



Department of Justice

United States Attorney Robert E. O'Neill
Middle District of Florida

Tampa

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FOR IMMEDIATE RELEASE

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**ORLANDO DOCTOR AND WEBSITE MANAGER INDICTED
ON CHARGES OF MONEY LAUNDERING AND TRAFFICKING
IN CONTROLLED SUBSTANCES OVER THE INTERNET**

Tampa, FL - United States Attorney Robert E. O'Neill announced today the filing of a 92 count indictment charging Juan Antonio Ibanez, MD, age 59, a resident of Orlando, Florida, and Barry Robert Brooks, age 39, a former resident of Celebration, Florida, with money laundering and various drug trafficking offences involving the sale of hydrocodone, a Schedule III Controlled Substance, over the Internet. If convicted, the maximum penalty for each count of money laundering is a term of 20 years imprisonment and the maximum penalty for each count of drug trafficking ranges from a term of four years imprisonment to 20 years. Ibanez was arrested this morning in Orlando and he had his initial appearance in Orlando Federal Court at 11:30 a.m. He is being temporally detained and a detention hearing has been scheduled for next Thursday, December 27, 2007, at 2:30 p.m. before Magistrate Judge Thomas G. Wilson. An arrest warrant has been issued for Brooks who's whereabouts are unknown.

The indictment alleges that beginning in 2003 and continuing through December, 2007, principally in places in Central Florida, Ibanez and Brooks conspired to distribute and dispense hydrocodone (Vicodin or Lortab) over the Internet, based on orders purporting to be prescriptions that were not issued for a legitimate medical purpose by physicians acting in the usual course of professional practice, as required by law.

The indictment further alleges that the defendants owned and operated Internet clinic websites which advertised to sell hydrocodone. Customers who accessed one of the websites filled out a brief questionnaire regarding the customer's medical history; selected the type, dosage and quantity of hydrocodone that the customer wished to order; submitted medical records purportedly documenting the customer's medical condition supporting the need for hydrocodone; and submitted to a brief consultation with a person affiliated with the Internet clinic. The cost of the drugs and the consultation were charged to the customer's credit card.

The indictment further alleges that the defendants and others would recruit physicians to review medical records submitted by customers and approve prescriptions for hydrocodone. According to the indictment the prescriptions were not valid for one or more of the following reasons: (1) the physician did not take an adequate medical history; did not perform an adequate physical examination, did not make appropriate use of tests, did not have a sufficient dialogue regarding treatment options, did not establish a treatment plan, did not coordinate treatment with the customer's primary physician, did not provide for follow-up visits, and did not maintain adequate and complete records; (2) the defendants and others caused the issuance of thousands of purported prescriptions in the names of physicians employed by the clinic even though those physicians had not personally consulted with the customer, reviewed medical records, or authorized the prescription; or (3) the defendants and others caused the issuance of thousands of purported prescriptions using the names of unwitting physicians who did not participate in, or have knowledge of, the issuance of the prescriptions, and did not authorize them.

The indictment further alleges that the defendants and others recruited and used

several independent pharmacies located in Tampa, Florida, and elsewhere, to fill the purported prescriptions for hydrocodone and ship the drugs to customers around the country.

The indictment further alleges in several money laundering counts that the defendants engaged in financial transactions involving the proceeds of the conspiracies with the intent to promote and carry on the conspiracy.

The indictment also alleges that the conspiracy generated over \$85,000,000 in proceeds, which the government seeks to forfeit.

The on going investigation was conducted jointly by the Drug Enforcement Administration and the Internal Revenue Service, with assistance from the Ventura County Sheriff's Office in California. The case is being prosecuted by Assistant United States Attorneys Kathy J.M. Peluso and Terry A. Zitek.

An indictment is merely a formal charge that a defendant has committed a violation of federal criminal law, and every defendant is presumed innocent until, and unless, proven guilty.