

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Criminal No. 5:11-CR-363 (GTS)

v.

SUPERSEDING INDICTMENT

**LEI ZHANG, aka "ERIC CHANG,"
CEC LIMITED,
WILLIAM HARPER,
JEREMY ALLEN,
ERNEST SNELL,
CHARLES DEMOTT, JR.,
KENNETH FERIA,
ANDREW GRAY,
ROSARIO GAMBUZZA,
MARY OOT-GAMBUZZA,
ALICIA McMANUS,
JON RADWAY,
LISA VAN CAMP, and
ARAFAT WAHDAN,**

Violations:

21 U.S.C. § 846

21 U.S.C. § 963

County: Onondaga

Defendants.

THE GRAND JURY CHARGES:

COUNT 1

**Conspiracy to Possess with Intent to Distribute
and to Distribute a Controlled Substance Analogue**

A. Object of the Conspiracy

1. From in or about March 2010, through in or about April 2011, in Onondaga County in the Northern District of New York and elsewhere, defendants

**LEI ZHANG, aka "ERIC CHANG,"
CEC LIMITED,
WILLIAM HARPER,
JEREMY ALLEN,**

**ERNEST SNELL,
CHARLES DEMOTT, JR.,
KENNETH FERIA,
ANDREW GRAY,
ROSARIO GAMBUZZA,
MARY OOT-GAMBUZZA,
ALICIA McMANUS,
JON RADWAY,
LISA VAN CAMP, and
ARAFAT WAHDAN**

conspired with each other and others to knowingly and intentionally possess with intent to distribute and to distribute a controlled substance analogue, as defined in Title 21, United States Code, Section 802(32), with intent that it be used for human consumption, as provided in Title 21, United States Code, Section 813, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

B. Method and Means of the Conspiracy

2. Beginning in or about March 2010, the defendants and other members of the conspiracy conspired with each other and others to import, possess with the intent to distribute, and to distribute 4-Methylmethcathinone ("4-MMC"), also known as mephedrone or "Mp," a substance that has a stimulant and hallucinogenic effect on the central nervous system substantially similar to or greater than the stimulant and hallucinogenic effect on the central nervous system of a schedule I controlled substance. They did so with the intent that the 4-Methylmethcathinone ("4-MMC"), also known as mephedrone or "Mp," be used for human consumption.
3. Members of this conspiracy arranged to obtain the 4-Methylmethcathinone ("4-MMC"), also known as mephedrone or "Mp," from defendants LEI ZHANG, aka "ERIC CHANG," CEC LIMITED, and others, all located in the People's Republic of China.

4. Beginning no later than March 2010 through on or about September 1, 2010, defendants LEI ZHANG, aka "ERIC CHANG," CEC LIMITED, and others began to supply members of the conspiracy with 4-Methylmethcathinone ("4-MMC"), also known as mephedrone or "Mp," by shipping it from China to the United States.
5. 4-Methylmethcathinone ("4-MMC"), also known as mephedrone or "Mp," has a chemical structure substantially similar to the chemical structure of a schedule I controlled substance. It also has a stimulant and hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant and hallucinogenic effect on the central nervous system of a schedule I controlled substance.
6. Members of the conspiracy, including defendants named above, represented and intended 4-Methylmethcathinone ("4-MMC"), also known as mephedrone or "Mp," to have a stimulant and hallucinogenic effect on the central nervous system substantially similar to or greater than the stimulant and hallucinogenic effect on the central nervous system of a schedule I controlled substance.
7. Once they received shipments of 4-Methylmethcathinone ("4-MMC"), also known as mephedrone or "Mp," from the People's Republic of China, members of the conspiracy in the Northern District of New York and elsewhere in the United States, including defendants named above, distributed it to co-conspirators and others in the Northern District of New York and elsewhere in the United States, with the intent that it be used for human consumption.
8. Beginning on or after September 1, 2010, through April 2011, defendants LEI ZHANG, aka "ERIC CHANG," CEC LIMITED, and others located in the People's Republic of China,

began to ship to other conspirators in the United States a substance with a slightly different chemical structure than 4-Methylmethcathinone ("4-MMC"), also known as mephedrone. This new substance was created by making a small change to the chemical structure of 4-Methylmethcathinone ("4-MMC"). The resulting new substance, which conspirators began to receive from defendants LEI ZHANG, aka "ERIC CHANG," CEC LIMITED, and others after September 1, 2010, was 4-Methyl-N-Ethylcathinone ("4-MEC").

9. 4-Methyl-N-Ethylcathinone ("4-MEC") has a chemical structure substantially similar to the chemical structure of a schedule I controlled substance. It also has a stimulant and hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant and hallucinogenic effect on the central nervous system of a schedule I controlled substance.
10. After September 1, 2010, members of the conspiracy, including defendants named above, continued to represent and intend that this new substance supplied by defendants LEI ZHANG, aka "ERIC CHANG," CEC LIMITED, and others from the People's Republic of China (which was now 4-Methyl-N-Ethylcathinone ("4-MEC")) to have a stimulant and hallucinogenic effect on the central nervous system substantially similar to or greater than the stimulant and hallucinogenic effect on the central nervous system of a schedule I controlled substance.
11. Once they received shipments of 4-Methyl-N-Ethylcathinone ("4-MEC") from the People's Republic of China, members of the conspiracy in the Northern District of New York and elsewhere in the United States, including defendants named above, distributed it to

conspirators and others in the Northern District of New York and elsewhere in the United States, with the intent that it be used for human consumption.

12. During the conspiracy, the conspirators, including defendants named above, sometimes referred to the substance that they were importing and distributing as "Molly," including when they were describing it to customers. The conspirators used the term "Molly" to refer to the substance involved in the conspiracy both when that substance was 4-Methylmethcathinone ("4-MMC") and when that substance was 4-Methyl-N-Ethylcathinone ("4-MEC").

C. Overt Acts

To accomplish the object of the conspiracy, the defendants and other conspirators committed or caused the commission of the following overt acts in furtherance of the conspiracy:

13. From in or about February 2010, through January 2011, defendant LEI ZHANG, aka "ERIC CHANG," shipped eighty-nine (89) packages from China to defendant WILLIAM HARPER at various addresses in Syracuse, New York. Defendant WILLIAM HARPER provided the name "Art Libine" to defendant LEI ZHANG, aka "ERIC CHANG," for purposes of shipping thirty-seven (37) of the eighty-nine (89) packages.
14. On the following dates in March 2010, defendant ALICIA McMANUS sent Western Union wire transfers to defendant LEI ZHANG aka "ERIC CHANG":
 - a. March 2, 2010, in the amount of \$100.00, with defendant ALICIA McMANUS utilizing the name "Alicia McManus."
 - b. March 9, 2010, in the amount of \$675.00, with defendant ALICIA McMANUS utilizing the name "Mike Botwin."

- c. March 16, 2010, in the amount of \$950.00, with defendant ALICIA McMANUS utilizing the name "Nancy Botwin."
 - d. March 21, 2010, in the amount of \$675.00, with defendant ALICIA McMANUS utilizing the name "Nancy Botwin."
 - e. March 25, 2010, in the amount of \$675.00, with defendant ALICIA McMANUS utilizing the name "Nancy Botwin."
15. On or about March 15, 2010, defendant WILLIAM HARPER possessed on his laptop computer a Microsoft Word document entitled "Eric Products." The document included the following information: "Mephedrone (4-MMC, 4-Methylmethcathinone). E7- legal replacement for mephedrone and MDMA, 100g: \$2200 by courier to you, 200g: \$3000 by courier to you, 500g: \$5000 by courier to you, 1Kg: \$8500 by courier to you, 2Kg: \$8000/kg by courier to you, 5Kg: \$7000/kg by courier to you, 10Kg: \$6000/kg by courier to you. Dosage: 50mg by oral taken, no more than 100mg each time. If you take 200mg, you can not sleep for several days."
16. From on or about March 23, 2010, through on or about May 12, 2010, defendant LEI ZHANG, aka "ERIC CHANG," shipped nine (9) packages from China, containing 4-MMC to defendant ALICIA McMANUS in Chittenango, New York. Eight (8) of the nine (9) packages shipped by LEI ZHANG, aka "ERIC CHANG" to defendant ALICIA McMANUS were addressed to "Nancy Botwin."
17. From on or about April 13, 2010, through on or about October 26, 2010, defendant WILLIAM HARPER sent twenty-nine (29) wire transfers, totaling \$65,525.00, from Bank

of America accounts in the name "Orange Line Gallery" to a bank in Shanghai, China, all naming defendant CEC LIMITED as beneficiary.

18. On or about April 15, 2010, defendants ROSARIO GAMBUZZA and MARY OOT-GAMBUZZA sent a wire transfer in the amount of \$2,700.00 from their account at First Niagra Bank to a bank in Shanghai, China, naming defendant CEC LIMITED as beneficiary.
19. On or about April 23, 2010, defendants ROSARIO GAMBUZZA and MARY OOT-GAMBUZZA sent a wire transfer in the amount of \$2,700.00 from their account at First Niagra Bank to a bank in Shanghai, China, naming defendant CEC LIMITED as beneficiary.
20. On or about April 30, 2010, defendants ROSARIO GAMBUZZA and MARY OOT-GAMBUZZA sent a wire transfer in the amount of \$4,050.00 from their account at First Niagra Bank to a bank in Shanghai, China, naming defendant CEC LIMITED as beneficiary.
21. On or about May 8, 2010, at approximately 3:23 a.m., defendant KENNETH FERIA sent the following electronic mail message to defendant LEI ZHANG, aka "ERIC CHANG": "Mr. Chang, I am presently seeking a supplier for Mephedrone (4-MMC, 4-Methylmethcathinone). We are seeking secure supplier for 25kg per month for 12 month period. Please provide pricing with delivery in Los Angeles, CA, USA."
22. On or about May 9, 2010, at approximately 5:01 p.m., defendant LEI ZHANG, aka "ERIC CHANG," sent the following reply electronic mail message to KENNETH FERIA, "We are sending to USA everyday. We have so many customers there. We are sending more than 100kgs every month to USA. Our parcel get through USA Customs safely and easily. 100% are released. We are best supplier of Mephedrone in this industry. . . Our minimum order quantity is 100 gram. Mephedrone (4-MMC, 4-Methylmethcathinone)."

23. On or about May 10, 2010, at approximately 6:26 p.m., defendant LEI ZHANG, aka "ERIC CHANG," sent the following reply electronic mail message to KENNETH FERIA: "Thanks for your call on Skype. Please remit through bank to our company's account for US Dollars: Beneficiary: CEC Limited . . . Make sure to put 'Kenneth Feria' as the reference for the payment so we know that it is you that sent the payment. . . . Thanks & Best Regards, Eric Chang CEC Limited."
24. On or about May 15, 2010, defendant LEI ZHANG, aka "ERIC CHANG," shipped a package from China, containing 4-MMC, to defendant KENNETH FERIA in Hollywood, California.
25. From on or about May 21, 2010, through on or about March 15, 2011, defendants ROSARIO GAMBUZZA and MARY OOT-GAMBUZZA sent approximately sixteen (16) wire transfers totaling \$63,350.00 from their account at Bank of America to a bank in Shanghai, China, naming defendant CEC LIMITED as beneficiary.
26. On or about May 27, 2010, defendant LEI ZHANG, aka "ERIC CHANG," shipped a package from China, containing 4-MMC, to defendant KENNETH FERIA in Hollywood, California.
27. On or about May 28, 2010, defendant LEI ZHANG, aka "ERIC CHANG," shipped a package from China, containing 4-MMC, to defendant JEREMY ALLEN in Grapevine, Texas.
28. On or about June 3, 2010, defendant LEI ZHANG, aka "ERIC CHANG," shipped a package from China, containing 4-MMC, to defendant JEREMY ALLEN in Grapevine, Texas.
29. Beginning on or about July 10, 2010, through on or about December 17, 2010, defendant LEI ZHANG, aka "ERIC CHANG," shipped approximately eleven (11) packages from China to defendants ROSARIO GAMBUZZA and MARY OOT-GAMBUZZA at their residence in East Syracuse, New York.

30. During the week of July 25, 2010, defendant WILLIAM HARPER sold approximately three (3) grams of 4-MMC to a customer. HARPER told the customer that the substance, which HARPER called "Molly," was the most euphoric drug he had ever experienced and that "Molly" was better than MDMA (also known as "ecstasy").
31. On or about August 6, 2010, at approximately 7:45 p.m., defendant ANDREW GRAY sent the following electronic mail message to LEI ZHANG, aka "ERIC CHANG": "I would like to order mephedrone, also named 4-methylmethcathinone (4-MMC). What is your minimum order and shipment costs?"
32. On or about August 6, 2010, at approximately 7:47 p.m., defendant LEI ZHANG, aka "ERIC CHANG," sent the following reply electronic mail message to ANDREW GRAY: "We are sending to USA everyday. We have so many customers there. We are sending more than 100kgs every month to USA. Our parcel get through USA Customs safely and easily. 100% are released. . . Our minimum order quantity is 100 gram. Mephedrone (4-MMC, 4-Methylmethcathinone)."
33. On or about August 12, 2010, defendant LEI ZHANG, aka "ERIC CHANG," shipped a package from China, containing 4-MMC, to defendant ANDREW GRAY in Charlottesville, Virginia.
34. On or about August 12, 2010, defendant KENNETH FERIA sent a wire transfer in the amount of \$30,000.00 from a City National Bank account in the name "Law Offices of Kenneth P. Feria" to a bank in Shanghai, China naming defendant CEC LIMITED as beneficiary.

35. On or about August 24, 2010, defendant LEI ZHANG, aka "ERIC CHANG," shipped a package from China, containing 4-MMC, to defendant KENNETH FERIA in Hollywood, California.
36. On or about August 25, 2010, defendant LEI ZHANG, aka "ERIC CHANG," shipped a package from China, containing 4-MMC, to defendant KENNETH FERIA in Hollywood, California.
37. During the week of September 12, 2010, defendant WILLIAM HARPER sold approximately four (4) grams of 4-MEC to a customer. HARPER told the customer that this "Molly" was the same substance with the same effects as the substance HARPER sold during the week of July 25, 2010.
38. On or about October 13, 2010, conspirator Jennifer Defio sent a wire transfer in the amount of \$30,000.00 from her account at M & T Bank to a bank in Shanghai, China, naming defendant CEC LIMITED as beneficiary.
39. On or about October 25, 2010, conspirator Jennifer Defio possessed approximately six (6) kilograms of 4-MEC, which she had purchased from defendant LEI ZHANG, aka "ERIC CHANG," and CEC LIMITED.
40. On or about October 28, 2010, at approximately 2:42 p.m., following the seizure by law enforcement of the approximately six (6) kilograms of 4-MEC from conspirator Jennifer Defio's residence several days earlier, defendant WILLIAM HARPER sent the following electronic mail message to defendant LEI ZHANG, aka "ERIC CHANG": "Brother, Today, close to where I live, a woman named Jennifer Defio was arrested by Police for shooting a gun. She had 7 ounces of E-7 & (or maybe Mp) with her at the time of her arrest. She is

crazy and unstable as is her partner [name omitted]. Please do not do any business with these people. I am very worried Jennifer's arrest will bring attention to our business relationship. Forgive me as I don't mean to alarm you. It is smart to do cautious and trustworthy business together. I look forward to a long and prosperous relationship."

41. On or about October 28, 2010, at approximately 2:51 p.m., defendant LEI ZHANG, aka "ERIC CHANG," sent the following electronic mail message to defendant WILLIAM HARPER: "Contact Person: Ms. JENNIFER DEFIO Address: 108 Green Street Place, Syracuse, NY 13203 USA. JENNIFER DEFIO has bought 8kg Mp & 50g E3 & 50g A3 recently from us. We will be careful about this."
42. On or about October 28, 2010, at approximately 11:36 p.m., defendant WILLIAM HARPER sent the following electronic mail message to defendant LEI ZHANG, aka "ERIC CHANG": "Brother, She is very bad news. Police have her in Jail. Do not deal with her! Be cautious of anyone new from New York or USA asking you questions in the near future. Sincerely, William."
43. During the week of October 31, 2010, defendant WILLIAM HARPER sold approximately eighteen (18) grams of 4-MEC to a customer. HARPER told the customer that this "Molly" was the same substance with the same effects as the substance HARPER sold during the week of July 25, 2010.
44. On or about November 24, 2010, defendant LEI ZHANG, aka "ERIC CHANG," shipped a package from China, containing 4-MEC, that was bound for defendant ANDREW GRAY in Charlottesville, Virginia when it was seized by United States Customs and Border Patrol.

45. On or about November 29, 2010, defendant LEI ZHANG, aka "ERIC CHANG," sent an electronic mail message to defendant WILLIAM HARPER that stated: "Subject: 100g Mp & 1kg 122 by TNT. TNT: GD141 693105WW. Contact person: Art Libine. Address: 114 Hawthorne Street, Syracuse, New York 13210 USA. 100g Mp and 1kg 122 by TNT. Shipping name: Metal Corrosion Inhibitor. After you get this parcel, please send 10 0g Mp to: Contact person: Andrew Gray. Address: 1532 Virginia Ave, Charlottesville, Virginia 22903 USA. Thanks & Best Regards, Eric Chang, CEC Limited."
46. On or about December 6, 2010, at approximately 6:25 p.m., defendant WILLIAM HARPER sent the following text message to defendant JEREMY ALLEN: "You waiting for 7 new books:~)"
47. On or about December 6, 2010, at approximately 6:26 p.m., defendant JEREMY ALLEN sent the following text message to defendant WILLIAM HARPER: "Yes."
48. On or about December 6, 2010, at approximately 6:26 p.m., defendant WILLIAM HARPER sent the following text message to defendant JEREMY ALLEN: "I'll have tracking #'s for you in a few minutes! I love to read."
49. On or about December 6, 2010, at approximately 6:27 p.m., defendant JEREMY ALLEN sent the following text message to defendant WILLIAM HARPER: "Cool. Thanks."
50. On or about December 6, 2010, at approximately 9:05 p.m., defendant WILLIAM HARPER sent the following text message to defendant JEREMY ALLEN: "Hey. One of the 7 was opened by customs and made a mess. You'll be able to tell cause I wrapped it up nice. You'll see."

51. On or about December 7, 2010, at approximately 4:52 p.m., defendant WILLIAM HARPER sent the following text message to defendant ERNEST SNELL: "Pony express had problems with her passport. Got sent back. Then resent to us in 2 halves. First half arrives tomorrow. Second half prolly Monday."
52. On or about December 7, 2010, at approximately 4:53 p.m., defendant ERNEST SNELL sent the following text message to defendant WILLIAM HARPER: "Itll have to do. is this going to be frequent?"
53. On or about December 7, 2010, at approximately 4:53 p.m., defendant WILLIAM HARPER sent the following text message to defendant ERNEST SNELL: "Its happened before. Customs is tight. Country on high alert. I'm glad they didn't confiscate it!"
54. On or about December 7, 2010, at approximately 4:56 p.m., defendant ERNEST SNELL sent the following text message to defendant WILLIAM HARPER: "... ok truthfully 9 will do till mon.lol.but now ur talkin confiscation u got me thinking brother. Thats not good news I was going to order again tomorrow jus to have on deck!"
55. On or about December 7, 2010, at approximately 5:13 p.m., defendant WILLIAM HARPER sent the following text message to defendant ERNEST SNELL: "Lot of noise out there. It's getting hot."
56. On or about December 7, 2010, at approximately 5:16 p.m., defendant ERNEST SNELL sent the following text message to defendant WILLIAM HARPER: "WE gota sit down n talk then.i can get us under the radar easily just a matter of rearranging biz practices."

57. On or about December 9, 2010, at approximately 5:00 p.m., defendant WILLIAM HARPER sent the following text message to defendant ALICIA McMANUS: "Hey. I'm getting a whole one on Monday. I'll send you two, so save up \$300."
58. On or about December 9, 2010, at approximately 5:26 p.m., defendant ALICIA McMANUS sent the following text message to defendant WILLIAM HARPER: "Ok . . . jus asap pwease I'm in need. Its appreciated."
59. On or about December 9, 2010, at approximately 7:31 p.m., defendant WILLIAM HARPER sent the following text message to defendant ALICIA McMANUS: "Ken is making a buy. 10 whole ones."
60. On or about December 9, 2010, at approximately 7:32 p.m., defendant ALICIA McMANUS sent the following text message to defendant WILLIAM HARPER: "He doesn't get the same as you."
61. On or about December 9, 2010, at approximately 7:36 p.m. and 7:44 p.m., defendant WILLIAM HARPER sent the following text messages to defendant ALICIA McMANUS: "Geeeee. We'll fix that." and "Email me again Hushmail."
62. On or about December 9, 2010, at approximately 8:10 p.m., defendant ALICIA McMANUS sent the following text message to defendant WILLIAM HARPER: "Mailed."
63. On or about December 9, 2010, at approximately 4:51 p.m., defendant WILLIAM HARPER sent the following text message to defendant KENNETH FERIA: "Hey!!! I'll get back to you in a minute. Do you still have hushmail?"

64. On or about December 9, 2010, at approximately 4:51 p.m., defendant KENNETH FERIA sent the following text message to defendant WILLIAM HARPER: "No but I can set up another one."
65. On or about December 9, 2010, at approximately 5:00 p.m., defendant WILLIAM HARPER sent the following text message to defendant KENNETH FERIA: "Ok. I am getting a whole one on Monday. 1000. I'd be glad to send you a couple. I pay 150 per O. So 300 for two. Sound good?"
66. On or about December 9, 2010, at approximately 5:05 p.m., defendant KENNETH FERIA sent the following text message to defendant WILLIAM HARPER: "That's ok. I was needing a whole 1 but your offer will hopefully hold things together till more is delivered. I'll set up a new hushmail today and email you for wire instructions. Also the last one he sent me was pretty poor has he been switching stuff on you lately."
67. On or about December 9, 2010, at approximately 5:18 p.m., defendant WILLIAM HARPER sent the following text message to defendant KENNETH FERIA: "I still have your wire info. Listen the stuff he sends now is off the hook. I know he was testing stuff at our expense. Set up an email. We'll talk there."
68. On or about December 9, 2010, at approximately 5:20 p.m., defendant KENNETH FERIA sent the following text message to defendant WILLIAM HARPER: "ok."
69. On or about December 9, 2010, at approximately 5:21 p.m., defendant WILLIAM HARPER sent the following text message to defendant KENNETH FERIA: "But it's kicking ass now."

70. On or about December 10, 2010, defendant KENNETH FERIA sent a wire transfer in the amount of \$30,000.00 from a City National Bank account in the name "Law Offices of Kenneth P. Feria" to a bank in Shanghai, China naming defendant CEC LIMITED as beneficiary.
71. On or about December 11, 2010, at approximately 12:16 p.m., defendant ERNEST SNELL sent the following text message to defendant WILLIAM HARPER: "I have ONE!"
72. On or about December 11, 2010, at approximately 12:20 p.m., defendant WILLIAM HARPER sent the following text message to defendant ERNEST SNELL: "Make it last. There will none until Christmas. Fuck."
73. On or about December 11, 2010, at approximately 12:24 p.m., defendant ERNEST SNELL sent the following text message to defendant WILLIAM HARPER: "Wait I wont even get my other half?"
74. On or about December 11, 2010, at approximately 12:25 p.m., defendant WILLIAM HARPER sent the following text message to defendant ERNEST SNELL: "Total confiscation."
75. On or about December 23, 2010, at approximately 4:14 p.m., defendant ERNEST SNELL sent the following text message to defendant WILLIAM HARPER: "Ill always take the product ull have 12? Or am I misreading?"
76. On or about December 23, 2010, at approximately 4:14 p.m., defendant WILLIAM HARPER sent the following text message to defendant ERNEST SNELL: "I got 12."

77. On or about December 23, 2010, at approximately 4:15 p.m., defendant ERNEST SNELL sent the following text message to defendant WILLIAM HARPER: "ok. Ill take it!Lol.wen can I come?"
78. On or about December 23, 2010, at approximately 4:16 p.m., defendant WILLIAM HARPER sent the following text message to defendant ERNEST SNELL: "Just plan on 9. We'll be all set that way."
79. On or about December 23, 2010, at approximately 4:16 p.m., defendant ERNEST SNELL sent the following text message to defendant WILLIAM HARPER: "Sounds good."
80. On or about December 24, 2010, defendant WILLIAM HARPER sent the following text message to defendant KENNETH FERIA: "Hey! I just shipped you #7 and #8. I'll email you the tracking #'s."
81. On or about December 24, 2010, defendant KENNETH FERIA sent the following text message to defendant WILLIAM HARPER: "Thanks. I sent you an email this morning. Have a great holiday."
82. On or about December 24, 2010, defendant WILLIAM HARPER sent the following text message to defendant KENNETH FERIA: "Ok. I'll check when I get home. Did you get my email? He already resent your 9 and 10."
83. On or about December 24, 2010, defendant KENNETH FERIA sent the following text message to defendant WILLIAM HARPER: "Yes. I got it, thanks."
84. On or about December 24, 2010, defendant WILLIAM HARPER sent the following text message to defendant KENNETH FERIA: "He sent you 14 to get you 10! Good guy."

85. On or about December 24, 2010, defendant KENNETH FERIA sent the following text message to defendant WILLIAM HARPER: "This time he seems on top of it. I haven't opened it yet hopefully it isn't the crap he was sending before."
86. On or about December 24, 2010, defendant WILLIAM HARPER sent the following text message to defendant KENNETH FERIA: "No. It's NY's favorite. Very good. Let Alicia know. It's her favorite."
87. On or about December 29, 2010, at approximately 2:47 p.m., defendant ANDREW GRAY sent the following text message to defendant WILLIAM HARPER: "Any chance you could email me with an update?"
88. On or about December 29, 2010, at approximately 6:56 p.m. and 6:57 p.m., defendant WILLIAM HARPER sent the following text messages to defendant ANDREW GRAY: "Hey. Eric found a new way to ship!" and "Looks like we are good to go. I'm placing an order."
89. On or about December 29, 2010, at approximately 7:03 p.m., defendant ANDREW GRAY sent the following text message to defendant WILLIAM HARPER: "Sounds great. That man won't be denied."
90. On or about January 2, 2011, after a law enforcement official, without identifying himself as such, sent an electronic mail message to defendant LEI ZHANG, aka "ERIC CHANG," inquiring about making a purchase of mephedrone, defendant LEI ZHANG, aka "ERIC CHANG," responded in an electronic mail message, which stated: "Mephedrone is banned now in china. We can still supply Mephedrone after it is banned because we have license for this as a pharmaceutical company."

91. On or about January 5, 2011, at approximately 5:19 p.m., defendant WILLIAM HARPER sent the following text message to defendant JEREMY ALLEN: "First 3 arrived today. I'll email you tracking #. You have hushmail?"
92. On or about January 5, 2011, at approximately 5:20 p.m., defendant JEREMY ALLEN sent the following text message to defendant WILLIAM HARPER: "No. Should I get one?"
93. On or about January 5, 2011, at approximately 5:33 p.m., defendant WILLIAM HARPER sent the following text message to defendant JEREMY ALLEN: "yes. Go to hushmail.com and set one up. We'll talk there. It's free."
94. On or about January 6, 2011, defendant WILLIAM HARPER sent two (2) USPS flat rate boxes from the Carousel Center Post Office in Syracuse, New York to defendant JEREMY ALLEN in Grapevine, Texas.
95. On or about January 6, 2011, at approximately 6:55 p.m., defendant ERNEST SNELL sent the following text message to defendant WILLIAM HARPER: "Got a new derivative of molly called "Golden Shard".its GOOD bro if u know any 1 nterested n draughted bcuz of r set back."
96. On or about January 11, 2011, after a law enforcement official, without identifying himself as such, sent a Western Union wire transfer in the amount of \$2,800.00 to an individual designated by defendant LEI ZHANG, aka "ERIC CHANG," for the purchase of one hundred (100) grams of mephedrone, defendant LEI ZHANG, aka "ERIC CHANG," shipped approximately one hundred (100) grams of 4-MEC to the official.
97. On or about January 24, 2011, at approximately 8:01 p.m., conspirator Gerry Gero sent the following text message to defendant ARAFAT WAHDAN: "How many?"

98. On or about January 24, 2011, at approximately 8:01 p.m., defendant ARAFAT WAHDAN sent the following text message to conspirator Gerry Gero: "6."
99. On or about January 25, 2011, at approximately 1:40 p.m., defendant ARAFAT WAHDAN sent the following text message to conspirator Gerry Gero: "6 where u want to meet."
100. On or about January 25, 2011, at approximately 1:41 p.m., conspirator Gerry Gero sent the following text message to defendant ARAFAT WAHDAN: "We can do Wegmans in a half hour. 2:10 be there."
101. On or about January 25, 2011, at approximately 2:10 p.m., conspirator Gero provided six (6) ounces of "Molly" to WAHDAN while they sat in Gero's car in the Wegmans grocery store parking lot located at 700 First North Street, Syracuse, New York.
102. On or about January 30, 2011, at approximately 5:20 p.m., defendants WILLIAM HARPER and ALICIA McMANUS had the following telephone conversation:
- HARPER: . . . I'll send you the lowdown . . . I'd be more than happy to mail you something . . . ok . . . I gotta . . . I got . . . let me tell you what's going on 'cause it's bad.
- McMANUS: Oh no, why?
- HARPER: um . . . I'll just . . . ya know what . . . it's self explanatory . . . I haven't had anything come in . . . since December . . . the last time I got a package was December 8th.
- McMANUS: Are you serious?
- HARPER: Yeah, I'm serious. And it was for Kenny . . . yup.
- McMANUS: Are they . . . are they still holding the stuff?

HARPER: Ah, yeah. All . . . listen to me, are you ready for this . . . all 36 of them. 36.

McMANUS: Are you serious? You've tried 36 times?

HARPER: Thirty-six. I'll email you. I'll even send you the tracking numbers. You can look yourself. Alright, baby, listen I gotta run.

103. On or about February 3, 2011, defendant ARAFAT WAHDAN and conspirator Gerry Gero had a telephone conversation in which they discussed the "Molly" that Gero had obtained. Gero asked WAHDAN for feedback from his customers and WAHDAN responded that he'd already distributed the "Molly" to three different customers. Gero and WAHDAN then discussed whether a recent bill, supported by Senator Charles Schumer, making "Molly" a schedule I controlled substance, would pass.

104. On or about February 3, 2011, at approximately 7:00 p.m., conspirator Gerry Gero had the following telephone conversation with an unknown female conspirator:

GERO: So, I got ya. So, so I got this brand new thing. So I decided, I had decided to be the guinea pig, holy fuck.

Unknown: Oh my God.

GERO: Yeah, the same thing as that letter. On the dime.

Unknown: Letter. Dime.

GERO: Fifth letter.

Unknown: What letter?

GERO: Fifth. Five. A, B, C, D, E, F, G . . .

Unknown: (laughing) I can't deal with this, ah, so . . . OK (unintell).

GERO: Yeah. This is like all legit and it's fucking identical.

Unknown: Like the way I like it? Not the fucking speedy gonzalez faggot shit?

GERO: No speedy shit. It nice and mellow. You got butterfly eyes.

105. On or about February 12, 2011, defendant ARAFAT WAHDAN and conspirator Gerry Gero had a telephone conversation in which WAHDAN asked Gero to supply him with more "Molly." When Gero asked WAHDAN how much he wanted WAHDAN stated, "Four." Gero replied, "... the new thing, I got four. But not the normal." WAHDAN asked Gero, "... how many you got of the normal?" Gero responded, "I probably got there right around four or five."
106. On or about February 14, 2011, defendant JON RADWAY signed for a package at the Pompey, New York Post Office addressed to Bob Grant, 2854 Sweet Road, Pompey, New York. The package was sent by defendant LEI ZHANG, aka "ERIC CHANG."
107. On or about February 18, 2011, at approximately 3:54 p.m., defendant WILLIAM HARPER sent the following text message to defendant ERNEST SNELL: "Whoever fucked with your shit fucked me over."
108. On or about February 18, 2011, at approximately 3:59 p.m., defendant ERNEST SNELL sent the following text message to defendant WILLIAM HARPER: "Wat do u think? Or u no wat.i don't want u feeling fukd as I do.lol.but keeping it fair bcuz its all n the air as to who fukd up the work.truly bro I blieve I CAME fukd up.bcuz the odor came w.in 24hrs B4 I gave it out! Bur water under.we both no the cost just thro me 6 n we'll meet the loss n profit n the middle.fai"
109. On or about February 18, 2011, at approximately 5:02 p.m. to 5:05 p.m., defendant WILLIAM HARPER sent the following text messages to defendant ERNEST SNELL: "I'm

coming out of personal because the rest of the stuff in the bag that I scooped your stuff out of is just fine.” and “So how did yours go bad and mine and everyone else didn’t. Whoever you dished too fucked you up.” and “Different color too.” and “These chemists don’t know you. No way they plotted against you.”

110. On or about February 18, 2011, at approximately 5:16 p.m., defendant ERNEST SNELL sent the following text message to defendant WILLIAM HARPER: “Ok bro.but I didn’t touch it.its my EDGE bcuz every1 is cutting theyre stuff.”
111. On or about February 18, 2011, at approximately 5:21 p.m., defendant WILLIAM HARPER sent the following text message to defendant ERNEST SNELL: “Who did you dish too???”
112. On or about February 18, 2011, at approximately 5:23 p.m., defendant ERNEST SNELL sent the following text message to defendant WILLIAM HARPER: “Gave it to my workers.they all came bak the same.u think it cuda ben jus a bad batch.a mis calculation on the chemists?”
113. On or about February 18, 2011, at approximately 5:23 p.m., defendant WILLIAM HARPER sent the following text message to defendant ERNEST SNELL: “Impossifuckingable.”
114. On or about February 20, 2011, at approximately 11:12 p.m., defendant ERNEST SNELL sent the following text message to defendant WILLIAM HARPER: “That shipping route u came up w.is GENIOUS! Jus so u no.ur bout 2b the only game n town aagain.im hearing it from a lot of angles NO1 no matter how small the order can get past customs! U didit bro! Also u were rite.i had a snake n my garden! Situation rectified! Ill b coming down n a couple days.lil grease 4 the pomb 4.”
115. On or about March 1, 2011, at approximately 10:00 p.m., after a telephone conversation in which defendant CHARLES DEMOTT, JR. and defendant WILLIAM HARPER agreed to

meet so that DEMOTT could purchase "Molly" from HARPER, they met a few blocks from World nightclub, located in Syracuse, New York, where DEMOTT purchased fourteen (14) grams of 4-MEC from HARPER for \$450.00.

116. On or about March 8, 2011, at approximately 8:15 p.m., in the area of 106 Montgomery Street, Syracuse, New York, defendant WILLIAM HARPER handed defendant CHARLES DEMOTT, JR. one (1) ziploc bag containing approximately 3.3 net grams of 4-MEC and one ziploc bag containing approximately 3.5 grams net grams of 4-MEC.
117. On or about March 25, 2011, defendant LEI ZHANG, aka "ERIC CHANG," shipped a package from China, containing 4-MEC, to defendant JON RADWAY, utilizing the alias "Bob Grant," at 2854 Sweet Road, Pompey, New York.
118. On or about March 28, 2011, at approximately 2:15 p.m., in a text message conversation, defendant LISA VAN CAMP asked to purchase "Molly" from defendant WILLIAM HARPER and they agreed to meet at HARPER's residence at 106 Montgomery Street, New York.
119. On or about March 28, 2011, from approximately 8:37 p.m. to approximately 9:05 p.m., defendant LISA VAN CAMP met with defendant WILLIAM HARPER at 106 Montgomery Street, New York where she purchased 4-MEC from HARPER.
120. On or about a date no later than April 1, 2011, defendant LEI ZHANG, aka "ERIC CHANG," sent the following electronic mail message to defendant WILLIAM HARPER:
"Mephedrone is banned now; in china. We can still supply Mephedrone after it is banned because we have license for this as a pharmaceutical company. New price from April 2011:
100g: 41400 by courier to you 200g: \$2000 by courier to you 500g: \$3500 by courier to you

1kg: \$5400/kg by courier to you 2kg: \$4800/kg by courier to you 5kg: \$4200/kg by courier to you 10kg: \$3600/kg by courier to you 20kg: \$3000/kg by courier to you. Thanks and Best Regards, Eric Chang CEC Limited.”

121. On April 1, 2011, at approximately 8:46 p.m., defendant WILLIAM HARPER and defendant ROSARIO GAMBUZZA had the following telephone conversation:

HARPER: I got an email from Eric.

GAMBUZZA: Uh huh.

HARPER: Did you get that email?

GAMBUZZA: Ah, I don't know. I haven't checked my email in like bout a week.

HARPER: Well, umm... that stuff that we like is now officially illegal in China.

GAMBUZZA: In Chi, really?

HARPER: China has, has made that illegal.

GAMBUZZA: Now what?

HARPER: He hoped that, um, he can still manufacture and ship to us because he holds a license for a pharmaceutical company.

GAMBUZZA: Uh huh.

HARPER: But the prices are going to be waaaay higher.

GAMBUZZA: Oh.

HARPER: So, basically a big price increase.

GAMBUZZA: When does that go into effect or has it already?

HARPER: April first.

GAMBUZZA: So, great. Yeah, I'll have to check my email when I get home. I'm on my way home now.

122. On or about April 12, 2011, when a search warrant was executed at the residence of defendant ERNEST SNELL in Syracuse, New York, he possessed approximately one hundred eighty-nine (189) grams of 4-MEC.
123. On or about July 19, 2011, defendant LEI ZHANG, aka "ERIC CHANG," shipped a package from China, containing 4-MEC, to defendant JON RADWAY, who provided a Pompey, New York Post Office Box belonging to another individual as a shipping address for the package.

All in violation of Title 21, United States Code, Section 846.

COUNT 2

Conspiracy to Import a Controlled Substance Analogue

A. Object of the Conspiracy

124. From in or about March 2010, through in or about April 2011, in Onondaga County in the Northern District of New York and elsewhere, defendants

**LEI ZHANG, aka "ERIC CHANG,"
CEC LIMITED,
WILLIAM HARPER,
JEREMY ALLEN,
ERNEST SNELL,
CHARLES DEMOTT, JR.,
KENNETH FERIA,
ANDREW GRAY,
ROSARIO GAMBUZZA,
MARY OOT-GAMBUZZA,
ALICIA McMANUS,
JON RADWAY,
LISA VAN CAMP, and
ARAFAT WAHDAN**

conspired with each other and others to knowingly and intentionally import a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), with intent that it be used for human consumption, as provided in Title 21, United States Code, Section 813, into the United States, in violation of Title 21, United States Code, Sections 952(a) and 960(a)(1) and (b)(3).

B. Method and Means

125. Paragraphs 2 through 12 are hereby incorporated by reference.

C. Overt Acts

126. Paragraphs 13 through 123 are hereby incorporated by reference.

All in violation of Title 21, United States Code, Section 963.

FORFEITURE ALLEGATION

127. The allegations contained in Counts 1 and 2 of this Superseding Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 21, United States Code, Sections 853 and 970.

128. Pursuant to Title 21, United States Code, Sections 853 and 970, upon conviction of offenses in violation of Title 21, United States Code, Sections 846 and 963, the defendants, **ROSARIO GAMBUZZA and MARY OOT-GAMBUZZA**, shall forfeit to the United States of America any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offenses and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offenses. The property to be forfeited includes, but is not limited to, the following: One (1) 2005 Volvo EX90, VIN# YV1CZ911551140362.

129. Pursuant to Title 21, United States Code, Sections 853 and 970, upon conviction of offenses in violation of Title 21, United States Code, Sections 846 and 963, the defendants,

**LEI ZHANG, aka "ERIC CHANG,"
CEC LIMITED,
WILLIAM HARPER,
JEREMY ALLEN,
ERNEST SNELL,
CHARLES DEMOTT, JR.,
KENNETH FERIA,
ANDREW GRAY,
ROSARIO GAMBUZZA,
MARY OOT-GAMBUZZA,
ALICIA McMANUS,
JON RADWAY,
LISA VAN CAMP, and
ARAFAT WAHDAN**

shall forfeit to the United States of America any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offenses and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offenses. The property to be forfeited includes, but is not limited to, the following:

MONEY JUDGMENT

A money judgment in the amount of \$1,304,300.00 in United States currency, in that such sum, in aggregate, was exchanged and received in exchange for the distribution of 4-Methylmethcathinone and 4-Methyl-N-Ethylcathinone, controlled substance analogues, or was intended to be so exchanged, between March 2010 and April 2011, or is traceable thereto, and subsequently was expended, spent, distributed, or otherwise disposed of during this same time period by the defendants. Said defendants are jointly and severally liable to the United States for these amounts.

130. If any of the property described above, 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 party;
- 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 divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p).

Dated: June 6, 2012

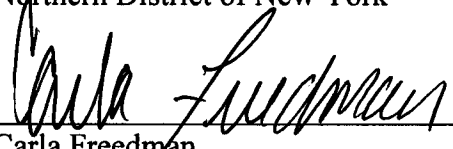
A TRUE BILL.

REDACTED

Grand Jury Foreperson

RICHARD S. HARTUNIAN
United States Attorney
Northern District of New York

By:


Carla Freedman
Assistant United States Attorney
Bar Roll No. 514723