

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FILED

MAY - 4 2022

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 MAXIMILLIAN GREGORY)
 VERBOWSKI,)
 a/k/a Packlord206)
 a/k/a Packlord666)
 a/k/a Joohpacz)
 a/k/a Vladimir "Vlad" Klokov)
 a/k/a Eric Ritter)
 a/k/a Sam Ashley)
 Defendant.)

4:22CR258 SRC/NAB

INDICTMENT

The Grand Jury charges that:

At all times material to this Indictment:

1. The "dark web" is a portion of the "deep web" of the Internet where individuals must use an anonymizing software or application to access content and websites. Within the dark web, criminal marketplaces operate, allowing individuals to buy and sell illegal items, including drugs, with greater anonymity than is possible on the traditional Internet (sometimes called the "clear web"). "Vendors" are the dark web's sellers of goods and services, often of an illicit nature, and they do so through the creation and operation of "vendor accounts" on dark web marketplaces. Customers, meanwhile, operate "customer accounts." Vendor and customer accounts are not identified by numbers, but rather monikers or "handles," much like the username one would use on a clear web site.

2. Cryptocurrency, a type of virtual currency, is a decentralized, peer-to-peer, network-based medium of value or exchange that may be used as a substitute for fiat currency to buy goods or services or exchanged for fiat currency or other cryptocurrencies. Bitcoin (“BTC”) is a type of cryptocurrency. Payments or transfers of value made with bitcoin are recorded in the Bitcoin blockchain and thus are not maintained by any single administrator or entity. Individuals can acquire bitcoin through exchanges (i.e., online companies which allow individuals to purchase or sell cryptocurrencies in exchange for fiat currencies or other cryptocurrencies), bitcoin ATMs, or directly from other people. Even though the public addresses of those engaging in cryptocurrency transactions are recorded on a blockchain, the identities of the individuals or entities behind the public addresses are not recorded on these public ledgers. To transfer bitcoin to another address, the payor transmits a transaction announcement, cryptographically signed with the payor’s private key, across the peer-to-peer Bitcoin network. The Bitcoin address of the receiving party and the sender’s private key are the only pieces of information needed to complete the transaction.

3. Under the Federal Food, Drug, and Cosmetic Act (FDCA), Title 21, United States Code, Sections 301 *et seq.*, the term “drug” includes any article intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or animals, or an article (other than food) intended to affect the structure or function of the body of man or other animals. 21 U.S.C. § 321(g)(1). All the substances discussed below meet this statutory definition of drug.

4. Alprazolam is a benzodiazepine used to treat anxiety disorders. Alprazolam is assigned to Schedule IV of the Controlled Substances Act and is available only by prescription. Pfizer Pharmaceuticals markets its pills containing alprazolam under the brand name Xanax. Several companies sell generic versions of Xanax. These generic versions are stamped with

identifying numbers such as, “B707” supplied by Breckenridge Pharmaceutical, Inc., “2090” supplied by Qualitest Pharmaceutical, Inc., and “S903” supplied by Dava Pharmaceutical, Inc. Bromazolam, clonazolam, and flualprazolam are benzodiazepine derivatives that are not scheduled substances, have no accepted medical use in the United States, and are not ingredients in Xanax.

5. A drug is a counterfeit drug when it, without authorization, bears the trademark, trade name, or other identifying mark, imprint, or device, or any likeness thereof, of a drug manufacturer and which thereby falsely purports or is represented to be the product of the drug manufacturer. 21 U.S.C. § 321(g)(2). The doing of any act which causes a drug to be a counterfeit drug or to sell a counterfeit drug is prohibited. 21 U.S.C. § 331(i)(3). The introduction or delivery for introduction into interstate commerce of any misbranded drug is also prohibited. 21 U.S.C. § 321(a). Misbranding encompasses dispensing without a valid prescription a drug intended for use by man which, because of its toxicity or potential harmful effect, was not safe for use except under supervision of a licensed practitioner or where its FDA-approved application limited it to prescription use. 21 U.S.C. § 353(b)(1). Misbranding also occurs when the drug was manufactured, prepared, propagated, compounded, or processed in an establishment not registered with the Secretary of Health and Human Services. 21 U.S.C. § 352(o).

COUNT I
Conspiracy

6. Beginning in approximately October 2019 and continuing until August 30, 2021, in the Eastern District of Missouri and elsewhere,

MAXIMILLIAN GREGORY VERBOWSKI,
a/k/a Packlord206
a/k/a Packlord666
a/k/a Joohpackz
a/k/a Vladimir “Vlad” Klokov
a/k/a Eric Ritter
a/k/a Sam Ashley

the defendant herein, did knowingly, and unlawfully combine, conspire, agree, and confederate together with B.A., and with persons, both known and unknown to this Grand Jury, with the intent to defraud and mislead, did:

- a) misbrand drugs, in violation of Title 21, United States Code, Section 331(b);
- b) counterfeit drugs, in violation of Title 21, United States Code, Section 331(i)(3);
- c) cause the introduction of misbranded drugs into interstate commerce, in violation of Title 21, United States Code, Section 331(a);
- d) receive in interstate commerce a misbranded drug for pay, in violation of Title 21, United States Code, Section 331(c);
- e) sell a counterfeit drug, in violation of Title 21, United States Code, Section 331(i)(3).

MANNER AND MEANS OF THE CONSPIRACY

7. It was part of the conspiracy that B.A. operated within the Eastern District of Missouri as a vendor of counterfeit and misbranded pharmaceuticals on the Darknet using the handle "TheBenzoBoys." B.A. primarily sold counterfeit and misbranded generic equivalents of Xanax, both with alprazolam and with bromazolam, clonazolam or flualprazolam.

8. It was further part of the conspiracy that B.A. obtained alprazolam, bromazolam, clonazolam and flualprazolam by mail from various sources in China.

9. It was further part of the conspiracy that B.A. obtained a pill press machine capable of forming pills from dry components with a production rate of 16,200 pills per hour. B.A. also obtained imprint stamps that are substantially indistinguishable from marks used by pharmaceutical companies selling generic forms of Xanax as referenced above. These imprints,

combined with the appropriate color, shape, and size of pill, mimicked legitimate product so as to deceive, cause confusion or mistake.

10. It was further part of the conspiracy that B.A. at various times used pill binder, active ingredients, and the pill press to make counterfeit and misbranded drugs in pill form to fulfill online orders being made through "TheBenzoBoys." B.A. used imprint stamps with the pill press that are substantially indistinguishable from required marks used by pharmaceutical companies selling generic forms of Xanax.

11. It was further part of the conspiracy that B.A. supplied Defendant Verbowski with bulk quantities of counterfeit and misbranded drugs.

12. It was further part of the conspiracy that Defendant Verbowski ordered such counterfeit and misbranded drugs using Wickr Me and the monikers "Packlord206."

13. It was further part of the conspiracy that Defendant Verbowski paid B.A. for the counterfeit and misbranded drugs by either sending bitcoin or mailing bulk amounts of U.S. currency.

14. It was further part of the conspiracy that Defendant Verbowski rented several post office boxes in Seattle, Washington, using the aliases "Eric Ritter," "Vladimir (Vlad) Klokov," and "Sam Ashley."

15. It was further part of the conspiracy that Defendant Verbowski provided a false identification in the name of "Vladimir Klokov" as part of a lease rental application for a post office box.

16. It was further part of the conspiracy that B.A., as directed by Defendant Verbowski, would mail the counterfeit and misbranded drugs to Defendant Verbowski's various aliases at various addresses in Seattle, Washington.

17. It was further part of the conspiracy that, having received the counterfeit and misbranded drugs from B.A., Defendant Verbowski would then further redistribute them to various customers in the State of Washington.

OVERT ACTS

18. On or about January 1, 2020, Defendant Verbowski, using the moniker “Packlord206” on Wickr Me, ordered 10,000 pills of counterfeit and misbranded drugs from B.A. and requested that they be shipped to Defendant Verbowski’s alias “Vlad Klovov” at an address in Seattle, Washington.

19. On or about January 1, 2020, Defendant Verbowski sent 0.49328457 bitcoin, valued at the time at approximately \$3,539.65, to B.A. as payment for counterfeit and misbranded drugs ordered that day.

20. On or about January 2, 2020, B.A. mailed a Priority Mail Express package containing counterfeit and misbranded drugs from a post office in the Eastern District of Missouri to Defendant Verbowski.

21. On or about January 3, 2020, Defendant Verbowski received a package containing counterfeit and misbranded drugs sent by B.A.

22. On or about May 27, 2020, Defendant Verbowski, using the moniker “Packlord206” on Wickr Me, ordered 60,000 counterfeit and misbranded drugs from B.A. and asked that they be shipped to Defendant Verbowski’s alias “Vlad Klovov” and “Ivan Verbowski” at addresses in Seattle, Washington.

23. On or about May 28, 2020, Defendant Verbowski sent 1.63310722 bitcoin, valued at the time at approximately \$15,016.78, to B.A. as payment for counterfeit and misbranded drugs.

24. On or about June 5, 2020, Defendant Verbowski, using the moniker “Packlord206”

on Wickr Me, ordered 60,000 counterfeit and misbranded drugs from B.A. and asked that they be shipped to Defendant Verbowski's alias "Vlad Klovov" and "Ivan Verbowski" at addresses in Seattle, Washington.

25. On or about June 5, 2020, Defendant Verbowski sent 1.56328501 bitcoin, valued at the time at approximately \$15,150.70, to B.A. as payment for counterfeit and misbranded drugs ordered that day.

26. On or about June 12, 2020, Defendant Verbowski sent 0.52803154 bitcoin, valued at the time at approximately \$4,993.64, to B.A. as payment for counterfeit and misbranded drugs.

27. On or about June 13, 2020, B.A. mailed three Priority Mail packages containing counterfeit and misbranded drugs from a post office in the Eastern District of Missouri to Defendant Verbowski in Seattle, Washington.

28. On or about June 16, 2020, Defendant Verbowski received three packages containing counterfeit and misbranded drugs sent by B.A.

29. On or about June 19, 2020, B.A. mailed two Priority Mail packages containing counterfeit and misbranded drugs from a post office in the Eastern District of Missouri to Defendant Verbowski in Seattle, Washington.

30. On or about June 22, 2020, Defendant Verbowski received two packages mailed on or about June 19, 2020, containing counterfeit and misbranded drugs sent by B.A.

All in violation of Title 18, United States Code, Section 371.

COUNTS II, III and IV
Causing the Sale of Counterfeit Drugs

The Grand Jury further charges that:

31. The allegations contained in paragraphs 1 through 30 of this Indictment are incorporated by reference as if fully set forth herein.

32. On or about the dates listed below, in the Eastern District of Missouri and elsewhere,

MAXIMILLIAN GREGORY VERBOWSKI,
a/k/a Packlord206
a/k/a Packlord666
a/k/a Joohpackz
a/k/a Vladimir "Vlad" Klovov
a/k/a Eric Ritter
a/k/a Sam Ashley

the defendant herein, did knowingly cause the sale and dispensing of counterfeit drugs, specifically by soliciting and completing the purchase and delivery of pills containing unscheduled chemical substances, including bromazolam, clonazolam, and flualprazolam, where such pills were manufactured with marks, imprints and other distinguishing features so as to make them appear to be pills legitimately manufactured by pharmaceutical companies, to wit:

COUNT II	January 1, 2020	Defendant Verbowski ordered 10,000 pills of counterfeit and misbranded drugs from B.A.
COUNT III	May 27, 2020	Defendant Verbowski ordered 60,000 counterfeit and misbranded drugs from B.A.
COUNT IV	June 5, 2020	Defendant Verbowski ordered 60,000 counterfeit and misbranded drugs from B.A.

All In violation of Title 21, United States Code, Section 331(i)(3), and punishable under Title 21, United States Code, Section 333(a)(8).

COUNTS V, VI and VII
Fictitious Name or Address

The Grand Jury further charges that:

33. The allegations contained in paragraphs 1 through 30 of this Indictment are incorporated by reference as if fully set forth herein.

34. On or about the dates listed below, in the Eastern District of Missouri and elsewhere,

MAXIMILLIAN GREGORY VERBOWSKI;
a/k/a Packlord206
a/k/a Packlord666
a/k/a Joohpacz
a/k/a Vladimir "Vlad" Klovov
a/k/a Eric Ritter
a/k/a Sam Ashley

the defendant herein, for the purpose of conducting, promoting and carrying on by means of the Postal Service any unlawful business, to wit, the interstate shipment and receipt of misbranded and counterfeit drugs, did take and receive from an authorized depository of mail matter any package or other mail matter addressed to fictitious, false and assumed names other than his own proper name:

Count V	January 3, 2020	Package addressed to Vladimir "Vlad" Klovov that was shipped from B.A.
Count VI	November 20, 2020	Package addressed to Sam Ashley that was shipped from B.A.
Count VII	May 6, 2021	Package addressed to Eric Ritter that was shipped from B.A.

In violation of Title 18, United States Code, Section 1342.

A TRUE BILL.

FOREPERSON

SAYLER A. FLEMING
United States Attorney

Kyle T. Bateman, #996646DC
Assistant United States Attorney