United States District Court

for the
Western District of New York

United States of America
v.
Joshua Buerman, Michele Hess, Kevin Willard, Andrew Bosch, Madhu Ashok, Jesse James Mcavaney, Lance Minielly, and Rita Levy Panzica,

Defendants

Case No. 13-mj-612

CRIMINAL COMPLAINT

I, S.A. JASON SIUDA, the complainant in this case, state that the following is true to the best of my knowledge and belief.

From in or about June 2012 through August 2013, in the Western District of New York, and elsewhere, the defendants violated **Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C), 846, 952(a), 960(a)(1) and 960(b)(3)**, offenses described as follows:

There is probable cause to believe that, from in or about June 2012 through August 2013, in the Western District of New York, and elsewhere, the defendants, Joshua BUERMAN, Michele HESS, Kevin WILLARD, Andrew BOSCH, Madhu ASHOK, Lance MINNIELY, Jesse James MCAVANEY, and Rita Levy PANZICA did knowingly, willfully and unlawfully combine, conspire and agree together and with others, to commit the following offenses, to wit, (1) to possess with intent to distribute, and to distribute, a detectable amount of methylone, a Schedule I controlled substance, and a mixture and substance containing 4-Methyl-n-ethylcathinone, commonly referred to as "4-MEC", an analogue of Methcathinone, a Schedule I controlled substance, if intended for human consumption, all in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C) and 846; and, (2) to import into the United States from a place outside thereof, that is, China, a detectable amount of methylone, a Schedule I controlled substance, and a mixture and substance containing 4-Methyl-n-ethylcathinone, commonly referred to as "4-MEC", an analogue of Methcathinone, a Schedule I controlled substance, if intended for human consumption, all in violation of Title 21, United States Code, Sections 952(a), 960(a)(1) and 960(b)(3).

This Criminal Complaint is based on these facts:

☒ Continued on the attached sheet.

Complainant's signature

JASON SIUDA, Special Agent, ICE/DHS
Printed name and title

Sworn to before me and signed in my presence.

Date: September 13, 2013

Judge's signature
HON. JONATHAN W. FELDMAN
U.S. MAGISTRATE JUDGE
Printed name and title

City and State: Rochester, New York

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

UNITED STATES OF AMERICA

13-MJ-612

-v-

JOSHUA BUERMAN
MICHELE HESS
KEVIN WILLARD
ANDREW BOSCH
MADHU ASHOK
JESSE JAMES MCAVANEY
LANCE MINIELLY
RITA LEVY PANZICA

Defendants.

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

Your affiant, Jason Siuda, a Special Agent with the United States Homeland Security Investigations (HSI), within the Department of Homeland Security ("DHS"), being duly sworn, hereby deposes and states as follows:

I. Agent Background and Statutory Authority

1. I am a Special Agent with the United States Homeland Security Investigations (HSI), within the Department of Homeland Security ("DHS") since August, 2009. I am an "investigative or law enforcement officer" of the United States within the meaning

of Section 2510(7) of Title 18, United States Code, that is, an officer of the United States who is empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in Title 21, United States Code, Section 801 et seq. During my law enforcement career, I have participated in investigations targeting the smuggling, trafficking, and distribution of narcotics. As part of my employment with HSI, I successfully completed the Federal Law Enforcement Training Center's Criminal Investigator Training Program and the Immigration and Customs Enforcement Basic School, both of which included intensive instruction with regard to drug enforcement, including application for, and execution of, search and arrest warrants, as well as application for criminal complaints, and other legal process. I am familiar with how controlled substances are obtained, diluted, packaged, distributed, sold, and used within the framework of drug smuggling and how drug smugglers use other persons and/or their personal property to facilitate their illegal activities.

2. I have also received training and participated in numerous investigations involving the importation and distribution of "controlled substance analogues", sometimes

referred to as "synthetic drugs". In this regard, I am aware that the Controlled Substances Act (CSA) was amended in 1986 by the enactment of the Controlled Substance Analogue Enforcement Act. This amendment addressed a growing concern that home-grown laboratories were attempting to circumvent the existing drug laws of the United States simply by tweaking the molecular structures of the controlled substances. While the chemical structures could be altered, the physical effects on the human body were notably similar to the actual controlled substances they sought to replicate.

3. The Controlled Substance Analogue Enforcement Act specifically provides that controlled substance analogues, *to the extent that they are intended for human consumption*, are to be treated as Schedule I controlled substances for the purposes of criminal prosecution. The term "controlled substance analogue" means a substance which: (1) the chemical structure of which is substantially similar to the chemical structure of a controlled substance in schedule I or II; (2) which has a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central

nervous system of a controlled substance in schedule I or II; or (3) with respect to a particular person, which such person represents or intends to have a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in schedule I or II. Title 21 United States Code 802(32)(A).[1]

4. I am also aware that companies located in China and India are principally responsible for manufacturing and exporting illicit chemical substances and analogs to the United States. Exporters of these compounds will typically mislabel the product to evade detection by customs or other law enforcement, and sell the drugs via the Internet to distributors around the world, including in the United States. Distributors in the United States then sell the drugs online, through traditional distribution methods or by retail distribution at convenience stores, gas stations, and "head shops". Analogue substances can

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[1] Pursuant to Title 21, United States Code, Section 813, "a controlled substance analogue shall, to the extent intended for human consumption, be treated, for the purposes of any Federal law as a controlled substance in Schedule I."

be highly dangerous chemicals that are ingested by recreational drug users as a substitute to other, more familiar, controlled substances such as marijuana, MDMA (ecstasy), cocaine, ketamine, PCP, and methamphetamine.

5. In October 2011, the United States Drug Enforcement Administration (DEA) exercised its emergency scheduling authority to control three synthetic drugs which were similar in chemical structure to Cathinone, a Schedule I stimulant. This list included 4-methylmethcathinone a/k/a "Mephedrone"; 3,4 methylenedioxypyrovalerone a/k/a "MDPV"; and, 3,4 methylenedioxymethylcathinone a/k/a "Methylone". These substances have been marketed under names such as "Ivory Wave", "Purple Wave", "Drone", "Vanilla Sky", "Amped", "Rave", "M-1", "Molly" or "Bliss". Except as authorized by law, the emergency action made the possession and distribution of these chemicals, or the products that contain them, illegal in the United States. *See*, 18 C.F.R. 1308.11(g).

6. On July 9, 2012, President Obama signed into law S. 3187, the Food and Drug Administration Safety and Innovation Act. This legislation included a section called the Synthetic Drug

Abuse Prevention Act of 2012. The Synthetic Drug Abuse Prevention Act of 2012 immediately placed 26 synthetic drugs in Schedule I of the Controlled Substances Act, including Mephedrone and MDPV. On April 13, 2013, Methylone, including its salts, isomers, and salts of isomers, was permanently placed into Schedule I of the Controlled Substances Act (CSA).

II. Purpose of Affidavit

7. This affidavit is submitted in support of a felony Criminal Complaint. Based upon the information contained herein, I submit there is probable cause to believe that, from in or about June 2012 through August 2013, in the Western District of New York, and elsewhere, the defendants, Joshua BUERMAN, Michele HESS, Kevin WILLARD, Andrew BOSCH, Madhu ASHOK, Lance MINNIELY, Jesse James MCAVANEY, and Rita Levy PANZICA did knowingly, willfully and unlawfully combine, conspire and agree together and with others, to commit the following offenses, to wit, (1) to possess with intent to distribute, and to distribute, a detectable amount of Methylone a/k/a "Molly", a Schedule I controlled substance, and a mixture and substance containing 4-Methyl-n-ethylcathinone, a/k/a "4-MEC", an analogue of

Methcathinone, a Schedule I controlled substance, if intended for human consumption, all in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C) and 846; and, (2) to import into the United States from a place outside thereof, that is, China, a detectable amount of Methylone a/k/a "Molly", a Schedule I controlled substance, and a mixture and substance containing 4-Methyl-n-ethylcathinone, a/k/a "4-MEC", an analogue of Methcathinone, a Schedule I controlled substance, if intended for human consumption, all in violation of Title 21, United States Code, Sections 952(a), 960(a)(1) and 960(b)(3).

8. This case is being investigated by agents with the Department of Homeland Security, Immigration and Customs Enforcement, Homeland Security Investigations (HSI), Buffalo Office and the Drug Enforcement Administration, New York Division, Rochester Resident Office. I have personally participated in the investigation of the offenses referred to above, and make this affidavit based on my personal participation in this investigation, and based on reports made to me by other agents and officers and other law enforcement authorities. Since this affidavit is being submitted for the limited purpose of securing a felony complaint, I have not included details of every

aspect of this investigation to date.

III. General Overview of the Investigation

9. On or about July 12, 2013, the Honorable Frank P. Geraci, Jr., United States District Judge, Western District of New York, issued an order pursuant to Section 2518 of Title 18, United States Code, authorizing the 30 day interception of electronic communications occurring over the electronic mail facility assigned to the address "alicechoica@gmail.com" (hereafter, "Target Account") an electronic mail (email) account that was created on or about June 2, 2007, under the Registered Account Holder name of "Alice Choica". The Account Holder is believed to be living on mainland China. Those contacting this email address generally refer to the user as "Alice." Electronic communications were intercepted between approximately 20:37 (GMT) on July 23rd, 2013 through August 22, 2013.

10. An examination of the intercepted email communications confirms that the China-based user of the Target Account remains responsible for the wholesale distribution of numerous controlled substances and controlled substances analogs. Through the use of

email communications and website advertisement, this China-based supplier offers a host of illicit chemicals and processes orders placed by customers worldwide.

11. The process for purchasing these illicit chemicals from "Alice" is rather straightforward. In most cases, a customer will first inquire as to the availability and price of a particular listed chemical. After agreeing on a price and quantity, the parties further agree on a payment method, which includes Western Union, wire transfers, Moneygrams or BitCoin.[2] The customer will provide the supplier with a name and address where the chemicals are to be sent. Once the payment is forwarded by the customer, the supplier ships the requested chemicals and provides the customer with a tracking number (TN) to monitor the mail parcel. Typically, the shipping "manifests" which describe the contents of the parcels are falsified so as to evade detection by customs or other law enforcement.

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[2] Bitcoin is a cryptocurrency where the creation and transfer of bitcoins is based on an open-source cryptographic protocol that is independent of any central authority. Bitcoins can be transferred through a computer or smartphone without an intermediate financial institution. The concept was introduced in a 2008 paper by a pseudonymous developer known only as "Satoshi Nakamoto", who called it a peer-to-peer, electronic cash system.

12. During the course of the email interception period, the China-based supplier shipped an assortment of controlled substances and controlled substance analogs to numerous customers located throughout the United States and abroad, including, but not limited to Austria, Canada, Finland, Spain, Germany, Italy, Belgium, Ireland, the United Kingdom, Sweden and Lithuania.

13. The bulk of orders placed by customers during the 30 day period were for Methylone. Methylone is a stimulant of the phenethylamine, amphetamine and cathinone classes. It's chemical structure closely resembles 3,4-methyelenedioxymethamphetamine, known commonly as "MDMA" or "ecstacy." Its crystalline form is often sold on the streets by the street term "Molly". As stated above, Methylone was the subject of an October 2011 Emergency Scheduling and was permanently placed into Schedule I of the Controlled Substances Act (CSA) in April 2013.

14. In addition to Methylone, many customers placed orders for a controlled substance analogue called 4-Methyl-n-ethylcathinone, commonly referred to as "4-MEC". "4-MEC" is an analogue of Methcathinone, a Schedule I controlled substance if intended for human consumption. Several others placed orders for

varying types of synthetic cannabanoids.

15. Although the interception of emails coming to and from the Target Account were first reviewed in the Western District of New York, local agents were responsible for disseminating all investigative leads to the appropriate law enforcement agencies in each affected jurisdiction. In other words, because the Target Account routinely provided Tracking Numbers for shipped parcels, Customs and USPS officials were, in many cases, able to identify a particular mail parcel that was entering the United States, thereby giving law enforcement an better opportunity to interdict the package. In this regard, more than 450 leads were disseminated, resulting in the nationwide seizure of more than 70 kilograms of Methylone and numerous controlled substance analogs which had been shipped from China. Investigative leads also resulted in at least 54 arrests nationwide, including Maine, Massachusetts, Connecticut, New Jersey, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, Louisiana, Tennessee, Missouri, Ohio, Michigan, Minnesota, Nevada, Oregon, California and Texas. Agents also seized several kilograms of cocaine, methamphetamine and MDMA, more than $50,000 in cash, several motor vehicles and seven weapons, including several firearms.

IV. The Investigation as it Specifically Relates to Joshua Buerman and His Associates

A. Overview

16. Based upon my review of the overall evidence adduced to date, Joshua BUERMAN has been involved in the importation of controlled substance and controlled substance analogs from China, including from the individual operating the Target Account, for several years. In fact, by May of 2012, Joshua BUERMAN was already under the scrutiny of federal agents in the state of Michigan. There he operated a business with Brad VANNATER called "Fantasies Unlimited." "Fantasies Unlimited" purported to be an adult novelty store, but was in reality little more than a "front" for the more profitable business of importing and distributing illegal controlled substances and controlled substance analogs, some of which was obtained from the individual operating the Target Account in China.

17. By mid-2012, for reasons that are not entirely clear, Joshua BUERMAN and Brad VANNATER decided to end their business venture at "Fantasies Unlimited." BUERMAN, a Williamson, New York native, thereafter returned to the Rochester, New York area,

moving into a residence on Averill Avenue with some friends. His return to Rochester, however, did little to curtail his involvement in the importation of controlled substances and controlled substance analogs. As set forth in more detail below, BUERMAN continued to contact the Target Account using several different email accounts, placing scores of on-line orders throughout 2012 and 2013, and enlisting the assistance of numerous associates within the Western District of New York.

B. Detailed Information from Sault Ste Marie, Michigan

18. During the course of this investigation I spoke directly with HSI Special Agent John Arthur Alpers of the Sault Ste Marie, Michigan office regarding his investigation of Joshua BUERMAN and Brad VANNATER, as well as their company, "Fantasies Unlimited."

19. SA Alpers informed me that his investigation began in May 2012 when he received information from a website host provider named HostGator.com of Houston, Texas. According to HostGator.com, they received a citizen's complaint regarding a website they were hosting identified as "fantasiesworldwide.com".

According to the citizen complaint, "fantasiesworldwide.com" was marketing the sale of chemicals that are allegedly being used for human consumption. Information supplied by Hostgator.com indicated that the "fantasiesworldwide.com" website was created in January 2012 and the original billing information for the Domain Name "fantasiesworldwide.com" was: Josh BUERMAN, 3423 Cass Road, Traverse City, Michigan 49684. The User Name for the account was identified as "Fantasy". According to HostGator.com, the email address of "fantasiesworldwide@hushmail.com" was also directly linked to the website "fantasiesworldwide.com" - the User Name "Fantasy" at "fantasiesworldwide.com" had configured the account to send emails from the address of "fantasiesworldwide@ hushmail.com".

20. SA Alpers further ascertained that 3423 Cass Road, Traverse City, Michigan is the physical business location for a business called "FANTASIES UNLIMITED". Through a public record database, SA Alpers was able to confirm that "FANTASIES UNLIMITED" was owned by Brad Jason VANNATTER. SA Alpers also determined that VANNATTER and BUERMAN possessed Michigan Driver's Licenses (D/L), both reflecting the address of 3423 Cass Road, Traverse City, Michigan.

21. Utilizing an HSI undercover computer, SA Alpers entered the "fantasiesworldwide.com" website and viewed the content of the "fantasiesworldwide.com" webpage. On the "fantasiesworldwide.com" webpage, listed under the main headings, "Products" and "Hot items", several chemicals were listed for sale, to include, but not limited to 2-FMA, 4-MEC, 4-FA, A-PVP and MXE.[3]

22. On June 11, 2012, HSI SA Matthew Singer, acting in an undercover capacity, entered the business at 3423 Cass Road, Traverse City, Michigan and spoke to the store clerk who identified herself as "Britney". During the conversation, SA Singer inquired about the sale of "bath salts". Britney said the high from "bath salts" is at a different level (more potent or worse) and is not like smoking incense (i.e. spice). According to SA Singer, Britney then hesitantly referred SA Singer to the website "FANTASIESWORLDWIDE.COM." Britney said that "this is the

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[3] If intended for human consumption, 2-FMA is an analogue of methamphetamine (Schedule II); 4-FA is an analogue of amphetamine (Schedule III); MXE is an analogue of PCE (N-Ethyl-1- phenylcyclohexylamine), a Schedule I controlled substance; 4-Methylethcathinone (4-MEC), an analogue of methcathinone; A-PVP or alpha-PVP is an analogue of MDPV (3,4-Methylene dioxypyrovalerone), a Schedule I controlled substance.

owner's" website. Britney wrote the website on the back of a business card and handed it to SA Singer. Britney explained that FANTASIESWORLDWIDE.COM is where the chemicals can be purchased to "make your own stuff".

23. SA Alpers subsequently provided VANNATTER and BUERMAN's names and identifying data to Customs and Border Protection Officer (CBP) Officer Justin Witt, CBP Analytical Targeting Unit (ATU), Sault Steet, Marie, Michigan. Officer Witt discovered that on or about February 7, 2012, a package arrived at the CBP Port of Entry (POE), Anchorage, Alaska, from SHANGHAI YIDAI COSMETIC CO., LTD, Shanghai, China. The package was addressed to Brad VANNATTER, 3423 Cass Road, Traverse City, Michigan. The package was manifested as containing "matt hardener" and had a listed weight of one (1) kilogram. The package cleared CBP and was not seized.

24. CBP Officer Witt also informed SA Alpers of a suspicious package that was seized by CBP the day prior, that is, February 6, 2012. In that case, another package manifested as "matt hardener" was shipped from the same Chinese company, SHANGHAI YIDAI COSMETIC CO., LTD. through the POE, Anchorage,

Alaska. This particular package was being shipped to Robin GATTIS, Wasilla, Alaska. Unlike the package sent to VANNATTER, the package shipped to GATTIS was actually seized and searched by CBP, pursuant to their border search authority. According to HSI Special Agent Ty Bishop (Anchorage, Alaska) the "matt hardener" tested positive for Methylone.

25. SA Alpers also received a list of Western Union transactions associated with Brad VANNATTER and Joshua BUERMAN. Review of certain transactions indicated that on February 2, 2012, just five days before the "matt hardener" entered the Anchorage, Alaska POE, Brad VANNATTER wired $4,000 to an individual in Shanghai, China.[4]

26. In July 2012, HSI SA Alpers learned that HSI SA Brian Lewis of Norfolk, Virginia (EDVA) was also investigating a Chinese source of supply of illicit chemicals using the email address "alicechoica@gmail.com" (Target Account). SA Alpers was

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[4] Additional research conducted by CBP Officer Witt revealed that on March 29, 2012, CBP, POE Cincinnati, Ohio seized 504 grams of Methylone that was sent from the SHANGHAI YIDAI COSMETIC CO to a recipient unrelated to the investigation into Fantasy Worldwide. The shipment was also manifested as "matt hardener".

advised that on March 14, 2012, a federal search warrant was issued for the Target Account in the Eastern District of Virginia by United States Magistrate Judge F. Bradford Stillman.[5] That warrant resulted in the production of several thousand email communications going to and from the Target Account, all of which clearly demonstrated that the individual utilizing the Target email address was actively distributing controlled substances and analogue substances throughout the United States. HSI SA Brian Lewis agreed to provide SA Alpers with any emails which indicated that Fantasies Worldwide, Fantasies Unlimited, Joshua D. BUERMAN and/or Brad VANNATTER were making contact with the Target Account. There were many. The following emails provide specific examples of communications between "Fantasies Unlimited" and the Target Account.

27. On March 15, 2012, fantasiesworldwide@hushmail.com communicated with the Target Account. In this series of emails, Josh BUERMAN places orders for methylone, sometimes referred to as "M-1". He indicates that he has paid via Western Union, providing a "MTCN" (money transfer control number). The Target

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[5] A second search warrant was authorized on the Target Accountin September 2012. A third search warrant was authorized in May 2013.

Account then advises that shipment was mailed under a particular "TN" (Tracking Number):

March 15, 2012, fantasiesworldwide@hushmail.com

"Hi Alice I sent you $5000 with MTCN via western union. I need another order! (DROPSHIP USA) 1kg M1 White Powder $1000…"

March 17, 2012, fantasiesworldwide@hushmail.com

Hi my customer says he's paid. Here's his mtcn and name.
15g M1 Crystal - $120; MTCN 139-474-4439;
Sender Name; Josh Buerman;
Phone number; 888-885-9940; Address to send to 15g Crystalline M1; Attn: tenant; 636 Mills St.; Hinsdale, IL 60521

March 20, 2012, alicechoica@gmail.com

hi, your TN is EMS EE539339629CN, thanks alice.

28. According to SA Alpers, Western Union records revealed that on March 16, 2012, Josh BUERMAN (phone number (888) 885-9940; address: 3423 Cass Road Traverse City, Michigan) wired $120 under Western Union Control #139-474-4439 to a "Haimei Bu" in China.

29. The emails between the Target Account and

"fantasiesworldwide@hushmail" continued throughout March and April 2012.

March 26, 2012 fantasiesworldwide@ hushmail.com

Okay so meet me in the middle $11,500 for 8Kg Methylone Crystal. Will China ship 4Kg Methylone today (China Monday)?

March 26, 2012 alicechoica@gmail.com

Hi, I am sorry, for crystal I really can't do that, crystal is expensive…"

March 26, 2012 fantasiesworldwide@ hushmail.com

"…How much for 10kg. How much for 15Kg. How much for 20kg. Please send me TN for 4kg ASAP. We are going to double each order. 8kg, 16kg, 32kg. How many packages will 4kg come in.

March 26, 2012 alicechoica@gmail.com

Hi, usually we can send 4kg per TN, according to your wish. 10kg is USD1450/kg, 15-20kg USD1400/Kg thanks alice.

March 26, 2012 fantasiesworldwide@hushmail.com

$6000 - 4kg Methylone Crystal; Sender Name - Joshua Rowland; MTCN 395-489-5532 Address; Eric Andrews APT 117 1312 17th Street Denver, Colorado 80202. Please send 4kg Methylone to the address above. Reply with TN as soon as you have, once product is received - we need 8xKG Methylone…."

30. Western Union records revealed that on March 25, 2012, a Joshua ROWLAND (phone number (888) 885-9940; New York D/L #396489477; address: 3423 Cass Road, Traverse City, Michigan) did

in fact wire $6,000 under Western Union Control #395-489-5532 to "Shoubao Ma" in China.

31. On March 30, 2013, the Target Account replied to "fantasiesworldwide@hushmail.com", providing the Tracking Numbers for the shipped parcels to Eric Andrews in Denver, Colorado. A separate email that day provided another Tracking Number for a separate shipment of "4-MEC".

March 30, 2012 alicechoica@gmail.com

Hi your TN of Eric Andrews is EMS EE725266025CN and EE725266140CN…"

March 30, 2012 alicechoica@gmail.com

Hi your last TN of Brad Vannatter (1kg 4MEC) is EMS EE725265816CN.

32. On April 19, 2012, the user at "fantasiesworldwide@ hushmail.com" contacted the Target Account to advise that one of the shipments to Eric Andrews had been seized, and that he wanted a re-ship of half of the order (which appeared to be the customary business practice):

April 19, 2012 fantasiesworldwide@hushmail.com

4kg M1 Order; THIS ONE GOT SEIZED - EE725266140CN; This one got through EE725266025CN. Can I have my free reship now (2kg M1 crystal).

April 19, 2012 alicechoica@gmail.com

Hi, half re-ship is 1kg, that package he didn't got is 2kg…

33. SA Alpers was able to confirm that mail parcel #EE725266140CN, addressed to Eric Andrews, 1312 17th Street, Apartment #117, Denver, Colorado was in fact seized on April 12, 2012, by CBP officers co-located at the San Francisco, California International Mail Facility. A search of the parcel resulted in the discovery of 2,047 grams of a white powdery substance which, upon analysis by CBP, tested positive for Methylone.

34. Undaunted by the seizure, the Chinese supplier was directed to re-ship the one kilogram of methylone to a different address.

April 20, 2012 fantasiesworldwide@hushmail.com

Okay I have address for you to send to, can you send tomorrow? 1kg Methylone Crystals; JDB 1773 N US Highway 31 N; Traverse City, MI 49686

April 21, 2012 fantasiesworldwide@ hushmail.com

sending Methylone Crystal to JDB address right? When will it be sent out??

April 20, 2012 alicechoica@gmail.com

Hi, your TN is EMS EE725405500CN

April 21, 2012 fantasiesworldwide@ hushmail.com

Can I change the Methylone Crystal 1kg shipment to 4MEC?

April 21, 2012 alicechoica@gmail.com

Hi can't, package is already at our EMS office, thanks alice

April 21, 2012 fantasiesworldwide@ hushmail.com

Do most of your methylone orders get through fine to USA. I had a child, I don't want any trouble. I don't have to sign right?

35. SA Alpers also followed up on the re-shipment of one kilogram of methylone crystal which was shipped to "JDB, 1773 N US Highway 31 N Traverse City Michigan." SA Alpers speculated that "JDB" were the initials for Joshua D. Buerman. SA Alpers further determined that the building located at "1773 N US Highway 31 N Traverse City Michigan" is the Grand Sugar Beach Resort Hotel.

36. During the course of his investigation, SA Alpers interviewed Ms. Jamie Julian, a manager at the Sugar Beach Resort Beach Hotel. During the interview, he showed Ms. Julian a photograph of BUERMAN. Ms. Julian indicated that she recognized BUERMAN as an individual who had stayed at the Sugar Beach Hotel in April 2012. Ms. Julian recalled that BUERMAN had in fact received a parcel at the Sugar Beach Resort Hotel from China. Ms. Julian further believed that she had signed for the EMS parcel. [6]

37. Ms. Julian further advised SA Alpers that the hotel room in which BUERMAN stayed was paid for by a different individual. Mr. Justin Mortier, General Manager, Grand Sugar Beach Hotel provided SA Alpers with copies of hotel statements related to Room 205-B, the room in which BUERMAN had resided on April 24, 2012 (i.e., the day in which EMS Parcel #EE725405500CN arrived). Hotel records reflect that a Brad VANNATTER, home address: 3423 Cass Road, Traverse City, Michigan, had paid Room 205-B beginning on April 20 through April 27, 2012. VANNATTER's hotel statements, under the section entitled, "Reservation

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[6] Postal Inspector Mark Rossi, U.S. Postal Inspection Service, Grand Rapids, Michigan, confirmed that a "J. Julian" did in fact sign for EMS Parcel #EE725405500CN on April 24, 2012.

Notes", contained comments indicating that the guest in Room 205-B was "Josh"; an employee of VANNATTER.

C. Buerman Moves Back to Rochester, New York but Continues to Order Controlled Substances from the Target Account

38. In or about June 2012, BUERMAN and VANNATTER apparently dissolved their business relationship in Michigan. At about the same time, BUERMAN moved back to the Rochester, New York area. However, BUERMAN continued to place orders with the Target Account. Several individuals, to include Michele HESS, Kevin WILLARD, Andrew BOSCH, Brandon EDWARDS, Madhu ASHOK, Lance MINNIELY, Jesse James MCAVANEY and Rita Levy PANZICA joined in the effort, each knowingly participating in the conspiracy by engaging in certain overt acts, including the sending of thousands of dollars to the Chinese source of supply and/or receiving shipments of illicit chemicals on behalf of the organization.

39. An analysis of the emails obtained pursuant to the EDVA Target Account search warrant revealed that from June 2012 to July 2013, Joshua BUERMAN utilized several different email addresses to maintain contact with the Target Account, starting

first with "jbconsultingservicesinc@gmail.com", under his real name as well as the fictitious name "Vladimir Pajari",[7] the email addresses "chesswithpeople@countermail.com" and finally, the email addresses "member36331@countermail.com" and "member36331 @cmail.nu".[8] The following paragraphs provide specific examples of narcotics related transactions conducted or brokered by BUERMAN and his associates since BUERMAN's return to the Western District of New York in June 2012.

Use of "jbconsultingservicesinc@gmail.com"

40. On or about June 22, 2013, Josh BUERMAN, utilizing "jbconsultingservicesinc@gmail.com" placed an order with the Target Account for 3 kilograms of methylone to be sent to Brandon Edwards at 6000 West Osceola Pkwy, Kissimmi, Florida 34746.[9]

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[7] At the time BUERMAN was involved with Fantasies Worldwide in Michigan, he used the same alias - "Vladimir Pajari" - on the email account "fantasiesworldwide@hushmail.com".

[8] Queries with the New York State Department of Motor Vehicles also indicated that in September 2012, a New York state license was renewed in the name of Joshua D. BUERMAN, (DOB: XX/04/1988) at 5973 Richardson Road, Williamson, New York, which is the residence of his parents.

[9] Brandon Edwards is a known acquaintance of Josh BUERMAN. Eventually, BUERMAN will introduce Edwards to the Target Account so that he can place orders directly.

Subject: order for outbound china saturday/usa Friday
From: Josh Buerman <jbconsultinginc@gmail.com>
Date: Fri. 22 Jun 2012 1451:38 -0700
To: Alice <alicechoica@gmail.com>

Mtcn - 7273129152
sender - joshua paww
amount - $2250
State/country - florida/usa

Mtcn - 3604375526
Sender - brandon edwards
Amount - $2250
State-country florida/usa

Reciever is first name Yi, last name Zhu

Please send 3kg (3000g) of crystalline methylone to the below address

Brandon edwards
6000 west osceola pkwy
kissimi, fl 34746

41. My review of subpoenaed Western Union records for this transaction revealed that a total of $4,500.00 was in fact sent via Western Union to "Yi Zhu" as payment for the shipment. Brandon EDWARDS sent $2,250.00 under Money Tracking Control Number (MTCN) 3604375526. Joshua Parnell sent $2,250 under the MTCN of 7273129152.

42. On or about June 25, 2012, the Target Account provided "jbconsultingservicesinc@gmail.com" with two package tracking

numbers (EE730634638CN and EE604237644CN) for separate mail parcels containing a total of 3 kilograms of methylone. According to information obtained from the United States Postal Service (USPS), these parcels were delivered and signed for by "T Tilstino" in Kissimmee, Florida.

43. On June 28, 2012, Joshua BUERMAN, utilizing "jbconsultingservicesinc@gmail" wrote to the Target Account and placed an order for several different substances. In the email, BUERMAN acknowledges his prior affiliation with "fantasies worldwide" in Traverse City, Michigan:

2012/6/28 13:04, Josh Buerman

Western union info plz. 10g 2ci $300 500g 4mec. $800, 10g 25inbome $300 $1400 total.

I connected FWW (fantasiesworldwide@hushmail.__com
mailto:fantasiesworldwide@hushmail.com>
mailto:fantasiesworldwide@__hushmail.com
mailto:fantasiesworldwide@hushmail.com>>) to u guys n helped with consulting and purchases.

May i please have the price of $1250 my dear. One shipment location, all
In one package please. Many thanks, your my alice living in wonderland

44. Shortly thereafter, the Target Account responded to BUERMAN:

On Jun 28, 2012 4:27 AM, "Alice" <alicechoica@gmail.com <mailto:alicechoica@gmail.com>> wrote:

hi, many thanks for your order, below is our WU information:

Forename/first name: Xianrong
Surname/second name: Wang
Country: China
Address: No. 3 longjiang District
Province: Jiangsu
Postal: 210038
Telephone: 8613584874722

Pls. give me the MTCN and the sender you write on WU paper, also we need your deliver address and phone number to deliver the item.
After we received your payment, we will arrange it at once and give u the tracking number to follow.
Thanks
Alice

45. Later that day, Joshua BUERMAN sent an email in which he provided a Western Union MTCN and placed an order for one (1) kilogram of 4-MEC, stated that it was being paid by Kevin WIILLARD, and that it should be sent to Rochester, New York:

Subject: Re: Order
From: Josh Buerman <jbconsultingservicesinc@gmail.com>
Date: Thu, 28 Jun 2012 19:5254-0400
To: Alice <alicechoica@gmail.com>
Kevin willard
$1550
Rochester,ny 14607
Mtcn-1639338845
Xianrong

Wang
China

1kg 4mec - shipped to
Mr.J
537 averill ave
Apartment 5
Rochester,ny 14607

46. Your affiant has reviewed subpoenaed records obtained from Western Union which confirmed that Kevin WILLARD did in fact send $1,550 to "Xianrong Wang" on June 28, 2012 from the Wilson Farms Mini-Mart located at 622 Park Avenue, Rochester, New York, under MTCN 1639338845. WILLARD was required to show his New York driver's license in order to complete the transaction (DL No.776698030).

47. Four days later, on July 2, 2013 the Target Account provided "jbconsultingservicesinc@gmail.com" with the tracking number EE604234550CN for the package containing 1 kilogram of "4-MEC". According to information received from the USPS, this parcel was successfully delivered to 537 Averill Avenue, Rochester, New York on July 6, 2012. The parcel was signed for by "J Angelico" in Rochester, New York.

48. During this investigation, your affiant has spoken with

a confidential source who has provided detailed information regarding Joshua BUERMAN's drug related activities. While he/she is currently facing his state charges for possession of analog substances, and hoping to receive some leniency in exchange for cooperation, his/her information has been extremely accurate. This source told me, among many things, that from roughly June through October 2012, BUERMAN was living at 537 Averill Avenue with Tomas Martinez, after returning from the state of Michigan. The source stated that he/she personally observed BUERMAN in possession of large quantities of methylone, 4-MEC and other narcotics, along with large sums of cash, inside the residence at 537 Averill Avenue, and that BUERMAN was selling these items for human consumption. The source further indicated that BUERMAN was dating Michele HESS. The source stated that BUERMAN lived at 537 Averill Avenue until he moved onto Meigs Street with Michele HESS in October 2012.

49. According to subpoenaed information furnished by Time Warner Cable, Joshua BUERMAN was the listed account holder for the address 537 Averill Avenue, Apartment #5, from June 2012 to October 2012.

50. On or about July 7, 2012 "jbconsultingservicesinc@gmail.com" began negotiations with the Target Account for the purchase of 2 kilograms of "4-MEC" to be sent to "Mr. J, 573 Averill Ave Apt 5, Rochester, New York 14607" (It is unclear whether this was a simple typographical error with his actual address at 537 Averill Avenue, or whether BUERMAN has a connection with 573 Averill Avenue; in any event, he never complained that the shipment was not received). BUERMAN requested that the Target Account waive the signature requirement on the package if possible. As payment for the order, Andrew BOSCH sent $3,100.00 to "Weiying Ma" in China via Western Union and under MTCN 1089717373.

51. Your affiant has reviewed subpoenaed records from Western Union which confirmed that Andrew BOSCH sent $3,100 to "Weyang Ma" on July 7, 2012 from Tops Market, 2345 Buffalo Road, Rochester, NY 14624. BOSCH was required to show his New York driver's license in order to complete the transaction (DL No. 120385668).

52. On or about July 9, 2012 the Target Account sent "jbconsultingservicesinc@gmail.com" two tracking numbers

EE604235714CN and EE604235586CN for two packages containing the previously ordered two (2) kilograms of "4-MEC". According to information received from the USPS, these parcels were delivered to 573 Averill Avenue, Apt. 5, Rochester, New York on July 13, 2012. No signature was obtained.

Use of chesswithpeople@countermail.com

53. In or about July 2012, Joshua BUERMAN switched email accounts from "jbconsultingservicesinc@gmail.com" to "chesswithpeople@countermail.com."

54. On July 18, 2012, BUERMAN at "chesswithpeople@ countermail.com" sent an email to the Target Account. In the email, BUERMAN confirms that he is the same person who previously used the email address "JBConsultingServicesInc@gmail.com" and "FantasiesWorldWide@hushmail.com." That acknowledgment is set forth in bold in the following email exchange.

July 16, 2012 chesswithpeople@countermail.com

"Hey Alice, I have a bunch a questions, and requests for you.
I know you're busy but please read through these, and answer them all, as well as provide the reports and pictures too please. If you dont have the time right away, do what you can, but I will keep resending the

email until I get them all answered. I appreciate it so much my dear!
Can you get 25C-NBome HCL[10]
Do you have 4-ACO-DMT in stock?
Do you have any recent new products? What are you latest, and top selling items? Please answer... I need a bigger variety for my local shops and customers.
Do you have MXE in stock?
Do you have MDA-19 in stock?
Do you have LidoCaine in stock?
What chemicals do you have in stock, that are in Crystalline form? (4-MEC, Methylone, Are there any others?)
Can you resynth an asked for product into crystalline form?
What are the latest western union details and when/how often do you change them?
What is your latest bank wire info? Does that change? If so how often?
I've been a customer for a long time now, and sent over $100,000 in the past 6 months to you. Would I be able to get a nice sampler pack on my next order, as I will be making another $3000 or so order? **(I was FantasiesWorldWide@hushmail.com, JBConsultingServicesInc@gmail.com)**
I want to be able to show people, all of the possible things that I have to work with, so my request is to receive (And pay for labor/packaging/shipping costs) a sample of each and every item you can obtain.
Do you offer different shipping packaging, other than the typical Plastic bag, Black bag, Two zips? I have some customers looking for extra discreet packaging.
How much product will you ship in one package at a time, like what is the max? What is the max packages you can send in one day to one address? If I have multiple addresses, can you send the quantity that goes above the max per pacakge limit, with mutiple packages at the same time, same day?
Besides EMS, what other shipping methods do you offer?

---

[10] N-(2-Methoxybenzyl)-4-chloro-2,5-dimethoxyphenethylamine. Street name "N bomb". Recognized by DEA as an analogue of 2C-B, a Schedule I hallucinogen

Since I've been working with you for a while, anyway I can have some tips from you, or ideas/things that have worked for you in the past, to progress and excel my business?
Can I get the following please
*NMR Report on 4-MEC
*NMR Report on MXE
*NMR Report on 25iNbome HCL
*NMR Report on Apvp
*NMR Report on M1 Crystal
*NMR Report on M1 SnowWhite
*Picture of 4-MEC
*Picture of MXE
*Picture of 25iNbome
*Picture of APVP
*Picture of Methylone Crystal
*Picture of Methylone Snow White
*Lab Info and License Proof
I will keep sending these questions to you, until they all get answered, and information/e-documents are provided. Only reason I'm saying this is that I tend to ask you questions, and have to do it multiple times due to you not answering them all at once, and you end up forgetting most, if not all of them. I understand you're busy, etc... But I need these answered.
Thanks Alice!
C-Dub-P

55. On July 20, 2012, "chesswithpeople@countermail.com" placed an order to the Target Account, requesting that 1,300 grams of "4-MEC", 10 grams of 2-ci, and 10 grams of 25iNBome be sent to "Attn Resident, 73 Cambridge St, Rochester, New York 14607." The email requested that samples of MDA-19, 5MMA, 2-FA, and Butylone be provided in the package. As payment for this order, BUERMAN indicated that Nico CASSATTA had sent $2,500.00

from Rochester, New York to "Hong Li" in China via Western Union under MTCN 9943413888.

56. On July 22, 2012, "chesswithpeople@countermail.com" contacted the TARGET ACCOUNT inquiring about the shipments:

> Alice I need my tracking numbers ASAP... Customers are wondering whats up...
> Sending another Western Union for $1600 tomorrow mid afternoon.
> Here is $2500 MTCN
> Sender name - Nico Cassata
> Sender Amount - $2500
> Sender Location - Rochester, NY
> MTCN - 994-341-3888
> Receiver First Name: Hong
> Receiver Last name: Li
> 1300g 4MEC
> 10g 2ci
> 10g 25iNBome
> Samples
> ***MDA-19
> ***5MMA
> ***2-FA
> ***Butylone
> Delivery Address
> Attn Resident
> 73 Cambridge St
> Rochester, NY 14607
> Sample order from 3kg Methylone Sale
> 4x 2g Sample - >
> 5-IAI
> 5-IT
> DP-2
> PV-4 (4-MPHP)
> Attn Resident - N.C.
> 73 Cambridge St
> Rochester, NY 14607

57. on July 23, 2012 the Target Account provided the tracking numbers EE735223033CN and EE735223047CN for the parcels destined to Brooksville, Florida.

58. That same day, the Target Account provided "chesswithpeople@countermail.com" with the tracking number of EE735223149CN and confirmed that the package contained 1,300 grams of "4-MEC", 10 grams of 2ci, and 10 grams of 25iNBome was sent to "Attn Resident, 73 Cambridge St, Rochester, New York 14607." According to information obtained from the USPS, this parcel was delivered to 73 Cambridge Street, Rochester, New York, was accepted and signed for by "J. Buerman" on July 26, 2012.

59. On or about July 31, 2012, "chesswithpeople@countermail.com" placed an order with the Target Account for 3 kilograms of "4-MEC", 10 grams of 2ci (a Schedule I Controlled Substance), and 10 grams of MXE to be delivered to "Mr. J, 73 Cambridge St, Rochester, New York 14607." Samples of PV-4, DP-2, 5-MEO-DMT, and 4-ACO-DMT were also requested. The email also requested that the order be delivered in two separate packages, with one package containing 3 kilograms of 4-MEC and the other package containing the 2ci, MXE, and samples.

60. As payment for the order, BUERMAN indicated that Michele HESS (Joshua BUERMAN's girlfriend) had sent two Western Union payments under MTCN's 5994215640 and 4192172262, each payment for $1,950 (total $3,900.00), to "Dasen Zhu" in China. I was able to confirm through Western Union subpoenaed records that Michele HESS did in fact send two Western Union payments from the Wilson Farms Mini-Mart located at 622 Park Ave, Rochester, NY 14607 on July 30, 2012, after producing her NYS DL No. 127645115.

61. On August 2, 2012 the Target Account contacted "chesswithpeople@countermail.com" and provided Tracking Number EE735268975CN for the package containing 3 kilograms of "4-MEC" that was to be to be delivered to "Mr. J, 73 Cambridge St, Rochester, New York 14607." According to information obtained from the USPS, this parcel was delivered to that address, accepted and signed for by "J Buerman" on August 9, 2012.

62. On August 3, 2012 the Target Account contacted "chesswithpeople@countermail.com" and provided Tracking Number EE735269724CN for the package containing 10 grams of 2ci, 10 grams of MXE, and a sample of small 4MEC. According to information obtained from the USPS, this parcel was also

delivered to 73 Cambridge Street, Rochester, New York, accepted and signed for by "J Porsch" on August 7, 2012.

63. On August 23, 2012 "chesswithpeople@countermail.com" wrote to the TARGET ACCOUNT:

> I have a new toy for you to play with. Please be nice to him, and always treat him as you have treated me (FWW/CWP)[11]
> We've had great business!
> He goes by Brandon Edwards
> His email is uti is life@yahoo.com
> Have a great one, and please both of you keep in contact during first couple orders so I know everything runs smoothly.
> Alice - Let brandon know how the W.U or Bank Wire works, and thats about it, I told him everything else.

64. On August 23, 2012, the TARGET ACCOUNT received the following email, apparently from Brandon Edwards:

> "Hi Alice, I am a friend of fantasiesworldwide, JBConsultingservicesinc, and chesswithpeople. He referred me to come to you for Research Chemical purpose. I am familiar with the laws and the warnings that these are not for Human consumption. May I have your latest product list and chemical specs'."
> Also, he stated I go by Brandon Edwards and my email is utiislife@yahoo.com. I recently changed my email to: theotherdude@countermail.com
> And in emails prefer to be regarded to as george Carson."

---

[11] FWW - Fantasies Worldwide; CWP - Chess With People.

65. On August 24, 2012, chesswithpeople@countermail.com contacted the TARGET ACCOUNT:

> I have 2 w.u. all sent, one I lost the MTCN.
> Here's my order
> 6kg 4 mEC
> 10g 25iNbome
>
> Josh Buerman - 2950: 0474147743
> Kevin Willard - 2350: 0568879100
>
> I'm looking for the third mtcn. That will cover 6 kg and 10g 25nbome.

66. On or about August 27, 2012 "chesswithpeople@countermail.com" states that they are having trouble with the remaining $2,950.00 that is owed for the August 24, 2012 order, and requests that some of the product be sent immediately to "ATTN EBay - Mr. J, 73 Cambridge Street, Rochester, New York 14607." On or about August 29, 2012 the Target Account provides the tracking number EE730811148CN, which, according to the supplier, contains 3 kilograms of 4-MEC. USPS records confirm that this parcel was successfully delivered and signed for by "J. Bahman" on September 5, 2012.

67. On or about September 10, 2012 "chesswithpeople@countermail.com" provided additional payment information to the Target Account, stating that it should cover 2 kilograms of 4-

MEC, 10 grams of iNBOME, and 10 grams of MXE to be sent to "Mr. J, 200 E Main St, Webster, New York 14580". The email indicated that Josh BUERMAN sent $2,000.00 to "Yan Cai" in China under MTCN 5752515490. On September 29, 2012, the Target Account provided two (2) Tracking Numbers for the parcels to be delivered to 200 E Main St, Webster, New York 14580, that is, EE735197568CN and EE735197554CN.

68. I have been able to determine based upon my review of Western Union records that Joshua BUERMAN did in fact send $2,000 from the Rite Aid Store, located at 4061 Rt. 104, Williamson, New York 14589. According to information received from the USPS, two international mail parcels, EE735197568CN and EE735197554CN, were delivered to the residence at 200 E. Main Street, Webster, New York 14580 and signed for by "J Buerman" on October 2, 2012.

69. On September 11, 2012, another order was placed from "chesswithpeople@countermail.com" for 1.25 kilograms of "4-MEC", to be shipped to Kevin WILLARD at "203 Helen Rd Rochester, New York 14623." The email stated that a total of $1,900 was sent to "Yan Cai" as payment for the order. Kevin WILLARD sent $960.00 under Western Union MTCN 4802350563 and Scott HAAG sent $940.00

under Western Union MTCN 5408960390 was provided.

70. I have been able to confirm through Western Union records that Kevin WILLARD did in fact send $960 via Western Union from the Rite-Aid Store located at 125 White Spruce Blvd., Rochester, NY 14623. I have also been able to confirm that Scott HAAG sent $940 from the Tops Market, 1100 Jefferson Road, Rochester, NY 14623.

71. On or about September 22, 2012 the Target Account provided the tracking number of EE735198855CN to "chesswithpeople@countermail.com" and confirmed that the shipment was going to WILLARD: "hi, it is 1.25 kg 4MEC to Kevin willard." According to information received from the USPS, this parcel was delivered to 203 Helen Road Rochester, New York 14623 and signed for by "K Willard" on September 28, 2012.

72. On or about October 19, 2012 "chesswithpeople@ countermail.com" placed an order to the Target Account, requesting one (1) kilogram of "4-MEC" be sent to "Dane Chemical, 203 Helen Road, Rochester, New York 14623", the same address where WILLARD had signed for a package on October 2, 2012. The

order also requested that 400 grams of methylone be sent to "L and J productions, 79 Yellowstone Drive, West Henrietta, New York 14623". As payment for this order, the email stated that a total of $2,100.00 was sent via Western Union to "Dasen Zhu" and "Yan Cai" in China. Scott HAAG sent $1,100.00 to "Dasen Zhu" under MTCN 8568117441. Kevin WILLARD sent $1,000.00 to "Yan Cai" under MTCN 6465585645.

73. On or about October 22, 2012 the Target Account provided the tracking number of EE735136997CN for the package containing 400 grams of methylone destined to "L and J productions, 79 Yellowstone Drive, West Henrietta, New York 14623." According to information received from the USPS, this parcel was successfully delivered and signed for by "L MINIELLY" on October 29, 2012.[12]

74. On or about October 22, 2013 the Target Account provided the tracking number of EE735136895CN for the package containing one (1) kilogram of "4-MEC" destined to "Dane

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[12] According to information provided to your affiant by Rochester Gas and Electric on September 6, 2013, Kimberly Minielly is the listed account holder of 79 Yellowstone Drive, West Henrietta, New York from May 2012 to the present.

Chemical, 203 Helen Road, Rochester, New York 14623." According to information received from the USPS, this parcel was successfully delivered to the Helen Road address and signed for by "K Willard" on October 30, 2012.

Continued Use of Jbconsultingserviceincinc@gmail.com

75. In November 2012, BUERMAN resumed his use the email account at "jbconsultingserviceinc@gmail.com." On or about November 4, 2012, BUERMAN placed several orders from the Target Account from "jbconsultingservicesinc@gmail.com".

2012/11/4 14:53, Josh Buerman

Okay thank you for taking my request. I would like to do the following please.
Please send 1kg 4mEC and 1kg 4fa in one package.
And 1kg m1 crystal on CN Monday,
and send my added on order (4100USD / 2360) 1kg 4mec, 800g crystal m1 on China Tuesday,
and please have these last two products packaged separate.

1kg 4mec , 1kg 4fa, 1kg crystal m1 ship China monday

> Lance and France Co
> 79 Yellowstone drive
> west Henrietta, ny 14586

1kg 4mec, 800g crystal m1, shipped China Tuesday

> Sir Lancelot Theatre Equipment
> 79 Yellowstone Dr
> west Henrietta, ny 14586

> Mtcn 2002362892 yi zhu
Mtcn 7913242131 yi zhu

Michele Hess
Rochester,ny 14607 2220usd,2220usd

> Mtcn 5861888408, 2020, yan cai

Josh beerman
Rochester. Ny 14607

76. In this email, BUERMAN requested three separate packages be sent to fictitious residents and/or business at the address of 79 Yellowstone Drive, West Henrietta, New York 14586. The first order was to contain one (1) kilogram of 4-MEC and one kilogram of 4-FA; the second package was to contain one (1) kilogram of methylone crystal; and the last package contain one (1) kilogram of 4-MEC and 800 grams of methylone crystal. The email exchange indicates that "Michele HESS" sent a total of $4,440.00 to "Yi Zhu" in China under MTCN 2002362892 and 7913242131. "Josh Beerman" also sent $2,020.00 to Yan Cai.

77. On or about November 6, 2012 the Target Account began providing "jbconsultingservicesinc@gmail.com" with the tracking numbers. The first, EE752365725CN, was represented to contain 4-MEC, addressed to "Lance and France Co, 79 Yellowstone Drive, West Henrietta, New York 14586". According to information

received from the USPS, this parcel was delivered and signed for by "L. Miniely" on November 13, 2012 in Rochester, New York.

78. On or about November 6, 2012 the Target Account provided "jbconsultingservicesinc@gmail.com" with the tracking number of DHL 8255231515 which purported to contain the 4-FA, also destined to "Lance and France Co, 79 Yellowstone Drive, West Henrietta, New York 14586." I have not been able to ascertain whether this DHL package was actually delivered.

79. On or about November 8, 2012 the Target Account provided "jbconsultingservicesinc@gmail.com" with the tracking number of EE729045855CN which contained one kilogram of 4-MEC, addressed to "Sir Lancelot Theatre Equipment, 79 Yellowstone Drive, West Henrietta, New York 14586." According to information received from the USPS, this parcel was successfully delivered and signed for by "L. Miniely" on November 13, 2012 in Rochester, New York.

80. While still waiting for the remaining 1.8 kilograms of methylone to be delivered by the Target Account, the user of "jbconsultingservicesinc@gmail.com" placed yet another order to

the Target Account. On or about November 7, 2012 "jbconsultingservicesinc@gmail.com" requested that an additional 700 grams of methylone be sent to "Lance MINIELLY, 79 Yellowstone Drive, West Henrietta, New York 14586" (now, a total of 2.5 kilograms of methylone was scheduled to be shipped to Yellowstone).

81. As payment for these new orders, the email indicated that Scott HAAG sent $1,100.00 to "Yi Zhu" in China under Western Union MTCN 6171575851 and that Kevin WILLARD sent $1,000.00 to "Yan Cai" in China under Western Union MTCN 5573376441.

82. On or about November 16, 2012 the Target Account provided "jbconsultingservices@gmail.com" with tracking number EE735080003CN for the package containing one (1) kilogram of methylone addressed to Lance MINIELLY at 79 Yellowstone Drive, West Henrietta, New York 14586. According to information received from the USPS, this parcel was delivered and signed for by "L. Miniely" on November 20, 2012.

83. On or about November 19, 2012, "chesswithpeople@countermail.com" contacted the Target Account,

referencing his prior order through "jbconsultingservicesinc@ gmail.com" :

> **Vladimir Pajari <chesswithpeople@countermail.com>**
>
> Hi alice, we still have a shipment to a buyer for 1.5kg crystal methylone. Has that shipped yet? Am I able to use a different address or is it already processing?
> Regarding the email from jbconsultingservicesinc@gmail.com
>
> Thanks,
>
> CdubP

84. In a follow up email, BUERMAN requested that the mailing address for the methylone be changed from "79 Yellowstone Drive, West Henrietta, New York 14586" to his residence located at "742 Meigs Street, Apt A (Lower), Rochester, New York 14620."[13]

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[13] In addition to the information provided by a confidential source which indicated that BUERMAN moved into Meigs Street with his girlfriend Michele HESS in October 2012, your affiant reviewed subpoenaed information from Time Warner Cable, indicating that Joshua BUERMAN became the listed subscriber for cable service at 742 Meigs Street, Apt. 2 (Up), Rochester, New York, beginning in October 2012. Notably, their records also reflect that Joshua BUERMAN utilized the email address - "chesswithpeople@ rochester.rr.com" - as his Time Warner email account.

85. On or about November 20, 2013 the Target Account provided "chesswithpeople@countermail.com" with the tracking number EE752362724CN for the remaining quantity of methylone, believed to be 1.5 kilograms, addressed to "Mr. J and M.S. Associates, 742 Meigs Street, Apt A (Lower), Rochester, New York 14620." According to information received from the USPS, this parcel was successfully delivered to 742 Meigs Street, Apt A (Lower) and signed for by "L. Mcneily" on November 27, 2012 in Rochester, New York.

86. On or about December 5, 2012 "chesswithpeople@ countermail.com" placed an order to the Target Account stating:

> "I need 2kg 4MEC small crystal at 1300/kg. And I need two 100g crystal methylone orders. Please send 2kg, and 100g methylone to the shipping address below…"

87. The email further requested that the order be sent to Madhu ASHOK, 11 Thayer Street, Rochester, New York 14607. As payment for the order, the email stated that a total of $3,000.00 was sent via Western Union to "Xiangfa Wu" in China by Scott HAAG, who sent $1,500 under MTCN 6473055297, and an individual named Neven Ferhatbegovic, who sent $1,500 under MTCN 8908651098.

88. On or about December 7, 2012 the Target Account provided the tracking number of EE730617626CN for the first package of the order. Information obtained from the USPS indicates that on December 14, 2012, the package was delivered to 11 Thayer Street, Rochester, New York 14607. It was accepted and signed for by "M. ASHOK." On or about December 9, 2012 the Target Account provided the tracking number of EE730617626CN for the second package of the order. Information obtained from the USPS indicates that on December 14, 2012, the package was delivered to 11 Thayer Street, Rochester, New York 14607. It was accepted and signed for by "M. ASHOK."

89. During the course of this investigation, your affiant interviewed Neven FERHATBEGOVIC regarding the Western Union transaction that he made on December 4, 2013 to "Xingfa WU" in Suzhou, China. In sum and substance, FERHATBEGOVIC stated that he was approached by Kevin WILLARD to make a Western Union transaction to China on his behalf. FERHATBEGOVIC stated he knew WILLARD and his group of friends, including Scott HAAG, from their days at Brighton High School, where they attended school together. FERHATBEGOVIC denied knowing what the payment was for.

90. On or about January 12, 2013 the user of "chesswithpeople@countermail.com" sent an email to the Target Account, submitting the following order:

2013/1/12 Valdimir Pajari

"Hi, okay here's the order.

In this order can you please do the following. We are sending 6 kgs. Can you please pack them 2kg per package, and teh (sic) packages air sealed and in boxes as usual. These will be going to a hotel and we do not need any snoopers. In each package I would like 2 samples

MDPV/Butylone/5-IT/5-ME/DP-2/4MEC BIGG

Attn - Josh Buerman, EBAY SALES REP
Extended Stay Hotel in Rochester, Henrietta
700 Commons Way
Rochester, NY 14623

1kg 4fa
1kg small 4mec
3kg crystal methylone
500g snowy white methylone
500g white powder methylone…

Please if there are any issue please contact me immediately. I am getting a hotel just for this occasion and pick up.

Here's payment

Receiver - LIN JIN (China)
SENDER- Joshua D Buerman
537 Averill Ave, Rochester, NY 14620 585 339 8969
REF # 49889978
Amount- $6,600
Amount owed upon arrival $2050, how would you like that sent?"

91. On or about January 15, 2013 the Target Account provided the tracking numbers of EE725278655CN and EE725278735CN indicating that each package contained 2 kilograms of methylone. According to information received from the USPS, these parcels were successfully delivered to the Extended Stay Hotel and signed for by "Z. Brewer" on January 19, 2013. "Z. Brewer" is believed to be a front desk employee.

92. On or about January 19, 2013 the Target Account provided the tracking number of EE725279015CN for the final package containing 1 kilogram of 4-MEC and 1 kilogram of 4-FA. According to information received from the USPS, this parcel was successfully delivered to the Extended Stay Hotel and signed for by "Z. Brewer" on January 28, 2013.

Use of "member36331@contermail.com"

93. On January 28, 2013, BUERMAN began using the email address "member36331@contermail.com" by placing an order with the Target Account.

> "Okay I need the following.
> 3kg crystal methylone at $1350 x 3 = 4050
> 3kg Powder methylone not snowy white at $1200 x 3 = $3600
> 2kg 4fa at $1600 x2 = $3200
> Comes to $10,850

May I please send $10,000 via Western Union to stay discrete?"

94. On January 29, 2013 "member36331@countermail.com" sent an email to the Target Account stating in part:

Hi please send picture of big crystal now, my mailbox is bigger. Also here is partial payment, pick these up asap, I send rest tomorrow

$2930
Chen Chen
657-845-6838
Sender Nicholas Wisner

$2980
Chen Chen
505-950-1223
Michele Hess

Total $5910…

95. I was able to confirm through Western Union Records that Nicholas Wisner and Michel HESS did in fact send $5910 to "Chen Chen" in China on January 28, 2013. I was also able to obtain video surveillance footage from the Tops Market located at 1900 Clinton Avenue South, Brighton, New York taken on January 28, 2013 from approximately 6:00 P.M. to 6:45 P.M. The video showed Michele HESS and Nicholas WISNER conducting a Western Union transaction. The video also showed that Joshua BUERMAN was standing with them as they processed the transaction.

96. In early February 2013, after a series of negotiations between "member36331@countermail.com" and the Target Account, "member36331@countermail.com" placed an order for a total of 8.0 kilograms of methylone (3.0 kilograms of powder methylone, 5.0 kilograms of small crystal methylone) and 1.6 kilograms of 4-FA to be delivered to customers residing in the Buffalo, New York area. The email indicated that payment for the orders included Western Union transfers totaling $5,910.00 as well as two Moneygram transactions. The first MoneyGram transaction was conducted by Michele HESS for the amount of $2,900 and the second was conducted by Joseph B. Cosgrove, also for the amount of $2,900, all of which was sent to "Chen Chen" in China. (total of $11,710 sent to "Chen Chen" through Western Union and Money Gram.)

97. The user at "member36331@countermail.com" and the Target Account agreed that the 8.0 kilograms of methylone and 1.6 kilograms of 4-FA were to be sent to "M.Hess and B.Hill Co." at a hotel located in Buffalo, New York (Red Roof Inn University at Buffalo) and in Cheektowaga, New York (Best Western Inn).

98. On February 7, 2013, the Target Account provided shipping information in an email sent to "member36331@countermail.com":

> "hi, your TN is
> M.Hess & B. Hill Co.
> 42 Flint Road
> Buffalo, NY 14226
> EMS EE730826350CN (1.6 kg 4fa)
> EE730826301CN (1kg powder me)
> EE730827094CN (2kg small crystal me)
>
> M.Hess and JC co.
> 4630 Genesee St,
> Cheektowaga, NY 14225 USA
> EMS EE730826346CN (2kg powder me)
> EE730826289CN (1kg small crystal me)
> EE730827103CN (2kg small crystal me)"

99. On February 24, 2013 "member36331@countermail.com" emailed the TARGET ACCOUNT to place another order:

> "whats western union info, I have a quick small order to put through tomorrow for someone who wants a samplepack. Will you do 50g small crystal methylone for $200?"

100. Shortly thereafter, "member36331@countemail.com" placed an order for a total of 250 grams of methylone to be delivered to two different addresses: 50 grams of small crystal methylone was to be sent to "J.M. Artistry Co., 4853 West Henrietta Road, Rochester, New York 14467"; and, 200 grams of big

crystal methylone to be sent to "JB Consulting Services Inc.", 5973 Richardson Road, Williamson, New York 14589. This is the residence of Joshua BUERMAN's parents and the address listed on BUERMAN'S N.Y.S. Drivers License.

101. As payment for this order, Jesse MCAVANEY sent $500 to "Liang Xu" via Western Union under MTCN 962-240-6690.

102. The Target Account later provided the tracking number of EE817816801CN for the order of 50 grams of methylone going to "J.M. Artistry Co., 4853 West Henrietta Road, Rochester, New York 14467." According to information received from the USPS, this parcel was accepted and signed for by "J. MCAVANEY" on March 4, 2013.

103. The Target Account also provided the tracking number of EE817816744CN for the order of 200 grams of big crystal methylone going to BUERMAN's parent's house at "JB Consulting Services Inc., 5973 Richardson Road, Williamson, New York 14589". According to information received from the USPS, this parcel was accepted and signed for by "J. Buerman" on March 4, 2013.

104. On March 2, 2013 "member36331@countermail.com" emailed the Target Account. Below is the pertinent excerpt from the email:

> "Please send 7kg crystal products like before with first payment then (3kg big crystal methylone, 2kg small crystal methylone, 2kg small 4mec crystal).
>
> Attn: A. Bosch Co.
> Budget Inn Hotel Temp Resident
> 7340 Pittsford-Palmyra Rd
> Fairport, NY 14450
>
> Please give me tn when the 7kg is sent, please send all at once, 2-3 packages at once please if you may just like last time.
>
> I have sent $7,800 via Westernunion to Liang Xu...
>
> Here's the payments.
> 0827215964
> Jesse Mcavoney
> 2000
>
> 1769735972
> Jesse Mcavoney
> 2900
>
> 217504049
> Alexander Miles
> 2900"

105. Records received pursuant to a Western Union subpoena confirmed that at 7:08 P.M. on February 28, 2013, Jesse MCAVANEY sent $2,000.00 via Western Union to "Liang Xu" from the Tops Market located at 175 North Winton Rd, Rochester, NY 14610 and

the MTCN 0827215964 was assigned. Your affiant later obtained video surveillance footage of this transaction, which shows Joshua BUERMAN counting cash and standing alongside Jesse MCAVANEY at the Western Union customer service desk. At or about 7:49 P.M. on February 28, 2013, Jesse MCAVANEY sent $2,900.00 via Western Union to Liang Xu from the Rite Aid located at 565 Monroe Ave, Rochester, NY 14607 and the MTCN 1769735972 was assigned. Video of this transaction was not available. However, Mcavaney was required to show his New York State Driver's license to complete this transaction (DL No. 985676237).

106. Records received pursuant to a Western Union subpoena also revealed that at 8:16 P.M. on February 28, 2013, Alexander MILES sent $2,900.00 via Western Union to Liang Xu from the Tops Market located at 1900 Clinton Ave S, Rochester, NY 14618 under MTCN 9041752731. Your affiant retrieved video surveillance footage of this transaction as well, which shows Joshua BUERMAN handing Alexander MILES a Western Union slip before conducting the transaction. MILES was required to show his New York State Driver's license to complete the transaction (DL No. 217504049).

107. On March 5, 2013 the Target Account sent an email providing the Tracking Information for the package containing 2 kilograms of small crystal methylone (EE838939576CN) and the package containing 2 kilograms of small 4-MEC crystal (EE838939505CN). Information obtained from the USPS reveals that these two packages were in fact delivered to the Budget Inn Hotel in Fairport, New York on March 11, 2013.

108. On March 9, 2013 the Target Account provided "member36331@countermail.com" with the tracking information (EE730675867CN) for the additional package destined for the Budget Inn Hotel in Fairport, New York. According to the email message, this package purportedly contained three (3) kilograms of big crystal methylone.

109. On March 12, 2013 Customs and Border Protection (CBP) Officers stationed at the JFK International Mail Facility in New York, New York interdicted the mail parcel bearing tracking number EE730675867CN, destined to "A Bosch, 7340 Pittsford Palmyra Road, Fairport, New York 14450." A border search of the mail parcel revealed a white crystal substance secreted within a plastic bag and foil. A subsequent laboratory report completed by

the Northeast Regional Laboratory (NERL) determined that the substance was 3,4-Methylendioxymethcathinone Hydrochloride, also known as methylone. The net weight of the substance was 3.0 kilograms.

110. After receiving the parcel from JFK New York, your affiant requested that local postal inspectors make it appear as though the package was subsequently misrouted to Albany, New York.

111. On March 15, 2013 "member36331@countermail.com" expressed concern to the Target Account that his order had been seized (EE730675867CN):

> "2 packages arrived, 3rd one - most important one is still in customs 3kg BIG CRYSTAL... my courier already picked up first two, he had to leave to Florida for festival and will be back late next week."

112. In subsequent emails, "member36331@countermail.com" reveals that his "courier" was unable to make it to the "Miami Ultra Fest" with the 3 kilograms of methylone. Public database queries indicate that "The Ultra Music Festival" did in fact take place in Downtown Miami at Bayfront Park the weekends of March

15-March 17 and March 22-March 24. Based on my training and experience, electronic music festivals are frequented by distributors of "Molly" and other synthetic drugs.

113. On March 20, 2013 "member36331@countermail.com" placed an order to the Target Account, requesting that one (1) kilogram of 4-MEC and one (1) kilogram of big crystal methylone be sent to "Madhu Ashok, 910 Old School House Road, Newton, New Jersey 07860". It was further requested that 500 grams of methylone along with samples of APVP and big crystal 4MEC be sent to "Jesse and Hess Company, Days Inn, 4853 W Henrietta Road, West Henrietta, New York 14467." Your affiant believes this to be Jesse MCAVANEY and Michele HESS.

114. On March 23, 2013 the Target Account provided "member36331@countermail.com" the tracking number of EE838935795CN for the one (1) kilogram of 4-MEC destined to Madhu ASHOK. Information obtained from the USPS indicated that on March 28, 213, this parcel was delivered to 910 Old School House Road, Newton, New Jersey, accepted and signed for by "M Ashok."

115. On March 23, 2013 the Target Account also provided

"member36331@countermail.com" the tracking number of EE838936257CN for 500 grams of methylone destined to the "Jesse and Hess Company." Information obtained from the USPS indicated that this parcel was delivered, accepted and signed for by "J Parsels" at the Days Inn, 4853 W Henrietta Road, West Henrietta, New York 14467 on March 26, 2013. "J Parsels" is believed to be a front desk clerk for the hotel.

116. On March 31, 2013 "member36331@countermail.com" placed an order with the Target Account for four (4) kilograms of small methylone crystal to be shipped to "A.B. Company, Days Inn Resident, 4853 W. Henrietta Road, West Henrietta, New York 14467." The email further stated that payment had been sent by Michelle HESS for $6,000.00 via Moneygram to "Tao Zeng" in China.

117. On April 2, 2013 the Target Account provided "member36331@countermail.com" with the tracking numbers EE904363274CN, EE904363265CN, EE904363257CN, and EE904363243CN for the four (4) kilogram order of methylone. Information obtained from the USPS, indicated that on April 9, 2013, all four parcels were accepted and signed for at the Days Inn, 4853 W Henrietta Road, West Henrietta, New York 14467 by "J Parsells."

118. On April 19, 2013 "member36331@countermail.com" emailed the Target Account and inquired about prices:

> "What are the prices I can get for the following.
> 1kg small crystal methylone
> 1kg big crystal methylone
>
> $2700?
>
> 2kg small crystal mehtylone (sic)
>
> $2500?"

119. On April 28, 2013 "member36331@countermail.com" placed an order to the Target Account for a total of 3.25 kilograms of big crystal methylone. The email indicated that payments for the methylone were sent via Moneygram and Western Union by Lance MINIELLY. A Moneygram reference number of 44321285 was provided for the payment of $2,000.00 made by Lance MINIELLY to "Tao Zeng". A Western Union MTCN of 872-589-1701 was provided for the payment of $900.00, made by Lance MINIELLY to "Tao Zeng."

120. The email from "member36331@countermail.com" further requested that 3.0 kilograms of big crystal methylone be sent to "A. Bosch Company, Microtel Resident, 905 Lehigh Station Road, Henrietta, New York 14467." The remaining 250 grams of big

crystal methylone was requested to be sent to "Lance M, and Jesse Company, Days Inn Resident, 4853 W. Henrietta Road, Rochester, New York 14467."

121. On May 3, 2013 the Target Account provided "member36331@countermail.com" with the tracking number EE838928905CN for the parcel destined to the "Lance M and Jesse Company." Information obtained from the USPS indicated that on May 7, 2013, the parcel was accepted and signed for by "D Patel" at the Days Inn, 4853 W. Henrietta Road, Rochester, New York 14467. "D Patel" is believed to be a front desk clerk.

122. On May 7, 2013 the Target Account provided "member36331@countermail.com" with the tracking number EE838928896CN for the package of 3.0 kilograms of methylone destined for A. BOSCH. Information obtained from the USPS public website indicated that on May 7, 2013, the parcel was accepted and signed for by "R MCMINDES" at Microtel, 905 Lehigh Station Road, Henrietta, New York 14467. "R McMindes" is believed to be a front desk clerk.

V. Title III Interception of Target Account Shows Similar Patterns As Those Revealed Through the EDVA Search Warrant; Seizure of Three Mail Parcels Containing Methylone

123. On or about July 23, 2013, investigators began "live" monitoring of the electronic communications of the Target Account pursuant to an Order of interception authorized by the Hon. Frank P. Geraci, United States District Court, Western District of New York.

124. On July 31, 2013 a series of pertinent emails were intercepted between the Target Account and "member36331@cmail.nu" (note: "countermail.com" and "cmail.nu" email accounts resolve to the same email address). An order was placed with the Target Account for 3.4 kilograms of methylone. The emails indicated that 800 grams of methylone was to be sent to the names "M. Hess" and "Jesse M." at the "Super 8 Motel Resident, 1000 Lehigh Station Road, Henrietta, New York 14467." The remaining 2.6 kilograms of methylone was to be sent to Rita LEVY-PANZICA at 268 Susquehanna Road, Rochester, New York 14618. PANZICA lives at that residence and is the known girlfriend of Kevin WILLARD.

125. According to the emails, the total cost of the methylone was $4,800.00, which was to be paid by "Madhu Ashok". Similar to all other transactions, the Target Account was provided with a Western Union MTCN of 419 022 8580. Records subsequently obtained from Western Union indicate that Madhu ASHOK sent $4,800.00 to China on July 30, 2013 after utilizing the Western Union located at the Tops Market on 1900 Clinton Avenue South, Rochester, New York 14618. Video surveillance footage obtained by your affiant shows Madhu ASHOK completing the Western Union transaction and showing his driver's license to the store clerk as proof of identity.

126. On August 3, 2013 the Target Account provided an shipping tracking number of EE839169450CN for the package being delivered to the Super 8 Motel in Henrietta. The Target Account provided an EMS tracking number of EE839169534CN for the package being delivered to LEVY-PANZICA's residence at 268 Susquehanna Road in Rochester.

127. On August 5, 2013 the Target Account emailed the additional tracking number of EE839169653CN, stating that the 2.6 kilograms destined for 268 Susquehanna Road was actually being

broken up into two packages.

128. Based upon the information observed within the emails, your affiant notified the United States Postal Service to be on alert for the three (3) mail packages entering the United States. On August 7, 2013, Customs and Border Protection Officers stationed at the International Mail Facility at the JFK International Airport intercepted an international mail parcel bearing tracking number EE839169534CN addressed to Rita LEVY-PANZICA, 268 Susquehanna Road, Rochester, New York 14618. A border search examination was conducted on the parcel, resulting in a positive field test for controlled substances. Homeland Security Investigations (HSI) Special Agents stationed at JFK, New York contacted your affiant regarding the findings and delivered the mail package to me in Rochester, New York.

129. On August 8, 2013, I was contacted by USPS Inspector Jeffrey Maul and advised that USPS had encountered the remaining two (2) EMS packages sent from China, bearing tracking numbers EE839169653CN and EE839169450CN. Package EE839169653CN was addressed to Rita LEVY PANZICA, 268 Susquehanna Road, Rochester, New York 14618. Package EE839169450CN was addressed to "M. Hess"

and "Jesse M." at the Super 8 Motel Resident, 1000 Lehigh Station Road, Henrietta, New York 14467.

130. On August 8, 2013, pursuant to an extended border search of said parcels, US Postal Inspectors and your affiant opened the parcels to determine the contents. Package EE839169653CN, addressed to Rita LEVY PANZICA, 268 Susquehanna Road, Rochester, New York 14618, was found to contain a pink crystal-like substance. Package EE839169450CN, addressed to the Super 8 Motel Resident, 1000 Lehigh Station Road, Henrietta, New York 14467, was also found to contain a pink crystal-like substance.

131. The contents of all three parcels were subsequently tested by the Drug Enforcement Administration Northeast Regional Laboratory. Parcel EE839169534CN addressed to Rita LEVY-PANZICA, 268 Susquehanna Road, Rochester, New York 14618 was found to contain a net weight of 1,595 grams of methylone hydrochloride. The contents of the parcel bearing tracking number EE839169653CN addressed to Rita LEVY-PANZICA, 268 Susquehanna Road, Rochester, New York 14618 was found to contain a net weight of 998.7 grams of methylone hydrochloride. The contents of the parcel bearing

tracking number EE839169450CN addressed to "M. Hess" and "Jesse M." at the Super 8 Motel Resident, 1000 Lehigh Station Road, Henrietta, New York 14467 was found to contain a net weight of 797.5 grams of methylone hydrochloride.

132. Controlled deliveries of the parcels were attempted by law enforcement agents on August 9, 2013. That same day, at approximately 9:15 A.M. the Honorable Jonathan W. Feldman signed a search warrant for the residence of 268 Susquehanna Road, Rochester, New York 14618.

133. At approximately 11:30 A.M., the package addressed to "M. Hess" was delivered to the Super 8 Hotel and left with the front desk clerk. At approximately 12:27 P.M., agents observed Michele HESS enter the hotel and approach the counter. HESS appeared to speak only a few words to the hotel attendant, who handed HESS the target package. HESS immediately exited the motel and approached a red colored Mercedes, registered to Joshua BUERMAN, placed the package in the trunk and departed the location.

134. HESS then drove to the address of 83 Washington

Street, Rochester, New York and parked in the driveway of this address. She exited the vehicle where she was approached and detained by agents. Moments later, Joshua BUERMAN was located in the upstairs rear apartment of this location.

135. At approximately 12:52 P.M. an Undercover Postal Inspector from the US Postal Service attempted to deliver the target package bearing tracking number EE839169653CN to 268 Susquehanna Road. At approximately 12:55 P.M. Rita Levy-PANZICA answered the door at 268 Susquehanna Road and signed for the package bearing her name. Based on information received from the UC after the completion of the delivery, Rita did not hesitate in accepting the package or question its origin at the time she signed for it. The UC Postal Inspector departed the scene after the delivery of the target package while your affiant maintained an eye of the target residence. Within two minutes of accepting the target package and bringing it inside her residence, Rita Levy-PANZICA departed the residence with large purse which she placed in the trunk of a gray sedan which was parked in the driveway of 268 Susquehanna Road. She was approached as she stood outside her vehicle.

136. Your affiant asked LEVY if she was Kevin WILLARD's boyfriend and she replied "no." Your affiant asked her if she was Rita LEVY and she replied "yes." The mail parcel was observed inside the vehicle and retrieved. LEVY-PANZICA claimed she was on her way to return it to the Post Office. When asked follow up questions about the package, LEVY-PANZICA asked for an attorney. Further questioning of LEVY-PANZICA stopped at that point.

137. Your affiant later spoke to Rita LEVY PANZICA's father, John Panzica, inside of his residence. Mr. Panzica stated that his daughter and Kevin WILLARD began dating approximately six months ago and that WILLARD had been over his house on many occasions. I asked Mr. Panzica to talk to his daughter once things had calmed down and left him my phone number. Mr. Panzica called me later that night and stated that he tried talking to his daughter, but she told him she doesn't want to get "Kevin" in trouble.

138. Between the time of the controlled deliveries on August 9, 2013 and the conclusion of the Title III interception on August 22, 2013, there were absolutely no further

communications between the Target Account and any of the email address previously associated with Joshua BUERMAN, including "jbconsultingservicesinc@gmail.com", "chesswithpeople@countermail.com", "member36331@countermail.com" and "member36331@cmail.nu."

WHEREFORE, I submit there is probable cause to believe that, from in or about June 2012 through August 2013, in the Western District of New York, and elsewhere, the defendants, Joshua BUERMAN, Michele HESS, Kevin WILLARD, Andrew BOSCH, Madhu ASHOK, Lance MINNIELY, Jesse James MCAVANEY, and Rita Levy PANZICA did knowingly, willfully and unlawfully combine, conspire and agree together and with others, to commit the following offenses, to wit, (1) to possess with intent to distribute, and to distribute, a detectable amount of methylone, a Schedule I controlled substance, and a mixture and substance containing 4-Methyl-n-ethylcathinone, commonly referred to as "4-MEC", an analogue of Methcathinone, a Schedule I controlled substance, if intended for human consumption, all in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C) and 846; and, (2) to import into the United States from a place outside thereof, that

is, China, a detectable amount of methylone, a Schedule I controlled substance, and a mixture and substance containing 4-Methyl-n-ethylcathinone, commonly referred to as "4-MEC", an analogue of Methcathinone, a Schedule I controlled substance, if intended for human consumption, all in violation of Title 21, United States Code, Sections 952(a), 960(a)(1) and 960(b)(3).

JASON SIUDA
Special Agent
Homeland Security Investigations

Sworn to before me this 13th
day of September, 2013.

HONORABLE JONATHAN W. FELDMAN
United States Magistrate Judge
Western District of New York