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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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November 1990 Grand Jury

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 DAVID M. HALPERN (1),)
) aka David Hall,)
) aka David Hab,)
) aka David Lewis,)
 FRANCES H. WELLGOOD (2),)
) aka Frances C. Halpern,)
) aka Frances Gottlieb,)
 EDWARD SOLLISCH (3),)
) FRANCES D. HALPERN (4),)
) MAXIMILLIAN SCHMIDT (5),)
) aka Waldschmidt,)
 EMANON, INC. (6),)
) TUDOR TRADING CO. (7),)
) SHAREFIRST, LTD. (8))
) BIG BEN EXPORT CO. (9),)
) ZUMBA VERTRIEBSGESELLSCHAFT)
) PHARMAZEUTISCHER)
) ERZEUGNISSE GmbH (10),)
)
 Defendants.)

Criminal Case No. 820298 G

I N D I C T M E N T

Title 18, U.S.C., Sec. 371 -
 Conspiracy; Title 21, U.S.C.,
 Secs. 331(d), 333(a)(2) and
 355 - Introducing Unapproved
 Drugs in Interstate Commerce;
 Title 18, U.S.C., Sec. 545 -
 Smuggling Merchandise;
 Title 18, U.S.C., Sec. 542 -
 Entry of Goods by Means of False
 Declarations; Title 18, U.S.C.,
 Sec. 2 - Aiding And Abetting

The grand jury charges:

Count 1

INTRODUCTORY ALLEGATIONS

1. The United States Food and Drug Administration
 (hereinafter referred to as "FDA") is the federal agency charged
 with the responsibility of protecting the health and safety of the

1 American public by ensuring that drugs are safe and effective for
2 their intended use before they may be manufactured and offered for
3 sale to the people of this country. If drugs are manufactured
4 outside the United States, they may not be imported and offered
5 for sale prior to FDA approval. Such approval will only be given
6 if the manufacturers can establish compliance with all the
7 applicable provisions of the Federal Food, Drug and Cosmetic Act.

8 2. The FDA is charged with the responsibility of protecting
9 the American public by ensuring that prescription drugs are safe
10 and effective for their intended use before they are approved for
11 sale. In addition, the FDA also requires that those prescription
12 drugs approved for sale be: (1) manufactured and stored in
13 conformity with applicable requirements in order to assure that
14 they do not become adulterated; (2) restricted to the possession
15 of persons who are regularly and lawfully engaged in their
16 manufacturing, transportation, storage, wholesale and retail
17 distribution or administration; and (3) dispensed by prescription
18 or directly under the supervision of a licensed practitioner
19 because of, among other things, their potential toxicity and
20 harmful side effects.

21 3. Accordingly, the Congress of the United States has
22 passed laws which allow the FDA to assure that prescription drugs
23 are properly manufactured to assure their safety, identity,
24 quality, purity and potency. Congress has further required that
25 these drugs be marked with identifying codes to allow for their
26 tracing and labeling to assure the proper use and dispensing of
27 such drugs by a licensed physician.

1 treatment or prevention of disease in man or other animals, and
2 articles (other than food) intended to affect the structure or any
3 function of the body of man or other animals. Title 21, United
4 States Code, Section 321(g)(1).

5 9. At all times relevant hereto, a "new drug" was defined
6 as one that is not generally recognized (among experts qualified
7 by scientific training and experience to evaluate the safety and
8 effectiveness of drugs) as safe and effective for use under the
9 conditions prescribed, recommended, or suggested by its labeling.
10 Moreover, even if a drug were recognized as safe and effective
11 under the conditions prescribed, recommended or suggested in its
12 labeling, it would still be a new drug if such recognition arose
13 from investigations into the drug's safety and effectiveness, but
14 the drug has not, other than in the investigations, been used to
15 a material extent or for a material time under such conditions.
16 Title 21, United States Code, Section 321(p)(1) and (2).

17 10. At all times relevant hereto, it was illegal to
18 introduce or deliver for introduction into interstate commerce a
19 "new drug", as defined in paragraph 9 above, unless and until a
20 new drug application for the drug had been approved by the FDA.
21 Title 21, United States Code, Sections 331(d) and 355(a).

22 FOUNTAIN OF YOUTH DRUGS

23 11. Many unapproved new drugs manufactured outside the
24 United States that claim to reverse the effects of aging and cure
25 a wide variety of associated diseases are now flooding the black
26 market in response to a large demand. These so-called "fountain
27 of youth" drugs have not been approved by the FDA for importation

1 into or distribution within the United States. These fountain of
2 youth drugs include various cell therapies (e.g., Regeneresen),
3 procaine hydrochloride derivatives (e.g., Gerovital H3) and sexual
4 tonics (e.g., Zumba Forte). Because these and other unapproved
5 fountain of youth pharmaceuticals are smuggled into the United
6 States, they are neither subject to government oversight
7 restricting their use, nor manufactured according to FDA rules and
8 regulations. As such, they pose a serious potential health risk
9 to the American public.

10 A. CELLULAR THERAPY

11 12. Live cell therapy, also known as cellular therapy,
12 Niehans cell therapy, fresh cell therapy and Siccacell therapy,
13 was developed in 1936 by the Swiss physician, Dr. Paul Niehans.
14 This treatment is characterized by the injection into humans of
15 fresh fetal animal tissue obtained from, among other places, the
16 heart, thymus, placenta, ovary, brain and thyroid glands of cows
17 and sheep. Although originally offered as an alleged rejuvenator
18 of ailments associated with old age, various forms of cellular
19 therapy are now being offered on the black market for a wide
20 variety of medical ailments.

21 13. As an alternative to the expensive live cell treatments
22 offered abroad, various companies started marketing a less
23 expensive alternative dubbed "cell therapy." This alternative
24 called for isolating ribonucleic acid (RNA) from the organs and
25 tissues of young sheep, cattle, or the fetuses of these animals.
26 Once isolated, the "organospecific" RNA would be placed in
27

1 injectable bottles (or ampules) to allow individuals to inject the
2 animal proteins without having to travel to a foreign clinic.

3 14. This therapy is now being promoted in this country for
4 over one hundred different medical conditions. These conditions
5 encompass both serious and routine ailments, and both physical and
6 psychological problems. According to promotional literature, the
7 indications include: acne, allergies, anemia, apoplexy,
8 arteriosclerosis, asthma, bone fractures, cerebro-atrophy,
9 cerebral sclerosis, colitis, cretinism, deafness, depression,
10 diabetes, Down's syndrome, dwarfism, eczema, emaciation,
11 emphysema, encephalitis, frigidity, hepatitis, hay fever, hives,
12 impotence, leukemia, menopause, mongolism, multiple sclerosis,
13 myocardial infarction, nephrosis, obesity, osteoporosis,
14 osteosclerosis, Parkinson's disease, pneumonia, senility,
15 radiation damage, rheumatoid arthritis and sterility.

16 15. Despite claims of a miracle panacea, no one has ever
17 submitted an acceptable application to the FDA to sell these cell
18 therapy products in the United States. In fact, the FDA has not
19 received any well controlled clinical investigations which
20 demonstrate either the effectiveness or safety of these cell
21 therapies for any medical purpose. Furthermore, the FDA has not
22 been provided with any information that cell therapy manufacturers
23 comply with current good manufacturing practices when making their
24 products. Accordingly, the cell therapy products possess the
25 potential for viral, bacterial and mycoplasma contamination.

26 16. Use of these cell therapy products is a **direct health**
27 **hazard** which may result in serious adverse reactions, including

1 allergic complications, anaphylactic shock and death. In
2 particular, due to the fact that animal tissues are being employed
3 in this therapy, animal viruses and microbes might be transmitted
4 to individuals using these treatments. In this manner,
5 individuals utilizing these prohibited drugs run the real risk of
6 contracting, among other diseases, brucellosis and Q-Fever, and
7 perhaps, even bovine spongiform encephalitis (also known as "mad
8 cow disease"). In addition, if these drugs are injected
9 intraarticularly they may infect the joint spaces and result in
10 septic arthritis.

11 17. Although users run the risk of serious injury or death,
12 over the last several years the defendants have imported into and
13 distributed within the United States the following types of
14 injectable fountain of youth cell therapies offered for sale in
15 the United States: (1) Regeneresen - Various Forms; (2) Plazenta
16 Extrakt; (3) Testes Extract; (4) Pankreas Extrakt; (5) NeyNormin;
17 (6) Hirn Extract; (7) NeyTumorin; (8) Cerebral-Uvocal; (9)
18 NeyCalm; (10) NeyPulpin; (11) NeyMan; (12) NeyFam; (13) FegaCoren;
19 (14) NeyNephrin; (15) NeyGluc; (16) NeyArthos; (17) NeyChondin;
20 (18) NeyTroph; (19) NeyDop; (20) Thymus Extrakt; (21) Cytochrom C-
21 Uvocal; (22) Herz Extrakt; (23) Tombusan; (24) Pernical forte;
22 (25) Pernicipur; (26) Milz Extrakt; (27) NeyDesib; (28) NeyGeront;
23 (29) Tombusan; (30) Neyimmun; (31) Konzentrat-Ampulle; (32)
24 Neythymun; (33) Cor-Uvocal; (34) Splen-Uvocal; (35) Pankre-Uvocal;
25 (36) Plazenta-Uvocal; (37) Testes-Uvocal; (38) AntiFokal; (39)
26 Osteochondrin; (40) Thym-Uvocal; and (41) Follikulinorm Ovary.

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B. PROCAINE HYDROCHLORIDE FORMULATIONS

18. In the early 1950s, Dr. Anna Aslan was assigned to a geriatric hospital in Bucharest, Romania. While working at the hospital, she allegedly discovered that injections of the drug "Gerovital H3" could be used to successfully treat a wide variety of disorders linked to the aging process. Among the claims are that the drug can prevent or relieve arthritis, peripheral and cerebral arteriosclerosis, angina pectoris, deafness, neuritis, neurodermatitis, Parkinson's disease, depression, senility, rheumatism, psoriasis, asthma, ulcers, migraines, osteoporosis, premature graying, hair loss, wrinkling of skin, insomnia and impotence.

19. As a result of these claims, promotional literature such as provided by the defendants announce Gerovital H3 as the most popular rejuvenation product in the world. This literature states that Gerovital is used by several hundred thousand persons throughout the world. According to an insert accompanying a Gerovital related product, allegedly "90% of all treated persons feel physically and mentally more alert and more active."

20. To the contrary, controlled trials have failed to demonstrate any improvement in the physical or mental status of elderly patients with cerebral arteriosclerosis or chronic degenerative disorders, including senile dementia. This result is consistent with the fact that Gerovital's active ingredient is procaine hydrochloride (with small amounts of benzoic acid, potassium metabisulfite, and disodium phosphate added), a well known local anesthetic.

1 probability, waste resources. As such, promotion, availability
2 and sales of these drugs is contrary to the interest of
3 physicians, their patients and the public in general.
4 Accordingly, these drugs are not approved by the FDA for
5 importation into or distribution within the United States.

6 24. During the last several years, defendants have imported
7 into and distributed within the United States the following types
8 of unapproved procaine hydrochloride fountain-of-youth drugs: (1)
9 Gerovital H3 injection manufactured in Romania; (2) Gerovital H3
10 tablets manufactured in Romania; (3) GH 3 injection manufactured
11 in Romania; (4) GH 3 tablets manufactured in Romania; (5)
12 Aslavital injection manufactured in Romania; (6) Aslavital tablets
13 manufactured in Romania; (7) Neygeront (R) Capsules manufactured
14 in Germany; (8) Geriatricum-Schwarzhaupt capsules manufactured in
15 Ireland; (9) Zell H3 tablets manufactured in Germany; and (10)
16 K.H.3 capsules manufactured in Germany. Unless otherwise
17 specified, these products are hereinafter generically referred to
18 as "Gerovital".

19 C. SEXUAL TONICS

20 25. Over the last several years, defendants have also
21 imported into and distributed within the United States large
22 quantities of Zumba Forte, another fountain of youth drug. Zumba
23 Forte, billed as a "sexualtonic", is manufactured by defendant
24 ZUMBA VERTRIEBSGESELLSCHAFT PHARMAZEUTISCHER ERZEUGNISSE GmbH,
25 Bernauer Strasse 17, 8000 Munchen 80, Germany [hereinafter
26 referred to as "ZUMBA GmbH"]. According to its promotional
27 literature, Zumba Forte is based on vegetable substances

1 discovered by primitive native inhabitants of tropical jungles.
2 Allegedly, the natives used these substances to preserve and
3 enhance male potency.

4 26. The vegetable components in Zumba Forte include
5 unapproved substances derived from: (1) the bark of the West
6 African yohimbe tree (allegedly containing yohimbine, a substance
7 claimed to stimulate the erection center in the sacral cord); (2)
8 the stemwood of the Brazilian muira puama tree (claimed to
9 "tinicize the central nervous system"); (3) the leaves of the West
10 Indian damiana plant (described as also being a tonic for
11 conditions of "general debility and exhaustion"); and (4) Central
12 Asian and East Indian sumbul root (claimed to have a beneficial
13 effect on hyperexcitability of the nervous system).

14 27. Yohimbine, one of the ingredients of Zumba Forte, is an
15 indole alkaloid derived initially from the bark of the Coryanthe
16 johimbe tree that acts as an alpha 2 adrenergic receptor blocking
17 agent. Medical authorities are particularly concerned with the
18 abuse of this drug in older men seeking rejuvenation. This is
19 because its recognized contraindications include renal disease.
20 This danger may be especially acute in patients sensitive to the
21 drug, as well as geriatric or cardio-renal patients with a history
22 of gastric or duodenal ulcers.

23 28. In addition to yohimbine, Zumba Forte contains
24 methyltestosterone, a chemical derivative of testosterone (the
25 "male sex hormone"). Although Zumba Forte is marketed to combat
26 "conditions of sexual weakness," methyltestosterone (like other
27 anabolic steroids) is recommended only for the treatment of

1 extremely serious diseases (e.g., primary hypogonadism, inoperable
2 metastatic (skeletal) mammary cancer, and pituitary hypothalamic
3 injuries from tumors, trauma, or radiation). The FDA has limited
4 the use of methyltestosterone due to well documented adverse side-
5 effects, which include: pelicais hepatis, hepatocellular
6 carcinoma, hepatitis, jaundice, testicular atrophy, prostate
7 cancer, gynecomastia, sterility, birth defects, clitoromegaly,
8 increased masculinity in women and aggressive behavior in men.

9 29. Due to these side effects, methyltestosterone is
10 specifically contraindicated for use by geriatric patients.
11 Individuals of advanced age who use the drug may be at an
12 increased risk of developing prostatic hypertrophy and cancer of
13 the prostate. Accordingly, methyltestosterone should never be
14 taken by the elderly, except under the supervision of a licensed
15 physician who is prescribing it to treat an indicated illness.
16 Zumba Forte is not approved by the FDA for importation into or
17 distribution within the United States.

18 THE COCONSPIRATORS

19 30. At all times relevant hereto, defendant DAVID HALPERN
20 was directing the operations of defendant EMANON, INC., and the
21 unincorporated sham businesses Tudor Trading Co. (U.S.A.), and
22 D.M.H. Company. All three entities were being utilized by
23 defendant DAVID HALPERN to illegally purchase, smuggle and
24 distribute a wide variety of unapproved fountain of youth drugs in
25 the United States.

26 31. At all times relevant hereto, defendant FRANCES H.
27 WELLGOOD was employed by defendants DAVID M. HALPERN and EMANON,

1 INC. to assist in the purchase, illegal importation and
2 distribution of unapproved fountain of youth drugs in the United
3 States. Defendant FRANCES H. WELLGOOD is the sister of defendant
4 DAVID M. HALPERN.

5 32. At all times relevant hereto, defendant EDWARD SOLLISCH
6 was employed by defendants DAVID M. HALPERN and EMANON, INC. to
7 assist in the purchase, illegal importation and distribution of
8 unapproved fountain of youth drugs in the United States.
9 Defendant EDWARD SOLLISCH is the husband of defendant FRANCES H.
10 WELLGOOD, and the brother-in-law of defendant DAVID M. HALPERN.

11 33. At all times relevant hereto, defendant FRANCES D.
12 HALPERN was employed by defendants DAVID M. HALPERN and EMANON,
13 INC. to assist in the receiving and transshipping of unapproved
14 fountain of youth drugs in the United States. Defendant
15 FRANCES D. HALPERN is the mother of defendant DAVID M. HALPERN.

16 34. At all times relevant hereto, defendant MAXIMILLIAN
17 SCHMIDT was proprietor of defendant ZUMBA GmbH, Bernauer
18 Strasse 17, 8000 Munchen 80, Germany. As proprietor of defendant
19 ZUMBA GmbH, defendant SCHMIDT arranged the illegal shipment of
20 numerous injectable cell therapy drugs and other fountain of youth
21 drugs to the United States.

22 35. At all times relevant hereto, defendants TUDOR
23 TRADING CO. (United Kingdom), BIG BEN EXPORT CO., and SHAREFIRST,
24 LTD. purchased, stored and illegally shipped procaine
25 hydrochloride and other fountain of youth drugs to the United
26 States.

1 United States Code, Sections 331(a), 333(a)(2), 352(f)(1), and
2 353(b)(1);

3 c. fraudulently and knowingly buying, receiving,
4 concealing and facilitating the transportation and concealment of
5 various unapproved drugs, knowing that the drugs had been imported
6 and brought into the United States contrary to law, in that they
7 were not presented for inspection, entered and declared as
8 provided by Title 19, United States Code, Sections 1459 and 1401,
9 and which merchandise is subject to forfeiture, in violation of
10 Title 18, United States Code, Section 545;

11 d. knowingly and willfully introducing and attempting
12 to introduce into the commerce of the United States unapproved
13 drugs by means of false declarations, in violation of Title 18,
14 United States Code, Section 542; and

15 e. fraudulently impairing, impeding and defeating the
16 FDA's lawful governmental function of evaluating and regulating
17 the distribution of drugs in the United States in a manner that
18 will assure that the drugs are safe and effective for their
19 intended uses, in violation of Title 21, United States Code,
20 Sections 331(a), 333(a)(2), and 355.

21 THE METHODS OF THE CONSPIRACY

22 38. As a part of the conspiracy, defendant DAVID M. HALPERN
23 travelled to England to purchase procaine hydrochloride products
24 from a variety of sources, including defendant TUDOR TRADING CO.
25 (United Kingdom) [hereinafter referred to as TUDOR TRADING CO.
26 (U.K.)].

1 39. As a further part of the conspiracy, defendant DAVID M.
2 HALPERN eventually purchased a 90% interest in defendant TUDOR
3 TRADING CO. (U.K.) for \$50,000. This interest included, among
4 other things: (1) a list of hundreds of customers who purchased
5 Gerovital in the United States; and (2) TUDOR's existing product
6 inventory. This inventory contained large quantities of
7 Gerovital.

8 40. As a further part of the conspiracy, defendant DAVID M.
9 HALPERN utilized defendant TUDOR TRADING CO. (U.K.), BIG BEN
10 EXPORT CO., and SHAREFIRST, LTD., to purchase and illegally ship
11 Gerovital to the United States.

12 41. As a further part of and in order to conceal and
13 disguise the conspiracy, defendant DAVID M. HALPERN employed
14 John J. Topping to warehouse and export TUDOR's Gerovital to the
15 United States. According to his instructions, the packages were
16 to be shipped out over a period of time, not all at once.

17 42. As a further part of and in order to conceal and
18 disguise the conspiracy, defendant DAVID M. HALPERN directed
19 Topping to falsely declare the contents of the packages as gifts
20 and other items. In addition, he also directed Topping to falsely
21 undervalue the drug shipments on the shipping documents.

22 43. As a further part of the conspiracy, defendant DAVID M.
23 HALPERN opened a bank account in the name of defendant TUDOR
24 TRADING CO. (trading as D.M. Halpern) at Midland Bank, Mill Hill
25 Branch, 75 The Broadway, Mill Hill, England.

26 44. As a further part of the conspiracy, defendant DAVID M.
27 HALPERN paid Topping approximately \$25,000 per year from the
28

1 proceeds of bank deposits made into defendant TUDOR TRADING CO.'s
2 (U.K.) account in England.

3 45. As a further part of the conspiracy, defendant DAVID M.
4 HALPERN formed defendant SHAREFIRST, LTD. in the United Kingdom to
5 facilitate the purchase, storage and illegal shipment of
6 pharmaceuticals into the United States.

7 46. As a further part of the conspiracy, defendant DAVID M.
8 HALPERN also used defendants SHAREFIRST, LTD. and BIG BEN EXPORT
9 CO., to purchase fountain of youth pharmaceuticals from, among
10 others, Arcode Ltd., London, England.

11 47. As a further part of the conspiracy, defendant DAVID M.
12 HALPERN utilized the sham companies, D.M.H. Company, and Tudor
13 Trading (U.S.A.), to facilitate the smuggling and sale of
14 unapproved drugs into the United States.

15 48. As a further part of the conspiracy, defendant DAVID M.
16 HALPERN formed defendant EMANON, INC., in order to (1) disguise
17 and conceal his illegal activity; and (2) launder his illegal
18 proceeds.

19 49. As a further part of the conspiracy, defendant DAVID M.
20 HALPERN recruited various family members and other individuals to
21 assist in conducting his illegal activities.

22 50. As a further part of and in order to conceal and
23 disguise the conspiracy, defendants DAVID M. HALPERN, FRANCES D.
24 HALPERN, FRANCES H. WELLGOOD and Sharon Halpern opened
25 approximately 20 different "mail drops" in the names of fictitious
26 individuals and sham companies in order to receive unapproved
27 pharmaceuticals illegally imported into the United States.

1	<u>ITEM</u>	<u>QUANTITY</u>	<u>AMOUNT</u>
2	Adrenal Gland Dilutions (VITDIL)	604 ampules	\$ 1,789
	Adrenal Medulla (REGEN)	36 vials	345
3	Anti Fokal Dilutions (VITDIL)	152 ampules	931
	Anti Fokal Drops (VITDROP)	332 bottles	2,168
4	Anti Fokal N Dilutions (VITDIL)	2,403 ampules	12,412
	Arachnoid-Chorioid Dil. (VITDIL)	153 ampules	486
5	Artery (REGEN)	44 vials	823
	AU4 (REGEN)	72 vials	1,762
6	Blood (REGEN)	399 vials	3,802
	Bone Marrow (REGEN)	325 vials	8,404
7	Bone Marrow Dilutions (VITDIL)	80 ampules	1,384
	Brain Stem (REGEN)	61 vials	1,545
8	Bronchi (REGEN)	126 vials	3,212
	Cartilage (REGEN)	14 vials	132
9	Cerebellar Cortex (REGEN)	22 vials	389
	Cerebellar Medulla (REGEN)	19 vials	337
10	Cerebellum (REGEN)	72 vials	691
	Cerebellum Dilutions (VITDIL)	5 ampules	86
11	Cerebral Cortex (REGEN)	23 vials	406
	Cerebral Cortex Dilution (VITDIL)	4 ampules	77
12	Cerebral Cortex Dry (VITDRY)	3 ampules	102
	Cerebral Hemisphere (REGEN)	52 vials	496
13	Cerebral Marrow (REGEN)	6 vials	106
	Cerebral-Uvocal (MULLI)	2,325 vials	4,034
14	Choroid (REGEN)	4 vials	99
	Colon (REGEN)	211 vials	2,004
15	Conjunct A Eye Drops (.5ml) (VITING)	9,910 bottles	3,398
	Conjunctisan A Eye Drops (VITING)	2,567 bottles	16,920
16	Conjunctisan B Eye Drops (VITING)	2,233 bottles	14,726
	Conjunctiva (REGEN)	3 vials	112
17	Connective Tissue (REGEN)	404 vials	6,994
	Connective Tissue Dry (VITDRY)	1 ampule	23
18	Cor-Uvocal Tablets (MULLI)	3,150 tablets	372
	Cor-Uvocal Vials (MULLI)	1,180 vials	1,604
19	Corpus Luteum (REGEN)	20 vials	358
	Corpus Luteum Dilutions (VITDIL)	1 ampule	17
20	Cortex Suprarenal (REGEN)	989 vials	9,410
	Cytochrom-C Uvocal (MULLI)	125 vials	258
21	Dental Lamina Dilutions (VITDIL)	50 ampules	200
	Diencephalon (REGEN)	107 vials	1,020
22	Diencephalon Dilutions (VITDIL)	300 ampules	901
	Disc Intervertebral (REGEN)	111 vials	1,946
23	Epiphysis (REGEN)	44 vials	1,616
	Fega Coren Dilutions (VITDIL)	65 ampules	595
24	Fega Coren Drops (VITDROP)	1,252 bottles	7,901
	Fega Coren Dry (VITDRY)	1 ampule	48
25	Fega Coren N Dilutions (VITDIL)	4,432 ampules	21,826
	Fetal Eye Dilutions (VITDIL)	138 ampules	1,798
26	Fetal Eye Dry (VITDRY)	1 ampule	48
	Fetal Placenta Dilutions (VITDIL)	2 ampules	34
27	Fetal Skeletal Muscles Dry (VITDRY)	1 ampule	48

<u>1</u>	<u>ITEM</u>	<u>QUANTITY</u>	<u>AMOUNT</u>
2	Fetal Vessels Dry (VITDRY)	11 ampules	\$ 421
	Follicle (REGEN)	5 vials	38
3	Follikulinorm Ovary Dil. (VITDIL)	749 ampules	2,828
	Frontal Lobe (REGEN)	10 vials	96
4	Gall Bladder (REGEN)	93 vials	2,389
	Gall Bladder Dilutions (VITDIL)	86 ampules	1,423
5	Gastric Mucosa Dry (VITDRY)	2 ampules	60
	Head of Pancreas (REGEN)	5 vials	71
6	Heart (REGEN)	293 vials	1,755
	Heart Ney Corenar Dil. (VITDIL)	151 ampules	516
7	Hepa-Uvocal (MULLI)	13,200 tablets	1,511
	Hypophysis Ant. Lobe Male (REGEN)	66 vials	1,160
8	Hypophyse Diencephalon Dil. (VITDIL)	53 ampules	919
	Hypophysis Anterior Lobe (REGEN)	60 vials	1,060
9	Hypophysis Female (REGEN)	321 vials	3,073
	Hypophysis Male (REGEN)	330 vials	1,848
10	Hypophysis Post. Lobe Male (REGEN)	13 vials	227
	Hypophysis Posterior Lobe (REGEN)	27 vials	448
11	Hypothalamus (REGEN)	828 vials	7,854
	Inner Ear Dilutions (VITDIL)	3 ampules	51
12	Inner Ear Dry (VITDRY)	2 ampules	80
	Int. Vessel Coat (REGEN)	56 vials	990
13	Intestine Small (REGEN)	268 vials	2,545
	K14 (MERZ)	101 vials	146
14	KH3	45,000 tablets	11,745
	Kidney (REGEN)	1,046 vials	6,244
15	Kidney Dilutions (VITDIL)	4 ampules	63
	Lact Mamma Dry (VITDRY)	27 ampules	800
16	Lens Crystalline (REGEN)	41 vials	1,059
	Liver (REGEN)	2,331 vials	13,884
17	Liver Dry (VITDRY)	50 ampules	1,347
	Lobe/Brain Occipital (REGEN)	17 vials	143
18	Lobe/Brain Parietal (REGEN)	6 vials	57
	Lobe/Brain Temporal (REGEN)	13 vials	124
19	Lung (REGEN)	1,277 vials	7,628
	Lung Dilutions (VITDIL)	206 ampules	1,388
20	Lung Dry (VITDRY)	50 ampules	992
	Lymph Node (REGEN)	349 vials	3,320
21	Lymph Node Dilutions (VITDIL)	5 ampules	82
	Maternal Part/Placenta Dil. (VITDIL)	50 ampules	160
22	Medulla Oblongata (REGEN)	38 vials	364
	Membransome Dilutions (VITING)	252 bottles	1,151
23	Midbrain (REGEN)	74 vials	1,308
	Mucosa Dilutions (VITDIL)	59 ampules	1,120
24	Mucosa Large Int. Dry (VITDRY)	2 ampules	57
	Mucosa Small Int. Dry (VITDRY)	1 ampule	30
25	Musculature (REGEN)	56 vials	531
	Myocardium Dilutions (VITDIL)	45 ampules	810
26	Nasal Mucous Membrane (REGEN)	8 vials	207
	Ney Arthros Dilutions (VITDIL)	128 ampules	1,691
27	Ney Arthros Dry (VITDRY)	1 ampule	48

1	<u>ITEM</u>	<u>QUANTITY</u>	<u>AMOUNT</u>
2	Ney Arthros III Dilutions (VITDIL)	4 ampules	\$ 94
	Ney Calm Dilutions (VITDIL)	642 ampules	2,995
3	Ney Calm Drops (VITDROP)	292 bottles	1,886
	Ney Chondrin Dilutions (VITDIL)	61 ampules	913
4	Ney Chondrin Drops (VITDROP)	846 bottles	5,554
	Ney Chondrin Dry (VITDRY)	11 ampules	527
5	Ney Chondrin III Dilutions (VITDIL)	12 ampules	283
	Ney Chondrin N Dilutions (VITDIL)	3,672 ampules	20,641
6	Ney Chondrin N III Dil. (VITDIL)	2 ampules	63
	Ney Desib Dilutions (VITDIL)	836 ampules	4,804
7	Ney Digest Int. Dil. (VITDIL)	5 ampules	94
	Ney Dop Dilutions (VITDIL)	56 ampules	273
8	Ney Dop Drops (VITDROP)	185 bottles	1,247
	Ney Dop N Dilutions (VITDIL)	540 ampules	3,456
9	Ney Faexan:Muco Dilutions (VITDIL)	600 ampules	6,087
	Ney Fam Dilutions (VITDIL)	173 ampules	1,871
10	Ney Fam Drops (VITDROP)	575 bottles	3,750
	Ney Fegan:Liver Dilutions (VITDIL)	6 ampules	114
11	Ney Geront Capsules (VITING)	10,477 bottles	135,725
	Ney Geront Dilutions (VITDIL)	136 ampules	1,321
12	Ney Geront Drops (VITDROP)	947 bottles	6,186
	Ney Geront Dry (VITDRY)	15 ampules	719
13	Ney Geront III Dilutions (VITDIL)	1 ampule	30
	Ney Geront N III Dilutions (VITDIL)	5 ampules	144
14	Ney Geront N Dilutions (VITDIL)	2,857 ampules	16,481
	Ney Gluc Dilutions (VITDIL)	981 ampules	4,779
15	Ney Gluc Drops (VITDROP)	471 bottles	2,707
	Ney Gluc III Dil. (VITDIL)	1 ampule	21
16	Ney Haemin Bone Mar. Dil. (VITDIL)	753 ampules	2,939
	Ney Man Dilutions (VITDIL)	72 ampules	195
17	Ney Man Drops (VITDROP)	353 bottles	2,334
	Ney Man Dry (VITDRY)	11 ampules	527
18	Ney Man N Dilutions (VITDIL)	1,632 ampules	8,550
	Ney Nephtrin Dilutions (VITDIL)	1 ampules	25
19	Ney Nephtrin Drops (VITDROP)	362 bottles	2,294
	Ney Nephtrin Dry (VITDRY)	10 ampules	479
20	Ney Nephtrin N Dilutions (VITDIL)	845 ampules	5,438
	Ney Normin Dilutions (VITDIL)	26 ampules	497
21	Ney Normin Drops (VITDROP)	968 bottles	6,104
	Ney Normin Dry (VITDRY)	14 ampules	598
22	Ney Normin N Dilutions (VITDIL)	3,419 ampules	19,401
	Ney Pulpin Dilutions (VITDIL)	35 ampules	811
23	Ney Pulpin Placenta Dil. (VITDIL)	1 ampule	23
	Ney Sanguin Dilutions (VITDIL)	766 ampules	4,197
24	Ney Sexan Dilution (VITDIL)	2 ampules	38
	Ney Sexan: Testes (VITDIL)	450 ampules	1,461
25	Ney Thymun Dilutions (VITDIL)	1,955 ampules	12,569
	Ney Thymun Drops (VITDROP)	2,206 bottles	13,878
26	Ney Thymun F Dilutions (VITDIL)	8 ampules	187
	Ney Thymun F&K Dil. (VITDIL)	6 ampules	246
27	Ney Thymun K Dilutions (VITDIL)	9 ampules	228

<u>1</u>	<u>ITEM</u>	<u>QUANTITY</u>	<u>AMOUNT</u>
2	Ney Troph Dilutions (VITDIL)	65 ampules	\$ 1,446
	Ney Troph Drops (VITDROP)	433 bottles	2,705
3	Ney Tumorin Dilutions (VITDIL)	334 ampules	1,831
	Ney Tumorin Drops (VITDROP)	655 bottles	4,195
4	Ney Tumorin Dry (VITDRY)	14 ampules	663
	Ney Tumorin N III Dilutions (VITDIL)	5 ampules	145
5	Ney Tumorin N Dilutions (VITDIL)	2,219 ampules	12,943
	Neylmun Dilutions (VITDIL)	1,300 ampules	6,631
6	Neylmun Dry (VITDRY)	10 ampules	479
	Neylmun III Dilutions (VITDIL)	2 ampules	44
7	Optic Nerve (REGEN)	22 vials	568
	Osteoblast (REGEN)	20 vials	363
8	Osteochondrin (REGEN)	250 vials	2,713
	Osteochondrin S (REGEN)	1,451 vials	11,483
9	Ovary (REGEN)	858 vials	5,208
	Pancreas (REGEN)	242 vials	2,314
10	Pankre-Uvocal (MULLI)	1,140 vials	1,827
	Parathyroid (REGEN)	17 vials	629
11	Parathyroidea Dilutions (VITDIL)	180 ampules	1,199
	Pernical Forte (MULLI)	6,655 vials	11,155
12	Pernicipur (MULLI)	477 vials	1,260
	Peroxinorm (PEROX)	1,350 vials	30,654
13	Pineal Body Dilutions (VITDIL)	521 ampules	2,615
	Pituitary Dilutions (VITDIL)	30 ampules	659
14	Placenta Dilutions (VITDIL)	720 ampules	4,715
	Placenta Dry (VITDRY)	11 ampules	356
15	Placenta Female (REGEN)	321 vials	1,903
	Placenta III Dilutions (VITDIL)	51 ampules	180
16	Placenta Male (REGEN)	167 vials	1,216
	Placentosol (MERZ)	401 vials	446
17	Plazenta-Uvocal (MULLI)	13,881 vials	33,816
	Prostate Dilutions (VITDIL)	5 ampules	85
18	Prostate Dry (VITDRY)	1 ampule	33
	Prostate Gland (REGEN)	251 vials	4,322
19	Retina (REGEN)	46 vials	1,195
	Retina-Choroid Dilutions (VITDIL)	8 ampules	143
20	Revitolan Hypophyse Dil. (VITDIL)	2 ampules	45
	RN13 (REGEN)	15,770 vials	138,304
21	Sensible Skin (MERZ)	1 vial	45
	Skeletal Musc. III Dil. (VITDIL)	102 ampules	337
22	Skeletal Musculature Dil. (VITDIL)	151 ampules	459
	Skin (REGEN)	302 vials	3,498
23	Skin Ney Psorin III Dil. (VITDIL)	101 ampules	334
	Skin Ney Psorin Dil. (VITDIL)	531 ampules	3,564
24	Skin Ney Psorin Dry (VITDRY)	1 ampule	48
	Special Tablets (MERZ)	600 tablets	94
25	Spermatogenic Dilutions (VITDIL)	2 ampules	37
	Spinal Cord (REGEN)	142 vials	2,540
26	Spinal Cord-Medulla Dil. (VITDIL)	3 ampules	50
	Spleen (REGEN)	521 vials	3,142
27	Spleen Dilutions (VITDIL)	8 ampules	102

1	<u>ITEM</u>	<u>QUANTITY</u>	<u>AMOUNT</u>
2	Splen-Uvocal (MULLI)	8,230 vials	\$ 14,405
	Stomach (REGEN)	160 vials	2,802
3	Suprarenal Gland (REGEN)	990 vials	5,902
	Synovia (REGEN)	76 vials	1,312
4	Testes Sys Dilutions (VITDIL)	35 ampules	656
	Testes-Uvocal (MULLI)	8,920 vials	15,377
5	Testicle (REGEN)	479 vials	2,792
	Thalamus (REGEN)	206 vials	1,949
6	Thym-Uvocal Tablets (MULLI)	94,700 tablets	13,813
	Thym-Uvocal Vials (MULLI)	24,706 vials	76,137
7	Thymus (REGEN)	2,723 vials	16,398
	Thymus Fetal Dilution (VITDIL)	7 ampules	179
8	Thymus Fetal Neythymun (VITDIL)	50 ampules	223
	Thymus Lung Dilutions (VITDIL)	5 ampules	80
9	Thymus Neythymun Dilutions (VITDIL)	11 ampules	285
	Thyroid (REGEN)	1,162 vials	11,128
10	Thyroid Dilutions (VITDIL)	14 ampules	232
	Tombusan (MULLI)	2,564 vials	7,637
11	Umbilical Cord Dilutions (VITDIL)	2 ampules	39
	Umbilical Cord III Dil. (VITDIL)	2 ampules	34
12	Urinary Bladder (REGEN)	116 vials	1,104
	Uterus (REGEN)	98 vials	1,693
13	Vertebra (REGEN)	139 vials	924
	Wobe-Mugos Ampules (MUCOS)	1,994 ampules	2,297
14	Wobe-Mugos Tablets (MUCOS)	21,750 tablets	4,258
	Wobenzym Tablets (MUCOS)	143,960 tablets	21,158
15	Yohimbe Extract (YOHIMBE)	57 Kg	5,307
	Zell H3 (ZELL)	2,850 bottles	18,814
16	Zumba Forte (ZUMBA)	4,733,400 tablets	<u>257,062</u>
17	TOTAL		\$1,322,576

18 56. As a further part of the conspiracy, defendant DAVID M.
19 HALPERN instructed his coconspirators in Germany not to sell their
20 products to other distributors in the United States.

21 57. As a further part of the conspiracy, defendant DAVID M.
22 HALPERN paid the rent for some mail drops in cash to disguise and
23 conceal his illegal activity.

24 58. As a further part of the conspiracy, defendants DAVID M.
25 HALPERN, FRANCES H. WELLGOOD, and EDWARD SOLLISCH shipped the
26 smuggled fountain of youth pharmaceuticals to various customers

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1 throughout 43 of the 50 United States, Canada, Guam and the Virgin
2 Islands.

3 59. As a further part of the conspiracy, defendants DAVID M.
4 HALPERN, FRANCES H. WELLGOOD, and EDWARD SOLLISCH sold the
5 smuggled fountain of youth pharmaceuticals to various companies
6 and individuals specializing in black market wholesale
7 distribution, health food stores, chiropractors, gyms, natural
8 food stores, nutrition centers and individual consumers. In
9 total, they sold to thousands of different customers.

10 60. As a further part of the conspiracy, defendants DAVID M.
11 HALPERN, FRANCES H. WELLGOOD, EDWARD SOLLISCH and EMANON, INC.
12 sold and received for sale the following fountain of youth drugs,
13 in approximately the following quantities and amounts, among
14 others, from England:

15	<u>ITEM</u>	<u>QUANTITY</u>	<u>AMOUNT</u>
16	ASLAVITAL TABLETS	37,500	\$ 12,911
	ASLAVITAL VIALS	6,209	11,334
17	GEROVITAL H3 TABLETS	2,541,525	388,117
	GEROVITAL H3 VIALS	244,432	205,944
18	KH3 CAPSULES	323,160	33,798
	PLACENTA LUCCHINI AMPULES	1,250	-
19	PLACENTA LUCCHINI VIALS	12	321
	THYMUS AMPULES	200	232
20	YOHIMBE CAPSULES	139,080	3,759
	ZUMBA FORTE TABLETS	17,100	613
21	ZUMBA FORTE CAPS	1,500	<u>348</u>
22	TOTAL		\$657,377

23 61. As a further part of the conspiracy, defendants DAVID M.
24 HALPERN, FRANCES H. WELLGOOD, EDWARD SOLLISCH and EMANON, INC.
25 received millions of dollars in payment from their customers in
26 return for shipping them the fountain of youth pharmaceuticals.

1 Practical Handbooks, Regeneresen "scientific" books, and Mulli
2 product information, among others, were available.

3 67. As a further part of the conspiracy, defendants DAVID M.
4 HALPERN, FRANCES H. WELLGOOD, EDWARD SOLLISCH and EMANON, INC.,
5 sent this English language literature to their customers in order
6 to advise them as to what conditions the fountain of youth
7 pharmaceuticals allegedly could safely treat.

8 68. As a further part of the conspiracy, defendants DAVID M.
9 HALPERN and FRANCES H. WELLGOOD moved the location of their office
10 and distribution facility from Southern to Northern California.

11 69. As a further part of the conspiracy, defendants DAVID M.
12 HALPERN, FRANCES H. WELLGOOD and EDWARD SOLLISCH used Benjamin
13 Lipman to pick-up the illegally imported packages that were being
14 sent from Germany and England to various mail drops in the Los
15 Angeles, California, area.

16 70. As a further part of and in order to conceal and
17 disguise the conspiracy, defendant DAVID M. HALPERN instructed
18 Benjamin Lipman to cut off the shipping labels and repackage some
19 of the fountain of youth pharmaceuticals before sending the
20 illegally imported packages to mail drops in Fort Bragg,
21 California.

22 71. As a further part of the conspiracy, Benjamin Lipman
23 shipped over 977 boxes of the fountain of youth pharmaceutical
24 products from the Los Angeles, California, area to defendants
25 FRANCES H. WELLGOOD, EDWARD SOLLISCH and EMANON, INC., in Northern
26 California. These packages weighed over seven (7) tons.

1 72. As a further part of the conspiracy, defendant DAVID M.
2 HALPERN instructed Benjamin Lipman to fill out German Customs
3 forms (to be sent to defendant MAXIMILLIAN SCHMIDT) falsely
4 declaring the fountain of youth pharmaceuticals as "toys, games,
5 nuts, bolts, and screws."

6 73. As a further part of the conspiracy, defendant EDWARD
7 SOLLISCH informed Benjamin Lipman that he should not worry about
8 FDA notices that he occasionally found in the mail drops which
9 indicated that they were receiving unapproved products that could
10 not legally be sent into the country.

11 74. As a further part of the conspiracy, defendants DAVID M.
12 HALPERN, FRANCES H. WELLGOOD and EDWARD SOLLISCH used defendant
13 FRANCES D. HALPERN to pick-up the illegally imported packages that
14 were being sent from Germany and England to various mail drops in
15 the San Diego, California, area.

16 75. As a further part of the conspiracy, defendants DAVID M.
17 HALPERN, FRANCES H. WELLGOOD and EDWARD SOLLISCH directed
18 defendant FRANCES D. HALPERN to ship over 400 boxes of the
19 fountain of youth drugs she received to Benjamin Lipman in Van
20 Nuys, California. These packages weighed approximately four (4)
21 tons.

22 76. As a further part of the conspiracy, defendants DAVID M.
23 HALPERN, FRANCES H. WELLGOOD and EDWARD SOLLISCH also directed
24 defendant FRANCES D. HALPERN to ship over 700 boxes of the
25 fountain of youth drugs she received directly to Northern,
26 California. These packages weighed over six (6) tons.

1 77. As a further part of the conspiracy, defendant DAVID M.
2 HALPERN paid defendant FRANCES D. HALPERN over \$150,000 in
3 commissions and salary.

4 78. As a further part of the conspiracy, defendants
5 FRANCES H. WELLGOOD and EDWARD SOLLISCH hired various individuals
6 to assist in the packaging and redistribution of the smuggled
7 fountain of youth pharmaceuticals sent to Fort Bragg, California,
8 from Southern California.

9 79. As a further part of the conspiracy, defendants DAVID M.
10 HALPERN, FRANCES H. WELLGOOD, EDWARD SOLLISCH and FRANCES D.
11 HALPERN accepted orders for the fountain of youth pharmaceuticals
12 by phone, answering machine and mail.

13 80. As a further part of the conspiracy, defendants DAVID M.
14 HALPERN, FRANCES H. WELLGOOD and EDWARD SOLLISCH utilized D.M.H.
15 Co. to service their wholesale customers and Tudor Trading Co.
16 (U.S.A.) to service their retail customers.

17 81. As a further part of and in order to conceal and
18 disguise the conspiracy, defendants FRANCES H. WELLGOOD and EDWARD
19 SOLLISCH instructed employees to cut off and shred all the
20 shipping labels that were affixed to the in-coming boxes.

21 82. As a further part of and in order to conceal and
22 disguise the conspiracy, defendants FRANCES H. WELLGOOD and EDWARD
23 SOLLISCH routinely shredded, and caused employees to shred, their
24 business records, including orders, price lists and computer
25 print-outs.

26 83. As a further part of and in order to conceal and
27 disguise the conspiracy, defendants DAVID M. HALPERN and
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1 FRANCES H. WELLGOOD refused to accept new customers for their
2 illegally imported fountain of youth pharmaceuticals without a
3 referral from a current customer.

4 84. As a further part of and in order to conceal and
5 disguise the conspiracy, defendant EMANON, INC. (due to the
6 illegal nature of fountain of youth pharmaceuticals) instructed
7 its customers "to sell [its products] only to people [they] know
8 very well" and not to keep them on the shelves for open sale.

9 85. As a further part of and in order to conceal and
10 disguise the conspiracy, defendants EDWARD SOLLISCH and FRANCES H.
11 WELLGOOD instructed their employees to tell people they sold only
12 vitamins and cosmetics.

13 86. As a further part of and in order to conceal and
14 disguise the conspiracy, defendants DAVID M. HALPERN and EDWARD
15 SOLLISCH ordered some of their coconspirators to destroy all
16 records and other evidence after becoming aware that the
17 Government had learned of their illegal activity.

18 OVERT ACTS

19 In furtherance of the conspiracy and to effect the objects
20 thereof, the following overt acts, among others, were committed
21 within the Southern District of California, and elsewhere:

- 22 1. On or about January 14, 1983, in Inglewood, California,
23 defendant DAVID M. HALPERN opened up Crocker National
24 Bank merchant and MasterCard/VISA bank account (number
25 412-195-595). Defendant HALPERN opened the account as
26 President of Tudor Trading Co. (U.S.A.) using the
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- business address, 414 East Spruce Avenue, Inglewood, California.
2. On or about January 28, 1983, in Enfield, England, defendant DAVID M. HALPERN purchased an interest in defendant TUDOR TRADING CO. (U.K.) from its original owner.
 3. On or about June 13, 1983, in Sacramento, California, defendant DAVID M. HALPERN incorporated defendant EMANON, INC.
 4. On or about June 29, 1983, in Sacramento, California, defendant DAVID M. HALPERN registered defendant EMANON, INC. as a retailer. Defendant FRANCES. D. HALPERN is listed on the form as Vice-President.
 5. On or about July 5, 1983, defendant DAVID M. HALPERN changed Tudor Trading Company's (U.S.A.) official business address to: 12806 Pacific Avenue, Number 10, Los Angeles, California.
 6. On or about September 1, 1983, in Los Angeles, California, defendant DAVID M. HALPERN employed Alfred Weiner to work for defendant EMANON, INC.
 7. Between on or about January 1, 1983 and December 31, 1983, defendant DAVID M. HALPERN filed records with the California Board of Equalization in Sacramento, California, indicating that defendant EMANON, INC.'s total sales for 1983 were \$318,328.41.

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- 8. On or about January 12, 1984, defendant DAVID M. HALPERN changed Tudor Trading Company's (U.S.A.) business address to: P.O. Box 1519, Inglewood, CA 90308.
- 9. On or about March 9, 1984, defendant FRANCES H. WELLGOOD informed Crocker National Bank that Tudor Trading Company (U.S.A.) had changed its business address to: P.O. Box 1519, Inglewood, CA 90308.
- 10. On or about April 18, 1984, in San Diego, California, defendant FRANCES D. HALPERN opened a mail drop (box number 293) in the fictitious name, "Mary Bell & Associates" at Mail Boxes Etc., 10615-G Tierrasanta Blvd. On the application form, she falsely stated that Mary Bell & Associates was engaged in the "advertising" business.
- 11. On or about April 19, 1984, in Solana Beach, California, defendant DAVID M. HALPERN opened a mail drop (box number 414) in the fictitious name, "John Davis & Associates" at Mail Boxes Etc., 249 S. Highway 101. On the application form, he falsely stated that John Davis & Associates was engaged in the "advertising" business.
- 12. On or about April 19, 1984, in Del Mar, California, defendant DAVID M. HALPERN opened a mail drop (box number 194) in the fictitious name, "Bob Johnson & Associates" at Mail Systems West, 1237 Camino Del Mar, Suite "C". On the application form, he falsely stated

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17. On or about September 15, 1984, in San Diego, California, defendant FRANCES D. HALPERN opened a mail drop (box number 144) in the name of the sham company, "Valerie Rice Co." at Mail Boxes Etc., 3089C Clairmont Drive. On the application form, she listed the fictitious name "A. Jacobs" to further conceal and disguise their illegal activity.

18. On or about September 18, 1984, in San Diego, California, defendant DAVID M. HALPERN employed Thelma L. Gottlieb to work for defendant EMANON, INC.

19. Between on or about January 1 and December 31, 1984, defendant DAVID M. HALPERN filed records with the California Board of Equalization in Sacramento, California, indicating that defendant EMANON INC.'s total sales for 1984 were \$666,834.85.

20. On or about September 6, 1985, in Mill Hill, England, defendant TUDOR TRADING CO. (U.K.), mailed Gerovital to San Diego, California.

21. On or about December 12, 1985, defendant DAVID M. HALPERN sent a letter to defendant ZUMBA GmbH in Germany, requesting that it not sell to one of defendant HALPERN's competitors in the United States.

22. Between on or about January 1 and December 31, 1985, defendant DAVID M. HALPERN filed records with the California Board of Equalization in Sacramento, California, indicating that defendant EMANON, INC.'s total sales for 1985 were \$677,181.69.

- 1 23. On or about February 20, 1986, in Tarzana, California,
2 defendant DAVID M. HALPERN opened a mail drop (box
3 number 241) in the alias "David Hall" at Mail
4 Boxes Etc., 19528 Ventura Blvd.
- 5 24. On or about February 20, 1986, defendant DAVID M.
6 HALPERN opened a mail drop (box number 124) at The Check
7 Casher, 14544 Nordhoff Street, Panorama City,
8 California, utilizing the fictitious name "Bilinda
9 Johnson" as a co-applicant.
- 10 25. On or about February 20, 1986, defendant DAVID M.
11 HALPERN opened a mail drop (box number 243) at The
12 Instant Photo Service, Inc., 7324 Reseda Blvd., Reseda,
13 California, utilizing the fictitious name "Joan Davis."
- 14 26. On or about February 27, 1986, defendant DAVID M.
15 HALPERN opened a mail drop (box number 51) at The Mail
16 Depot, 22968 Victory Blvd, Woodland Hills, California,
17 utilizing the fictitious names "David Matthews" and
18 "Jane Brown."
- 19 27. On or about February 27, 1986, defendant DAVID M.
20 HALPERN opened a mail drop (box number D-74) at Mail Box
21 Rentals, 7131 Owensmouth Street, Canoga Park,
22 California, utilizing the fictitious name "Betty Long."
- 23 28. On or about February 27, 1986, defendant DAVID M.
24 HALPERN opened a mail drop (box number 114) at Kwik
25 Kopy, 4521 Van Nuys Blvd., Sherman Oaks, California,
26 utilizing the fictitious name "Susie Smothers."
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- 1 29. On or about February 27, 1986, defendant DAVID M.
2 HALPERN opened a mail drop (box number 184) at Eagle
3 Postal Service, 16137 Sherman Way, Van Nuys, California,
4 utilizing the fictitious name "Jackie Bond."
- 5 30. On or about March 4, 1986, in San Diego, California,
6 defendant FRANCES H. WELLGOOD instructed defendant
7 MAXIMILLIAN SCHMIDT to immediately start sending
8 34 boxes of Zumba and other fountain of youth products
9 per week as they were having difficulty keeping up with
10 existing orders. Per instructions, these boxes were to
11 be sent to eight old mail drops and eight new mail drops
12 in the United States.
- 13 31. On or about March 7, 1986, defendant DAVID M. HALPERN
14 instructed Sharon Lipman to open a mail drop (box number
15 101) at Emco Sales, 5300 Laurel Canyon Blvd, North
16 Hollywood, California. Also listed on the application
17 form was the fictitious name "Steve White."
- 18 32. On or about March 10, 1986, defendant DAVID M. HALPERN
19 opened a mail drop (box number 226) at Mail Boxes Etc.,
20 199 N. El Camino Real, Encinitas, California, utilizing
21 the fictitious name "Loren Wrightly."
- 22 33. On or about April 3, 1986, in Los Angeles, California,
23 defendant DAVID M. HALPERN employed Benjamin Lipman to
24 pick-up, repackage and tranship smuggled pharmaceuticals
25 delivered to the mail drops in Los Angeles.
- 26 34. On or about April 3, 1986, in Los Angeles, California,
27 defendant DAVID M. HALPERN told Benjamin Lipman that the

1 packages contained fictitious names because the drugs
2 were not legal in the United States and were prohibited
3 by the FDA.

4 35. On or about May 27, 1986, in The Hale-Edgeware, England,
5 defendants SHAREFIRST, LTD. and BIG BEN EXPORT CO.,
6 mailed Gerovital to San Diego, California.

7 36. On or about June 3, 1986, in Fallbrook, California,
8 defendant FRANCES H. WELLGOOD ordered 77,500 Zumba Forte
9 tablets from defendant MAXIMILLIAN SCHMIDT.

10 37. On or before July 1, 1986, in Fort Bragg, California,
11 defendant FRANCES H. WELLGOOD rented an office suite
12 located at 247 N. Main A, Fort Bragg, California,
13 utilizing the alias David Lewis.

14 38. On or about July 3, 1986, defendant FRANCES H. WELLGOOD,
15 utilizing the name Fran Gottlieb, opened a mail drop
16 (box number 88) at The Postal Suite, 18603 Hwy. 1, Fort
17 Bragg, California, in the names of "DMH Co", "EMANON
18 Inc", "David Halpern" and "Sharon Lipman Halpern." On
19 the application, defendant EDWARD SOLLISCH was listed as
20 a reference.

21 39. On or about July 13, 1986, defendant FRANCES H. WELLGOOD
22 informed defendant MAXIMILLIAN SCHMIDT as to their
23 Northern California addresses.

24 40. On or about September 11, 1986, defendant FRANCES H.
25 WELLGOOD sent defendant MAXIMILLIAN SCHMIDT a bank draft
26 for 39,249.40 Deutsche Marks [hereinafter referred to as
27 "DM"] in payment for invoices 860801, 860802 and 860806.

- 1 41. Between on or about January 1 and December 31, 1986,
2 defendant DAVID M. HALPERN filed records with the
3 California Board of Equalization in Sacramento,
4 California, indicating that defendant EMANON, INC.'s
5 total sales for 1986 were \$743,607.46.
- 6 42. On or about February 1, 1987, defendants DAVID M.
7 HALPERN, FRANCES H. WELLGOOD, and EMANON, INC., informed
8 their customers that their prices had to be raised due
9 to fluctuations in the dollar against overseas
10 currencies.
- 11 43. On or about March 2, 1987, in Fort Bragg, California,
12 defendant DAVID M. HALPERN employed defendant EDWARD
13 SOLLISCH to work for defendant EMANON, INC.
- 14 44. On or about September 11, 1987, in Inglewood,
15 California, defendant EMANON, INC. opened savings
16 account number 6451-061238 at the Wells Fargo Bank,
17 400 South Market Street. The signature card for the
18 account bears the signatures of defendant DAVID M.
19 HALPERN as President, defendants FRANCES H. WELLGOOD and
20 EDWARD SOLLISCH as Administrators, and defendant
21 FRANCES D. HALPERN as Secretary.
- 22 45. Between on or about October 9 and December 20, 1987, in
23 Fort Bragg, California, defendant FRANCES H. WELLGOOD
24 wrote to defendant MAXIMILLIAN SCHMIDT seeking liquid
25 human placenta in bulk form.
- 26 46. On or about December 30, 1987, in Fort Bragg,
27 California, defendant FRANCES H. WELLGOOD obtained a
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Foreign Bank Draft for 41,713.10 DM (\$26,567.07). These funds were withdrawn from a Wells Fargo Bank account in the name of defendant EMANON, INC.

47. Between on or about January 1 and December 31, 1987, defendant DAVID M. HALPERN filed records with the California Board of Equalization in Sacramento, California, indicating that defendant EMANON, INC.'s total sales for 1987 were \$875,814.56.

48. On or about February 24, 1988, defendant FRANCES H. WELLGOOD opened a mail drop (box number 1955) at The United States Post Office, 10500 Ford Street, Mendocino, California, in the name of "Tudor Trading Co."

49. On or about March 30, 1988, in Fort Bragg, California, defendant FRANCES H. WELLGOOD obtained a Foreign Bank Draft for 3,043.30 British Pounds Sterling [hereinafter referred to as "BPS"] (\$5,797.49). These funds were withdrawn from a Wells Fargo Bank account in the name of defendant EMANON, INC.

50. On or about May 12, 1988, in Fort Bragg, California, defendant FRANCES H. WELLGOOD, obtained a Foreign Bank Draft for 35,672.60 DM (\$21,617.60). These funds were withdrawn from a Wells Fargo Bank account in the name of defendant EMANON, INC.

51. On or about September 16, 1988, in Fort Bragg, California, defendant FRANCES H. WELLGOOD employed Paul Phillips to work for defendant EMANON, INC.

- 1 52. On or about September 19, 1988, in Fort Bragg,
2 California, defendant FRANCES H. WELLGOOD employed
3 Marilyn Coleman to work for defendant EMANON, INC.
- 4 53. On or about October 14, 1988, in Fort Bragg, California,
5 defendant FRANCES H. WELLGOOD employed Nancy Cutting to
6 work for defendant EMANON, INC.
- 7 54. On or about November 10, 1988, defendant DAVID M.
8 HALPERN renewed a mail drop (box number 184) at the
9 Eagle Postal Service, 16137 Sherman Way, Van Nuys,
10 California, using the fictitious name "Jackie Bond."
- 11 55. On or about November 21, 1988, in Fort Bragg,
12 California, defendant EDWARD SOLLISCH obtained a Foreign
13 Bank Draft for 24,849.35 DM (\$14,551.12). These funds
14 were withdrawn from a Wells Fargo Bank account in the
15 name of defendant EMANON, INC.
- 16 56. Between on or about January 1 and December 31, 1988,
17 defendant DAVID M. HALPERN filed records with the
18 California Board of Equalization in Sacramento,
19 California, indicating that defendant EMANON, INC.'s
20 total sales for 1988 were \$818,184.
- 21 57. On or about January 3, 1989, in Fort Bragg, California,
22 defendant EDWARD SOLLISCH obtained a Foreign Bank Draft
23 for 45,395.24 DM (\$26,193.05). These funds were
24 withdrawn from a Wells Fargo Bank account in the name of
25 defendant EMANON, INC.
- 26 58. On or about March 8, 1989, in Fort Bragg, California,
27 defendant EDWARD SOLLISCH obtained a Foreign Bank Draft
28

1 for 3,426.08 BPS (\$6,012.77). These funds were
2 withdrawn from a Wells Fargo Bank account in the name of
3 defendant EMANON, INC.

4 59. On or about June 1, 1989, in Fort Bragg, California,
5 defendant EDWARD SOLLISCH obtained a Foreign Bank Draft
6 for 33,062.95 DM (\$16,937.74). These funds were
7 withdrawn from a Wells Fargo Bank account in the name of
8 defendant EMANON, INC.

9 60. On or about June 6, 1989, in Fort Bragg, California,
10 defendant EDWARD SOLLISCH wrote defendant MAXIMILLIAN
11 SCHMIDT informing him that the mail drop utilizing the
12 fictitious name "Susie Smothers" had been changed to a
13 new address. In addition, defendant SOLLISCH enclosed
14 a Foreign Bank Draft for \$16,927.74 worth of fountain of
15 youth pharmaceuticals (invoiced by defendant ZUMBA GmbH
16 under invoice numbers 890506, 890507, 890509 and
17 890510).

18 61. On or about July 24, 1989, in Fort Bragg, California,
19 defendant EDWARD SOLLISCH obtained a Foreign Bank Draft
20 for 6,462.72 BPS (\$10,711.96). These funds were
21 withdrawn from a Wells Fargo Bank account in the name of
22 defendant EMANON, INC.

23 62. On or about September 22, 1989, defendant DAVID M.
24 HALPERN purchased his ex-wife's shares of defendant
25 EMANON, INC.'s stock for \$25,000.

26 63. On or about November 7, 1989, in Munich, Germany,
27 defendants MAXIMILLIAN SCHMIDT and ZUMBA GmbH sent

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Invoice Number 891106 to defendant EMANON, INC., requesting payment for a shipment of Human and Bovine Umbilical Cord Dilutions.

64. On or about November 13, 1989, in Fort Bragg, California, defendant EDWARD SOLLISCH obtained a Foreign Bank Draft for 40,835.50 DM (\$22,251.26). These funds were withdrawn from a Wells Fargo Bank account in the name of defendant EMANON, INC.

65. On or about November 17, 1989, in Munich, West Germany, defendants MAXIMILLIAN SCHMIDT and ZUMBA GmbH shipped Human and Bovine Umbilical Cord Dilutions to a mail drop in the fictitious name Paul Jacobs, P.O. Box 5,000-414, Solana Beach, California.

66. Between on or about January 1 and December 31, 1989, defendant DAVID M. HALPERN filed records with the California Board of Equalization in Sacramento, California, indicating that defendant EMANON, INC.'s total sales for 1989 were \$860,753.

67. In early 1990, defendant DAVID M. HALPERN, in Pebble Beach, California, supplied John A. Topping with a list of fictitious addresses that he was to use as the return addresses on packages sent to the United States from England.

68. On or about January 17, 1990, in Fort Bragg, California, defendant EDWARD SOLLISCH obtained a Foreign Bank Draft for 20,948.40 DM (\$12,673.78). These funds were

1 withdrawn from a Wells Fargo Bank account in the name of
2 defendant EMANON, INC.

3 69. On or about March 1, 1990, in Fort Bragg, California,
4 defendant EDWARD SOLLISCH obtained a Foreign Bank Draft
5 for 6,173.64 BPS (\$10,510.62). These funds were
6 withdrawn from a Wells Fargo Bank account in the name of
7 defendant EMANON, INC.

8 70. On or about March 27, 1990, in Fort Bragg, California,
9 defendant EDWARD SOLLISCH sent defendants MAXIMILLIAN
10 SCHMIDT and ZUMBA GmbH a fax with directions that he may
11 be reached back by fax at (707) 961-0957.

12 71. On or about April 21, 1990, in Fort Bragg, California,
13 defendant EDWARD SOLLISCH requested defendants
14 MAXIMILLIAN SCHMIDT and ZUMBA GmbH to ship various
15 fountain of youth pharmaceuticals to the United States
16 by both air and sea.

17 72. On or about May 2, 1990, in London, England, defendants
18 SHAREFIRST, LTD. and BIG BEN EXPORT COMPANY sent a box
19 containing 96 vials of Gerovital Injection to a mail
20 drop in the fictitious name, Valerie Rice, San Diego,
21 California, bearing a statement falsely declaring the
22 contents to be "8 Glass Figurines" valued at \$38.

23 73. On or about May 2, 1990, in Munich, Germany, defendants
24 MAXIMILLIAN SCHMIDT and ZUMBA GmbH sent 50 vials of
25 Neygluc-Tropfen Injection to the San Diego mail drop in
26 the name, Valerie Rice, by falsely declaring the
27 contents to be "100 tubes of buttons", valued at \$35.

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74. On or about May 4, 1990, in London, England, defendants SHAREFIRST, LTD. d/b/a defendant BIG BEN EXPORT CO. mailed 1,500 K.H.3. capsules to a San Diego mail drop in the fictitious name, Mary Bell, by falsely declaring the contents as "1 gift box" valued at \$30.

75. On or about May 4, 1990, in Munich, Germany, defendants MAXIMILLIAN SCHMIDT and ZUMBA GmbH shipped a box of 50 vials Regeneresen RN 13 Injection, 25 vials Osteochondrin Injection, 450 Wobe-Mugos tablets, and 1,000 Wobenzym tablets to the San Diego mail drop in the name Mary Bell by falsely declaring the contents to be "144 boxes of plastic screws" valued at \$39.

76. On or about May 29, 1990, in London, England, defendants SHAREFIRST, LTD. and BIG BEN EXPORT CO., shipped a box of 2,700 Gerovital tablets to an Encinitas, California mail drop in the fictitious name, Loren Wrightly, by falsely declaring the contents to be "1 gift set" valued at \$35.

77. On or about May 30, 1990, in London, England, defendants SHAREFIRST, LTD. and BIG BEN EXPORT CO., shipped a box of 2,700 Gerovital tablets to a Solana Beach mail drop in the fictitious name, John Davis, by falsely declaring the contents to be "24 boxes plastic letters 100 per box" valued at \$38.

78. On or about May 30, 1990, in Munich, Germany, defendants MAXIMILLIAN SCHMIDT and ZUMBA GmbH shipped a box containing 120 empty Zumba Forte boxes and 1,000 Zumba

1 Forte "information for use" inserts to a Woodland Hills,
2 California mail drop in the fictitious name Jane Brown,
3 by falsely declaring the contents to be "8 glass
4 figurines."

5 79. On or about May 31, 1990, in London, England, defendants
6 SHAREFIRST, LTD. and BIG BEN EXPORT CO., shipped a box
7 of 2,700 Gerovital tablets to a Solana Beach mail drop
8 in the fictitious name, Paul Jacobs, by falsely
9 declaring the contents to be "288 rock roll badges"
10 valued at \$30.

11 80. On or about May 31, 1990, in London, England, defendants
12 SHAREFIRST, LTD. and BIG BEN EXPORT CO., shipped a box
13 of 2,700 Gerovital tablets to the San Diego mail drop in
14 the name of Mary Bell, by falsely declaring the contents
15 to be "30 ctn guitar picks" valued at \$40.

16 81. On or about June 5, 1990, in Munich, Germany, defendants
17 MAXIMILLIAN SCHMIDT and ZUMBA GmbH shipped a box of
18 fountain of youth pharmaceuticals to a Van Nuys mail
19 drop in the fictitious name, Jackie Bond, by falsely
20 declaring the contents to be "curtain rod hangers."

21 82. On or about June 5, 1990, in Munich, Germany, defendants
22 MAXIMILLIAN SCHMIDT and ZUMBA GmbH shipped a box of
23 fountain of youth pharmaceuticals to an Encinitas mail
24 drop in the fictitious name, Loren Wrightly, by falsely
25 declaring the contents to be "gift of checkers, marbles
26 and puzzles" valued at \$35.

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- 83. On or about June 7, 1990, in Munich, Germany, defendants MAXIMILLIAN SCHMIDT and ZUMBA GmbH shipped a box of 2,100 Neygeront tablets to the Loren Wrightly mail drop in Encinitas by falsely declaring the contents to be "1 complete set of - dominions [sic] deluxe" valued at \$30.
- 84. On or about June 8, 1990, in Fort Bragg, California, defendant EDWARD SOLLISCH obtained a Foreign Bank Draft for 3,982.38 BPS (\$6,839.74).
- 85. On or about June 11, 1990, in Munich, Germany, defendants MAXIMILLIAN SCHMIDT and ZUMBA GmbH shipped a box of 5,000 Zumba Forte tablets to the Valerie Rice mail drop in San Diego by falsely declaring the contents to be "50 packs of plastic - clothes pins" valued at \$45.
- 86. On or about June 13, 1990, in Munich, Germany, defendants MAXIMILLIAN SCHMIDT and ZUMBA GmbH shipped a box of 6,000 Zumba Forte tablets to the Mary Bell mail drop in San Diego by falsely declaring the contents to be "30 cs guitar picks" valued at \$55.
- 87. On or about June 15, 1990, in Munich, Germany, defendants MAXIMILLIAN SCHMIDT and ZUMBA GmbH shipped a box of 5,000 Zumba Forte tablets to the San Diego mail drop in the fictitious name, A. Jacobs, by falsely declaring the contents to be "72 boxes of curtain-rod hangers" valued at \$72.
- 88. On or about June 15, 1990, in Munich, Germany, defendants MAXIMILLIAN SCHMIDT and ZUMBA GmbH shipped a

1 box of 5,000 Zumba Forte tablets to the San Diego mail
2 drop in the fictitious name, Jack Davis, by falsely
3 declaring the contents to be "500 steel and 500 plastic-
4 cotter pins" valued at \$48.

5 89. On or about June 26, 1990, in Fort Bragg, California,
6 defendant EDWARD SOLLISCH ordered from defendants
7 MAXIMILLIAN SCHMIDT and ZUMBA GmbH various quantities of
8 fountain of youth pharmaceuticals, including Regeneresen
9 Cell Therapies, Dr. Mulli products and Mucos drugs.

10 90. On or about July 2, 1990, in Fort Bragg, California,
11 defendant EDWARD SOLLISCH instructed Benjamin Lipman to
12 destroy all records relating to his shipments of
13 fountain of youth pharmaceuticals.

14 91. On or about July 6, 1990, defendants FRANCES H. WELLGOOD
15 and EDWARD SOLLISCH jettisoned over \$150,000 worth of
16 fountain of youth drugs and records of their illegal
17 activity on the side of Hwy. 1, approximately 15 miles
18 north of Fort Bragg, California.

19 92. On or about July 6, 1990, in Los Angeles, California,
20 Benjamin Lipman attempted to conceal and disguise the
21 nature of the conspiracy by destroying all evidence of
22 his illegal activity.

23 93. Between on or about January 1 and December 31, 1990,
24 defendant DAVID M. HALPERN filed records in Sacramento,
25 California, indicating that defendant EMANON, INC.'s
26 total sales for 1990 were \$419,057.

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

	<u>COUNT</u>	<u>(A)</u> <u>DATE</u>	<u>(B)</u> <u>DRUG</u>	<u>(C)</u> <u>INDICATION</u>
1				
2				
3	2	03/30/87	REGENERESEN RN13	geriatric troubles, senile incretory involution, overstraining, maintenance of strength
4				
5	3	04/03/87	REGENERESEN THYMUS	Grave's disease, Basedow's disease, adnexitis, chronic inflammation of the appendages
6				
7	4	05/14/87	REGENERESEN THYMUS	"
8				
9	5	07/08/87	REGENERESEN THYMUS	"
10				
11	6	07/31/87	REGENERESEN PROSTRATE	liver degeneration, adiposis hepatica, old age diabetes
12				
13	7	07/31/87	REGENERESEN LIVER	liver lesion parachymatous, damage of liverparenchyma
14				
15	8	08/03/87	REGENERESEN HEART	hypertension, hypotension, cardiac infarction, myocardial infarction
16				
17	9	09/18/87	REGENERESEN LIVER	liver lesion parachymatous, damage of liverparenchyma
18				
19	10	12/14/87	REGENERESEN THYMUS	Grave's disease, Basedow's disease, adnexitis, chronic inflammation of the appendages
20				
21	11	05/06/88	REGENERESEN BONE MALLOW	aleukia hemorrhagica, myelophthisis, anemia, condensing osteitis, eburnation, osteosclerosis
22				
23	12	05/20/88	REGENERESEN STOMACH	Dyspepsia, weak stomach
24				
25	13	05/20/88	REGENERESEN PANCREAS	diabetes mellitus of old age, pancreopathy
26				
27	14	05/27/88	REGENERESEN GALL BLADDER	gall bladder disease, cholecystopathy
28				
	15	06/06/88	REGENERESEN BRONCHI	chronic bronchiectasia

	<u>COUNT</u>	<u>(A)</u> <u>DATE</u>	<u>(B)</u> <u>DRUG</u>	<u>(C)</u> <u>INDICATION</u>
1				
2				
3	16	06/08/88	REGENERESEN CONNECTIVE TISSUE	acne, arteriosclerosis coronary, damage of disc intervertebralis
4				
5	17	06/10/88	ZUMBA FORTE	premature senility, mental indisposition, loss of memory, irritability, restlessness, neurasthenia, sexual neurasthenia, sexual impotence
6				
7				
8				
9	18	06/13/88	ZUMBA FORTE	"
10	19	06/20/88	CONJUNCTISAN A	senile cataract, macula degeneration, retinal changes, degenerative diseases of the eye
11				
12				
13	20	06/20/88	NEYGERONT	anti-aging, vitalization, physical and mental exhaustion
14				
15	21	06/22/88	FOLLIKULINORM	stimulating the ovary
16	22	06/29/88	WOBENZYM	venous and arterial diseases, inhibits inflammation and thrombi formation, blood circulation
17				
18				
19	23	07/08/88	REGENERESEN CORTEX	oligophrenia, mental defect
20	24	07/18/88	ZELL H3	anti-aging, rheumatism, arteriosclerosis, high blood pressure, asthma
21				
22	25	07/18/88	ZELL H3	"
23				
24	26	07/20/88	TOMBUSAN	blood circulation, cerebral and cardiac insufficiency
25				
26	27	07/20/88	PLAZENTA-UVOCAL	climacteric disturbances, exhaustion and eczema
27				
28				

	<u>COUNT</u>	<u>(A) DATE</u>	<u>(B) DRUG</u>	<u>(C) INDICATION</u>
1				
2	28	07/20/88	RN13 REGENERESEN	geriatric troubles, senile
3				incretory involution,
4				overstraining, maintenance
5	29	09/26/88	NEYGERONT	of strength
6				anti-aging, vitalization,
7	30	10/14/88	ZUMBA FORTE	physical and mental
8				exhaustion
9				premature senility,
10				mental indisposition, loss
11	31	10/17/88	ZUMBA FORTE	of memory, irritability,
12	32	10/21/88	CONJUNCTISAN B	restlessness,
13				neurasthenia, sexual
14				neurasthenia, sexual
15				impotence
16	31	10/17/88	ZUMBA FORTE	"
17	32	10/21/88	CONJUNCTISAN B	allergic disorders of the
18				conjunctiva and cornea,
19				conjunctivitis sicca,
20				chorioiditis,
21				conjunctival
22				inflammations, tissue
23				damage of the eye
24	33	11/04/88	ZUMBA FORTE	premature senility,
25				mental indisposition, loss
26				of memory, irritability,
27				restlessness,
28				neurasthenia, sexual
				neurasthenia, sexual
				impotence
				"
	34	11/07/88	ZUMBA FORTE	"
	35	11/18/88	WOBENZYM	venous and arterial
				diseases, inhibits
				inflammation and thrombi
				formation, blood
				circulation
	36	11/30/88	NEYGERONT	anti-aging, vitalization,
				physical and mental
				exhaustion

1		(A)	(B)	(C)
2	<u>COUNT</u>	<u>DATE</u>	<u>DRUG</u>	<u>INDICATION</u>
3	37	12/06/88	RN13 REGENERESSEN	geriatric troubles, senile incretory involution, overstraining, maintenance of strength
4				
5	38	12/07/88	ZELL H3	anti-aging, rheumatism, artiosclerosis, high blood pressure, asthma
6				
7	39	12/09/88	ZUMBA FORTE	premature senility, mental indisposition, loss of memory, irritability, restlessness,
8				neurasthenia, sexual
9				neurasthenia, sexual
10				impotence
11	40	12/17/88	OSTEOCHONDRIN	vertebral diseases, osteochondrosis, osteoporosis, arthrosis deformans, spondylosis, brachialgia
12				
13				
14	41	12/17/88	RN13 REGENERESSEN	geriatric troubles, senile incretory involution, overstraining, maintenance of strength
15				
16	42	12/24/88	RN13 REGENERESSEN	"
17	43	12/24/88	NEYNORMIN	allergic diathesis, atopias such as eczema, bronchial asthma, mucous enteritis, rheumatism, diencephalon-pituitary-adrenal insufficiency, vegetative dystonia, virus infections
18				
19				
20				
21				
22	44	12/24/88	THYM-UVOCAL	immuno deficiency, autoimmune rheumatic and virus diseases, allergies, anti-aging, adjuvant therapy against tumors, radiation lesions
23				
24				
25	45	12/22/88	NEYGERONT	anti-aging, vitalization, physical and mental exhaustion
26				
27				
28				

	<u>COUNT</u>	<u>(A) DATE</u>	<u>(B) DRUG</u>	<u>(C) INDICATION</u>
1				
2	46	12/22/88	NEYGERONT	"
3				
4	47	12/28/88	NEYGERONT	"
5	48	01/22/89	REGENERESEN CORTEX	oligophrenia, mental defect
6				
7	49	01/30/89	RN13 REGENERESEN	geriatric troubles, senile incretory involution, overstraining, maintenance of strength
8				
9	50	02/15/89	REGENERESEN THYROID	myxedema, struma, goitre
10	51	02/15/89	ZELL H3	anti-aging, rheumatism, artiosclerosis, high blood pressure, asthma
11				
12	52	02/17/89	REGENERESEN HYPOTHALAMUS	Beard's disease, nervous debility, neurasthenia
13				
14	53	02/22/89	ZUMBA FORTE	premature senility, mental indisposition, loss of memory, irritability, restlessness, neurasthenia, sexual neurasthenia, sexual impotence
15				
16				
17				
18	54	03/06/89	TESTES UVOCAL	anti-aging, male menopause, impaired potency
19				
20	55	03/06/89	FEGA-COREN	acute liver, pancreas, and intestinal diseases, cardio vascular disorders
21				
22	56	03/21/89	NEYGERONT	anti-aging, vitalization, physical and mental exhaustion
23				
24	57	03/21/89	RN13 REGENERESEN	geriatric troubles, senile incretory involution, overstraining, maintenance of strength
25				
26				
27				
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	<u>COUNT</u>	<u>(A)</u> <u>DATE</u>	<u>(B)</u> <u>DRUG</u>	<u>(C)</u> <u>INDICATION</u>
1				
2				
3	58	04/05/89	NEYGERONT	anti-aging, vitalization, physical and mental exhaustion
4				
5	59	04/21/89	PLAZENTA UVOCAL	climacteric disturbances, exhaustion and eczema
6	60	04/21/89	RN13 REGENERESEN	geriatric troubles, senile incretory involution, overstraining, maintenance of strength
7				
8				
9	61	04/26/89	NEYGERONT	anti-aging, vitalization, physical and mental exhaustion
10				
11	62	07/21/89	OSTEOCHONDRIN	vertebral diseases, osteocondrosis, osteoporosis, arthrosis deformans, spondylosis, brachialgia
12				
13				
14	63	07/28/89	NEYGERONT	anti-aging, vitalization, physical and mental exhaustion
15				
16	64	09/20/89	NEYGERONT	"
17	65	09/22/89	PLAZENTA UVOCAL	climacteric disturbances, exhaustion and eczema
18				
19	66	09/22/89	RN13 REGENERESEN	geriatric troubles, senile incretory involution, overstraining, maintenance of strength
20				
21	67	10/25/89	NEYGERONT	anti-aging, vitalization, physical and mental exhaustion
22				
23	68	10/25/89	TESTES UVOCAL	anti-aging, male menopause, impaired potency
24				
25	69	11/17/89	HUMAN AND BOVINE UMBILICAL CORD DILUTIONS	mesenchymal conditions, connective tissue weakness
26				
27				
28				

	<u>COUNT</u>	<u>(A) DATE</u>	<u>(B) DRUG</u>	<u>(C) INDICATION</u>
1				
2	70	11/17/89	NEYGERONT	anti-aging, vitalization, physical and mental exhaustion
3				
4	71	11/17/89	RN13 REGENERESEN	geriatric troubles, senile incretory involution, overstraining, maintenance of strength
5				
6				
7	72	01/24/90	RN13 REGENERESEN	"
8	73	02/02/90	NEYGERONT	anti-aging, vitalization, physical and mental exhaustion
9				
10	74	04/04/90	NEYGERONT	"
11	75	05/02/90	NEYGLUC-TROPFEN	diabetes mellitus
12	76	05/04/90	NEYGERONT	anti-aging, vitalization, physical and mental exhaustion
13				
14	77	05/04/90	REGENERESEN RN 13	geriatric troubles, senile incretory involution overstraining, maintenance of strength
15				
16	78	05/04/90	WOBENZYM	venous and arterial diseases, inhibits inflammation and thrombi formation, blood circulation
17				
18				
19	79	05/04/90	WOBE-MUGOS	all malignant systemic diseases, carcinomatous pleural effusions, carcinomatous ascites
20				
21				
22	80	05/04/90	OSTEOCHONDRIN	vertebral diseases, osteochondrosis, osteoporosis, arthrosis deformans, spondylosis, brachialgia
23				
24				
25	81	05/18/90	NEYGERONT	anti-aging, vitalization, physical and mental exhaustion
26				
27				
28				

1		(A)	(B)	(C)
2	COUNT	<u>DATE</u>	<u>DRUG</u>	<u>INDICATION</u>
3	82	06/07/90	FEGA-COREN	acute liver, pancreas, and intestinal diseases, cardio vascular disorders
4	83	06/07/90	NEYGERONT	anti-aging, vitalization, physical and mental exhaustion
5	84	06/07/90	NEY-NEPHRIN-TROPFEN	kidney disorders
6	85	06/11/90	ZUMBA FORTE	premature senility, mental indisposition, loss of memory, irritability, restlessness, neurasthenia, sexual neurasthenia, sexual impotence
7	86	06/11/90	ZUMBA FORTE	"
8	87	06/11/90	ZUMBA FORTE	"
9	88	06/13/90	ZUMBA FORTE	"
10	89	06/13/90	ZUMBA FORTE	"
11	90	06/13/90	ZUMBA FORTE	"
12	91	06/15/90	ZUMBA FORTE	"
13	92	06/15/90	ZUMBA FORTE	"
14	93	06/15/90	ZUMBA FORTE	"
15	94	06/18/90	ZUMBA FORTE	"
16	95	06/18/90	ZUMBA FORTE	"
17	96	06/18/90	ZUMBA FORTE	"
18	97	06/20/90	ZUMBA FORTE	"
19	98	06/20/90	ZUMBA FORTE	"
20	99	06/20/90	FEGA-COREN	acute liver, pancreas, and intestinal diseases, cardio vascular disorders

	COUNT	(A) <u>DATE</u>	(B) <u>DRUG</u>	(C) <u>INDICATION</u>
1				
2	100	06/20/90	NEYIMMUN	stimulates active
3				mesenchyme, increases
4				resistance; connective
5	101	06/20/90	NEYTHYMUN	tissue weakness
6				normalization of immune
7				reactions and blood
8	102	06/22/90	CONJUNCTISAN A	pressure, revitalization,
9				growth stimulation,
10				neoplasms
11	103	06/22/90	CONJUNCTISAN B	senile cataract, macula
12				degeneration, retinal
13				changes, degenerative
14				diseases of the eye
15	104	06/22/90	NEYGERONT	allergic disorders of the
16				conjunctiva and cornea,
17				conjunctivitis sicca,
18				chorioiditis,
19				conjunctival
20				inflammations, tissue
21				damage of the eye
22	105	06/22/90	NEY-GERONT-TROPFEN	anti-aging, vitalization,
23				physical and mental
24				exhaustion
25				premature aging,
26				impotence, geriatric
27				conditions, growth and
28				development disorders,

All in violation of Title 21, United States Code, Sections 331(d) and 333(a)(2), and Title 18, United States Code, Section 2.

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1	<u>COUNT</u>	<u>(A)</u> <u>DATE</u>	<u>(B)</u> <u>DRUG</u>	<u>(C)</u> <u>INDICATION</u>
2	106	05/02/90	GEROVITAL H3	anti-aging and
3				trophic disorders,
4				neuritis, neuralgia,
5				arteriosclerosis,
6				Parkinson's disease,
7				spondylosis,
8				osteoporosis,
9				neurodermitis,
10				eczema, alopecia,
11				p s o r i a s i s ,
12				scleroderma,
13				vitiligo, vasospasms,
14				angina pectoris, post
15				hemiplegic sequelae,
16				arteritis, bronchial
17				asthma
18	107	05/29/90	GEROVITAL H3	"
19	108	05/30/90	GEROVITAL H3	"
20	109	05/31/90	GEROVITAL H3	"
21	110	06/01/90	GEROVITAL H3	"
22	111	06/07/90	GEROVITAL H3	"
23	112	06/07/90	GEROVITAL H3	"
24	113	06/30/90	GEROVITAL H3	"
25	114	05/24/88	K.H.3	anti-aging
26	115	03/20/89	K.H.3	"
27	116	05/04/90	K.H.3	"
28	117	06/26/90	K.H.3	"
29	118	06/27/90	K.H.3	"
30	119	06/29/90	K.H.3	"
31	120	09/23/88	ASLAVITAL	antiatherosclerotic,
32				enzymopoiesic,
33				antidepressant, anti-
34				aging
35	121	06/30/89	ASLAVITAL	"
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<u>COUNT</u>	(A) <u>DATE</u>	(B) <u>DRUG</u>	(C) <u>INDICATION</u>
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122	11/01/89	ASLAVITAL	"
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All in violation of Title 21, United States Code, Sections 331(d) and 333(a)(2), and Title 18, United States Code, Section 2.

Counts 123 through 134

1. Paragraphs 1 through 36 and 38 through 86 of Count 1 are hereby realleged and incorporated by reference as if set forth in full herein.

2. On or about the following dates (Column A), within the Southern District of California, defendants DAVID M. HALPERN, aka David Hall, aka David Hab, aka David Lewis, FRANCES H. WELLGOOD, aka Frances C. Halpern, aka Frances Gottlieb, EDWARD P. SOLLISCH, FRANCES D. HALPERN, EMANON, INC., TUDOR TRADING CO. (U.K.), BIG BEN EXPORT CO., and SHAREFIRST, LTD. did knowingly and willfully, with intent to defraud the United States, make out and pass through the customhouse, false and fraudulent invoices, documents and papers in order to affect the entry of the below listed unapproved drugs (Column B) which had been imported and brought from England to the below listed locations (Column C) in the United States:

<u>COUNT</u>	(A) <u>DATE</u>	(B) <u>DRUG</u>	(C) <u>LOCATION</u>
123	05/02/90	GEROVITAL H3	San Diego, California
124	05/04/90	K.H.3	San Diego, California
125	05/29/90	GEROVITAL H3	Encinitas, California
126	05/30/90	GEROVITAL H3	Solana Beach, California

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COUNT	(A) <u>DATE</u>	(B) <u>DRUG</u>	(C) <u>LOCATION</u>
127	05/31/90	GEROVITAL H3	Solana Beach, California
128	06/01/90	GEROVITAL H3	San Diego, California
129	06/07/90	GEROVITAL H3	Del Mar, California
130	06/07/90	GEROVITAL H3	San Diego, California
131	06/26/90	K.H.3	San Diego, California
132	06/27/90	K.H.3	San Diego, California
133	06/29/90	K.H.3	Encinitas, California
134	06/30/90	GEROVITAL H3	San Diego, California

All in violation of Title 18, United States Code, Sections 545 and 2.

Counts 135 Through 160

1. Paragraphs 1 through 36 and 38 through 86 of Count 1 are hereby realleged and incorporated by reference as if set forth in full herein.

2. On or about the following dates (Column A), within the Southern District of California, defendants DAVID M. HALPERN, aka David Hall, aka David Hab, aka David Lewis, FRANCES H. WELLGOOD, aka Frances C. Halpern, aka Frances Gottlieb, EDWARD P. SOLLISCH, FRANCES D. HALPERN, EMANON, INC., MAXIMILLIAN SCHMIDT, aka WaldSchmidt, and ZUMBA GmbH did knowingly and willfully, with intent to defraud the United States, make out and pass through the customhouse, false and fraudulent invoices, documents and papers in order to affect the entry of the below listed unapproved drugs (Column B) which had been imported and brought from Germany to the below listed locations (Column C) in the United States:

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COUNT	(A) <u>DATE</u>	(B) <u>DRUG</u>	(C) <u>LOCATION</u>
135	05/02/90	NEYGLUC-TROPFEN	San Diego, California
136	05/04/90	REGENERESEN RN 13	San Diego, California
137	05/04/90	WOBENZYM	San Diego, California
138	05/04/90	WOBE-MUGOS	San Diego, California
139	05/04/90	OSTEOCHONDRIN	San Diego, California
140	06/07/90	NEYGERONT	Encinitas, California
141	06/07/90	NEY-NEPHRIN-TROPFEN	Del Mar, California
142	06/11/90	ZUMBA FORTE	Del Mar, California
143	06/11/90	ZUMBA FORTE	San Diego, California
144	06/11/90	ZUMBA FORTE	Solana Beach, California
145	06/13/90	ZUMBA FORTE	San Diego, California
146	06/13/90	ZUMBA FORTE	Solana Beach, California
147	06/13/90	ZUMBA FORTE	San Diego, California
148	06/15/90	ZUMBA FORTE	San Diego, California
149	06/15/90	ZUMBA FORTE	Del Mar, California
150	06/15/90	ZUMBA FORTE	Encinitas, California
151	06/18/90	ZUMBA FORTE	Del Mar, California
152	06/18/90	ZUMBA FORTE	Solana Beach, California
153	06/18/90	ZUMBA FORTE	San Diego, California
154	06/20/90	ZUMBA FORTE	Solana Beach, California
155	06/20/90	FEGA-COREN	San Diego, California
156	06/20/90	NEYIMMUN	San Diego, California
157	06/20/90	NEYTHYMUN	San Diego, California
158	06/20/90	ZUMBA FORTE	San Diego, California

COUNT	(A) <u>DATE</u>	(B) <u>DRUG</u>	(C) <u>LOCATION</u>
159	06/22/90	NEYGERONT	Encinitas, California
160	06/22/90	NEY-GERONT-TROPFEN	Del Mar, California

All in violation of Title 18, United States Code, Sections 545 and 2.

Counts 161 through 172

1. Paragraphs 1 through 36 and 38 through 86 of Count 1 are hereby realleged and incorporated by reference as if set forth in full herein.

2. On or about the following dates (Column A), within the Southern District of California, defendants DAVID M. HALPERN, aka David Hall, aka David Hab, aka David Lewis, FRANCES H. WELLGOOD, aka Frances C. Halpern, aka Frances Gottlieb, EDWARD P. SOLLISCH, FRANCES D. HALPERN, EMANON, INC., TUDOR TRADING CO. (U.K.), BIG BEN EXPORT CO., and SHAREFIRST, LTD., did knowingly introduce, and attempt to introduce, into the commerce of the United States, from England, the below listed drugs (Column B), by procuring the making of false statements as to material matters thereto (Column C), without reasonable cause to believe the truth of these statements:

<u>COUNT</u>	(A) <u>DATE</u>	(B) <u>DRUG</u>	(C) <u>DECLARED CONTENT/VALUE</u>
161	05/02/90	GEROVITAL H3	8 GLASS FIGURINES/\$38
162	05/04/90	K.H.3	1 GIFT BOX/\$30
163	05/29/90	GEROVITAL H3	1 GIFT SET/\$35
164	05/30/90	GEROVITAL H3	24 BOXES PLASTIC LETTERS/\$38

1	<u>COUNT</u>	<u>(A)</u> <u>DATE</u>	<u>(B)</u> <u>DRUG</u>	<u>(C)</u> <u>DECLARED CONTENT/VALUE</u>
2	165	05/31/90	GEROVITAL H3	288 ROCK ROLL BADGES/\$30
3	166	06/01/90	GEROVITAL H3	30 CTN GUITAR PICKS/\$40
4	167	06/07/90	GEROVITAL H3	50 PACKS PLASTIC
5				CLOTHES/\$45
6	168	06/07/90	GEROVITAL H3	GIFT BOX/\$35
7	169	06/26/90	K.H.3	1 CHINESE CHECKERS
8				GAME/\$40
9	170	06/27/90	K.H.3	1 GIFT SET/\$30
10	171	06/29/90	K.H.3	1 GIFT BOX/\$28
11	172	06/30/90	GEROVITAL H3	1 GIFT BOX/ -

12 All in violation of Title 18, United States Code, Sections 542
13 and 2.

14 Counts 173 through 198

15 1. Paragraphs 1 through 36 and 38 through 86 of Count 1 are
16 hereby realleged and incorporated by reference as if set forth in
17 full herein.

18 2. On or about the following dates (Column A), within the
19 Southern District of California, defendants DAVID M. HALPERN, aka
20 David Hall, aka David Hab, aka David Lewis, FRANCES H. WELLGOOD,
21 aka Frances C. Halpern, aka Frances Gottlieb, EDWARD P. SOLLISCH,
22 FRANCES D. HALPERN, EMANON, INC., MAXIMILLIAN SCHMIDT, aka
23 Waldschmidt, and ZUMBA GmbH, did knowingly introduce, and attempt
24 to introduce, into the commerce of the United States, from
25 Germany, the below listed drugs (Column B), by procuring the
26 making of false statements as to material matters thereto

1 (Column C), without reasonable cause to believe the truth of these
2 statements:

3	<u>COUNT</u>	<u>(A)</u> <u>DATE</u>	<u>(B)</u> <u>DRUG</u>	<u>(C)</u> <u>DECLARED CONTENT/VALUE</u>
4	173	05/02/90	NEYGLUC-TROPFEN	100 TUBES OF BUTTONS/\$35
5	174	05/04/90	RN13 REGENERESEN	144 BOXES OF PLASTIC 6 SCREWS/\$39
7	175	05/04/90	WOBENZYME	144 BOXES OF PLASTIC 8 SCREWS/\$39
8	176	05/04/90	WOBE-MUGOS	144 BOXES OF PLASTIC 9 SCREWS/\$39
10	177	05/04/90	OSTEOCHONDRIN	144 BOXES OF PLASTIC 11 SCREWS/\$39
11	178	06/07/90	NEYGERONT	DOMINOS/\$30
12	179	06/07/9	NEY-NEPHRIN-TROPFEN	SALT & PEPPER SHAKERS/\$50
13	180	06/11/90	ZUMBA FORTE	GAMES & BOOKS/\$45
14	181	06/11/90	ZUMBA FORTE	PLASTIC-CLOTHES PINS/\$45
15	182	06/11/90	ZUMBA FORTE	500 STEEL AND 500 16 PLASTIC-COTTER PINS/\$48
17	183	06/13/90	ZUMBA FORTE	30 CS GUITAR PICKS/\$55
18	184	06/13/90	ZUMBA FORTE	144 BOXES PLASTIC 18 SCREWS/\$39
19	185	06/13/90	ZUMBA FORTE	500 CARDS OF BUTTONS/\$45
20	186	06/15/90	ZUMBA FORTE	CURTAIN-ROD HANGERS/\$72
21	187	06/15/90	ZUMBA FORTE	500 STEEL AND 500 PLASTIC- 22 COTTER PINS/\$48
23	188	06/15/90	ZUMBA FORTE	1 ERECTOR SET/\$30
24	189	06/18/90	ZUMBA FORTE	144 BOXES PLASTIC WING 24 NUTS/\$42
25	190	06/18/90	ZUMBA FORTE	750 PLASTIC CUPS/\$30
26	191	06/18/90	ZUMBA FORTE	16 SMALL GLASS ANIMALS/\$48
27				
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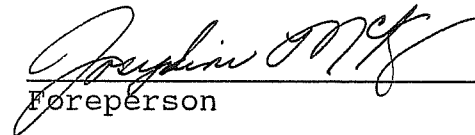
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<u>COUNT</u>	<u>(A) DATE</u>	<u>(B) DRUG</u>	<u>(C) DECLARED CONTENT/VALUE</u>
192	06/20/90	ZUMBA FORTE	GAMES & BOOKS/\$35
193	06/20/90	FEGA-COREN	ASHTRAYS & SHOT GLASSES/\$58
194	06/20/90	NEYIMMUN	ASHTRAYS & SHOT GLASSES/\$58
195	06/20/90	NEYTHYMUN	ASHTRAYS & SHOT GLASSES/\$58
196	06/20/90	ZUMBA FORTE	200 BOXES PLASTIC WASHERS/\$39
197	06/22/90	NEYGERONT	2 BOOKS 1-1000 PIECE PUZZLES 2 - SETS OF POKER CHIPS/\$55
198	06/22/90	NEY-GERONT-TROPFEN	2,500 PLASTIC WASHERS/\$48


All in violation of Title 18, United States Code, Sections 542 and 2.

DATED: March 13, 1992.

A TRUE BILL:


Foreperson

WILLIAM BRANIFF
United States Attorney

By: 
PHILLIP L. B. HALPERN
Assistant U.S. Attorney