

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X
:
UNITED STATES OF AMERICA :
:
- v. - :
:
MICHAEL KEGLEY, JR., :
:
Defendant. :
- - - - - X

SUPERSEDING INFORMATION
S7 20 Cr. 160 (MKV)

COUNT ONE
(Drug Adulteration and Misbranding)

The United States Attorney charges:

1. From at least in or about December 2016 through at least in or about March 2020, in the Southern District of New York and elsewhere, MICHAEL KEGLEY, JR., the defendant, with the intent to defraud and mislead, in interstate commerce, adulterated and misbranded drugs, and caused the adulteration and misbranding of drugs in interstate commerce, as defined by 21 U.S.C. §§ 351(a)(5), 352(a), 352(b), 352(f), 352(o), 353(f), and 360b, in violation of 21 U.S.C. §§ 331(b) and 333(a)(2), to wit, KEGLEY, JR., marketed and distributed in interstate commerce misbranded and adulterated drugs to trainers and veterinarians of thoroughbred racehorses, in an effort to assist those trainers and veterinarians to improve the performance of racehorses through the administration of such

misbranded and adulterated drugs, while avoiding detection of that scheme by federal and state drug regulators.

(Title 21, United States Code, Sections 331, 333(a)(2); and Title 18, United States Code, Section 2.)

FORFEITURE ALLEGATION

2. As a result of committing the offense charged in Count One of this Information, MICHAEL KEGLEY, JR., the defendant, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 334 and Title 28, United States Code, Section 2461, any and all drugs that were adulterated or misbranded when introduced into or while in interstate commerce or while held for sale (whether or not the first sale) after shipment in interstate commerce, or which may not, under the provisions of section 331(11), 344, or 355 of this title, have been introduced into interstate commerce, including but not limited to a sum of money in United States currency representing the value of such property.

Substitute Asset Provision

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

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

b. Has been transferred or sold to, or deposited with, a third person;

c. Has been placed beyond the jurisdiction of the

Court;

d. Has been substantially diminished in value; or

e. Has been commingled with other property which

cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the forfeitable property.

(Title 21, United States Code, Section 853, and Title 28, United States Code, Section 2461.)

Audrey Strauss

AUDREY STRAUSS
United States Attorney

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INFORMATION

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(21 U.S.C. § 331, 333(a)(2); 18 U.S.C. §
2.)

Audrey Strauss

United States Attorney.
