

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

**Criminal Action No.**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

- 1. DAVID HOAG,**
- 2. JAMES POE, and**
- 3. PAUL NICKLESS,**

**Defendants.**

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**INDICTMENT**  
**21 U.S.C. Section 843(a)(3) and (d)(1)**  
**21 U.S.C. Section 846**  
**18 U.S.C. Section 2**

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The Grand Jury charges that:

**COUNT ONE**  
**21 U.S.C. §§ 846, 843(a)(3) and (d)(1)**  
**(Conspiracy to Obtain a Controlled Substance by Fraud)**

Between on or about April 2004 and February 2009, within the State and District of Colorado, the defendants,

- 1. DAVID HOAG,**
- 2. JAMES POE, and**
- 3. PAUL NICKLESS,**

knowingly conspired and agreed with each other, and with persons known and unknown to the grand jury, to obtain oxycodone, a Schedule II Controlled Substance, hydrocodone, a Schedule III Controlled Substance, Lorazepam, a Schedule IV Controlled Substance, and Zolpidem, a Schedule IV Controlled Substance, by misrepresentations, fraud and deception in violation of 21 U.S.C.

Section 843(a)(3) and (d)(1).

All in violation of Title 21, United States Code, Sections 846, 843(a)(3) and (d)(1).

**COUNTS TWO through ONE HUNDRED THIRTY-TWO**  
**21 U.S.C. §§ 843(a)(3) and (d)(1)**  
**(Obtaining a Controlled Substance by Fraud)**

On or about the dates set forth below, within the State and District of Colorado, the defendants,

1. **DAVID HOAG, and**
2. **JAMES POE,**

aiding and abetting each other, knowingly obtained the Controlled Substances set forth below, by misrepresentations, fraud and deception, each of which constitutes a separate count of this Indictment:

<b>COUNT</b>	<b>"on or about" Date</b>	<b>Pharmacy</b>	<b>Patient</b>	<b>Rx Number</b>	<b>Controlled Substance</b>
2	10/24/2008	King Soopers #65	James POE	4888213	Lorazepam
3	1/9/2009	King Soopers #65	James POE	4889462	Hydrocodone
4	11/28/2008	King Soopers #65	James POE	4888791	Hydrocodone
5	2/27/2009	King Soopers #65	James POE	4890280	Hydrocodone
6	1/9/2009	King Soopers #65	James POE	4889461	Lorazepam
7	11/18/2008	King Soopers #65	James POE	4888614	Hydrocodone
8	3/18/2008	King Soopers #65	James POE	4887082	Lorazepam
9	3/18/2008	King Soopers #65	James POE	4887081	Hydrocodone
10	3/14/2008	King Soopers #65	James POE	4887032	Hydrocodone
11	3/28/2008	King Soopers #65	James POE	4887244	Hydrocodone
12	10/2/2008	King Soopers #65	James POE	4887853	Hydrocodone
13	3/28/2008	King Soopers #65	James POE	4887245	Lorazepam
14	10/15/2008	King Soopers #65	James POE	2871248	Oxycodone
15	10/2/2008	King Soopers #65	James POE	4887854	Lorazepam
16	10/24/2008	King Soopers #65	James POE	4888212	Hydrocodone
17	11/3/2008	King Soopers #65	James POE	4888350	Hydrocodone
18	11/18/2008	King Soopers #65	James POE	4888615	Lorazepam
19	3/24/2008	King Soopers #65	James POE	4887178	Hydrocodone
20	3/12/2008	Pencol	James POE	C338425	Lorazepam
21	3/12/2008	Pencol	James POE	C338424	Hydrocodone
22	3/22/2008	Pencol	James POE	C338463	Lorazepam
23	3/22/2008	Pencol	James POE	N27213	Endocet

24	10/6/2008	Pencol	James POE	C338621	Lorazepam
25	10/6/2008	Pencol	James POE	C338622	Hydrocodone
26	10/17/2008	Pencol	James POE	C338659	Hydrocodone
27	10/27/2008	Pencol	James POE	C338696	Hydrocodone
28	10/27/2008	Pencol	James POE	C338697	Lorazepam
29	12/5/2008	Pencol	James POE	C338839	Lorazepam
30	12/5/2008	Pencol	James POE	C338840	Hydrocodone
31	10/8/2008	King Soopers #70	James POE	4010479	Hydrocodone
32	10/16/2008	King Soopers #70	James POE	4010603	Lorazepam
33	10/16/2008	King Soopers #70	James POE	4010604	Hydrocodone
34	10/25/2008	King Soopers #70	James POE	4010707	Hydrocodone
35	10/25/2008	King Soopers #70	James POE	4010708	Lorazepam
36	11/10/2008	King Soopers #70	James POE	4010890	Hydrocodone
37	11/23/2008	King Soopers #70	James POE	4011061	Hydrocodone
38	8/20/2008	K-Mart #4131	James POE	4435618	Hydrocodone
39	10/7/2008	K-Mart #4131	James POE	4435925	Hydrocodone
40	10/18/2008	K-Mart #4131	James POE	4435988	Hydrocodone
41	10/24/2008	K-Mart #4131	James POE	4436015	Hydrocodone
42	11/6/2008	K-Mart #4131	James POE	4436112	Lorazepam
43	11/6/2008	K-Mart #4131	James POE	4436113	Hydrocodone
44	11/18/2008	K-Mart #4131	James POE	4436178	Hydrocodone
45	11/28/2008	K-Mart #4131	James POE	4436235	Lorazepam
46	11/28/2008	K-Mart #4131	James POE	4436234	Hydrocodone
47	02-08-2007	Todd's Harvard Park	James POE	4320184	Lorazepam
48	08-06-2008	Todd's Harvard Park	James POE	4351748	Hydrocodone
49	10-03-2008	Todd's Harvard Park	James POE	4355267	Lorazepam
50	10-03-2008	Todd's Harvard Park	James POE	4355268	Hydrocodone
51	10-15-2008	Todd's Harvard Park	James POE	4355949	Hydrocodone
52	11-05-2008	Todd's Harvard Park	James POE	2357254	Oxycodone
53	11-19-2008	Todd's Harvard Park	James POE	4358111	Hydrocodone
54	12-04-2008	Todd's Harvard Park	James POE	4358971	Hydrocodone
55	12-04-2008	Todd's Harvard Park	James POE	4358972	Lorazepam
56	11/17/2008	Sav-On #895	James POE	38214	Hydrocodone
57	11/11/2008	Sav-On #895	James POE	38159	Lorazepam
58	11/11/2008	Sav-On #895	James POE	38158	Hydrocodone
59	10/14/2008	Sav-On #895	James POE	37934	Hydrocodone
60	10/14/2008	Sav-On #895	James POE	37933	Lorazepam
61	2/28/2008	Safeway #17	James POE	4433689	Hydrocodone
62	4/7/2008	Safeway #17	James POE	4434073	Zolpidem
63	4/24/2008	Safeway #17	James POE	4434268	Zolpidem
64	5/16/2008	Safeway #17	James POE	4434763	Hydrocodone
65	8/25/2008	Safeway #17	James POE	4435397	Hydrocodone
66	10/12/2008	Safeway #17	James POE	4435824	Hydrocodone
67	10/12/2008	Safeway #17	James POE	4435825	Lorazepam
68	10/25/2008	Safeway #17	James POE	4435969	Hydrocodone
69	11/6/2008	Safeway #17	James POE	4436083	Hydrocodone
70	11/11/2008	Safeway #17	James POE	4436135	Hydrocodone
71	11/11/2008	Safeway #17	James POE	4436136	Lorazepam
72	11/13/2008	Safeway #17	James POE	4436166	Hydrocodone
73	11/24/2008	Safeway #17	James POE	4436234	Hydrocodone
74	11/24/2008	Safeway #17	James POE	4436235	Lorazepam
75	11/30/2008	Safeway #2791	James POE	4001331	Hydrocodone
76	11/20/2008	Safeway #2791	James POE	4001304	Lorazepam

77	11/20/2008	Safeway #2791	James POE	4001303	Hydrocodone
78	10/31/2008	Safeway #2791	James POE	4001214	Hydrocodone
79	10/31/2008	Safeway #2791	James POE	4001213	Lorazepam
80	10/21/2008	Safeway #2791	James POE	4001169	Hydrocodone
81	10/15/2008	Gem Pharmacy	James POE	300136	Hydrocodone
82	10/15/2008	Gem Pharmacy	James POE	300137	Lorazepam
83	10/31/2008	Gem Pharmacy	James POE	300213	Hydrocodone
84	11/14/2008	Gem Pharmacy	James POE	300284	Lorazepam
85	11/14/2008	Gem Pharmacy	James POE	300283	Hydrocodone
86	12/3/2008	Gem Pharmacy	James POE	300376	Lorazepam
87	12/3/2008	Gem Pharmacy	James POE	300377	Hydrocodone
88	11/21/2008	King Soopers #41	James POE	4132026	Lorazepam
89	11/21/2008	King Soopers #41	James POE	4132025	Hydrocodone
90	10/30/2008	King Soopers #41	James POE	4131654	Hydrocodone
91	10/19/2008	King Soopers #41	James POE	4131458	Hydrocodone
92	10/12/2008	King Soopers #41	James POE	2050388	Oxycodone
93	08-18-2008	Walgreens	James POE	339971	Hydrocodone
94	12-26-2008	Walgreens	James POE	358768	Hydrocodone
95	12-26-2008	Walgreens	James POE	358767	Lorazepam
96	11/11/2008	Swedish Professional	James POE	4037671	Lorazepam
97	11/10/2008	Swedish Professional	James POE	4037670	Hydrocodone
98	11/5/2008	Swedish Professional	James POE	4037645	Hydrocodone
99	10/27/2008	Swedish Professional	James POE	4037599	Hydrocodone
100	3/25/2008	Wal-Mart #10-2751	James POE	4428620	Hydrocodone
101	3/25/2008	Wal-Mart #10-2751	James POE	4428619	Lorazepam
102	11/3/2008	Wal-Mart #10-2751	James POE	4429963	Hydrocodone
103	10/7/2008	Wal-Mart #10-2751	James POE	4429402	Hydrocodone
104	11/21/2008	Wal-Mart #10-2751	James POE	4430292	Hydrocodone
105	12/1/2008	Walgreens #3190	James POE	1863930	Lorazepam
106	12/1/2008	Walgreens #3190	James POE	1863931	Hydrocodone
107	11/7/2008	Walgreens #3190	James POE	1856267	Hydrocodone
108	11/17/2008	Walgreens #3190	James POE	1859441	Hydrocodone
109	11/7/2008	Walgreens #3190	James POE	1856266	Lorazepam
110	3/29/2008	Sav-On #885	James POE	52540	Lorazepam
111	3/21/2008	Sav-On #885	James POE	52480	Lorazepam
112	08-20-2008	Apothecare	James POE	408258	Lorazepam
113	08-20-2008	Apothecare	James POE	408257	Hydrocodone
114	10-21-2008	Apothecare	James POE	408719	Hydrocodone
115	10-21-2008	Apothecare	James POE	408718	Lorazepam
116	3/15/2008	Clearspring	James POE	4017125	Hydrocodone
117	3/22/2008	Clearspring	James POE	4017175	Hydrocodone
118	10/3/2008	Clearspring	James POE	4017578	Hydrocodone
119	10/13/2008	Clearspring	James POE	4017649	Hydrocodone
120	11/3/2008	Clearspring	James POE	4017879	Hydrocodone
121	9/24/2008	K-Mart #7303	James POE	4418530	Hydrocodone
122	9/29/2008	K-Mart #7303	James POE	4418544	Hydrocodone
123	10/30/2008	K-Mart #7303	James POE	4418637	Hydrocodone
124	3/26/2008	K-Mart #7303	James POE	4418456	Hydrocodone
125	10/16/2008	K-Mart #7303	James POE	4418593	Hydrocodone
126	10/22/2008	Clearspring	James POE	4010152	Hydrocodone
127	10/28/2008	Clearspring	James POE	4010207	Lorazepam
128	10/28/2008	Clearspring	James POE	4010206	Hydrocodone
129	11/13/2008	Clearspring	James POE	4010336	Hydrocodone

130	11/13/2008	Clearspring	James POE	4010335	Lorazepam
131	11/25/2008	Clearspring	James POE	4010416	Lorazepam
132	11/25/2008	Clearspring	James POE	4010417	Hydrocodone

All in violation of Title 21, United States Code, Sections 843(a)(3) and (d)(1); and Title 18, United States Code, Section 2.

**COUNTS ONE HUNDRED THIRTY-THREE through FOUR HUNDRED SIXTEEN**  
**21 U.S.C. §§ 843(a)(3) and (d)(1)**  
**(Obtaining a Controlled Substance by Fraud)**

On or about the dates set forth below, within the State and District of Colorado, the defendants,

- 1. DAVID HOAG,**  
**and**  
**3. PAUL NICKLESS,**

aiding and abetting each other, knowingly obtained the Controlled Substances set forth below, by misrepresentations, fraud and deception, each of which constitutes a separate count of this Indictment:

<b>COUNT</b>	<b>"on or about" Date</b>	<b>Pharmacy</b>	<b>Patient</b>	<b>Rx Number</b>	<b>Controlled Substance</b>
133	07-30-2007	Todd's Harvard Park	Paul NICKLESS	4329273	Hydrocodone
134	08-16-2007	Todd's Harvard Park	Paul NICKLESS	4330169	Hydrocodone
135	09-18-2007	Todd's Harvard Park	Paul NICKLESS	4331914	Lorazepam
136	09-26-2007	Todd's Harvard Park	Paul NICKLESS	4330169	Hydrocodone
137	09-26-2007	Todd's Harvard Park	Paul NICKLESS	4332422	Lorazepam
138	11-01-2007	Todd's Harvard Park	Paul NICKLESS	4334482	Hydrocodone
139	02-25-2008	Todd's Harvard Park	Paul NICKLESS	4341571	Lorazepam
140	04-21-2008	Todd's Harvard Park	Paul NICKLESS	4345105	Hydrocodone
141	05-19-2008	Todd's Harvard Park	Paul NICKLESS	4346779	Zolpidem
142	05-19-2008	Todd's Harvard Park	Paul NICKLESS	4346778	Hydrocodone
143	06-09-2008	Todd's Harvard Park	Paul NICKLESS	4348030	Hydrocodone
144	06-25-2008	Todd's Harvard Park	Paul NICKLESS	4349060	Zolpidem
145	06-25-2008	Todd's Harvard Park	Paul NICKLESS	4349059	Hydrocodone

146	08-14-2008	Todd's Harvard Park	Paul NICKLESS	4352215	Hydrocodone
147	09-24-2008	Todd's Harvard Park	Paul NICKLESS	4354715	Lorazepam
148	09-24-2008	Todd's Harvard Park	Paul NICKLESS	4354714	Hydrocodone
149	10-09-2008	Todd's Harvard Park	Paul NICKLESS	4355593	Lorazepam
150	10-09-2008	Todd's Harvard Park	Paul NICKLESS	4355592	Hydrocodone
151	10-23-2008	Todd's Harvard Park	Paul NICKLESS	4356477	Hydrocodone
152	11-17-2008	Todd's Harvard Park	Paul NICKLESS	4357908	Lorazepam
153	03-02-2006	King Soopers	Paul NICKLESS	4010515	Hydrocodone
154	03-15-2006	King Soopers	Paul NICKLESS	4010684	Hydrocodone
155	04-02-2006	King Soopers	Paul NICKLESS	4010889	Hydrocodone
156	04-12-2006	King Soopers	Paul NICKLESS	4011033	Hydrocodone
157	04-23-2006	King Soopers	Paul NICKLESS	4011157	Hydrocodone
158	05-03-2006	King Soopers	Paul NICKLESS	4011283	Hydrocodone
159	05-17-2006	King Soopers	Paul NICKLESS	4011443	Hydrocodone
160	05-26-2006	King Soopers	Paul NICKLESS	4011559	Hydrocodone
161	06-13-2006	King Soopers	Paul NICKLESS	4011748	Hydrocodone
162	07-02-2006	King Soopers	Paul NICKLESS	4011951	Hydrocodone
163	07-10-2006	King Soopers	Paul NICKLESS	4012019	Hydrocodone
164	07-23-2006	King Soopers	Paul NICKLESS	4012169	Hydrocodone
165	07-31-2006	King Soopers	Paul NICKLESS	4012244	Hydrocodone
166	08-16-2006	King Soopers	Paul NICKLESS	4012423	Hydrocodone
167	08-26-2006	King Soopers	Paul NICKLESS	4012542	Hydrocodone
168	09-05-2006	King Soopers	Paul NICKLESS	4012636	Hydrocodone
169	09-17-2006	King Soopers	Paul NICKLESS	4012764	Hydrocodone
170	09-26-2006	King Soopers	Paul NICKLESS	4012879	Hydrocodone
171	10-15-2006	King Soopers	Paul NICKLESS	4013095	Hydrocodone
172	11-01-2006	King Soopers	Paul NICKLESS	4013323	Hydrocodone
173	11-28-2006	King Soopers	Paul NICKLESS	4013673	Hydrocodone
174	12-11-2006	King Soopers	Paul NICKLESS	4013832	Hydrocodone
175	12-18-2006	King Soopers	Paul NICKLESS	4013947	Hydrocodone
176	01-02-2007	King Soopers	Paul NICKLESS	4014131	Hydrocodone
177	01-15-2007	King Soopers	Paul NICKLESS	4014297	Hydrocodone
178	02-07-2007	King Soopers	Paul NICKLESS	4014624	Hydrocodone
179	02-19-2007	King Soopers	Paul NICKLESS	4014760	Hydrocodone
180	03-15-2007	King Soopers	Paul NICKLESS	4015119	Hydrocodone
181	06-19-2007	King Soopers	Paul NICKLESS	4016280	Hydrocodone
182	06-25-2007	King Soopers	Paul NICKLESS	4016365	Hydrocodone
183	07-30-2007	King Soopers	Paul NICKLESS	4016812	Hydrocodone
184	08-07-2007	King Soopers	Paul NICKLESS	4016912	Hydrocodone
185	08-14-2007	King Soopers	Paul NICKLESS	4017016	Lorazepam
186	08-14-2007	King Soopers	Paul NICKLESS	4017017	Hydrocodone
187	08-22-2007	King Soopers	Paul NICKLESS	4017126	Hydrocodone
188	09-04-2007	King Soopers	Paul NICKLESS	4017290	Hydrocodone
189	09-19-2007	King Soopers	Paul NICKLESS	4017509	Hydrocodone
190	10-02-2007	King Soopers	Paul NICKLESS	4017677	Hydrocodone
191	10-16-2007	King Soopers	Paul NICKLESS	4017863	Hydrocodone
192	10-31-2007	King Soopers	Paul NICKLESS	4018092	Lorazepam
193	10-31-2007	King Soopers	Paul NICKLESS	4018093	Hydrocodone
194	02-26-2008	King Soopers	Paul NICKLESS	4019758	Hydrocodone
195	04-07-2008	King Soopers	Paul NICKLESS	4020354	Hydrocodone
196	04-14-2008	King Soopers	Paul NICKLESS	4020453	Lorazepam
197	04-14-2008	King Soopers	Paul NICKLESS	4020454	Hydrocodone
198	04-24-2008	King Soopers	Paul NICKLESS	4020600	Hydrocodone



199	05-09-2008	King Soopers	Paul NICKLESS	4020791	Hydrocodone
200	05-09-2008	King Soopers	Paul NICKLESS	4020792	Zolpidem
201	05-20-2008	King Soopers	Paul NICKLESS	4020923	Hydrocodone
202	05-29-2008	King Soopers	Paul NICKLESS	4021036	Hydrocodone
203	06-11-2008	King Soopers	Paul NICKLESS	4021211	Lorazepam
204	06-11-2008	King Soopers	Paul NICKLESS	4021212	Hydrocodone
205	06-27-2008	King Soopers	Paul NICKLESS	4021442	Hydrocodone
206	07-23-2008	King Soopers	Paul NICKLESS	4021777	Hydrocodone
207	07-30-2008	King Soopers	Paul NICKLESS	4021888	Hydrocodone
208	08-10-2008	King Soopers	Paul NICKLESS	4022018	Hydrocodone
209	08-10-2008	King Soopers	Paul NICKLESS	4022019	Lorazepam
210	08-22-2008	King Soopers	Paul NICKLESS	4022198	Hydrocodone
211	09-02-2008	King Soopers	Paul NICKLESS	4022313	Hydrocodone
212	09-24-2008	King Soopers	Paul NICKLESS	4022601	Hydrocodone
213	10-14-2008	King Soopers	Paul NICKLESS	4022868	Hydrocodone
214	10-28-2008	King Soopers	Paul NICKLESS	4023061	Hydrocodone
215	11-12-2008	King Soopers	Paul NICKLESS	4023292	Hydrocodone
216	11-12-2008	King Soopers	Paul NICKLESS	4023293	Lorazepam
217	08-09-2007	Walgreens	Paul NICKLESS	805168	Hydrocodone
218	09-07-2007	Walgreens	Paul NICKLESS	809328	Hydrocodone
219	10-31-2007	Walgreens	Paul NICKLESS	818539	Hydrocodone
220	02-26-2008	Walgreens	Paul NICKLESS	838198	Lorazepam
221	02-26-2008	Walgreens	Paul NICKLESS	838197	Hydrocodone
222	05-01-2008	Walgreens	Paul NICKLESS	849487	Lorazepam
223	05-01-2008	Walgreens	Paul NICKLESS	849486	Hydrocodone
224	05-15-2008	Walgreens	Paul NICKLESS	851835	Hydrocodone
225	06-09-2008	Walgreens	Paul NICKLESS	855863	Hydrocodone
226	06-09-2008	Walgreens	Paul NICKLESS	855861	Lorazepam
227	08-11-2008	Walgreens	Paul NICKLESS	865081	Hydrocodone
228	09-22-2008	Walgreens	Paul NICKLESS	871655	Hydrocodone
229	09-22-2008	Walgreens	Paul NICKLESS	871654	Lorazepam
230	10-02-2008	Walgreens	Paul NICKLESS	873558	Hydrocodone
231	10-02-2008	Walgreens	Paul NICKLESS	873557	Lorazepam
232	10-17-2008	Walgreens	Paul NICKLESS	876221	Lorazepam
233	10-17-2008	Walgreens	Paul NICKLESS	876220	Hydrocodone
234	11-06-2008	Walgreens	Paul NICKLESS	879546	Hydrocodone
235	11-25-2008	Walgreens	Paul NICKLESS	882756	Hydrocodone
236	11-25-2008	Walgreens	Paul NICKLESS	882755	Lorazepam
237	04-18-2004	Safeway	Paul NICKLESS	4424444	Hydrocodone
238	05-09-2004	Safeway	Paul NICKLESS	4424683	Hydrocodone
239	05-15-2004	Safeway	Paul NICKLESS	4423995	Hydrocodone
240	05-23-2004	Safeway	Paul NICKLESS	4424837	Hydrocodone
241	05-28-2004	Safeway	Paul NICKLESS	4424186	Hydrocodone
242	06-14-2004	Safeway	Paul NICKLESS	4425087	Hydrocodone
243	06-21-2004	Safeway	Paul NICKLESS	4425154	Hydrocodone
244	06-28-2004	Safeway	Paul NICKLESS	4425245	Hydrocodone
245	07-11-2004	Safeway	Paul NICKLESS	4425358	Hydrocodone
246	07-30-2004	Safeway	Paul NICKLESS	4425597	Hydrocodone
247	08-09-2004	Safeway	Paul NICKLESS	4425685	Hydrocodone
248	08-22-2004	Safeway	Paul NICKLESS	4425832	Hydrocodone
249	08-30-2004	Safeway	Paul NICKLESS	4425925	Hydrocodone
250	09-20-2004	Safeway	Paul NICKLESS	4426152	Hydrocodone
251	10-04-2004	Safeway	Paul NICKLESS	4426306	Hydrocodone

252	10-18-2004	Safeway	Paul NICKLESS	4426452	Hydrocodone
253	10-31-2004	Safeway	Paul NICKLESS	4426592	Hydrocodone
254	11-14-2004	Safeway	Paul NICKLESS	4426763	Hydrocodone
255	12-19-2004	Safeway	Paul NICKLESS	4427179	Hydrocodone
256	01-16-2005	Safeway	Paul NICKLESS	4427527	Hydrocodone
257	01-30-2005	Safeway	Paul NICKLESS	4427714	Hydrocodone
258	02-13-2005	Safeway	Paul NICKLESS	4427897	Hydrocodone
259	04-11-2005	Safeway	Paul NICKLESS	4428617	Hydrocodone
260	05-06-2005	Safeway	Paul NICKLESS	4428151	Hydrocodone
261	05-22-2005	Safeway	Paul NICKLESS	4429096	Hydrocodone
262	06-15-2005	Safeway	Paul NICKLESS	4429404	Hydrocodone
263	07-03-2005	Safeway	Paul NICKLESS	4429606	Hydrocodone
264	07-24-2005	Safeway	Paul NICKLESS	4429817	Hydrocodone
265	08-21-2005	Safeway	Paul NICKLESS	4430135	Hydrocodone
266	09-11-2005	Safeway	Paul NICKLESS	4430353	Hydrocodone
267	10-02-2005	Safeway	Paul NICKLESS	4430598	Hydrocodone
268	10-17-2005	Safeway	Paul NICKLESS	4430772	Hydrocodone
269	11-06-2005	Safeway	Paul NICKLESS	4431041	Hydrocodone
270	12-04-2005	Safeway	Paul NICKLESS	4431366	Hydrocodone
271	12-18-2005	Safeway	Paul NICKLESS	4431546	Hydrocodone
272	01-03-2006	Safeway	Paul NICKLESS	4431729	Hydrocodone
273	01-18-2006	Safeway	Paul NICKLESS	4433809	Hydrocodone
274	01-26-2006	Safeway	Paul NICKLESS	4432045	Hydrocodone
275	02-20-2006	Safeway	Paul NICKLESS	4432317	Hydrocodone
276	03-09-2006	Safeway	Paul NICKLESS	4432560	Hydrocodone
277	03-21-2006	Safeway	Paul NICKLESS	4432719	Hydrocodone
278	04-17-2006	Safeway	Paul NICKLESS	4433033	Hydrocodone
279	05-07-2006	Safeway	Paul NICKLESS	4433305	Hydrocodone
280	05-31-2006	Safeway	Paul NICKLESS	4433588	Hydrocodone
281	07-17-2006	Safeway	Paul NICKLESS	4434139	Hydrocodone
282	08-04-2006	Safeway	Paul NICKLESS	4434343	Hydrocodone
283	08-21-2006	Safeway	Paul NICKLESS	4434531	Hydrocodone
284	09-10-2006	Safeway	Paul NICKLESS	4434757	Hydrocodone
285	10-08-2006	Safeway	Paul NICKLESS	4435065	Hydrocodone
286	10-22-2006	Safeway	Paul NICKLESS	4435231	Hydrocodone
287	11-08-2006	Safeway	Paul NICKLESS	4435444	Hydrocodone
288	12-03-2006	Safeway	Paul NICKLESS	4435725	Hydrocodone
289	12-26-2006	Safeway	Paul NICKLESS	4436010	Hydrocodone
290	01-20-2007	Safeway	Paul NICKLESS	4438202	Lorazepam
291	01-28-2007	Safeway	Paul NICKLESS	4436425	Hydrocodone
292	02-25-2007	Safeway	Paul NICKLESS	4436813	Hydrocodone
293	03-12-2007	Safeway	Paul NICKLESS	4437041	Hydrocodone
294	03-19-2007	Safeway	Paul NICKLESS	4437131	Hydrocodone
295	06-20-2007	Safeway	Paul NICKLESS	4438201	Hydrocodone
296	08-02-2007	Safeway	Paul NICKLESS	4438640	Hydrocodone
297	09-20-2007	Safeway	Paul NICKLESS	4439161	Hydrocodone
298	09-30-2007	Safeway	Paul NICKLESS	4439266	Lorazepam
299	09-30-2007	Safeway	Paul NICKLESS	4439265	Hydrocodone
300	10-09-2007	Safeway	Paul NICKLESS	4439363	Hydrocodone
301	10-22-2007	Safeway	Paul NICKLESS	4439489	Lorazepam
302	10-22-2007	Safeway	Paul NICKLESS	4439488	Hydrocodone
303	03-06-2008	Safeway	Paul NICKLESS	4440994	Hydrocodone
304	04-11-2008	Safeway	Paul NICKLESS	4441321	Hydrocodone



305	04-29-2008	Safeway	Paul NICKLESS	4441488	Lorazepam
306	04-29-2008	Safeway	Paul NICKLESS	4441487	Hydrocodone
307	05-09-2008	Safeway	Paul NICKLESS	4441577	Hydrocodone
308	05-20-2008	Safeway	Paul NICKLESS	4441665	Hydrocodone
309	05-30-2008	Safeway	Paul NICKLESS	4441766	Hydrocodone
310	06-30-2008	Safeway	Paul NICKLESS	4442039	Hydrocodone
311	07-14-2008	Safeway	Paul NICKLESS	4442156	Hydrocodone
312	08-02-2008	Safeway	Paul NICKLESS	4442329	Lorazepam
313	08-13-2008	Safeway	Paul NICKLESS	4438739	Hydrocodone
314	08-19-2008	Safeway	Paul NICKLESS	4442466	Hydrocodone
315	08-20-2008	Safeway	Paul NICKLESS	4442328	Hydrocodone
316	09-22-2008	Safeway	Paul NICKLESS	4442757	Hydrocodone
317	10-07-2008	Safeway	Paul NICKLESS	4442883	Hydrocodone
318	10-17-2008	Safeway	Paul NICKLESS	4442961	Hydrocodone
319	10-29-2008	Safeway	Paul NICKLESS	4443048	Hydrocodone
320	11-06-2008	Safeway	Paul NICKLESS	4443114	Hydrocodone
321	11-20-2008	Safeway	Paul NICKLESS	4443252	Hydrocodone
322	11-20-2008	Safeway	Paul NICKLESS	4443253	Lorazepam
323	08-27-2007	Walgreens	Paul NICKLESS	653314	Hydrocodone
324	09-13-2007	Walgreens	Paul NICKLESS	658791	Hydrocodone
325	09-23-2007	Walgreens	Paul NICKLESS	661826	Hydrocodone
326	10-01-2007	Walgreens	Paul NICKLESS	664289	Hydrocodone
327	10-01-2007	Walgreens	Paul NICKLESS	664291	Lorazepam
328	10-05-2007	Walgreens	Paul NICKLESS	665795	Hydrocodone
329	10-24-2007	Walgreens	Paul NICKLESS	671945	Hydrocodone
330	06-04-2008	Walgreens	Paul NICKLESS	746716	Hydrocodone
331	06-30-2008	Walgreens	Paul NICKLESS	754490	Hydrocodone
332	07-31-2008	Walgreens	Paul NICKLESS	764057	Hydrocodone
333	10-31-2008	Walgreens	Paul NICKLESS	793049	Hydrocodone
334	08-22-2007	Walgreens	Paul NICKLESS	785951	Hydrocodone
335	11-08-2007	Walgreens	Paul NICKLESS	798115	Lorazepam
336	11-08-2007	Walgreens	Paul NICKLESS	798114	Hydrocodone
337	03-10-2008	Walgreens	Paul NICKLESS	816686	Hydrocodone
338	05-27-2008	Walgreens	Paul NICKLESS	828151	Zolpidem
339	05-27-2008	Walgreens	Paul NICKLESS	828152	Hydrocodone
340	07-23-2008	Walgreens	Paul NICKLESS	836391	Lorazepam
341	07-23-2008	Walgreens	Paul NICKLESS	836318	Hydrocodone
342	10-07-2008	Walgreens	Paul NICKLESS	847327	Lorazepam
343	10-07-2008	Walgreens	Paul NICKLESS	847326	Hydrocodone
344	11-13-2008	Walgreens	Paul NICKLESS	852797	Hydrocodone
345	11-28-2008	Walgreens	Paul NICKLESS	854833	Lorazepam
346	11-28-2008	Walgreens	Paul NICKLESS	854832	Hydrocodone
347	01-08-2007	Sav-On	Paul NICKLESS	47604	Hydrocodone
348	01-29-2007	Sav-On	Paul NICKLESS	47839	Hydrocodone
349	03-19-2007	Sav-On	Paul NICKLESS	48444	Hydrocodone
350	06-20-2007	Sav-On	Paul NICKLESS	49953	Hydrocodone
351	08-02-2007	Sav-On	Paul NICKLESS	50038	Hydrocodone
352	08-13-2007	Sav-On	Paul NICKLESS	50149	Hydrocodone
353	08-13-2007	Sav-On	Paul NICKLESS	50150	Lorazepam
354	09-10-2007	Sav-On	Paul NICKLESS	50440	Hydrocodone
355	03-05-2008	Sav-On	Paul NICKLESS	48300	Hydrocodone
356	06-13-2008	Sav-On	Paul NICKLESS	53543	Hydrocodone
357	07-02-2008	Sav-On	Paul NICKLESS	53731	Hydrocodone

358	08-15-2008	Sav-On	Paul NICKLESS	54166	Hydrocodone
359	08-15-2008	Sav-On	Paul NICKLESS	54167	Lorazepam
360	10-14-2008	Sav-On	Paul NICKLESS	54798	Hydrocodone
361	11-03-2008	Sav-On	Paul NICKLESS	55021	Hydrocodone
362	11-25-2008	Sav-On	Paul NICKLESS	55256	Hydrocodone
363	05-08-2006	King Soopers	Paul NICKLESS	4085607	Hydrocodone
364	05-21-2006	King Soopers	Paul NICKLESS	4085770	Hydrocodone
365	06-25-2006	King Soopers	Paul NICKLESS	4086216	Hydrocodone
366	09-18-2006	King Soopers	Paul NICKLESS	4087264	Hydrocodone
367	10-11-2006	King Soopers	Paul NICKLESS	4087558	Hydrocodone
368	11-06-2006	King Soopers	Paul NICKLESS	4087867	Hydrocodone
369	12-17-2006	King Soopers	Paul NICKLESS	4088449	Hydrocodone
370	01-04-2007	King Soopers	Paul NICKLESS	4088650	Hydrocodone
371	02-05-2007	King Soopers	Paul NICKLESS	4089146	Hydrocodone
372	02-28-2007	King Soopers	Paul NICKLESS	4089499	Hydrocodone
373	06-21-2007	King Soopers	Paul NICKLESS	4091049	Hydrocodone
374	08-09-2007	King Soopers	Paul NICKLESS	4091660	Hydrocodone
375	08-15-2007	King Soopers	Paul NICKLESS	4091733	Hydrocodone
376	09-17-2007	King Soopers	Paul NICKLESS	4092160	Hydrocodone
377	09-26-2007	King Soopers	Paul NICKLESS	4092285	Hydrocodone
378	10-23-2007	King Soopers	Paul NICKLESS	4092635	Hydrocodone
379	11-06-2007	King Soopers	Paul NICKLESS	4092824	Hydrocodone
380	06-03-2008	King Soopers	Paul NICKLESS	4095787	Hydrocodone
381	06-18-2008	King Soopers	Paul NICKLESS	4095994	Hydrocodone
382	08-19-2008	King Soopers	Paul NICKLESS	4096787	Hydrocodone
383	08-28-2008	King Soopers	Paul NICKLESS	4096924	Hydrocodone
384	10-02-2008	King Soopers	Paul NICKLESS	4097392	Hydrocodone
385	11-18-2008	King Soopers	Paul NICKLESS	4098057	Hydrocodone
386	10-24-2008	Safeway	Paul NICKLESS	4013713	Hydrocodone
387	08-06-2008	Safeway	Paul NICKLESS	4441362	Hydrocodone
388	11-04-2008	Safeway	Paul NICKLESS	4442306	Lorazepam
389	11-21-2008	Walgreens	Paul NICKLESS	373401	Hydrocodone
390	08-26-2008	Rite-Aid	Paul NICKLESS	244670	Lorazepam
391	08-26-2008	Rite-Aid	Paul NICKLESS	244669	Hydrocodone
392	09-16-2007	Safeway	Paul NICKLESS	4318592	Hydrocodone
393	07-24-2008	Safeway	Paul NICKLESS	4321925	Hydrocodone
394	10-30-2008	Safeway	Paul NICKLESS	4322771	Lorazepam
395	10-30-2008	Safeway	Paul NICKLESS	7322772	Hydrocodone
396	10-04-2007	Rite-Aid	Paul NICKLESS	476313	Lorazepam
397	10-26-2007	Rite-Aid	Paul NICKLESS	479631	Hydrocodone
398	02-29-2008	Rite-Aid	Paul NICKLESS	500736	Hydrocodone
399	06-18-2008	Rite-Aid	Paul NICKLESS	515635	Hydrocodone
400	07-14-2008	Walgreens	Paul NICKLESS	1436245	Hydrocodone
401	07-14-2008	Walgreens	Paul NICKLESS	1436244	Lorazepam
402	08-21-2008	Walgreens	Paul NICKLESS	1445843	Lorazepam
403	08-21-2008	Walgreens	Paul NICKLESS	1445844	Hydrocodone
404	09-30-2008	Safeway	Paul NICKLESS	4427365	Hydrocodone
405	11-28-2008	Safeway	Paul NICKLESS	4427807	Hydrocodone
406	06-19-2007	Apothecare	Paul NICKLESS	404703	Hydrocodone
407	08-07-2007	Apothecare	Paul NICKLESS	405050	Hydrocodone
408	09-07-2007	Apothecare	Paul NICKLESS	405295	Hydrocodone
409	10-25-2007	Apothecare	Paul NICKLESS	405699	Hydrocodone
410	11-07-2007	Apothecare	Paul NICKLESS	405813	Lorazepam

411	11-07-2007	Apothecare	Paul NICKLESS	405814	Hydrocodone
412	02-25-2008	Apothecare	Paul NICKLESS	406791	Hydrocodone
413	04-23-2008	Apothecare	Paul NICKLESS	407307	Hydrocodone
414	06-10-2008	Apothecare	Paul NICKLESS	407689	Hydrocodone
415	06-10-2008	Apothecare	Paul NICKLESS	407688	Lorazepam
416	10-13-2008	Apothecare	Paul NICKLESS	408665	Hydrocodone

All in violation of Title 21, United States Code, Sections 843(a)(3) and (d)(1); and Title 18, United States Code, Section 2.

A TRUE BILL:

Ink signature on file in the Clerk's Office

GRAND JURY FOREPERSON

DAVID M. GAOUILLE  
Acting United States Attorney

By: s/ Jaime A. Pena  
By: JAIME A. PENA  
Assistant U.S. Attorney  
United States Attorney's Office  
District of Colorado  
1225 17<sup>th</sup> Street, Suite 700  
Denver, CO 80202  
303-454-0100  
FAX 303-454-0409

DATE: July 23, 2009

DEFENDANT: DAVID HOAG

DOB: 1960

ADDRESS: Boulder, CO

COMPLAINT FILED? \_\_\_\_\_ YES  NO

IF YES, PROVIDE MAGISTRATE CASE NUMBER: \_\_\_\_\_  
IF NO, PROCEED TO "OFFENSE" SECTION

HAS DEFENDANT BEEN ARRESTED ON COMPLAINT? \_\_\_\_\_ YES  NO

IF NO, A NEW WARRANT IS REQUIRED

OFFENSE:

\_\_\_\_\_ COUNT ONE: Title 21, United States Code, Sections 846, 843(a)(3) and (d)(1),  
Conspiracy to Obtain a Controlled Substance by Fraud

\_\_\_\_\_ COUNTS TWO through FOUR HUNDRED SIXTEEN (416): Title 21, United  
States Code, Sections 843(a)(3) and (d)(1), and Title 18, United States Code,  
Section 2, Obtaining a Controlled Substance by Fraud and Aiding and Abetting  
the same.

LOCATION OF OFFENSE (COUNTY/STATE): Denver County, Colorado

PENALTY: \_\_\_\_\_ COUNT ONE through FOUR HUNDRED SIXTEEN (416): NMT 4 years  
imprisonment, NMT \$250,000 fine, or both; NMT 3 years supervised  
release; \$100 Special assessment fee.

AGENT: Paul Sanchez, Special Agent  
U.S. Drug Enforcement Administration

AUTHORIZED BY: Jaime Peña  
Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

five days or less \_\_\_\_\_ over five days \_\_\_\_\_ other

THE GOVERNMENT

\_\_\_\_\_ will seek detention in this case      X   will **not** seek detention in this case

The statutory presumption of detention **is not** applicable to this defendant. **(Circle one)**

OCDETF CASE:    \_\_\_\_\_ Yes      X   No

DATE: July 23, 2009

DEFENDANT: JAMES POE

DOB: 1954

ADDRESS: Englewood, CO.

COMPLAINT FILED? \_\_\_\_\_ YES  NO

IF YES, PROVIDE MAGISTRATE CASE NUMBER: \_\_\_\_\_  
IF NO, PROCEED TO "OFFENSE" SECTION

HAS DEFENDANT BEEN ARRESTED ON COMPLAINT? \_\_\_\_\_ YES  NO

IF NO, A NEW WARRANT IS REQUIRED

OFFENSE:

\_\_\_\_\_ COUNT ONE: Title 21, United States Code, Sections 846, 843(a)(3) and (d)(1),  
Conspiracy to Obtain a Controlled Substance by Fraud

\_\_\_\_\_ COUNTS TWO through ONE HUNDRED THIRTY TWO (132): Title 21,  
United States Code, Sections 843(a)(3) and (d)(1), and Title 18, United States  
Code, Section 2, Obtaining a Controlled Substance by Fraud and Aiding and  
Abetting the same.

LOCATION OF OFFENSE (COUNTY/STATE): Denver County, Colorado

PENALTY: \_\_\_\_\_ COUNT ONE through ONE HUNDRED THIRTY TWO (132): NMT 4  
years imprisonment, NMT \$250,000 fine, or both; NMT 3 years  
supervised release; \$100 Special assessment fee.

AGENT: Paul Sanchez, Special Agent  
U.S. Drug Enforcement Administration

AUTHORIZED BY: Jaime Peña  
Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

five days or less \_\_\_\_\_ over five days \_\_\_\_\_ other



THE GOVERNMENT

\_\_\_\_\_ will seek detention in this case      X   will **not** seek detention in this case

The statutory presumption of detention **is not** applicable to this defendant. **(Circle one)**

OCDETF CASE:    \_\_\_\_\_ Yes      X   No

DATE: July 23, 2009

DEFENDANT: PAUL NICKLESS

DOB: 1961

ADDRESS: Centennial, CO

COMPLAINT FILED? \_\_\_\_\_ YES  NO

IF YES, PROVIDE MAGISTRATE CASE NUMBER: \_\_\_\_\_  
IF NO, PROCEED TO "OFFENSE" SECTION

HAS DEFENDANT BEEN ARRESTED ON COMPLAINT? \_\_\_\_\_ YES  NO

IF NO, A NEW WARRANT IS REQUIRED

OFFENSE:

\_\_\_\_\_ COUNT ONE: Title 21, United States Code, Sections 846, 843(a)(3) and (d)(1),  
Conspiracy to Obtain a Controlled Substance by Fraud

\_\_\_\_\_ COUNTS ONE HUNDRED THIRTY THREE(133) through FOUR HUNDRED  
SIXTEEN (416): Title 21, United States Code, Sections 843(a)(3) and (d)(1), and  
Title 18, United States Code, Section 2, Obtaining a Controlled Substance by  
Fraud and Aiding and Abetting the same.

LOCATION OF OFFENSE (COUNTY/STATE): Denver County, Colorado

PENALTY: COUNT ONE: NMT 4 years imprisonment, NMT \$250,000 fine, or both; NMT 3  
years supervised release; \$100 Special assessment fee.

\_\_\_\_\_ COUNTS ONE HUNDRED THIRTY THREE(133) through FOUR  
HUNDRED SIXTEEN (416): NMT 4 years imprisonment, NMT \$250,000 fine,  
or both; NMT 3 years supervised release; \$100 Special assessment fee.

AGENT: Paul Sanchez, Special Agent  
U.S. Drug Enforcement Administration

AUTHORIZED BY: Jaime Peña  
Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

X  five days or less      over five days      other

THE GOVERNMENT

will seek detention in this case     X  will **not** seek detention in this case

The statutory presumption of detention **is not** applicable to this defendant. **(Circle one)**

OCDETF CASE:      Yes     X  No