



**UNITED STATES ATTORNEY'S OFFICE**  
*Southern District of New York*

U.S. ATTORNEY GEOFFREY S. BERMAN

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CONTACT: U.S. ATTORNEY'S OFFICE  
James Margolin, Dawn Dearden,  
Nicholas Biase  
(212) 637-2600

DEA  
Erin Mulvey  
(212) 337-2906

HHS  
Don White  
(415) 437-7982

NYPD  
Phillip Walzak, J. Peter Donald  
(646) 610-8900

IRS  
Yves Hunziker  
(212) 436-1674

**MANHATTAN U.S. ATTORNEY ANNOUNCES CHARGES AGAINST 5  
DOCTORS AND 2 OTHER MEDICAL PROFESSIONALS FOR  
ILLEGALLY DISTRIBUTING OXYCODONE**

*Coordinated Arrests Made in 6 Cases Aimed at Cutting Off the Supply of Diverted Opioids*

Geoffrey S. Berman, the United States Attorney for the Southern District of New York, James J. Hunt, the Special Agent-in-Charge of the New York Field Office of the Drug Enforcement Administration ("DEA"), James D. Robnett, the Special Agent-in-Charge of the New York Field Office of the Internal Revenue Service, Criminal Investigation ("IRS-CI"), Scott Lampert, Special Agent in Charge for the Office of Inspector General of the U.S. Department of Health and Human Services ("HHS-OIG"), James P. O'Neill, Commissioner of the New York City Police Department ("NYPD"), and Mark G. Peters, Commissioner of the New York City Department of Investigations ("DOI"), announced today the unsealing five Indictments and a criminal Complaint in Manhattan federal court charging a total of 10 defendants with illegally distributing oxycodone.

U.S. Attorney Geoffrey S. Berman said: "These doctors and other health professionals should have been the first line of defense against opioid abuse, but as alleged in today's charges, instead of caring for their patients, they were drug dealers in white coats. They hid behind their medical licenses to sell addictive, dangerous narcotics. This Office will do everything in its power to bring to justice anyone responsible for fueling the opioid epidemic that has taken so many lives."

DEA Special Agent-in-Charge James J. Hunt said: "From drug cartels to street distributors, law enforcement is targeting all levels of drug traffickers amidst the worst drug crisis in American history. The worst villains in the fight against drug abuse are doctors whose criminal actions fuel addiction and overdoses. As a result of separate investigations from three DEA offices, five doctors, a pharmacist, a nurse practitioner and three associates have been arrested for their role in distributing millions of unnecessary oxycodone pills, allegedly. SAC

Hunt commends the men and women from DEA’s Tactical Diversion Squads, our law enforcement partners and Southern District of New York for their commitment and hard work.”

IRS-CI Special Agent-in-Charge James D. Robnett said: “Medical professionals and others callously placed individuals in harm’s way simply because of greed. It takes a special kind of person to prey on the sick and vulnerable. The special agents of IRS Criminal Investigation will continue their mission to disrupt the flow of ill-gotten gains from these criminals.”

HHS-OIG Special Agent-in-Charge Scott Lampert said: “These individuals allegedly engaged in a greed-fueled scheme that put lives at risk and callously contributed to the opioid epidemic that continues to plague our society. These charges should serve as a warning to medical professionals that act like drug dealers and profit off of the vulnerable individuals they should be helping. Along with our law enforcement partners we are committed to ending the illegal distribution of opioids in this country and protecting the public’s health and welfare.”

NYPD Commissioner James P. O’Neill said: “Our entire country is suffering through an opioid abuse crisis, and we need to do everything we can to save as many lives as possible. We need to help people from falling into a black hole of addiction and fatal overdoses. We have to push New York City and our nation to thrive, and to turn this epidemic around. A good step in that direction is to investigate and put away the criminals who have so clearly betrayed their professional oaths – who have put illegal profits above their own integrity, and above the well-being of their fellow man. I commend each of our law enforcement partners on the Drug Enforcement Task Force, and all the New Yorkers who alert the police when they suspect criminality. This is how each of us – cops, prosecutors, and all the people we serve – are sharing the responsibility for public safety. And this is how we are making our way forward.”

DOI Commissioner Mark G. Peters said: “These joint investigations demonstrate the scourge that opioid abuse has on our community and the emphatic response from law enforcement: Any individual who seeks to promote prescription fraud and drug abuse will be exposed, arrested and prosecuted. DOI stands firmly with its federal partners on this serious issue and we will continue to work together to stop this crime and save lives.”

According to the allegations in the five Indictments and one Complaint unsealed today:<sup>[1]</sup>

DANTE A. CUBANGBANG, JOHN F. GARGAN, MICHAEL KELLERMAN, and LOREN PIQUANT, who together operated a medical clinic in Queens, were arrested yesterday evening and will be presented in Manhattan federal court today. According to the allegations in the Indictment unsealed today, CUBANGBANG, a physician, and GARGAN, a nurse practitioner, prescribed over 6 million oxycodone pills to individuals they knew did not need the medication for any legitimate medical reason. CUBANGBANG and GARGAN prescribed more than twice as many oxycodone pills that were paid for by Medicare and Medicaid than the next highest prescriber in New York. CUBANGBANG and GARGAN doled out these prescriptions during office visits that lasted no more than a few minutes and involved little to no physical examination. Together with KELLERMAN and PIQUANT, who worked in the clinic and

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<sup>1</sup> As the introductory phrase signifies, the entirety of the texts of the Indictments and Complaint, and the description of the Indictments and Complaint set forth herein constitute only allegations, and every fact described should be treated as an allegation.

recruited patients, the defendants collected more than \$5 million in all-cash office visit fees, which they laundered and divided amongst themselves.

CARL ANDERSON, a Staten Island physician, and ARTHUR GRANDE were arrested yesterday evening and will be presented in Manhattan federal court today. According to the allegations in the Indictment unsealed today, ANDERSON prescribed nearly a million oxycodone pills to patients he knew had no legitimate medical need for the medication, including GRANDE, who sold the pills on the streets of New York. ANDERSON often saw his patients, some of whom displayed visible signs of drug addiction, without appointments and with little notice, in the middle of the night, and required that they pay hundreds of dollars in cash for each prescription. Noisy crowds of pill-seeking patients often gathered outside of ANDERSON's office and in his waiting room, prompting occasional 911 calls from neighbors. Even after some of ANDERSON's patients died of drug overdoses, he did not alter his prescribing practices.

ANTHONY PIETROPINTO, a psychiatrist residing in Manhattan, was arrested this morning and will be presented today before Magistrate Judge James L. Cott. According to the allegations in the Complaint unsealed today in Manhattan federal court, PIETROPINTO wrote thousands of medically unnecessary oxycodone prescriptions in exchange for \$50 to \$100 in cash per visit. PIETROPINTO wrote these prescriptions to drug-addicted individuals, including one patient who overdosed on drugs, and who had previously been prescribed by PIETROPINTO both oxycodone and naloxone, a medication used to block the effects of opioid overdoses, because PIETROPINTO was aware of, but disregarded, that patient's addiction issues. PIETROPINTO saw these patients in a rented office space after hours, and instructed his patients to not fill prescriptions at large chain pharmacies because pharmacists at those pharmacies would call and question PIETROPINTO about why he wrote prescriptions for large amounts of oxycodone.

NKANGA NKANGA, a Staten Island physician, was arrested this morning and will be presented in Manhattan federal court today. According to the allegations in the Indictment unsealed today, in exchange for cash payments, NKANGA wrote thousands of oxycodone prescriptions for patients, some of whom displayed visible signs of drug addiction, without conducting any physical examination, or even seeing them in an examination room. NKANGA also wrote prescriptions in the names of patients who did not even visit his medical office. On one occasion, for instance, NKANGA asked a patient, "how many people are you representing today," and then wrote prescriptions in the names of people, even though three were not present. NKANGA regularly prescribed over 100 oxycodone pills per patient per month until July 2018 when he reduced all patients' monthly allotment, telling one patient he was "very worried" about scrutiny from law enforcement.

NADEM J. SAYEGH, a physician with offices in the Bronx and Westchester, was arrested this morning and will be presented in Manhattan federal court today. According to the allegations in the Indictment unsealed today, SAYEGH maintained a corrupt relationship with a co-conspirator, issuing oxycodone prescriptions in his name, variations of his name, his family members' names, and the names of other individuals in exchange for thousands of dollars in cash, expensive dinners, high-end whisky, cruises, and all-expense-paid trips. SAYEGH wrote some of these prescriptions, for which there was no legitimate medical purpose, for individuals

who did not visit his medical office, including a patient who was overseas and another patient who was incarcerated.

MARC KLEIN, a pharmacist in White Plains, was arrested this morning and will be presented in Manhattan federal court. According to the allegations in the Indictment unsealed today, KLEIN filled oxycodone prescriptions that he knew were illegitimate, including prescriptions filled by a customer in multiple variations of his name and date of birth, and prescriptions filled in the names of individuals who never were present in the pharmacy. KLEIN filled thousands of these oxycodone prescriptions, “fronted” controlled substances, and made false reports to New York State authorities, in exchange for cash payments and a vacation. KLEIN admitted, in substance, that he and his employees could be called “licensed drug dealers” because “oxy pays the bills” at KLEIN’s pharmacy.

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CUBANGBANG, 50, of Franklin Square, New York, GARGAN, 62, of Manhattan, New York, KELLERMAN, 54, of Queens, New York, and PIQUANT, 37, of Bronx, New York, have been charged in an Indictment with one count of conspiracy to distribute controlled substances, which carries a maximum sentence of 20 years in prison. CUBANGBANG, GARGAN, and KELLERMAN are also charged with one count of conspiracy to commit health care fraud, which carries a maximum sentence of 10 years in prison, and conspiracy to commit money laundering, which carries a maximum sentence of 20 years in prison.

ANDERSON, 57, of Staten Island, New York, and GRANDE, 53, of Staten Island, New York, have been charged in an Indictment with one count of conspiracy to distribute controlled substances, which carries a maximum sentence of 20 years in prison.

PIETROPINTO, 80, of Manhattan, New York, has been charged in a Complaint with one count of conspiracy to distribute controlled substances, which carries a maximum sentence of 20 years in prison, and two counts of distribution of controlled substances, each of which carries a maximum sentence of 20 years in prison.

NKANGA, 65, of Staten Island, New York, has been charged in an Indictment with one count of conspiracy to distribute controlled substances, which carries a maximum sentence of 20 years in prison, and four counts of distribution of controlled substances, each of which carries a maximum sentence of 20 years in prison.

SAYEGH, 64, of Yonkers, New York, has been charged in an Indictment with one count of conspiracy to distribute controlled substances, which carries a maximum sentence of 20 years in prison; one count of distribution of controlled substances, which carries a maximum sentence of 20 years in prison; one count of health care fraud, which carries a maximum sentence of 10 years in prison; making false statements, which carries a maximum sentence of five years in prison; and aggravated identity theft, which carries a two year mandatory minimum prison sentence to be served consecutive to any other term of imprisonment.

KLEIN, 47, of White Plains, New York, has been charged in an Indictment with one count of conspiracy to distribute controlled substances, which carries a maximum sentence of 20

years in prison, and 14 counts of distribution of controlled substances, each of which carries a maximum sentence of 20 years in prison.

The maximum potential sentences are prescribed by Congress and are provided here for informational purposes only, as any sentencing of the defendants will be determined by their respective judges.

Mr. Berman praised the investigative work of the DEA Tactical Diversion Squads in New York, Long Island and Newark as well as HHS, DOI and IRS. DEA's Tactical Diversion Squad, New York (Group TDS-NY) comprises agents and officers from the DEA, the NYPD, the New York State Police, New York State Department of Financial Services and New York City Department of Investigation. DEA's Long Island Tactical Diversion Squad (LIDO –TDS) comprises agents and officers of the DEA, Nassau County Police Department, Rockville Centre Police Department, Suffolk County Police Department, Port Washington Police Department and Internal Revenue Service. Newark Tactical Diversion Squad (Newark-TDS) comprises agents and officers from the DEA, Elizabeth Police Department, Essex County Sheriff's Office, Toms River Police Department, Clinton Police Department, West Orange Police Department, Pohatcong Police Department, Long Branch Police Department, and Marlboro Police Department. Assistance was also provided by the Yonkers Police Department and Greenburgh Police Department.

Parts of this cases were conducted under the auspices of the Organized Crime Drug Enforcement Task Force (OCDETF), a partnership between federal, state, and local law enforcement agencies. The principal mission of the OCDETF program is to identify, disrupt, and dismantle the most serious drug trafficking and money laundering organizations and those primarily responsible for the nation's illegal drug supply.

These cases are being handled by the Office's Narcotics Unit. Assistant U.S. Attorneys Michael Krouse and Louis Pellegrino are in charge of the prosecution in *United States v. Cubangbang et al.*, Assistant U.S. Attorneys Stephanie Lake and Nicolas Roos are in charge of the prosecution in *United States v. Pietropinto*, and Assistant U.S. Attorney Nicolas Roos is in charge of the prosecutions in *United States v. Anderson et al.*, *United States v. Nkanga*, *United States v. Sayegh*, and *United States v. Klein*.

The charges contained in the Indictment and Complaint are merely accusations, and the defendants are presumed innocent unless and until proven guilty.

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