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U.S. DISTRICT COURT OF LA  
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DATE 5/26/04  
BY [Signature]

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION

UNITED STATES OF AMERICA : CRIMINAL NO. 2:04CR20075-01  
: :  
v. : JUDGE MELANÇON  
: :  
GREGORY JAMES CATON : MAGISTRATE JUDGE HILL

**ELEMENTS OF THE OFFENSE**

MAIL FRAUD  
(18 U.S.C. §§ 1341 & 2)

Title 18, United States Code, Section 1341, among other things, makes it a crime for anyone to use commercial interstate carriers in carrying out a scheme to defraud.

For a jury to find you guilty of this crime, the government would have to prove each of the following beyond a reasonable doubt:

First: That you knowingly created a scheme to defraud, that is, you knowingly devised a plan whereby you would introduce unapproved new drugs into interstate commerce and you were aided and abetted by others in your endeavor.

Second: That you acted with a specific intent to defraud numerous victims by said introduction of the unapproved new drugs.

Third: That you shipped by commercial carrier the unapproved new drugs or caused another person to ship the unapproved new drugs in interstate commerce for the purpose of carrying out the scheme.

MAXIMUM PENALTY: A fine of not more than \$250,000.00, a term of imprisonment of not more than 5 years, a period of supervised release not to exceed 3 years and a \$100 special assessment to the Crime Victims Fund.

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