



Robert Blagojevich: Prosecutors were 'playing chicken with my life'

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

Submitted at 10:29 AM May 25, 2012

Chicago Tribune on May 24, 2012 released the following:

"By Stacy St. Clair | Tribune reporter
As U.S. Attorney Patrick Fitzgerald retires to accolades and well wishes, Robert Blagojevich said today that he's still fighting to regain his reputation since federal prosecutors dropped charges against him in their sweeping corruption case involving his brother's administration.

"I am never going to say publicly that I am bitter," said Blagojevich after giving a speech to the Chicago Bar Association. "I am a citizen who has learned a heck of a civics lesson. It's very different from the one I learned in school, where I thought the scales of justice were blind when in reality, it's a David-vs.-Goliath battle."

Prosecutors dropped charges against Blagojevich in August 2010 shortly after a jury deadlocked on three corruption charges against him. The panel – which also was hung on most counts against his younger brother, former Gov. Rod Blagojevich – was split 9-3 in favor of acquitting the elder Blagojevich.

The trial, however, cost Robert Blagojevich nearly \$1 million in legal fees, an amount that forced him and his wife, Julie, to borrow heavily against their Nashville home and cash in their retirement accounts.

But more than that, he says, it damaged his character. Decades of building a sterling reputation – first as a career Army officer and then as charity-minded Nashville business man – were destroyed when he was indicted, he said.

"I don't feel like I've been treated fairly,"

Justice Department to Monitor Elections in Texas

(USDOJ: Justice News)

Submitted at 9:52 AM May 25, 2012

The Justice Department announced today that it will monitor primary elections on May 29, 2012, in Fort Bend, Harris and Jefferson Counties in Texas, to ensure compliance with the Voting Rights Act of 1965 and other federal voting rights

he said. "Where do I go to get my million dollars back and my reputation back?"

Robert Blagojevich became enmeshed in the case after he ran fundraising for his brother's campaign fund for the last four months of 2008, a period during which prosecutors used wiretaps to secretly record the former governor as he allegedly tried to sell his power to pick a successor for President Barack Obama as U.S. senator.

At times during testimony, though, Robert Blagojevich often seemed an afterthought.

The older Blagojevich was accused of conspiring with his brother to sell the seat.

The real estate entrepreneur testified in his own defense, portraying himself as an innocent bystander, a political novice and a loyal brother who agreed to oversee the then-governor's campaign in part because of a promise to his dying mother that he would try to keep close to his brother.

The former governor was convicted at his second trial in 2011. He was sentenced to 14 1/2 years in federal prison.

In a speech before the Chicago Bar Association, Robert Blagojevich outlined several tactics he said Fitzgerald's office used to give prosecutors the upper hand during the case.

In addition to pressuring him to persuade the governor to accept a plea deal, he said that prosecutors opposed letting him be tried separately from his brother even though 95 percent of the evidence did not pertain to him.

Prosecutors also subpoenaed his tax returns mid-trial in an effort to distract him, Blagojevich said. The federal government also began calling charities that he supported to make sure he had made donations to the groups as he

statutes. The Voting Rights Act prohibits discrimination in the election process on the basis of race, color or membership in a minority language group. In addition, the act requires certain covered jurisdictions to provide language assistance during the election process.

claimed.

"It felt like they were playing chicken with my life, using me as a pawn to ultimately get to my brother," he said.

Blagojevich would not comment on whether he had visited his brother since he reported to federal prison in Colorado two months ago. He also would not discuss the status of their relationship, though it has been strained since they were both indicted."

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

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Miami Man Convicted for Obstruction of Justice and False Statements for Certifying Ships Safe for Sea

(USDOJ: Justice News)

Submitted at 12:35 PM May 25, 2012

Alejandro Gonzalez, 60, of Miami-Dade County, Fla., was convicted by a federal jury in Miami of three counts of making false statements to the U.S. Coast Guard and one count of obstruction of an agency proceeding.



Dental Practice Operators Charged in an Alleged \$20 Million Medicaid Fraud Conspiracy

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

Submitted at 11:35 AM May 25, 2012

The Federal Bureau of Investigation (FBI) on May 24, 2012 released the following:

“David B. Fein, United States Attorney for the District of Connecticut; Susan J. Waddell, Special Agent in Charge of U.S. Health and Human Services, Office of Inspector General for New England; William P. Offord, Special Agent in Charge of IRS Criminal Investigation in New England; and Kimberly K. Mertz, Special Agent in Charge of the Federal Bureau of Investigation, announced that Gary F. Anusavice, also known as “Gary Andrews,” “Gary Andrus” and “Gary Francis,” 59, of North Kingstown, Rhode Island; and Mehran Zamani, DDS, 47, of Pound Ridge, New York, were arrested today on federal charges related to their alleged involvement in a \$20 million Medicaid fraud scheme.

“As alleged, these operators of dental practices throughout Connecticut defrauded the Medicaid program of more than \$20 million over a two-year period,” said U.S. Attorney Fein. “We are committed to protecting American taxpayers from health care fraud, which can increase costs and jeopardize the integrity of our health care system. I want to commend HHS-OIG, IRS-Criminal Investigation, and the FBI for their investigative efforts and thank the Connecticut Attorney General’s Office, which provided invaluable assistance during the course of this investigation.”

“Although Gary F. Anusavice was barred from Medicare, Medicaid, and other government health programs back in 1998, he allegedly continued to defraud taxpayers by using an elaborate shield of companies and individuals—including Dr. Zamani—to hide his involvement,” said HHS-OIG Special Agent in Charge Waddell. “Working with federal and state partners, our investigators will penetrate such schemes and help bring suspects to justice.”

“To combat healthcare fraud, IRS Criminal Investigation provides the financial investigative expertise to follow the money trail from the crime to the culprit,” said IRS Criminal Investigation Special Agent in Charge Offord. “We are proud to work with our law enforcement partners to document the financial benefits derived from these fraudulent activities.” “The FBI views health care fraud as a serious crime problem,” said FBI Special Agent in Charge Mertz. “It degrades the

integrity of our health care system and legitimate patient care. Today’s arrests send a clear message to those persons who are defrauding our federal Medicare and Medicaid and private health insurance programs. The FBI remains committed to investigating health care fraud and bringing these individuals to justice. The FBI will continue to work aggressively with our law enforcement partners to investigate those who violate the public trust by stealing taxpayer money. We urge anyone with information regarding health care fraud activity to contact its nearest FBI field office.”

According to court documents, the Medicaid program is a joint federal-state program that provides funds for medical services to lower-income individuals who qualify for benefits. The program is jointly administered by the U.S. Department of Health and Human Services and supervised by the Centers for Medicare and Medicaid Services. In Connecticut, the Medicaid program is administered by the State of Connecticut Department of Social Services (DSS).

As alleged in court documents, Anusavice was previously a registered dentist in several states. In July 1997, Anusavice sustained a felony conviction in Massachusetts for submitting false health care claims. Based on that conviction, the U.S. Department of Health and Human Services notified Anusavice in April 1998 that he was being excluded from participation in Medicare and state health care programs, including Medicaid. As part of that notice, Anusavice was informed that, as an excluded individual, he may not “submit claims or cause claims to be submitted” for payment from the federal Medicaid program. Further, Anusavice was advised that Medicaid reimbursement payments are prohibited to any entity in which he serves as an “employee, administrator, operator, or in any other capacity....”

In November 2005, Anusavice surrendered his right to practice dentistry in Rhode Island, and the Massachusetts Board of Registration in Dentistry permanently revoked Anusavice’s license to practice dentistry in Massachusetts in 2006.

The criminal complaint alleges that Anusavice established several dental practices in Connecticut, which were operated by other dentists, including Zamani. These dental practices received millions of dollars in Medicaid reimbursements from the Connecticut Medicaid program, which payments were

prohibited given Anusavice’s exclusion from the Medicaid program. The dental practices operated by Anusavice and Zamani included Landmark Dental in West Haven, Dental Group of Connecticut in Trumbull, and Dental Group of Stamford. Despite his permanent exclusion, Anusavice was involved in reviewing patient charts, suggesting dental procedures to be performed, reviewing billing records, reviewing income reports, interviewing and hiring dentists, and providing overall management direction to the offices.

It is alleged that Anusavice hired Zamani at Landmark Dental in October 2008 and that Zamani soon became aware of Anusavice’s disciplinary history. In January 2009, Zamani submitted a Medicaid Provider Enrollment Application with the DSS in order to obtain a Medicaid provider number for Mehran Zamani LLC, listing his group practice name as Landmark Dental. In May 2009, Zamani submitted an application with the DSS for a Medicaid provider number for Landmark Dental. In the applications Zamani submitted, he failed to disclose that Anusavice had an ownership or control interest in Landmark Dental, even though Zamani knew that Anusavice was running the practice and profited from it. From approximately February 2009 to March 2011, Mehran Zamani LLC and Landmark Dental received more than \$12.9 million in Medicaid reimbursement payments.

It is further alleged that in April 2009, Zamani and “Haven Consulting,” an entity Anusavice created, entered into a Business Consultant Contract for the Dental Group of Stamford, a practice that Zamani had operated previously. Although the contract provided that Haven Consulting was a “business consultant” to the Dental Group of Stamford, Anusavice had an ownership interest in the practice and acted in an ownership and managerial capacity. Zamani’s DSS application in May 2009 failed to disclose Anusavice’s involvement in the practice and his disciplinary history. From approximately June 2009 to March 2011, the Dental Group of Stamford received more than \$4.4 million in Medicaid reimbursement payments.

It is further alleged that Zamani’s April 2010 DSS application for a Medicaid provider number for the Dental Group of Connecticut also failed to disclose Anusavice’s involvement in the practice.



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From approximately August 2010 to March 2011, the Dental Group of Connecticut received more than \$3.5 million in Medicaid reimbursement payments.

It is further alleged that on April 13, 2011, the DSS suspended Medicaid payments to Mehran Zamani, DDS, Landmark Dental, Dental Group of Stamford, and Dental Group of Connecticut based upon a pending investigation of a credible allegation of fraud. As a result, the last Medicaid payment to any of these entities occurred on or about March 22, 2011. By that time, it is alleged that the Anusavice-Zamani entities had collectively received nearly \$21 million in Medicaid reimbursement funds. Further, according to Zamani's accountant's records, between February 2009 and March 2011, Anusavice-controlled entities received more than \$3 million in payments from Zamani-related entities.

It is further alleged that Anusavice and another dentist are now operating a new set of dental clinics, doing business as Alpha Dental Group in Cromwell, Dental Group of New Britain, and Hartford Dental Care. Between November 2011 and March 2012, Arbor Dental has received more than \$2.6 million in Medicaid funds. Anusavice also has recently reopened a dental practice at the former location of Dental Care of Connecticut in Trumbull.

Anusavice was arrested this morning at his home in North Kingstown, Rhode Island on a federal criminal complaint charging him with conspiring to commit health care fraud, committing health care fraud, and making false statements

involving federal health care programs. Zamani was arrested today at his home in New York on a criminal complaint charging him with the same offenses. Both appeared this afternoon before United States Magistrate Judge Holly B. Fitzsimmons in Bridgeport.

In association with today's arrests, investigating agencies conducted court-authorized searches of Anusavice's Rhode Island residence and dental clinics he is allegedly operating in New Britain and Trumbull.

The government also has filed a civil forfeiture complaint against the real property located at 229 Potter Road, North Kingstown, Rhode Island, an 8,145 square foot home on 9.66 acres of land, where Anusavice resides. The forfeiture complaint alleges that this property was purchased in February 2011 for \$695,000 by AMZ Consulting Inc., a nominee entity controlled by Anusavice and that proceeds used to purchase the property stem from Anusavice's alleged Medicaid fraud scheme.

U.S. Attorney Fein stressed that a complaint is only a charge and is not evidence of guilt. Charges are only allegations, and each defendant is presumed innocent unless and until proven guilty beyond a reasonable doubt.

This matter is being investigated by the U.S. Department of Health and Human Services, Office of Inspector General; the Internal Revenue Service-Criminal Investigation; and the Federal Bureau of Investigation. The Connecticut Attorney General's Office provided assistance and cooperation throughout the investigation.

This case is being prosecuted by Assistant United States Attorneys Susan

Wines and Richard Molot, and Special Assistant United States Attorney Sean Beaty. The United States Attorney's Office for the District of Rhode Island and Assistant United States Attorney Paul Daly have provided valuable assistance."

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FBI's Top Ten News Stories for the Week Ending May 25, 2012

fbi (Current)

Submitted at 6:00 AM May 25, 2012

— Washington, D.C.

John Edwards trial: Alternate jurors — all in red — are talk of the courtroom

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

Submitted at 1:22 PM May 25, 2012

The Washington Post on May 25, 2012 released the following:

"By Manuel Roig-Franzia, GREENSBORO, N.C. — Something exceedingly strange is happening at the John Edwards trial: all four alternate jurors dressed in red shirts Friday. They

each wore bright yellow the day before. Coincidence? Few here think so.

The demeanor of the alternate jurors and their behavior has become the talk of the courthouse. The alternates enter the courtroom each day giggling among themselves. One of the alternates, an attractive young woman, has been spotted smiling at Edwards and flipping her hair in what seems to some to be a flirtatious

manner. On Friday, she wore a revealing red top with a single strap and an exposed right shoulder.

Her actions have not gone unnoticed by courtroom observers, some of whom have chatted about her in increasingly anxious tones during the long stretches of down time while the jury, now in its sixth day of



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deliberations, meets behind closed doors to decide whether Edwards should be convicted on six campaign finance and conspiracy charges.

The case centers on nearly \$1 million in payments from the heiress Rachel "Bunny" Mellon and the wealthy lawyer Fred Baron that prosecutors say was used to cover up Edwards's affair with videographer Rielle Hunter and the child he fathered with her.

The alternate jurors play a supporting role in this drama. They watched the testimony, but will not vote on the verdict unless one of the 12 members of the main jury is removed. Two members of the jury also wore red tops on Friday. At times during breaks in deliberations, some jurors have gestured toward alternates, who sit at the opposite end of a small federal courtroom here that is packed each day with reporters awaiting a verdict.

The sight of all four alternates in red

drew titters from an audience that had already noted that Edwards had ended his streak of wearing a green tie to court for four straight days. NBC's Lisa Meyer asked Edwards whether he was wearing his lucky tie on Thursday, and he responded with a smile, "I'm not saying." The color he chose on Friday? You guessed it: red."

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FBI says passenger who rushed cockpit at Miami International Airport in custody

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

Submitted at 1:46 PM May 25, 2012

Sun Sentinel on May 25, 2012 released the following:

"By Erika Pesantes, Sun Sentinel

An unruly passenger was taken into federal custody following his attempt to rush toward the cockpit of an American Airlines plane after landing at Miami International Airport Friday, the FBI said.

Ryan Snider, 24, of Canada, was arrested after the incident aboard American Airlines flight 320 originating from Montego Bay, Jamaica.

He is not believed to be connected to terrorists and was not on the "no fly list," the FBI said.

Passenger Malik Cann, who said he was a trained security officer from Bermuda, told WSVN-Ch.7 that he helped restrain

Snider.

"I gripped him straight by his arm," Cann said, "We didn't allow him to harm anyone. He was screaming, 'Get me off the plane! Get me off the plane!'"

Snider is facing federal charges including interference with a flight crew. His first appearance in federal court is Tuesday, the FBI said."

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Federal prosecutors seek secrecy veil for material to be given to indicted Arizona legislator

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Submitted at 10:52 AM May 25, 2012

The Republic on May 24, 2012 released the following:

“THE ASSOCIATED PRESS

PHOENIX — Federal prosecutors say pretrial material they plan to give an indicted Arizona legislator contains confidential and sensitive information related to other investigations.

Prosecutors make that disclosure in a motion asking a federal judge to order that state Rep. Ben Arredondo and his defense team be ordered to keep the information secret.

The motion says the other investigations are both active and closed and that some of the information concerns witnesses.

Arredondo was indicted last week on bribery and other charges. The charges accuse the Tempe Democrat of soliciting and accepting sports tickets from undercover FBI agents and of disclosing confidential city information to the agents.

The indictment said the agents posed as representatives of a business trying to acquire city-owned property.

Arredondo’s attorney has said Arredondo will plead not guilty.”

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