

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)
) No. 12 CR 559
v.)
) Violations: Title 18, United States
ANA NERISSA TOLENTINO,) Code, Section 371; Title 42, United
also known as "Nerie,") States Code, Sections
FREDERICK MAGSINO,) 1320a-7b(b)(1)(A) and
EDGARDO HERNAL,) 1320a-7b(b)(2)(A)
also known as "Gary,")
EMMANUEL NWAOKOCHA,)
also known as "Ed Norton,")
MASOOD SYED,)
TITIS JACKSON,)
also known as "Titus,")
JENETTE GEORGE,)
also known as "Jiye,")
CARLA PHILLIPS-WILLIAMS, and)
JENNIFER HOLMAN)

COUNT ONE

The SPECIAL JANUARY 2012 GRAND JURY charges:

1. At times material to this indictment:

a. Medicare was a Federal health care program that provided free and below-cost health care benefits, including, among other things, medically necessary in-home health care services for persons who were deemed homebound. A patient was homebound and therefore eligible for home health care coverage if, among other conditions, that patient had a condition due to illness or injury that restricted the person's ability to leave his or her place of residence.

b. Under Medicare rules and regulations, Medicare typically approved the provision of home health care to homebound patients in 60-day periods. The 60-day periods were referred to as cycles or episodes, and an initial cycle of home health care was known as a Start of Care cycle. A physician was required to approve a patient's plan of care, which was typically prepared by the home health agency, and to certify that the patient was homebound. Subsequent cycles were referred to as "recertifications" because a patient was required to be recertified by a physician to receive additional 60-day cycles of home health care. A subsequent Start of Care cycle, after a patient had been discharged from a home health agency, was a repeat admission. Repeat admissions required a physician to approve a patient's plan of care, which was typically prepared by the home health agency, and to certify that the patient was homebound.

c. Rosner Home Healthcare, Inc. was a licensed provider of home health care services and was located in Skokie, Illinois. Rosner provided home health care services to purportedly homebound clients and through its officers and agents submitted claims to Medicare for reimbursement for home health care services purportedly provided to clients. Defendant ANA NERISSA TOLENTINO, defendant FREDERICK MAGSINO, Individual A, and Individual B owned Rosner. Beginning in approximately 2008, EDGARDO HERNAL was employed by Rosner and conducted marketing on its behalf. From approximately 2006 to September 2009, Conspirator A was employed by Rosner.

d. Rosner billed Medicare for over \$3,000,000 for the provision of home health care services for patients.

e. EMMANUEL NWAOKOCHA and MASOOD SYED were physicians licensed in Illinois.

f. JENETTE GEORGE owned and operated a company called Ttenej Senior Referral Agency, which provided services to senior citizens, including referring individuals to home health agencies for home health services.

g. JENNIFER HOLMAN was employed as an office manager at a doctor's office.

h. TITIS JACKSON and CARLA PHILLIPS-WILLIAMS were not health care workers.

2. Beginning no later than approximately January 2008, and continuing through in or about July 2012, at Skokie, in the Northern District of Illinois, Eastern Division, and elsewhere,

ANA NERISSA TOLENTINO, also known as "Nerie,"
FREDERICK MAGSINO, and
EDGARDO HERNAL, also known as "Gary,"

defendants herein, together with Conspirator A and others known and unknown to the Grand Jury, did conspire to knowingly and willfully offer and pay remuneration, and cause Rosner to offer and pay remuneration, including kickbacks and bribes, directly and indirectly, overtly and covertly, to doctors, marketers, medical office employees, and others known and unknown to the Grand Jury to induce such persons to refer patients to Rosner for the furnishing and arranging for the furnishing of services for which payment may be made in whole and in part under Medicare, in violation of Title 42, United States Code, Section

1320a-7b(b)(2)(A).

Overview of the Conspiracy

3. It was part of the conspiracy that beginning in or about January 2008, and continuing through in or about July 2012, defendants TOLENTINO, MAGSINO, HERNAL until on or about March 14, 2012, Conspirator A until approximately the middle of 2009, Individual A, Individual B, and others knowingly and willfully agreed to pay and cause Rosner to pay kickbacks to doctors (such as NWAOKOCHA and SYED), nurses, marketers (such as JACKSON, GEORGE, and PHILLIPS-WILLIAMS), medical office employees (such as HOLMAN), and others who (i) referred patients to Rosner; (ii) caused patients to begin new Start of Care cycles of home health care with Rosner; and (iii) admitted again patients previously treated by Rosner. By offering these payments, defendants TOLENTINO, MAGSINO, HERNAL, Conspirator A, and others sought to increase the patient census at Rosner and to enrich themselves and Rosner.

Manner and Means of the Conspiracy

4. It was further part of the conspiracy that beginning no later than in or about January 2008, in order to obtain new patients, retain existing patients, and benefit themselves and Rosner, defendants TOLENTINO, MAGSINO, HERNAL, Conspirator A, and others knowingly and willfully agreed to pay and cause Rosner to pay kickbacks to doctors, nurses, marketers, medical office employees, and others for the referral of patients and repeat admissions of previous patients. The amount of the kickback payments varied, but generally ranged from approximately \$300 to \$600 for each new patient's completion of five home

health visits in one cycle, and approximately \$300 to \$600 for the repeat admission of a previous patient, after the patient's completion of five home health visits in a new Start of Care cycle. Defendants TOLENTINO, MAGSINO, HERNAL, Conspirator A, and others paid certain individuals, including NWAOKOCHA and SYED, for each new patient and repeat admission of a previous patient at the time of admission. As defendants TOLENTINO, MAGSINO, HERNAL, and Conspirator A knew, the proposed payments were intended to induce doctors, nurses, marketers, medical office employees, and others to refer patients to Rosner for home health care services to be reimbursed by Medicare.

5. It was further part of the conspiracy that defendants TOLENTINO, MAGSINO, HERNAL, and Conspirator A generally paid and caused Rosner to pay kickbacks in cash to doctors, nurses, marketers, medical office employees, and others. Payments were separate from payments that Rosner made for the provision of covered home health care services under Medicare, which services included doctor visits and skilled nursing visits. In order to pay cash kickbacks, defendants TOLENTINO and MAGSINO often withdrew cash from bank accounts.

6. It was further part of the conspiracy that Rosner made certain kickback payments in the form of checks. For example, defendants TOLENTINO and MAGSINO issued checks from a Rosner bank account made payable to GEORGE's company, Ttenej Senior Referral Agency.

Kickback Payments to Doctors

7. It was further part of the conspiracy that defendants TOLENTINO and MAGSINO agreed to cause Rosner to pay kickback payments to doctors for the referral and repeat admission of patients for the provision of home health care services to be reimbursed under Medicare. From approximately January 2008 to approximately July 2012, defendants TOLENTINO, MAGSINO, HERNAL until on or about March 14, 2012, and Conspirator A from approximately January 2008 until the middle of 2009, paid kickbacks to doctors, including NWAOKOCHA and SYED, for patients that the doctors referred to Rosner for Start of Care cycles and repeat admissions of a previously treated Rosner patients. Defendants TOLENTINO and MAGSINO caused to be paid and paid NWAOKOCHA and SYED at the time a patient was admitted for a Start of Care cycle.

8. It was further part of the conspiracy that defendants TOLENTINO and MAGSINO agreed to cause Rosner to pay NWAOKOCHA \$600 per patient referral and per patient repeat admission.

9. It was further part of the conspiracy that defendants TOLENTINO and MAGSINO agreed to cause Rosner to pay SYED \$500 per patient referral and per patient repeat admission.

Kickback Payments to Marketers and Medical Office Workers

10. It was further part of the conspiracy that from in or about January 2008 through in or about July 2012, defendants TOLENTINO, MAGSINO, HERNAL until on or about March 14, 2012, and Conspirator A from approximately 2008 to the middle of 2009, agreed

to cause Rosner to pay kickback payments to marketers, medical office employees, and others for the referral and repeat admissions of patients for the provision of home health care services to be reimbursed under Medicare. From approximately January 2008 to approximately July 2012, defendants TOLENTINO, MAGSINO, HERNAL until on or about March 14, 2012, and Conspirator A from approximately 2008 to the middle of 2009, caused to be paid and paid marketers, including JACKSON, GEORGE, and PHILLIPS-WILLIAMS, medical services employees, including HOLMAN, and others for patients that these individuals referred to Rosner for Start of Care cycles, and for repeat admissions of previous patients. Defendants TOLENTINO and MAGSINO caused to be paid and paid marketers, including JACKSON, GEORGE, and PHILLIPS-WILLIAMS, medical services employees, including HOLMAN, and others for each patient after a patient completed five home health visits in a cycle.

11. It was further part of the conspiracy that defendants TOLENTINO and MAGSINO agreed to cause Rosner to pay JACKSON \$600 per patient referral and per patient repeat admission after five visits to a patient within a Start of Care cycle.

12. It was further part of the conspiracy that defendant TOLENTINO caused Rosner to pay GEORGE \$500 per patient referral and per patient repeat admission after five visits to a patient within a new Start of Care cycle. TOLENTINO caused Rosner to pay GEORGE by check, typically in the amount of approximately \$1,000 for two patient referrals, and agreed to pay for additional patient referrals in cash.

13. It was further part of the conspiracy that defendants TOLENTINO and MAGSINO agreed to cause Rosner to pay PHILLIPS-WILLIAMS and Individual C \$500 per patient referral and per patient repeat admission after five visits to a patient within a new Start of Care cycle.

14. It was further part of the conspiracy that defendant TOLENTINO caused Rosner to pay HOLMAN at least \$300 per patient referral and per patient repeat admission after five visits to a patient within a new Start of Care cycle.

15. It was further part of the conspiracy that defendants TOLENTINO and MAGSINO billed and caused Rosner to bill Medicare for home health care services purportedly provided to patients who became or were retained as patients of Rosner, or were again admitted as patients, in connection with the payment of kickbacks.

OVERT ACTS

16. In furtherance of and to effect the objects of this conspiracy, the defendants committed the following kickback transactions, among others, at Skokie, in the Northern District of Illinois, and elsewhere, each of which constitutes an overt act in furtherance of the conspiracy:

Paid Date	Payor	Received Date	Recipient	Amount
Sept. 19, 2011	TOLENTINO and HERNAL	Sept. 29, 2011	a nurse	\$500
Oct. 12, 2011	TOLENTINO and HERNAL	Oct. 12, 2011	a nurse	\$500
March 22, 2012	MAGSINO	March 22, 2012	JACKSON	\$1,800
March 22, 2012	MAGSINO	March 23, 2012	NWAOKOCHA	\$600

March 30, 2012	MAGSINO	March 30, 2012	SYED	\$500
March 30, 2012	MAGSINO	March 30, 2012	NWAOKOCHA	\$600
April 12, 2012	TOLENTINO	April 12, 2012	GEORGE	\$3,500
April 19, 2012	TOLENTINO	April 19, 2012	PHILLIPS-WILLIAMS	\$1,500
April 26, 2012	TOLENTINO	April 26, 2012	JACKSON	\$2,400
April 26, 2012	TOLENTINO	April 26, 2012	HOLMAN	\$600
May 3, 2012	TOLENTINO	May 3, 2012	JACKSON	\$1,200
May 3, 2012	TOLENTINO	May 10, 2012	SYED	\$500
May 17, 2012	TOLENTINO	May 17, 2012	GEORGE	\$1,500
May 17, 2012	TOLENTINO	May 17, 2012	PHILLIPS-WILLIAMS	\$500
June 21, 2012	TOLENTINO	June 21, 2012	HOLMAN	\$300

In violation of Title 18, United States Code, Section 371.

COUNT TWO

The SPECIAL JANUARY 2012 GRAND JURY further charges:

1. Paragraph 1 of Count One of this Indictment is incorporated here.
2. On or about March 22, 2012, at Skokie, in the Northern District of Illinois,

Eastern Division, and elsewhere,

FREDERICK MAGSINO,

defendant herein, knowingly and willfully offered and paid, directly and indirectly, overtly and covertly, remuneration in the amount of approximately \$1,800, in cash, to TITIS JACKSON, also known as "Titus," as payment for the referral of patients to Rosner for the furnishing and arranging for the furnishing of services for which payment may be made in whole and in part under a Federal health care program, namely Medicare;

In violation of Title 42, United States Code, Section 1320a-7b(b)(2)(A), and Title 18, United States Code, Section 2.

COUNT THREE

The SPECIAL JANUARY 2012 GRAND JURY further charges:

1. Paragraph 1 of Count One of this Indictment is incorporated here.
2. On or about March 22, 2012, at Chicago, in the Northern District of Illinois,

Eastern Division, and elsewhere,

TITIS JACKSON, also known as “Titus,”

defendant herein, knowingly and willfully solicited and received, directly and indirectly, overtly and covertly, remuneration from Rosner in the amount of approximately \$1,800, in cash, in return for defendant JACKSON referring patients to Rosner for the furnishing and arranging for the furnishing of services for which payment may be made in whole and in part under a Federal health care program, namely Medicare;

In violation of Title 42, United States Code, Section 1320a-7b(b)(1)(A).

COUNT FOUR

The SPECIAL JANUARY 2012 GRAND JURY further charges:

1. Paragraph 1 of Count One of this Indictment is incorporated here.
2. On or about March 22, 2012, at Skokie, in the Northern District of Illinois,

Eastern Division,

FREDERICK MAGSINO,

defendant herein, knowingly and willfully offered and paid, directly and indirectly, overtly and covertly, remuneration in the amount of approximately \$600, in cash, to EMMANUEL NWAOKOCHA as payment for the referral of a patient to Rosner for the furnishing and arranging for the furnishing of a service for which payment may be made in whole and in part under a Federal health care program, namely Medicare;

In violation of Title 42, United States Code, Section 1320a-7b(b)(2)(A), and Title 18, United States Code, Section 2.

COUNT FIVE

The SPECIAL JANUARY 2012 GRAND JURY further charges:

1. Paragraph 1 of Count One of this Indictment is incorporated here.
2. On or about March 23, 2012, at Skokie, in the Northern District of Illinois,

Eastern Division,

EMMANUEL NWAOKOCHA, also known as “Ed Norton,”

defendant herein, knowingly and willfully solicited and received, directly and indirectly, overtly and covertly, remuneration from Rosner in the amount of approximately \$600, in cash, in return for defendant NWAOKOCHA referring a patient to Rosner for the furnishing and arranging for the furnishing of a service for which payment may be made in whole and in part under a Federal health care program, namely Medicare;

In violation of Title 42, United States Code, Section 1320a-7b(b)(1)(A).

COUNT SIX

The SPECIAL JANUARY 2012 GRAND JURY further charges:

1. Paragraph 1 of Count One of this Indictment is incorporated here.
2. On or about March 30, 2012, at Skokie, in the Northern District of Illinois,

Eastern Division, and elsewhere,

FREDERICK MAGSINO,

defendant herein, knowingly and willfully offered and paid, directly and indirectly, overtly and covertly, remuneration in the amount of approximately \$500, in cash, to MASOOD SYED as payment for the referral of a patient to Rosner for the furnishing and arranging for the furnishing of a service for which payment may be made in whole and in part under a Federal health care program, namely Medicare;

In violation of Title 42, United States Code, Section 1320a-7b(b)(2)(A), and Title 18, United States Code, Section 2.

COUNT SEVEN

The SPECIAL JANUARY 2012 GRAND JURY further charges:

1. Paragraph 1 of Count One of this Indictment is incorporated here.
2. On or about March 30, 2012, at Chicago, in the Northern District of Illinois,

Eastern Division, and elsewhere,

MASOOD SYED,

defendant herein, knowingly and willfully solicited and received, directly and indirectly, overtly and covertly, remuneration from Rosner in the amount of approximately \$500, in cash, in return for defendant SYED referring a patient to Rosner for the furnishing and arranging for the furnishing of a service for which payment may be made in whole and in part under a Federal health care program, namely Medicare;

In violation of Title 42, United States Code, Section 1320a-7b(b)(1)(A).

COUNT EIGHT

The SPECIAL JANUARY 2012 GRAND JURY further charges:

1. Paragraph 1 of Count One of this Indictment is incorporated here.
2. On or about March 30, 2012, at Skokie, in the Northern District of Illinois,

Eastern Division,

FREDERICK MAGSINO,

defendant herein, knowingly and willfully offered and paid, directly and indirectly, overtly and covertly, remuneration in the amount of approximately \$600, in cash, to EMMANUEL NWAOKOCHA as payment for the referral of a patient to Rosner for the furnishing and arranging for the furnishing of a service for which payment may be made in whole and in part under a Federal health care program, namely Medicare;

In violation of Title 42, United States Code, Section 1320a-7b(b)(2)(A), and Title 18, United States Code, Section 2.

COUNT NINE

The SPECIAL JANUARY 2012 GRAND JURY further charges:

1. Paragraph 1 of Count One of this Indictment is incorporated here.
2. On or about March 30, 2012, at Skokie, in the Northern District of Illinois,

Eastern Division,

EMMANUEL NWAOKOCHA, also known as “Ed Norton,”

defendant herein, knowingly and willfully solicited and received, directly and indirectly, overtly and covertly, remuneration from Rosner in the amount of approximately \$600, in cash, in return for defendant NWAOKOCHA referring a patient to Rosner for the furnishing and arranging for the furnishing of a service for which payment may be made in whole and in part under a Federal health care program, namely Medicare;

In violation of Title 42, United States Code, Section 1320a-7b(b)(1)(A).

COUNT TEN

The SPECIAL JANUARY 2012 GRAND JURY further charges:

1. Paragraph 1 of Count One of this Indictment is incorporated here.
2. On or about April 12, 2012, at Skokie, in the Northern District of Illinois, Eastern Division, and elsewhere,

ANA NERISSA TOLENTINO, also known as “Nerie,”

defendant herein, knowingly and willfully offered and paid, directly and indirectly, overtly and covertly, remuneration in the amount of approximately \$3,500, of which \$1,000 was in the form of a check made payable to “Ttenej Senior Referral Agency,” and \$2,500 was in cash, to JENETTE GEORGE, also known as “Jiye,” as payment for the referral of patients to Rosner for the furnishing and arranging for the furnishing of services for which payment may be made in whole and in part under a Federal health care program, namely Medicare;

In violation of Title 42, United States Code, Section 1320a-7b(b)(2)(A), and Title 18, United States Code, Section 2.

COUNT ELEVEN

The SPECIAL JANUARY 2012 GRAND JURY further charges:

1. Paragraph 1 of Count One of this Indictment is incorporated here.
2. On or about April 12, 2012, at Skokie, in the Northern District of Illinois, Eastern Division, and elsewhere,

JENETTE GEORGE, also known as “Jiye,”

defendant herein, knowingly and willfully solicited and received, directly and indirectly, overtly and covertly, remuneration from Rosner in the amount of approximately \$3,500, of which \$1,000 was in the form of a check made payable to “Ttenej Senior Referral Agency,” and \$2,500 was in cash, in return for defendant GEORGE referring patients to Rosner for the furnishing and arranging for the furnishing of services for which payment may be made in whole and in part under a Federal health care program, namely Medicare;

In violation of Title 42, United States Code, Section 1320a-7b(b)(1)(A).

COUNT TWELVE

The SPECIAL JANUARY 2012 GRAND JURY further charges:

1. Paragraph 1 of Count One of this Indictment is incorporated here.
2. On or about April 19, 2012, at Skokie, in the Northern District of Illinois, Eastern Division, and elsewhere,

ANA NERISSA TOLENTINO, also known as “Nerie,”

defendant herein, knowingly and willfully offered and paid, directly and indirectly, overtly and covertly, remuneration in the amount of approximately \$1,500, in cash, to CARLA PHILLIPS-WILLIAMS as payment for the referral of patients to Rosner for the furnishing and arranging for the furnishing of services for which payment may be made in whole and in part under a Federal health care program, namely Medicare;

In violation of Title 42, United States Code, Section 1320a-7b(b)(2)(A), and Title 18, United States Code, Section 2.

COUNT THIRTEEN

The SPECIAL JANUARY 2012 GRAND JURY further charges:

1. Paragraph 1 of Count One of this Indictment is incorporated here.
2. On or about April 19, 2012, at Chicago, in the Northern District of Illinois,

Eastern Division, and elsewhere,

CARLA PHILLIPS-WILLIAMS,

defendant herein, knowingly and willfully solicited and received, directly and indirectly, overtly and covertly, remuneration from Rosner in the amount of approximately \$1,500, in cash, in return for defendant PHILLIPS-WILLIAMS referring patients to Rosner for the furnishing and arranging for the furnishing of services for which payment may be made in whole and in part under a Federal health care program, namely Medicare;

In violation of Title 42, United States Code, Section 1320a-7b(b)(1)(A).

COUNT FOURTEEN

The SPECIAL JANUARY 2012 GRAND JURY further charges:

1. Paragraph 1 of Count One of this Indictment is incorporated here.
2. On or about April 26, 2012, at Skokie, in the Northern District of Illinois,

Eastern Division, and elsewhere,

ANA NERISSA TOLENTINO, also known as “Nerie,”

defendant herein, knowingly and willfully offered and paid, directly and indirectly, overtly and covertly, remuneration in the amount of approximately \$2,400, in cash, to TITIS JACKSON, also known as “Titus,” as payment for the referral of patients to Rosner for the furnishing and arranging for the furnishing of services for which payment may be made in whole and in part under a Federal health care program, namely Medicare;

In violation of Title 42, United States Code, Section 1320a-7b(b)(2)(A), and Title 18, United States Code, Section 2.

COUNT FIFTEEN

The SPECIAL JANUARY 2012 GRAND JURY further charges:

1. Paragraph 1 of Count One of this Indictment is incorporated here.
2. On or about April 26, 2012, at Chicago, in the Northern District of Illinois,

Eastern Division, and elsewhere,

TITIS JACKSON, also known as “Titus,”

defendant herein, knowingly and willfully solicited and received, directly and indirectly, overtly and covertly, remuneration from Rosner in the amount of approximately \$2,400, in cash, in return for defendant JACKSON referring patients to Rosner for the furnishing and arranging for the furnishing of services for which payment may be made in whole and in part under a Federal health care program, namely Medicare;

In violation of Title 42, United States Code, Section 1320a-7b(b)(1)(A).

COUNT SIXTEEN

The SPECIAL JANUARY 2012 GRAND JURY further charges:

1. Paragraph 1 of Count One of this Indictment is incorporated here.
2. On or about April 26, 2012, at Skokie, in the Northern District of Illinois, Eastern Division, and elsewhere,

ANA NERISSA TOLENTINO, also known as “Nerie,”

defendant herein, knowingly and willfully offered and paid, directly and indirectly, overtly and covertly, remuneration in the amount of approximately \$600, in cash, to JENNIFER HOLMAN as payment for the referral of patients to Rosner for the furnishing and arranging for the furnishing of services for which payment may be made in whole and in part under a Federal health care program, namely Medicare;

In violation of Title 42, United States Code, Section 1320a-7b(b)(2)(A), and Title 18, United States Code, Section 2.

COUNT SEVENTEEN

The SPECIAL JANUARY 2012 GRAND JURY further charges:

1. Paragraph 1 of Count One of this Indictment is incorporated here.
2. On or about April 26, 2012, at Chicago, in the Northern District of Illinois,

Eastern Division, and elsewhere,

JENNIFER HOLMAN,

defendant herein, knowingly and willfully solicited and received, directly and indirectly, overtly and covertly, remuneration from Rosner in the amount of approximately \$600, in cash, in return for defendant HOLMAN referring patients to Rosner for the furnishing and arranging for the furnishing of services for which payment may be made in whole and in part under a Federal health care program, namely Medicare;

In violation of Title 42, United States Code, Section 1320a-7b(b)(1)(A).

COUNT EIGHTEEN

The SPECIAL JANUARY 2012 GRAND JURY further charges:

1. Paragraph 1 of Count One of this Indictment is incorporated here.
2. On or about May 3, 2012, at Skokie, in the Northern District of Illinois, Eastern Division, and elsewhere,

ANA NERISSA TOLENTINO, also known as “Nerie,”

defendant herein, knowingly and willfully offered and paid, directly and indirectly, overtly and covertly, remuneration in the amount of approximately \$1,200, in cash, to TITIS JACKSON, also known as “Titus,” as payment for the referral of patients to Rosner for the furnishing and arranging for the furnishing of services for which payment may be made in whole and in part under a Federal health care program, namely Medicare;

In violation of Title 42, United States Code, Section 1320a-7b(b)(2)(A), and Title 18, United States Code, Section 2.

COUNT NINETEEN

The SPECIAL JANUARY 2012 GRAND JURY further charges:

1. Paragraph 1 of Count One of this Indictment is incorporated here.
2. On or about May 3, 2012, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

TITIS JACKSON, also known as “Titus,”

defendant herein, knowingly and willfully solicited and received, directly and indirectly, overtly and covertly, remuneration from Rosner in the amount of approximately \$1,200, in cash, in return for defendant JACKSON referring patients to Rosner for the furnishing and arranging for the furnishing of services for which payment may be made in whole and in part under a Federal health care program, namely Medicare;

In violation of Title 42, United States Code, Section 1320a-7b(b)(1)(A).

COUNT TWENTY

The SPECIAL JANUARY 2012 GRAND JURY further charges:

1. Paragraph 1 of Count One of this Indictment is incorporated here.
2. On or about May 3, 2012, at Skokie, in the Northern District of Illinois, Eastern Division, and elsewhere,

ANA NERISSA TOLENTINO, also known as “Nerie,”

defendant herein, knowingly and willfully offered and paid, directly and indirectly, overtly and covertly, remuneration in the amount of approximately \$500, in cash, to MASOOD SYED as payment for the referral of a patient to Rosner for the furnishing and arranging for the furnishing of a service for which payment may be made in whole and in part under a Federal health care program, namely Medicare;

In violation of Title 42, United States Code, Section 1320a-7b(b)(2)(A), and Title 18, United States Code, Section 2.

COUNT TWENTY-ONE

The SPECIAL JANUARY 2012 GRAND JURY further charges:

1. Paragraph 1 of Count One of this Indictment is incorporated here.
2. On or about May 10, 2012, at Chicago, in the Northern District of Illinois,

Eastern Division, and elsewhere,

MASOOD SYED,

defendant herein, knowingly and willfully solicited and received, directly and indirectly, overtly and covertly, remuneration from Rosner in the amount of approximately \$500, in cash, in return for defendant SYED referring a patient to Rosner for the furnishing and arranging for the furnishing of a service for which payment may be made in whole and in part under a Federal health care program, namely Medicare;

In violation of Title 42, United States Code, Section 1320a-7b(b)(1)(A).

COUNT TWENTY-TWO

The SPECIAL JANUARY 2012 GRAND JURY further charges:

1. Paragraph 1 of Count One of this Indictment is incorporated here.
2. On or about May 17, 2012, at Skokie, in the Northern District of Illinois,

Eastern Division, and elsewhere,

ANA NERISSA TOLENTINO, also known as “Nerie,”

defendant herein, knowingly and willfully offered and paid, directly and indirectly, overtly and covertly, remuneration in the amount of approximately \$1,500, of which \$1,000 was in the form of a check made payable to “Ttenej Senior Referral Agency,” and \$500 was in cash, to JENETTE GEORGE, also known as “Jiye,” as payment for the referral of patients to Rosner for the furnishing and arranging for the furnishing of services for which payment may be made in whole and in part under a Federal health care program, namely Medicare;

In violation of Title 42, United States Code, Section 1320a-7b(b)(2)(A), and Title 18, United States Code, Section 2.

COUNT TWENTY-THREE

The SPECIAL JANUARY 2012 GRAND JURY further charges:

1. Paragraph 1 of Count One of this Indictment is incorporated here.
2. On or about May 17, 2012, at Skokie, in the Northern District of Illinois, Eastern Division, and elsewhere,

JENETTE GEORGE, also known as “Jiye,”

defendant herein, knowingly and willfully solicited and received, directly and indirectly, overtly and covertly, remuneration from Rosner in the amount of approximately \$1,500, of which \$1,000 was in the form of a check made payable to “Ttenej Senior Referral Agency,” and \$500 was in cash, in return for defendant GEORGE referring patients to Rosner for the furnishing and arranging for the furnishing of services for which payment may be made in whole and in part under a Federal health care program, namely Medicare;

In violation of Title 42, United States Code, Section 1320a-7b(b)(1)(A).

COUNT TWENTY-FOUR

The SPECIAL JANUARY 2012 GRAND JURY further charges:

1. Paragraph 1 of Count One of this Indictment is incorporated here.
2. On or about May 17, 2012, at Skokie, in the Northern District of Illinois, Eastern Division, and elsewhere,

ANA NERISSA TOLENTINO, also known as “Nerie,”

defendant herein, knowingly and willfully offered and paid, directly and indirectly, overtly and covertly, remuneration in the amount of approximately \$500, in cash, to CARLA PHILLIPS-WILLIAMS as payment for the referral of a patient to Rosner for the furnishing and arranging for the furnishing of a service for which payment may be made in whole and in part under a Federal health care program, namely Medicare;

In violation of Title 42, United States Code, Section 1320a-7b(b)(2)(A), and Title 18, United States Code, Section 2.

COUNT TWENTY-FIVE

The SPECIAL JANUARY 2012 GRAND JURY further charges:

1. Paragraph 1 of Count One of this Indictment is incorporated here.
2. On or about May 17, 2012, at Chicago, in the Northern District of Illinois,

Eastern Division, and elsewhere,

CARLA PHILLIPS-WILLIAMS,

defendant herein, knowingly and willfully solicited and received, directly and indirectly, overtly and covertly, remuneration from Rosner in the amount of approximately \$500, in cash, in return for defendant PHILLIPS-WILLIAMS referring a patient to Rosner for the furnishing and arranging for the furnishing of a service for which payment may be made in whole and in part under a Federal health care program, namely Medicare;

In violation of Title 42, United States Code, Section 1320a-7b(b)(1)(A).

COUNT TWENTY-SIX

The SPECIAL JANUARY 2012 GRAND JURY further charges:

1. Paragraph 1 of Count One of this Indictment is incorporated here.
2. On or about June 21, 2012, at Skokie, in the Northern District of Illinois,

Eastern Division, and elsewhere,

ANA NERISSA TOLENTINO, also known as “Nerie,”

defendant herein, knowingly and willfully offered and paid, directly and indirectly, overtly and covertly, remuneration in the amount of approximately \$300, in cash, to JENNIFER HOLMAN as payment for the referral of a patient to Rosner for the furnishing and arranging for the furnishing of a service for which payment may be made in whole and in part under a Federal health care program, namely Medicare;

In violation of Title 42, United States Code, Section 1320a-7b(b)(2)(A), and Title 18, United States Code, Section 2.

COUNT TWENTY-SEVEN

The SPECIAL JANUARY 2012 GRAND JURY further charges:

1. Paragraph 1 of Count One of this Indictment is incorporated here.
2. On or about June 21, 2012, at Chicago, in the Northern District of Illinois,

Eastern Division, and elsewhere,

JENNIFER HOLMAN,

defendant herein, knowingly and willfully solicited and received, directly and indirectly, overtly and covertly, remuneration from Rosner in the amount of approximately \$300, in cash, in return for defendant HOLMAN referring a patient to Rosner for the furnishing and arranging for the furnishing of a service for which payment may be made in whole and in part under a Federal health care program, namely Medicare;

In violation of Title 42, United States Code, Section 1320a-7b(b)(1)(A).

FORFEITURE ALLEGATIONS

The SPECIAL JANUARY 2012 GRAND JURY further alleges:

1. The grand jury incorporates here the allegations of this indictment concerning violations of Title 18, United States Code, Section 371, and Title 42, United States Code, Section 1320a-7b(b)(2)(A), for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 982(a)(7).

2. As a result of their violations of Title 18, United States Code, Section 371 and Title 42, United States Code, Section 1320a-7b(b)(2)(A), as alleged in the indictment,

ANA NERISSA TOLENTINO, also known as “Nerie,”
FREDERICK MAGSINO,
EDGARDO HERNAL, also known as Gary,
EMMANUEL NWAOKOCHA, also known as “Ed Norton,”
MASOOD SYED,
TITIS JACKSON, also known as “Titus,”
JENETTE GEORGE, also known as “Jiye,”
CARLA PHILLIPS-WILLIAMS, and
JENNIFER HOLMAN,

defendants herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(7), any and all right, title and interest they may have in any property, real and personal, that constitutes and is derived, directly and indirectly, from gross proceeds traceable to the commission of the offense, which property is subject to forfeiture pursuant to Title 18, United States Code, Section 982(a)(7).

3. If any of the forfeitable property described above, as a result of any act or omission by the defendants:

a. Cannot be located upon the exercise of due diligence;

- b. Has been transferred or sold to, or deposited with, a third party;
- c. Has been placed beyond the jurisdiction of the Court;
- d. Has been substantially diminished in value; or
- e. Has been commingled with other property which cannot be divided without difficulty;

the United States of America shall be entitled to forfeiture of substitute property under the provisions of Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1).

A TRUE BILL:

FOREPERSON

ACTING UNITED STATES ATTORNEY