



Veronica Sharon Cunningham Arrested Due to a Federal Indictment Alleging Health Care Fraud

McNabb Associates, P.C. (Federal Criminal Defense Lawyers)

Submitted at 11:52 AM October 21, 2011

The Federal Bureau of Investigation (FBI) on October 20, 2011 released the following:

“Richmond Woman Arrested for Health Care Fraud

RICHMOND, VA— Veronica Sharon Cunningham, 48, of Richmond, Va., was arrested today on an indictment charging her with health care fraud in connection with her operation of Community Neurological Services (CNS), a Richmond business that administered Intravenous Immune Globulin (IVIG) to patients suffering from immune deficiency disorders.

Neil H. MacBride, United States Attorney for the Eastern District of Virginia, made the announcement, along with Michael F.A. Morehart, Special Agent in Charge of the Federal Bureau of Investigation's Richmond Division; Jeannine A. Hammett, Acting Special Agent in Charge of the Washington Field Office of the Internal Revenue Service-Criminal Investigation; Nick DiGiulio, Special Agent in Charge, United States Department of Health and Human Services Office of the Inspector General, Office of Investigations; and Michael McGill, Special Agent in Charge, Social Security Administration-Office of Inspector General.

Pfizer to Pay \$14.5 Million for Illegal Marketing of Drug Detrol

(USDOJ: Justice News)

Submitted at 9:57 AM October 21, 2011

American pharmaceutical company Pfizer Inc. has agreed to pay \$14.5 million to resolve False Claims Act allegations related to its marketing of the drug Detrol.

U.S. v. Wayne Kepple

(Antitrust Division: Upcoming Public Hearings)

Submitted at 8:09 AM October 21, 2011

Arraignment/bail hearing has been scheduled for November 4, 2011 at 10:00

A federal grand jury in Richmond indicted Cunningham on October 4, 2011 for 30 counts of health care fraud, eight counts of making false statements in health care matters, a single count of failing to file a tax return for the year 2006, a single count of filing a false tax return for the year 2005, and a single count using a fraudulently obtained Social Security number in interviews with federal agents regarding this matter. Cunningham faces a maximum penalty of 10 years on each of the health care fraud counts, a maximum penalty of five years on each of the health care false statement counts, a maximum penalty of 12 months on the failure to file tax return count, a maximum penalty of three years on the false tax return count, and a maximum of five years on the Social Security number count.

The indictment alleges that Cunningham regularly and systematically billed insurance companies and the Medicare and Medicaid programs for IVIG not actually administered. She also allegedly failed to file tax return for the year 2006, falsely reported the gross income of CNS in her 2005 tax return, and used a fraudulently obtained Social Security number in an interview with agents during the investigation.

The investigation was conducted by the Federal Bureau of Investigation, Department of Health and Human Services, Justice Department Sues U.S. FDA Employee and Former N.Y. Corrections Official to Block Alleged Tax-Fraud Scheme

(USDOJ: Justice News)

Submitted at 9:45 AM October 21, 2011

The United States has sued Rodney Chestnut and Nafeesah Hines to bar them from promoting an alleged tax fraud scheme.

a.m. Eastern

Entry of guilty plea has been scheduled for November 4, 2011 at 1:30 p.m. Eastern

Services-Office of Inspector General, Internal Revenue Service-Criminal Investigation Division, and Social Security Administration-Office of Inspector General. Assistant United States Attorney Michael C. Moore is prosecuting the case on behalf of the United States. Indictments are only charges and not evidence of guilt. A defendant is presumed to be innocent until and unless proven guilty.”

Douglas McNabb – McNabb Associates, P.C.'s

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The author of this blog is Douglas McNabb. Please feel free to contact him directly at mcnabb@mcnabbassociates.com or at one of the offices listed above.

U.S. v. Lin, et al.

(Antitrust Division: Upcoming Public Hearings)

Submitted at 8:09 AM October 21, 2011

Pre-trial conference has been rescheduled for December 13, 2011 at 3:30 p.m. Pacific.

Trial has been rescheduled for January 9, 2012 at 8:30 a.m. Pacific

U.S. v. Timothy Powers

(Antitrust Division: Upcoming Public Hearings)

Submitted at 8:36 AM October 21, 2011

Arraignment/bail hearing is scheduled for December 14, 2011 at 9:30 a.m. Pacific.

Change of plea hearing is scheduled for December 14, 2011 at 2:30 p.m. Pacific.



Two Indicted for Alleged Conspiracy to Provide Material Support to Terrorists

McNabb Associates, P.C. (Federal Criminal Defense Lawyers)

Submitted at 10:28 AM October 21, 2011

The Federal Bureau of Investigation (FBI) on October 20, 2011 released the following:
 “WASHINGTON— Ali Charaf Damache, an Algerian man who resided in Ireland, and Mohammad Hassan Khalid, a Pakistani citizen and U.S. lawful permanent resident who resided in Maryland, have been charged with conspiracy to provide material support to terrorists in a superseding indictment returned today in the Eastern District of Pennsylvania.

The charges were announced by Lisa Monaco, Assistant Attorney General for National Security; Zane David Memeger, U.S. Attorney for the Eastern District of Pennsylvania; and Mark Giuliano, Executive Assistant Director of the FBI’s National Security Branch.

Damache, aka “Theblackflag,” 46, is charged in the superseding indictment with one count of conspiracy to provide material support to terrorists and one count of attempted identity theft to facilitate an act of international terrorism. Damache was arrested by authorities in Ireland in March 2010 where he is currently being held on unrelated charges. The United States intends to seek his extradition from Ireland to stand trial in the Eastern District of Pennsylvania. If convicted of the charges against him in the superseding indictment, Damache faces a potential sentence of 45 years in prison.

Khalid, aka “Abdul Ba’aree ‘Abd Al-Rahman Al-Hassan Al-Afghani Al-Junoobi W’at-Emiratee,” 18, is charged in the superseding indictment with one count of conspiracy to provide material support to terrorists. Khalid was arrested in Ellicott City, Md., on July 6, 2011, and is currently in custody in the Eastern District of Pennsylvania. If convicted of the charge against him in the superseding indictment, Khalid faces a potential sentence of 15 years in prison.

“Today’s indictment, which alleges a terrorist conspiracy involving individuals around the globe who connected via the Internet—including a teenager and two women living in America—underscores the evolving nature of violent extremism.” said Assistant Attorney General Monaco. “I thank the many agents, analysts, and prosecutors who helped bring about this case.”

“Protecting the citizens of the United States from acts of terrorism is one of the

highest priorities of the Department of Justice,” said U.S. Attorney Memeger. “This case demonstrates that we must remain vigilant within our communities to make sure that we bring to justice those terrorists, of any age or background, who seek to do great harm to our citizens.”

“This investigation highlights the diverse threat environment we face today,” said FBI Executive Assistant Director Giuliano. “As revealed in this case, individuals used the Internet to further their radicalization and contribute to the radicalization of others. The FBI is committed to disrupting individual and group plots and doing so in close coordination with our law enforcement, intelligence and private sector partners.”

The indictment alleges that, from about 2008 through July 2011, Damache and Khalid conspired with Colleen R. LaRose, Jamie Paulin Ramirez, and others to provide material support and resources, including logistical support, recruitment services, financial support, identification documents and personnel, to a conspiracy to kill overseas. LaRose, aka “Fatima LaRose,” aka “Jihad Jane,” pleaded guilty in February 2011 in the Eastern District of Pennsylvania to conspiracy to provide material support to terrorists, conspiracy to kill in a foreign country, false statements, and attempted identity theft. Ramirez pleaded guilty in the Eastern District of Pennsylvania in March 2011 to conspiracy to provide material support to terrorists.

According to the indictment, Damache, Khalid and others devised and coordinated a violent jihad organization consisting of men and women from Europe and the United States divided into a planning team, a research team, an action team, a recruitment team and a finance team; some of whom would travel to South Asia for explosives training and return to Europe to wage violent jihad.

The indictment alleges that Damache, Khalid, LaRose, and others recruited men online to wage violent jihad in South Asia and Europe. In addition, Damache, Khalid, LaRose, and others allegedly recruited women who had passports and the ability to travel to and around Europe in support of violent jihad. The indictment further alleges that LaRose, Paulin-Ramirez, and others traveled to and around Europe to participate in and support violent jihad; and that Khalid and LaRose and others solicited funds online for terrorists.

For example, the indictment alleges that in July 2009, Damache sent an electronic

communication using the username “Theblackflag” to Khalid, asking Khalid to recruit online “some brothers that can travel freely . . . with eu passports [A]nd I need some sisters too.” Damache also allegedly advised Khalid that “sister fatima will be charge of other sister care [W]e have already organized every thing for her. . . .” The indictment further alleges that Paulin-Ramirez married Damache on the day she arrived with her minor child in Europe to live and train with jihadists, even though she had never met Damache in person, and that, while living together in Europe, the couple began training Ramirez’s minor child in the ways of violent jihad.

Among other things, the indictment further alleges that, in July 2009, Khalid posted or caused to be posted an online solicitation for funds to support terrorism on behalf of LaRose and later sent electronic communications to multiple online forums requesting the deletion of all posts by LaRose after she was questioned by the FBI. In August 2009, Khalid allegedly sent a questionnaire to LaRose in which he asked another potential female recruit about her beliefs and intentions with regard to violent jihad. In addition, Khalid allegedly received from LaRose and concealed the location of a U.S. passport that she had stolen from another individual. This case was investigated by the FBI’s Joint Terrorism Task Force in Philadelphia, and the FBI Field Divisions in New York, Denver, Washington, D.C., and Baltimore. Authorities in Ireland also provided assistance in this matter.

The case is being prosecuted by Assistant U.S. Attorney Jennifer Arbittier Williams, in the Eastern District of Pennsylvania, and Matthew F. Blue, Trial Attorney from the Counterterrorism Section of the Justice Department’s National Security Division. The Office of International Affairs in the Justice Department’s Criminal Division also provided assistance.

The charges contained in an indictment are mere allegations and defendants are presumed innocent unless and until proven guilty.”

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F.B.I. Scrutinized for Amassing Data on American Communities

McNabb Associates, P.C. (Federal Criminal Defense Lawyers)

Submitted at 8:38 AM October 21, 2011

The New York Times on October 20, 2011 released the following:

“By CHARLIE SAVAGE

WASHINGTON — The Federal Bureau of Investigation has collected information about religious, ethnic and national-origin characteristics of American communities, according to internal F.B.I. documents made public by the American Civil Liberties Union on Thursday. Citing the materials, the group urged the Justice Department to tighten restrictions on F.B.I. powers.

The documents show that in recent years, agents identified Arab-American and Muslim communities in Michigan as a potential terrorist recruitment ground; noted an increase in the African-American population of Georgia when analyzing “Black Separatist” groups; identified Chinese and Russian communities in San Francisco as a place to look for organized crime syndicates; and highlighted Latino communities as potentially harboring the Central American gang MS-13.

In a letter to Attorney General Eric H. Holder Jr., the A.C.L.U. asserted that the documents showed that “the F.B.I. is illegally and unconstitutionally” targeting people for investigation based on their race or religion. It asked Mr. Holder to bar agents from considering this kind of factor; current rules forbid the use of race or ethnicity unless describing a particular suspect, but contain a broad exception for national security or border-related investigations.

The F.B.I., however, said agents were doing their jobs by analyzing potential threats within their areas of responsibility. It said that the bureau was obeying rules barring investigative activity based “solely” on religion, race or ethnicity, but that such factors could help identify particular threats as well as potential victims.

“Certain terrorist and criminal groups are comprised of persons primarily from a particular ethnic or geographic community, which must be taken into account when trying to determine if there are threats to the United States,” said Michael P. Kortan, an F.B.I. spokesman.

The files, obtained by the A.C.L.U. under

U.S. v. Danfoss Flensburg GmbH

(Antitrust Division: Upcoming Public Hearings)

Submitted at 8:09 AM October 21, 2011

Arraignment/bail hearing has been

the Freedom of Information Act, were produced by F.B.I. field offices as part of a strategy the F.B.I. calls “domain awareness.” That strategy has been central to the decade-long effort to transform the bureau into a domestic intelligence agency that seeks to uncover potential threats and disrupt them before they can reach fruition. This effort grew out of the failure to prevent the terrorist attacks of Sept. 11, 2001.

Civil liberties groups say the Justice Department has gone too far in loosening restrictions on its powers.

An F.B.I. manual on investigative guidelines issued in 2008 by Michael B. Mukasey, then the attorney general, tells agents not to engage in racial profiling, but authorizes them to use religion or ethnicity as a factor — as long as it is not the only one — when selecting subjects for scrutiny. (The F.B.I. issued a revised manual to agents on Oct. 15, but has not yet made it public. An official said that the revised manual expanded by several pages a section describing what agents may and may not do in mapping communities, but that it provided greater detail, not substantive changes.)

In a conference call, Hina Shamsi, the director of the A.C.L.U.’s National Security Project, said the documents showed that the loosened rules had led to an “extremely pernicious” practice of ascribing propensity to crimes to people based on their ethnicity or religion. “It’s counterproductive because it alienates local communities from their government, and it also sends the message that the government views prejudice as acceptable,” she said.

Michael German, a former F.B.I. agent who now works for the A.C.L.U., connected the ethnic mapping to a controversy over F.B.I. training and reference materials, first reported by Wired magazine, that portrayed all Muslims as having a proclivity for terrorism. The A.C.L.U. released additional such materials; the bureau promised last month to review its training and reference materials that refer to culture or religion.

Mr. German said the racial mapping documents and the disputed training documents showed a common “theme of mass suspicion of an entire group based

scheduled for December 7, 2011 at 1:30 p.m. Eastern

on racial characteristics or religion.” He said the trained agents might be “predisposed to treating everyone from a particular group as suspect.”

The A.C.L.U. also said that since 2008, agents had been authorized to begin low-level investigations, called assessments, of a person or a group without having any prior factual basis for suspecting the target of wrongdoing. The rights group also asked Mr. Holder to eliminate that authority, and it released an F.B.I. document shedding new light on the scope of the information that agents collect in an assessment.

The document showed that agents were told to identify a target’s phone numbers, addresses and e-mail accounts and see whether they turned up anything in searches of law enforcement and intelligence databases; collecting information about the target’s job, including access to hazardous materials; uncovering a target’s overseas travel history for the past year; looking for licenses for things like firearms or explosives; and scrutinizing any other adults the target lives with.”

Douglas McNabb – McNabb Associates, P.C.’s

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Douglas McNabb and other members of the U.S. law firm practice and write and/or report extensively on matters involving Federal Criminal Defense, INTERPOL Red Notice Removal, International Extradition and OFAC SDN Sanctions Removal.

The author of this blog is Douglas McNabb. Please feel free to contact him directly at mcnabb@mcnabbassociates.com or at one of the offices listed above.

U.S. v. Jorge Wong

(Antitrust Division: Upcoming Public Hearings)

Submitted at 8:09 AM October 21, 2011

Status hearing has been scheduled for April 18, 2012 at 2:30 p.m. Pacific



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[Federal Crimes – Detention Hearing](#)

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U.S. v. Hitachi-LG Data Storage, Inc.

(Antitrust Division: Upcoming Public Hearings)

Submitted at 8:09 AM October 21, 2011

Change of plea has been scheduled for November 8, 2011 at 2:30 p.m. Pacific

U.S. v. Allen French

(Antitrust Division: Upcoming Public Hearings)

Submitted at 8:09 AM October 21, 2011

Sentencing hearing has been scheduled for April 11, 2012 at 1:00 p.m. Central

U.S. v. M&B Builders, LLC

(Antitrust Division: Upcoming Public Hearings)

Submitted at 8:09 AM October 21, 2011

Sentencing hearing has been scheduled for January 19, 2012 at 1:00 p.m. Central

U.S. v. Eric Larsen

(Antitrust Division: Upcoming Public Hearings)

Submitted at 8:09 AM October 21, 2011

Change of plea has been scheduled for November 30, 2011 at 2:30 p.m. Pacific

Extradition and OFAC SDN Sanctions Removal.

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U.S. v. Thomas Legault

(Antitrust Division: Upcoming Public Hearings)

Submitted at 8:09 AM October 21, 2011

Status hearing has been scheduled for April 18, 2012 at 2:30 p.m. Pacific

U.S. v. Brian McKinzie

(Antitrust Division: Upcoming Public Hearings)

Submitted at 8:09 AM October 21, 2011

Change of plea has been scheduled for November 23, 2011 at 1:30 p.m. Pacific