



Clemens trial resumes with more from federal agent

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

Submitted at 1:05 PM May 7, 2012

The Wall Street Journal on May 7, 2012 released the following:

“Associated Press

WASHINGTON — Federal agent Jeff Novitzky returns for a third day of testimony Monday in the Roger Clemens perjury trial, while behind the scenes Clemens’ lawyers sought to strike the testimony of former teammate Andy Pettitte.

Last week, Pettitte testified that Clemens told him he had tried human growth hormone, only to say under cross-examination that he might have misunderstood Clemens. As expected, Clemens’ lawyers filed a motion asking that the jury not be allowed to consider the conversation between the two pitchers.

Pettitte said that it was “fair” to say that there was a 50 percent chance he misunderstood Clemens, his friend and one-time mentor.

“The court should not allow the jury to consider an alleged ‘admission’ that has all the weight of a coin flip,” Clemens’ lawyers wrote in a filing Monday morning, before the resumption of the trial.

Clemens is accused of lying to Congress in 2008 when he denied using HGH and steroids.

Meanwhile, the government will conclude its re-direct questioning of Novitzky, an agent with the Food and

Drug Administration. He has already been questioned by the government and cross-examined by Clemens’ lawyer.

Last week, Novitzky described the physical evidence he had collected from Clemens’ former strength coach, Brian McNamee. Prosecutors will try to prove the evidence shows the former baseball pitcher used steroids and human growth hormone.

Clemens’ lawyers have said they will contend that the evidence has been tainted and contaminated.

McNamee is expected to testify later this week, perhaps as early as Tuesday.

Prosecutors got off to a rough start Monday, when U.S. District Judge Reggie Walton told them they could not play a clip of a 2008 Clemens’ “60 Minutes” interview for the jury. In the clip, Clemens says he was advised by counsel not to talk to former Sen. George Mitchell, who was investigating performance-enhancing drugs in baseball and would identify Clemens as a user in his report to Major League Baseball.

After the interview aired, Clemens testified to Congress that he didn’t know that Mitchell wanted to talk to him. Prosecutors wanted to show the “60 Minutes” clip in an attempt to show Clemens was obstructing Congress, arguing the two statements were contradictory. But Walton said the clip could not be played without interfering with the attorney-client privilege. He also said it was possible Clemens was told

generally by lawyers not to talk to Mitchell, without actually informing the pitcher that Mitchell wanted to talk to him.”

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 Defense, OFAC SDN Sanctions Removal, International Criminal Court Defense, and US Seizure of Non-Resident, Foreign-Owned Assets. Because we have experience dealing with INTERPOL, our firm understands the inter-relationship that INTERPOL’s “Red Notice” brings to this equation.

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

Justice Department Settles Document Abuse Claim Against Imagine Schools in Ohio

(USDOJ: Justice News)

Submitted at 4:58 PM May 7, 2012

The Justice Department announced today that it reached an agreement with Imagine Schools Inc., resolving allegations that the company discriminated under the anti-discrimination provision of the Immigration and Nationality Act, when it fired an employee at its Imagine School in Groveport, Ohio, in connection with a “reverification” of his employment eligibility.

Abbott Labs to Pay \$1.5 Billion to Resolve Criminal & Civil Investigations of Off-label Promotion of Depakote

(USDOJ: Justice News)

Submitted at 1:08 PM May 7, 2012

Global Health Care Company Abbott Laboratories Inc. has pleaded guilty and agreed to pay \$1.5 billion to resolve its criminal and civil liability arising from the company’s unlawful promotion of the prescription drug Depakote for uses not approved as safe and effective by the Food and Drug Administration (FDA), the

Justice Department announced today. The resolution – the second largest payment by a drug company – includes a criminal fine and forfeiture totaling \$700 million and civil settlements with the federal government and the states totaling \$800 million. Abbott also will be subject to court-supervised probation and reporting obligations for Abbott’s CEO and Board of Directors.

Kenneth Moore Named Special Agent in Charge of FBI Knoxville Division

fbi (Current)

— Washington, D.C.



4 indicted in alleged student aid scheme that used inmates

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

Submitted at 11:09 AM May 7, 2012

MyFoxPhoenix on May 7, 2012 released the following:

“PHOENIX (AP) – Federal prosecutors say they have broken up a ring of women who used the names of Perryville prison inmates to fraudulently get federal student financial aid.

The U.S. attorney’s office in Phoenix says three of the women are from Glendale and were arrested on May 2 while the fourth remains a prisoner at Perryville.

Two of the women were charged with dozens of counts of conspiracy, wire fraud, identity theft and theft of public funds.

The indictment says the plan’s architect and ringleader was 32-year-old Elizabeth Meza. Meza allegedly devised the scheme to fill out federal student financial applications and apply for online classes at Rio Salado College in Tempe.

More than \$150,000 in loans and grants were approved and about \$71,000 was sent to the women or school.”

Douglas McNabb – McNabb Associates,

Justice Department to Monitor Election in Wisconsin

(USDOJ: Justice News)

Submitted at 11:11 AM May 7, 2012

The Justice Department announced today that the Civil Rights Division will monitor the election on Tuesday, May 8, 2012, in Milwaukee. The monitoring will ensure compliance with the Voting Rights Act of 1965. The Voting Rights Act prohibits

Alabama Resident Arrested and Charged with Bribery and Gambling Conspiracy

(USDOJ: Justice News)

Submitted at 7:08 PM May 7, 2012

An indictment filed in the Northern District of Alabama and unsealed today charges Robert E. Taylor Jr., 41, of Warrior, Ala., with conspiring to bribe and bribing a public official in order to protect his interest in an illegal gambling business.

FBI Statement on Seizure of IED Overseas

fbi (Current)

Submitted at 6:00 AM May 7, 2012

— Washington, D.C.

P.C.’s

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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. The city of Milwaukee is required to provide assistance in Spanish.

Florida Man Sentenced to Life in Prison for Sex Trafficking of Minors and Production of Child Pornography

(USDOJ: Justice News)

Submitted at 6:22 PM May 7, 2012

James Mozie of Oakland Park, Fla., was sentenced today to life in prison on charges of sex trafficking of minors and production of child pornography.

Deputy Attorney General James M. Cole Speaks at Press Conference Regarding Settlement with Abbott Laboratories

(USDOJ: Justice News)

Submitted at 3:40 PM May 7, 2012

"As today’s announcement shows, we are committed to combating health care fraud in all its forms – from fly-by-night operations to some of the nation’s largest companies pursuing sophisticated schemes targeting government health care programs," said Deputy Attorney General Cole.

Acting Associate Attorney General Tony West Speaks at Press Conference Regarding Settlement with Abbott Laboratories

(USDOJ: Justice News)

Submitted at 3:43 PM May 7, 2012

"These agreements provide an example of the kind of resolution we will seek from companies that misguidedly put profits over patients," said Acting Associate Attorney General West.

U.S. v. Homy Hong-Ming Hsu, et al.

(Antitrust Division: Upcoming Public Hearings)

Submitted at 5:56 PM May 7, 2012

Motion hearing has been rescheduled for August 28, 2012 at 2:30 p.m. Pacific
 Pretrial conference has been rescheduled for September 11, 2012 at 1:30 p.m. Pacific

U.S. v. Daniel Moshe Naeh

(Antitrust Division: Upcoming Public Hearings)

Submitted at 5:58 PM May 7, 2012

Sentencing hearing has been scheduled for September 19, 2012 at 10:00 a.m. Eastern