

UNITED STATES DISTRICT COURT IN AND FOR
DISTRICT OF MASSACHUSETTS
SPRINGFIELD DIVISION

UNITED STATES OF AMERICA)
)
 Plaintiff)
) Case No. 19-CR-30041-MGM
)
 vs.)
)
 RYAN STABILE)
 Defendant)
)
)
)
 _____)

**RYAN STABILE’S RESPONSE TO GOVERNMENT’S SENTENCING
MEMORANDUM**

/s/Andrew S. Feldman

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Mr. Stabile agrees with the government's recitation of the offense conduct. Indeed, Ryan has accepted responsibility for the offense conduct described in the Government's Memorandum. Yet, the government seeks a sentence in this case which is **8 times greater** (6 months x 8 = 48 months) than any other sentence for any other defendant in the United States involved in the distribution or importation of Tianeptine. Such a sentence is plainly punitive and would cause unwarranted sentencing disparities between Mr. Stabile and the other defendants in the U.S. involved in the distribution or importation of Tianpetine.

The Centera case involved **35 million dollars** in revenue, which is close to 18 times the amount of revenue made by any of Ryan's companies. The Collins' likely gained many more dollars than what was represented in their plea agreement because of the commingling of financial records. And, Mr. Koledin engaged in a 5 year scheme despite warnings that his conduct was unlawful and was sentenced to probation.

In addition, while none of these defendants had criminal histories, it is equally critical that none of those defendants were suffering from life-long drug addiction at the time of their offenses nor were they suffering from some of the mental health issues Ryan suffers as a consequence of childhood sexual abuse.

Here, Ryan would benefit from a time served sentence and continued treatment in a residential facility. Additional incarceration will not ensure Ryan

obtains necessary treatment or reintegrates into society. In addition to treatment, Ryan could perform meaningful community service as part of his conditions of supervised release. Among other things, Ryan could benefit society by teaching lower income children how to read and write, volunteering to read to the elderly and disabled, or by teaching writing courses to college or high school aged children free of charge. Ryan will not be able to do those things in jail.

Beyond this, the government also included a *New York Times* article about recent adverse consumer reactions to a Tianeptine-linked product called Neptune. Ex. H to Govt Sentencing Memorandum (Dkt. No. 204-8). It is critical to point out that, following more extensive research as to those Neptune product, those products contained 2 different types of synthetic cannaboids. *See* **Ex. A.**¹ This later discovered information about the content of those products is highly relevant to understanding how those consumers could have experienced such severe reactions to the Neptune product. Unlike Neptune, no consumers ever had any such reactions to Mr. Stabile's products. Mr. Stabile also tested his product for adulterants, implemented an addict tracker, and deactivated suspect accounts.

¹ *See also* [Synthetic pot detected in samples of 'gas station heroin' Neptune's Fix \(msn.com\)](#)

This does not excuse or justify Mr. Stabile's offense conduct or violations of the FDCA, but it provides this court with the necessary context of the incident involving the Neptune product sold at gas stations.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I served the foregoing on all counsel of record via CM/ECF.

/s/Andrew S. Feldman