in Count 95 through 96 of this Superseding Indictment involving violations of Title 21, United States Code, Section 963 and Title 21, United States Code, Sections 841(a)(1) and 841(b)(2) defendants JUNAID QADIR and SHEHZAD QADIR shall forfeit to the United States, pursuant to Title 21, United States Code, Sections 853 and 970, any and all of the defendants' right, title and interest in all property constituting and derived from any proceeds obtained directly and indirectly as a result of such offense, and in all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of such offense, including, but not limited to: A money judgment in the amount of proceeds obtained by the conspiracy and by the defendants, for which the defendants are joint and severally liable.

52. If any of the property described above, as a result of any act or omission of the defendants:

- a) cannot be located upon the 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 subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), incorporated by Title 18, United States Code, Section 982(b) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of said defendants up to the value of the forfeitable property.

A TRUE BILL:

Ink signature on file in Clerk's Office
FOREPERSON

JOHN F. WALSH
UNITED STATES ATTORNEY

By: s/Kenneth M. Harmon
KENNETH M. HARMON
Assistant United States Attorney
U.S. Attorney's Office
1225 17th Street, Suite 700
Denver, CO 80202
Telephone: (303) 454-0100
Fax: (303) 454-0402
E-mail: kenneth.harmon@usdoj.gov

(Rev. 04/05)

DEFENDANT: JUNAID QADIR

YOB: 1982

ADDRESS: Karachi, Pakistan

COMPLAINT FILED? _____ YES _____ X _____ NO

IF YES, PROVIDE MAGISTRATE CASE NUMBER: _____

IF NO, PROCEED TO "OFFENSE" SECTION

HAS DEFENDANT BEEN ARRESTED ON COMPLAINT? _____ YES _____ NO

IF NO, A NEW WARRANT IS REQUIRED

OFFENSE: Counts 1-5, 8-9, 11, 13-16, 22-23
Introduction and Delivery for Introduction
Of Unapproved New Drugs Into Interstate Commerce
21 U.S.C. §§331(d), 333(a)(2)

Counts 24-28, 31-32, 34, 36-39, 45-46
Introduction and Delivery for Introduction
Of Misbranded Drugs Into Interstate Commerce
21 U.S.C. §§331(a), 333(a)(2)

Counts 47-51, 53, 55
Sale of Counterfeit Drugs
21 U.S.C. §§331(i)(3), 333(a)(2)

Counts 56-58
Importation of Schedule IV Controlled Substances
21 U.S.C. §§ 952(b), 960(a)(1), 960(b)(6)

Count 64-66
Distribution of Schedule IV Controlled Substances
21 U.S.C. §841(a)(1)

Counts 67-72, 75-87, 93

Importation of Merchandise Contrary to Law
18 U.S.C. §545

Count 94
Conspiracy to Defraud the U.S. and Commit Offenses
18 U.S.C. §371

Count 95
Conspiracy to Import Schedule IV
Controlled Substances
21 U.S.C. §963

Count 96
Conspiracy to Distribute And
Possess With Intent to Distribute
Schedule IV Controlled Substances
21 U.S.C. §846

LOCATION OF OFFENSE: Arapahoe and Douglas Counties, Colorado
And elsewhere

PENALTY: Counts 1-5, 8-9, 11, 13-16, 22-23
Introduction and Delivery for Introduction
Of Unapproved New Drugs Into Interstate Commerce

Counts 24-28, 31-32, 34, 36-39, 45-46
Introduction and Delivery for Introduction
Of Misbranded Drugs Into Interstate Commerce

Counts 47-51, 53, 55
Sale of Counterfeit Drugs

Per Count, NMT 3 years imprisonment, a \$250,000 fine, or both; and a \$100 Special Assessment Fee

Counts 56-58

Importation of Schedule IV Controlled Substances

Count 94

Conspiracy to Defraud the U.S. and Commit Offenses

Count 95

Conspiracy to Import Schedule IV

Controlled Substances

Per Count, NMT 5 years imprisonment, a \$250,000 fine, or both; and a \$100 Special Assessment Fee

Count 64-66

Distribution of Schedule IV Controlled Substances

Count 96

Conspiracy to Distribute And

Possess With Intent to Distribute

Schedule IV Controlled Substances

NMT 3 years imprisonment; \$250,000 fine, or both;
\$100 Special Assessment

Counts 67-72, 75-87, 93

Importation of Merchandise Contrary to Law

Per Count, NMT 20 years imprisonment, a \$250,000 fine, or both; and a \$100 Special Assessment Fee

AGENT:

John Fiordalis, Special Agent
Andreas E. Melissaratos, Special Agent
U.S. Department of Homeland Security,
Homeland Security Investigations
Denver, Colorado

Charles Barnes, Special Agent
Christine Berg, Special Agent
U.S. Food and Drug Administration,

Office of Criminal Investigations
Kansas City, Kansas

Michael T. Nix, Postal Inspector
U.S. Postal Inspection Service
Denver, Colorado

AUTHORIZED BY: Kenneth M. Harmon
Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

X five days or less _____ over five days _____ other

THE GOVERNMENT

X will seek detention in this case _____ will **not** seek detention in this case

The statutory presumption of detention **is not** applicable to this defendant.

OCDETF CASE: _____ Yes X No

(Rev. 04/05)

DEFENDANT: SHEHZAD QADIR

YOB: 1978

ADDRESS: Karachi, Pakistan

COMPLAINT FILED? _____ YES X _____ NO

IF YES, PROVIDE MAGISTRATE CASE NUMBER: _____

IF NO, PROCEED TO "OFFENSE" SECTION

HAS DEFENDANT BEEN ARRESTED ON COMPLAINT? _____ YES _____ NO

IF NO, A NEW WARRANT IS REQUIRED

OFFENSE: Counts 6-7, 10, 12, 17-21
Introduction and Delivery for Introduction
Of Unapproved New Drugs Into Interstate Commerce
21 U.S.C. §§331(d), 333(a)(2)

Counts 29-30, 33, 35, 40-44
Introduction and Delivery for Introduction
Of Misbranded Drugs Into Interstate Commerce
21 U.S.C. §§331(a), 333(a)(2)

Counts 52, 54
Sale of Counterfeit Drugs
21 U.S.C. §§331(i)(3), 333(a)(2)

Counts 59-63
Importation of Schedule III Controlled Substances
21 U.S.C. §§ 952(b), 960(a)(1), 960(b)(5)

Counts 73-74, 88-92
Importation of Merchandise Contrary to Law
18 U.S.C. §545

Count 94

Conspiracy to Defraud the U.S. and Commit Offenses
18 U.S.C. §371

Count 95
Conspiracy to Import Schedule IV
Controlled Substances
21 U.S.C. §963

Count 96
Conspiracy to Distribute And
Possess With Intent to Distribute
Schedule IV Controlled Substances
21 U.S.C. §846

LOCATION OF OFFENSE: Arapahoe and Douglas Counties, Colorado
And elsewhere

PENALTY: Counts 6-7, 10, 12, 17-21
Introduction and Delivery for Introduction
Of Unapproved New Drugs Into Interstate Commerce
21 U.S.C. §§331(d), 333(a)(2)

Counts 29-30, 33, 35, 40-44
Introduction and Delivery for Introduction
Of Misbranded Drugs Into Interstate Commerce
21 U.S.C. §§331(a), 333(a)(2)

Counts 52, 54
Sale of Counterfeit Drugs
21 U.S.C. §§331(i)(3), 333(a)(2)

Count 96
Conspiracy to Distribute And
Possess With Intent to Distribute
Schedule IV Controlled Substances

Per Count, NMT 3 years imprisonment, a \$250,000 fine, or both; and a \$100 Special Assessment Fee

Count 94
Conspiracy to Defraud the U.S. and Commit Offenses

Count 95
Conspiracy to Import Schedule IV
Controlled Substances

Per Count, NMT 5 years imprisonment, a \$250,000 fine, or both; and a \$100 Special Assessment Fee

Counts 59-63
Importation of Schedule III Controlled Substances
21 U.S.C. §§ 952(b), 960(a)(1), 960(b)(5)

Per Count, NMT 10 years imprisonment, a \$500,000 fine, or both; and a \$100 Special Assessment Fee

Counts 73-74, 88-92
Importation of Merchandise Contrary to Law
18 U.S.C. §545

Per Count, NMT 20 years imprisonment, a \$250,000 fine, or both; and a \$100 Special Assessment Fee

AGENT:

John Fiordalis, Special Agent
Andreas E. Melissaratos, Special Agent
U.S. Department of Homeland Security,
Homeland Security Investigations
Denver, Colorado

Charles Barnes, Special Agent
Christine Berg, Special Agent

U.S. Food and Drug Administration,
Office of Criminal Investigations
Kansas City, Kansas

Michael T. Nix, Postal Inspector
U.S. Postal Inspection Service
Denver, Colorado

AUTHORIZED BY: Kenneth M. Harmon
Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

X five days or less _____ over five days _____ other

THE GOVERNMENT

X will seek detention in this case _____ will **not** seek detention in this case

The statutory presumption of detention **is not** applicable to this defendant.

OCDETF CASE: _____ Yes X No