

U.S. Department of Justice
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NEWS RELEASE :

**PALM BEACH COUNTY PHARMACIST AND DOCTORS PLEAD
GUILTY IN MULTI-MILLION DOLLAR PRESCRIPTION BILLING SCHEME**

R. Alexander Acosta, United States Attorney for the Southern District of Florida, David W. Bourne, Special Agent In Charge, Food and Drug Administration, Office of Criminal Investigations, Miami Field Office, Jonathan I. Solomon, Special Agent in Charge, Miami Field Office, Federal Bureau of Investigation, and Henry Gutierrez, Inspector in Charge, Miami Division, United States Postal Inspection Service, announced that defendants **Joseph Sutera, Agustin Castellanos, Robert Catanese**, pled guilty on July 24, 2006 and defendants **Eric Ressler** and **Stephanie Mirante** pled guilty earlier today in West Palm Beach federal Court before United States District Judge Daniel T.K. Hurley to charges stemming from a multi-million dollar prescription billing scheme. A sentencing date has not yet been set by the Court.

Sutera was a licensed pharmacist and former owner of The Medicine Shoppe, a retail pharmacy franchise located in Palm Beach Gardens, Florida; Castellanos was a licensed physician specializing in neurology, with offices in Palm Beach Gardens, Florida. Robert Catanese was a chiropractor and owner of Catanese Chiropractic Center, located in Juno Beach, Florida. Eric Ressler was a licensed physician specializing in psychiatry, with offices in Palm Beach Gardens, Florida, and Stephanie Mirante was a pharmacy technician, formerly employed by The Medicine Shoppe.

Sutera pled guilty to one (1) count of conspiracy to commit health care fraud; four (4) counts of health care fraud; and three (3) counts of money laundering. Sutera also agreed to forfeit to the United States \$9,941,761.44 representing the gross proceeds obtained as a result of the offense, and his residence at 912 Mill Creek Drive, Palm Beach Gardens, Florida, its contents, and other items, including life insurance policies, proceeds from the sale of real estate, and a Presidential Rolex Watch, acquired for approximately \$15,875.00. Catanese, Castellanos, Ressler and Mirante each pled guilty to one (1) count of conspiracy to commit health care fraud. Catanese agreed to forfeit \$31,000 representing gross proceeds he obtained as a result of the offense; Ressler agreed to forfeit \$100,000 in lieu of the forfeiture of his residence located at 751 Bocce Court, Palm Beach Gardens, Florida 33410; and Mirante agreed to forfeit a SEP IRA account # 93107241374-9-004 held by IDS life insurance company in her name. All of the items which the defendants agreed to forfeit were obtained with proceeds they received from the health care fraud conspiracy.

According to the Indictment, and as the defendants admitted during the plea hearings, between June 2001 and September 2005, the defendants conspired to commit health care fraud by submitting fraudulent prescription drug claims through The Medicine Shoppe to well over one hundred private health insurance companies for prescription medications that were not prescribed, not requested, and/or not delivered to the patients named in the claims. Approximately \$17,766,441.00 in prescription drug claims were made by The Medicine Shoppe to private health insurance companies, of which \$9,941,761.44 was paid. A substantial amount of these funds represented payments on fraudulent prescription drug claims.

Ressler and Castellanos knowingly permitted Sutera, a pharmacist, to use their names to substantiate the fraudulent prescriptions of the drug claims submitted to private health insurance companies. In exchange,

Castellanos received Hydrocodone from Sutera without prescriptions. Ressler received weekly envelopes of cash as well as a check in the amount of \$34,490 from Sutera as part of a down payment on his residence. Sutera also used the names of other unwitting doctors to substantiate the fraudulent prescriptions of the drug claims submitted to private health insurance companies. To execute the scheme, Sutera also used the names and health insurance information of unwitting patients who had done legitimate business with The Medicine Shoppe as the alleged recipients of the drugs. Some of the patient names and health insurance information were given to Sutera by Catanese, who sold his patient information to Sutera on at least three occasions in exchange for payments from Sutera.

With regard to the money laundering charges, Sutera admitted that he used funds obtained from the payment of fraudulent prescription claims to obtain, among other things, four residences, commercial property, numerous IRA and life insurance accounts, a Rolex watch, a Steinway piano and over \$90,000 in consumer electronics. Defendant Ressler admitted that he made false material statements to government agents concerning the benefit he received from Sutera as part of the health care fraud scheme. Specifically, Ressler failed to disclose to law enforcement agents that he had received the weekly cash payments and the \$34,490 from Sutera for part of the down payment on his residence.

Each defendant faces a maximum statutory term of five (5) years' imprisonment on the health care fraud conspiracy charge. Defendant Sutera faces an additional maximum statutory sentence of ten (10) years for each of the health care fraud and money laundering counts to which he pled guilty.

Mr. Acosta commends the investigative efforts of the Food and Drug Administration, Office of Criminal Investigations, the Federal Bureau of Investigations and United States Postal Inspection Service. This case is being handled by Assistant United States Attorneys Carolyn Bell, Lynn Rosenthal, and Antonia Barnes.

A copy of this press release may be found on the website of the United States Attorney's Office for the Southern District of Florida at www.usdoj.gov/usao/fls. Related court documents and information may be found on the website of the District Court for the Southern District of Florida at www.flsd.uscourts.gov or on <http://pacer.flsd.uscourts.gov>.

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