

Medicare Part B would cover DME if, among other requirements, the equipment was medically necessary and ordered by a physician. A DME company that provided goods and services under Part B of the Medicare program was known as a “provider.”

3. Providers – including DME companies – were able to apply for and obtain a “provider number.” A provider who was issued a Medicare provider number was allowed to file claims directly with Medicare to obtain reimbursement for services rendered to Medicare beneficiaries. Payments for services rendered to beneficiaries under the Medicare program were routinely made directly to the provider, rather than to the beneficiary.

4. In the application for a provider number, the provider acknowledged that, in order to be able to participate in the Medicare program, it must comply with all Medicare related laws and regulations, including laws and regulations forbidding the submission of false claims.

5. Various entities were under contract to provide services to CMS to assist in the administration of the Medicare program. Medicare Part B was administered in Florida by Palmetto Government Benefits Administrator (“Palmetto GBA”), which, pursuant to contract with the United States Department of Health of Human Services, served as a contracted carrier to receive, adjudicate, and pay Medicare Part B claims submitted to it by Medicare providers, including DME companies.

6. In order to bill the Medicare for services rendered, providers – including DME companies – submitted a claims form to Palmetto GBA. This form, known as a Form 1500, could be submitted in paper or electronic format. With each claim submitted to Medicare, the provider certified, among other things, that contents of the form were true, correct, and complete, that the services being billed for were actually rendered to the Medicare beneficiary, and that the services were medically necessary.

7. A Medicare claim was required to set forth, among other things, the beneficiary's name and Medicare identification number, the equipment provided to the beneficiary, the date the equipment or medicine was provided, the cost of the equipment, and the name and unique physician identification number ("UPIN") of the physician who prescribed or ordered the equipment.

8. Defendants **RAMON OSCAR SOTO** and **YELEINY GUERRERO**, residents of Miami-Dade County, Florida, formed, owned, and controlled Denis Medical Supplies, Inc. ("Denis"). Denis was a Florida corporation, purportedly doing business at 13270 S.W. 131st Street, Suite 133, Miami, Florida. Denis purported to be a DME company that, among other things, provided durable medical equipment to Medicare beneficiaries.

9. Defendants **RAMON OSCAR SOTO** and **RAFAEL MORENO**, residents of Miami-Dade County, Florida, formed, owned, and controlled P&A Medical Supplies Corp. ("P&A"). P&A was a Florida corporation, purportedly doing business at 13270 S.W. 131st Street, Suite 128, Miami, Florida. P&A purported to be a DME company that, among other things, provided durable medical equipment to Medicare beneficiaries.

10. Defendants **RAMON OSCAR SOTO** and **ARIELIA NIETO**, residents of Miami-Dade County, Florida, formed, owned, and controlled Ros Medical Supplies Corp. ("Ros"). Ros was a Florida corporation, purportedly doing business at 16934 S. Dixie Highway, Miami, Florida. Ros purported to be a DME company that, among other things, provided durable medical equipment to Medicare beneficiaries.

COUNT 1
(18 U.S.C. § 371)

1. Paragraphs 1 through 10 of the General Allegations section of this Indictment are realleged and incorporated by reference as if fully set forth herein.

2. From in or around January 2006, the exact date being unknown to the Grand Jury, through the present, the exact date being unknown to the Grand Jury, in Miami-Dade County, in the Southern District of Florida, the defendants,

**RAMON OSCAR SOTO,
YELEINY GUERRERO,
RAFAEL MORENO,
and
ARABELIA NIETO,**

did willfully, that is, with the specific intent to further the objects of the conspiracy, and knowingly combine, conspire, confederate and agree with others known and unknown to the Grand Jury to commit certain offenses against the United States, that is,

- a. to defraud the United States by impairing, impeding, obstructing, and defeating, through deceitful and dishonest means, the lawful government functions of the United States Department of Health and Human Services in its administration and oversight of the Medicare program; and
- b. to violate Title 18, United States Code, Section 287 (commonly referred to as “the False Claims Statute”) in that the defendants knowingly and willfully did make and cause to be made, presented and filed, false, fraudulent and fictitious claims upon the United States Department of Health and Human Services, a department and agency of the United States, for medically unnecessary DME.

Purpose of the Conspiracy

3. It was the purpose of the conspiracy for the defendants to unlawfully enrich themselves by, among other things, submitting and causing the submission of false and fraudulent claims to Medicare for the cost of medically unnecessary DME.

Manner and Means

The manner and means by which the defendant and their co-conspirators sought to accomplish the purpose and object of the conspiracy included, among others, the following:

4. On or about January 5, 2006, defendants **RAMON OSCAR SOTO** and **RAFAEL MORENO** caused to be filed an articles of incorporation with the State of Florida listing ^{RAFAEL (Km)} ~~RAMON~~ **MORENO** as the incorporator and president of P&A.

5. On or about February 7, 2006, defendants **RAMON OSCAR SOTO** and **YELEINY GUERRERO** caused to be filed an articles of incorporation with the State of Florida listing **YELEINY GUERRERO** as the incorporator and president of Denis.

6. On or about April 13, 2006, defendants **RAMON OSCAR SOTO** and **ARAEIA NIETO** caused to be filed an annual report with the State of Florida listing **ARAEIA NIETO** as the president of Ros.

7. Defendants **RAMON OSCAR SOTO** and **YELEINY GUERRERO** maintained a valid provider number for Denis by filing and causing the filing of corporate and Medicare records in order to submit Medicare claims for the cost of medically unnecessary medical equipment.

8. Defendants **RAMON OSCAR SOTO** and **RAFAEL MORENO** maintained a valid provider number for P&A by filing and causing the filing of corporate and Medicare records in order to submit Medicare claims for the cost of medically unnecessary medical equipment.

9. Defendants **RAMON OSCAR SOTO** and **ARABELIA NIETO** maintained a valid provider number for Ros by filing and causing the filing of corporate and Medicare records in order to submit Medicare claims for the cost of medically unnecessary medical equipment.

10. Defendants **RAMON OSCAR SOTO, YELEINY GUERRERO, RAFAEL MORENO**, and **ARABELIA NIETO** entered into arrangements whereby they agreed to purchase and did purchase false invoices for DME to support false Medicare claims submitted by **RAMON OSCAR SOTO, YELEINY GUERRERO, RAFAEL MORENO**, and **ARABELIA NIETO** through Denis, P&A, and Ros.

11. Defendants **RAMON OSCAR SOTO, YELEINY GUERRERO, RAFAEL MORENO**, and **ARABELIA NIETO** paid approximately ten to fifteen percent of the total value reflected on the false invoices.

12. Defendants **RAMON OSCAR SOTO, YELEINY GUERRERO, RAFAEL MORENO**, and **ARABELIA NIETO** caused claims to be submitted on the Medicare Program through Palmetto GBA with UPINs belonging to doctors who had not examined the patients for whom the claims were being submitted, nor had the doctors ordered the specific DME listed in the claims.

13. Defendants **RAMON OSCAR SOTO, YELEINY GUERRERO, RAFAEL MORENO**, and **ARABELIA NIETO** caused to be submitted to Medicare false invoices in connection with inspections or other evaluations of their respective DME companies.

14. As a result of this scheme, defendants **RAMON OSCAR SOTO, YELEINY GUERRERO, RAFAEL MORENO**, and **ARABELIA NIETO** filed or caused to be filed

approximately \$1,635,752.85 in false and fraudulent Medicare claims through Denis, P&A, and Ros, resulting in Medicare payments of approximately \$853,256.01.

Overt Acts

In furtherance of the conspiracy, and to accomplish its purpose and object, at least one of the conspirators committed, or caused to be committed, in Miami-Dade County, in the Southern District of Florida, the following overt acts, among others:

1. On or about January 13, 2006, defendant **ARIELIA NIETO** entered into a contract purportedly for the purpose of purchasing DME for Ros.
2. On or about January 13, 2006, defendant **ARIELIA NIETO** entered into a contract purportedly for the purpose of obtaining maintenance services for Ros' DME customers.
3. On or about March 15, 2006, defendant **RAFAEL MORENO** entered into a contract purportedly for the purpose of purchasing DME for P&A.
4. On or about March 15, 2006, defendant **RAFAEL MORENO** entered into a contract purportedly for the purpose of obtaining maintenance services for P&A's DME customers.
5. On or about May 9, 2006, defendant **YELEINY GUERRERO** entered into a contract purportedly for the purpose of purchasing DME for Denis.
6. On or about May 9, 2006, defendant **YELEINY GUERRERO** entered into a contract purportedly for the purpose of obtaining maintenance services for Denis' DME customers.
7. On or about July 26, 2006, defendants **RAMON OSCAR SOTO** and **ARIELIA NIETO** caused Ros to submit a false and fraudulent Medicare claim to Palmetto GBA seeking reimbursement of approximately \$1,720 for beneficiary J.H.
8. On or about November 7, 2006, defendants **RAMON OSCAR SOTO** and **RAFAEL**

MORENO caused P&A to submit a false and fraudulent Medicare claim to Palmetto GBA seeking reimbursement of approximately \$549 for beneficiary V.A.

9. On or about November 14, 2006, defendants **RAMON OSCAR SOTO** and **ARAELIA NIETO** caused Ros to submit a false and fraudulent Medicare claim to Palmetto GBA seeking reimbursement of approximately \$549 for beneficiary M.M.

10. On or about December 6, 2006, defendants **RAMON OSCAR SOTO** and **RAFAEL MORENO** caused P&A to submit a false and fraudulent Medicare claim to Palmetto GBA seeking reimbursement of approximately \$549 for beneficiary F.D.

11. On or about February 14, 2007, defendants **RAMON OSCAR SOTO** and **ARAELIA NIETO** caused Ros to submit a false and fraudulent Medicare claim to Palmetto GBA seeking reimbursement of approximately \$549 for beneficiary R.H.

12. On or about February 14, 2007, defendants **RAMON OSCAR SOTO** and **ARAELIA NIETO** caused Ros to submit a false and fraudulent Medicare claim to Palmetto GBA seeking reimbursement of approximately \$549 for beneficiary R.B.

13. On or about March 8, 2007, defendants **RAMON OSCAR SOTO** and **YELEINY GUERRERO** caused Denis to submit a false and fraudulent Medicare claim to Palmetto GBA seeking reimbursement of approximately \$549 for beneficiary A.W.

14. On or about March 12, 2007, defendants **RAMON OSCAR SOTO** and **YELEINY GUERRERO** caused Denis to submit a false and fraudulent Medicare claim to Palmetto GBA seeking reimbursement of approximately \$549 for beneficiary G.K.

15. On or about March 14, 2007, defendants **RAMON OSCAR SOTO** and **RAFAEL MORENO** caused P&A to submit a false and fraudulent Medicare claim to Palmetto GBA seeking

reimbursement of approximately \$288 for beneficiary M.R.

16. On or about March 22, 2007, defendants **RAMON OSCAR SOTO** and **RAFAEL MORENO** caused P&A to submit a false and fraudulent Medicare claim to Palmetto GBA seeking reimbursement of approximately \$415.80 for beneficiary K.W.

17. On or about April 17, 2007, defendants **RAMON OSCAR SOTO** and **YELEINY GUERRERO** caused Denis to submit a false and fraudulent Medicare claim to Palmetto GBA seeking reimbursement of approximately \$288 for beneficiary B.D.

18. On or about April 17, 2007, defendants **RAMON OSCAR SOTO** and **YELEINY GUERRERO** caused Denis to submit a false and fraudulent Medicare claim to Palmetto GBA seeking reimbursement of approximately \$288 for beneficiary G.M.

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

COUNT 2
(18 U.S.C. § 1349)

1. Paragraphs 1 through 10 of the General Allegations section of this Indictment are realleged and incorporated by reference as if fully set forth herein.

2. From in or around January 2006, the exact date being unknown to the Grand Jury, and continuing through the present, the exact date being unknown to the Grand Jury, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

**RAMON OSCAR SOTO,
YELEINY GUERRERO,
RAFAEL MORENO,
and
ARALIA NIETO,**

did willfully, that is, with the specific intent to further the object of the conspiracy, and knowingly combine, conspire, confederate and agree with others known and unknown to the Grand Jury to violate Title 18, United States Code, Section 1347, that is, to execute a scheme and artifice to defraud a health care benefit program affecting commerce, as defined in Title 18, United States Code, Section 24(b), that is, Medicare, and to obtain, by means of materially false and fraudulent pretenses, representations, and promises, money and property owned by, and under the custody and control of, said health care benefit program, in connection with the delivery of and payment for health care benefits, items, and services.

Purpose of the Conspiracy

3. It was the purpose of the conspiracy for the defendant to unlawfully enrich themselves by, among other things, submitting and causing the submission of false and fraudulent claims to Medicare for the cost of medically unnecessary DME.

Manner and Means

4. The allegations in Paragraphs 4 through 14 of the Manner and Means section of Count 1 of this Indictment are realleged and incorporated as though fully set forth herein.

All in violation of Title 18, United States Code, Section 1349.

COUNTS 3-6
(18 U.S.C. § 1347)

1. Paragraphs 1 through 10 of the General Allegations section of this Indictment are realleged and incorporated by reference as if fully set forth herein.

2. From in or around March 2007 and continuing through in or around April 2007, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

RAMON OSCAR SOTO
and
YELEINY GUERRERO,

did knowingly and willfully execute and attempt to execute a scheme and artifice to defraud a health care benefit program affecting commerce, as defined in Title 18, United States Code, Section 24(b), that is, Medicare, and to obtain, by means of materially false and fraudulent pretenses, representations, and promises, money and property owned by, and under the custody and control of, said health care benefit program, in connection with the delivery of and payment for health care benefits, items, and services, as specified below:

COUNT	CLAIM DATE	BENE. INITIALS	CLAIM AMOUNT	DME CODE	PURPORTED DATE OF SERVICE	PURPORTED ORDERING PHYSICIAN
3	On or about 3/8/2007	A.W.	Approx. \$549	A6242	11/29/2006	H.A.
4	On or about 3/12/2007	G.K.	Approx. \$549	A6242	1/29/2007	O.F.
5	On or about 4/17/2007	B.D.	Approx. \$288	A4331	3/22/2007	H.A.
6	On or about 4/17/2007	G.M	Approx. \$288	A4331	3/27/2007	O.F.

The Scheme and Artifice

2. An objective of the scheme and artifice was for the defendants **RAMON OSCAR SOTO** and **YELEINY GUERRERO** to unlawfully enrich themselves by, among other things, submitting and causing the submission of false and fraudulent claims to Medicare for the cost of medically unnecessary DME.

Manner and Means of the Scheme and Artifice

3. The allegations in Paragraphs 4 through 14 of the Manner and Means section of Count 1 of this Indictment are realleged and incorporated as though fully set forth herein.

All in violation of Title 18, United States Code, Sections 1347 and 2.

COUNTS 7-10
(18 U.S.C. § 1347)

1. Paragraphs 1 through 10 of the General Allegations section of this Indictment are realleged and incorporated by reference as if fully set forth herein.

2. From in or around November 2006 and continuing through in or around April 2007, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

RAMON OSCAR SOTO
and
RAFAEL MORENO,

did knowingly and willfully execute and attempt to execute a scheme and artifice to defraud a health care benefit program affecting commerce, as defined in Title 18, United States Code, Section 24(b), that is, Medicare, and to obtain, by means of materially false and fraudulent pretenses, representations, and promises, money and property owned by, and under the custody and control of,

said health care benefit program, in connection with the delivery of and payment for health care benefits, items, and services, as specified below:

COUNT	CLAIM DATE	BENE. INITIALS	CLAIM AMOUNT	DME CODE	PURPORTED DATE OF SERVICE	PURPORTED ORDERING PHYSICIAN
7	On or about 11/7/2006	V.A.	Approx. \$549	A6242	8/18/2006	H.A.
8	On or about 12/6/2006	F.D.	Approx. \$549	A6242	7/20/2006	O.F.
9	On or about 3/14/2007	M.R.	Approx. \$288	A4331	2/28/2006	O.F.
10	On or about 3/22/2007	K.W.	Approx. \$415.80	A5112	11/6/2006	H.A.

The Scheme and Artifice

2. An objective of the scheme and artifice was for the defendants **RAMON OSCAR SOTO** and **RAFAEL MORENO** to unlawfully enrich themselves by, among other things, submitting and causing the submission of false and fraudulent claims to Medicare for the cost of medically unnecessary DME.

Manner and Means of the Scheme and Artifice

3. The allegations in Paragraphs 4 through 14 of the Manner and Means section of Count 1 of this Indictment are realleged and incorporated as though fully set forth herein.

All in violation of Title 18, United States Code, Sections 1347 and 2.

COUNTS 11-14
(18 U.S.C. § 1347)

1. Paragraphs 1 through 10 of the General Allegations section of this Indictment are realleged and incorporated by reference as if fully set forth herein.

2. From in or around January 2006 and continuing through in or around the present, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

RAMON OSCAR SOTO
and
ARABELIA NIETO,

did knowingly and willfully execute and attempt to execute a scheme and artifice to defraud a health care benefit program affecting commerce, as defined in Title 18, United States Code, Section 24(b), that is, Medicare, and to obtain, by means of materially false and fraudulent pretenses, representations, and promises, money and property owned by, and under the custody and control of, said health care benefit program, in connection with the delivery of and payment for health care benefits, items, and services, as specified below:

COUNT	CLAIM DATE	BENE. INITIALS	CLAIM AMOUNT	DME CODE	PURPORTED DATE OF SERVICE	PURPORTED ORDERING PHYSICIAN
11	On or about 7/26/2006	J.H.	Approx. \$1720	E2402	6/26/2006	H.A.
12	On or about 11/14/2006	M.M.	Approx. \$549	A6242	10/6/2006	O.F.
13	On or about 2/14/2007	R.H.	Approx. \$549	A6242	12/22/2006	H.A.
14	On or about 2/14/2007	R.B.	Approx. \$549	A6242	1/19/2007	O.F.

The Scheme and Artifice

2. An objective of the scheme and artifice was for the defendants **RAMON OSCAR SOTO** and **ARALIA NIETO** to unlawfully enrich themselves by, among other things, submitting and causing the submission of false and fraudulent claims to Medicare for the cost of medically unnecessary DME.

Manner and Means of the Scheme and Artifice

3. The allegations in Paragraphs 4 through 14 of the Manner and Means section of Count 1 of this Indictment are realleged and incorporated as though fully set forth herein.

All in violation of Title 18, United States Code, Sections 1347 and 2.

CRIMINAL FORFEITURE
(18 U.S.C. § 982)

1. The allegations contained in Counts 1 and 2 of this Indictment are realleged and incorporated by reference as though fully set forth herein for the purpose of alleging forfeiture to the United States of America of certain property in which the defendants have an interest.

2. Upon conviction of any violation of Title 18, United States Code, Section 287 or a conspiracy to commit same or upon conviction of any violation of Title 18, United States Code, Section 1347 or a conspiracy to commit same, the defendants shall forfeit to the United States all property, real or personal, that constitutes or is derived, directly or indirectly, from gross proceeds traceable to the commission of the offense of conviction, pursuant to Title 18, United States Code, Section 982(a)(7).

3. The property which is subject to forfeiture, includes but is not limited to the following:

(A) a money judgment in the amount of \$853,256.01 which represents the gross proceeds of the fraud.

4. Pursuant to Title 21 United States Code, Section 853(p), as incorporated by reference by Title 18, United States Code, Section 982(b), if any of the forfeitable property, or any portion thereof, 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;

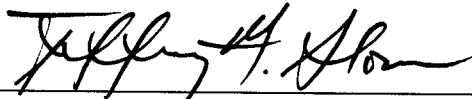
it is the intent of the United States to seek the forfeiture of other property of the defendants up to the value of the above-described forfeitable properties, including, but not limited, any identifiable property in the name of defendants **RAMON OSCAR SOTO, YELEINY GUERRERO, RAFAEL MORENO, and ARAELIA NIETO.**

All pursuant to Title 18, United States Code, Section 982(a)(7), and the procedures set forth at Title 21, United States Code, Section 853, as made applicable through Title 18, United States Code, Section 982(b)(1).

A TRUE BILL

FOREPERSON

J



R. ALEXANDER ACOSTA
UNITED STATES ATTORNEY

for



JOHN S. DARDEN, TRIAL ATTORNEY
CRIMINAL DIVISION, FRAUD SECTION
U.S. DEPARTMENT OF JUSTICE

UNITED STATES OF AMERICA

CASE NO. _____

vs.

CERTIFICATE OF TRIAL ATTORNEY*

RAMON OSCAR SOTO,
YELEINY GUERRERO,
RAFAEL MORENO, and ARAELIA NIETO ,

Defendants.

_____ /

Superseding Case Information:

Court Division: (Select One)

X Miami _____ Key West
_____ FTL _____ WPB _____ FTP

New Defendant(s) Yes _____ No _____
Number of New Defendants _____
Total number of counts _____

I do hereby certify that:

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.

2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.

3. Interpreter: (Yes or No) Yes _____
List language and/or dialect Spanish

4. This case will take 4 days for the parties to try.

5. Please check appropriate category and type of offense listed below:
(Check only one) (Check only one)

I	0 to 5 days	<u>X</u>	Petty	_____
II	6 to 10 days	_____	Minor	_____
III	11 to 20 days	_____	Misdem.	_____
IV	21 to 60 days	_____	Felony	<u>X</u>
V	61 days and over	_____		

6. Has this case been previously filed in this District Court? (Yes or No) No

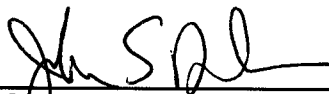
If yes:
Judge: _____ Case No. _____

(Attach copy of dispositive order)
Has a complaint been filed in this matter? (Yes or No) No

If yes:
Magistrate Case No. _____
Related Miscellaneous numbers: _____
Defendant(s) in federal custody as of _____
Defendant(s) in state custody as of _____
Rule 20 from the _____ District of _____

Is this a potential death penalty case? (Yes or No) No

- 7. Does this case originate from a matter pending in the U.S. Attorney's Office prior to April 1, 2003? _____ Yes X No
- 8. Does this case originate from a matter pending in the U. S. Attorney's Office prior to April 1, 1999? _____ Yes X No
If yes, was it pending in the Central Region? _____ Yes _____ No
- 9. Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to October 14, 2003? _____ Yes X No
- 10. Does this case originate from a matter pending in the Narcotics Section (Miami) prior to May 18, 2003? _____ Yes X No



JOHN S. DARDEN, Trial Attorney
Court ID Number A5501115
United States Department of Justice
Criminal Division, Fraud Section

*Penalty Sheet(s) attached

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: RAMON OSCAR SOTO

Case No: _____

Count #: 1

Conspiracy to Defraud the United States, to Submit and Cause the Submission of False

Claims

Title 18, United States Code, Section 371

***Max. Penalty:** Five years' imprisonment

Count #: 2

Conspiracy to Commit Health Care Fraud

Title 18, United States Code, Section 1349

***Max. Penalty:** Ten years' imprisonment

Counts #: 3-14

Health Care Fraud

Title 18, United States Code, Section 1347

***Max. Penalty:** Ten years' imprisonment

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: YELEINY GUERRERO

Case No: _____

Count #: 1

Conspiracy to Defraud the United States, to Submit and Cause the Submission of False

Claims

Title 18, United States Code, Section 371

***Max. Penalty:** Five years' imprisonment

Count #: 2

Conspiracy to Commit Health Care Fraud

Title 18, United States Code, Section 1349

***Max. Penalty:** Ten years' imprisonment

Counts #: 3-6

Health Care Fraud

Title 18, United States Code, Section 1347

***Max. Penalty:** Ten years' imprisonment

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: RAFAEL MORENO

Case No: _____

Count #: 1

Conspiracy to Defraud the United States, to Submit and Cause the Submission of False

Claims

Title 18, United States Code, Section 371

***Max. Penalty:** Five years' imprisonment

Count #: 2

Conspiracy to Commit Health Care Fraud

Title 18, United States Code, Section 1349

***Max. Penalty:** Ten years' imprisonment

Counts #: 7-10

Health Care Fraud

Title 18, United States Code, Section 1347

***Max. Penalty:** Ten years' imprisonment

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

PENALTY SHEET

Defendant's Name: ARAELIA NIETO

Case No: _____

Count #: 1

Conspiracy to Defraud the United States, to Submit and Cause the Submission of False

Claims

Title 18, United States Code, Section 371

***Max. Penalty:** Five years' imprisonment

Count #: 2

Conspiracy to Commit Health Care Fraud

Title 18, United States Code, Section 1349

***Max. Penalty:** Ten years' imprisonment

Counts #: 11-14

Health Care Fraud

Title 18, United States Code, Section 1347

***Max. Penalty:** Ten years' imprisonment

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**