

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 07-60027-CR-ZLOCH/Snow

UNITED STATES OF AMERICA,

Plaintiff,

v.

FRANK HERNANDEZ, et al.

Defendants.

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**ORDER ON VARIOUS MOTIONS**

THIS CAUSE is before the Court on various motions filed by the defendants, which were referred to United States Magistrate Judge Lurana S. Snow for disposition.

1. Defendant **Paul Wiseberg's** Motion to Strike Government's Response to Defendant Paul Wiseberg's Motion to Suppress Evidence and Request for *Franks* Hearing (DE 610);

2. Defendant **Hannibal Edwards'** Motion for Order Disclosing Government's Instructions to Grand Jury Regarding a Physician's Issuance of Prescriptions for a "Legitimate Medical Purpose" and in the "Usual Course of Professional Practice" (DE 552) adopted by defendants **Frank Hernandez, Amada Hernandez, Steve Marhee, Lawrence Pinkoff, Edgar Cruz, and Everett Echols;**

3. Defendant **Paul Wiseberg's** Motion for Severance (DE 517) adopted by defendants **Frank Hernandez, Amada Hernandez and Hannibal Edwards;**

4. Defendant **Howard Helfant's** Motion for Severance (DE 526) adopted by defendants **Steve Marhee, Edgar Cruz, Thomas Walker Everett Echols and Hannibal Edwards;**

5. Defendant **Emmanuel Antonio's** Motion to Sever Defendant Emmanuel Antonio on the Grounds of (A) Improper Joinder Under Federal Rule of Criminal Procedure 8(b) and (B) Spillover Prejudice Under Federal Rule of Criminal Procedure 14 (DE 532) adopted by defendants **Frank Hernandez, Amada Hernandez, Steve Marhee, Lawrence Pinkoff, Edgar Cruz, Thomas Walker and Hannibal Edwards;**

6. Defendant **Theophilos Antoniou's** Motion for Severance adopted by defendants **Frank Hernandez, Amada Hernandez, Steve Marhee, Lawrence Pinkoff and Hannibal Edwards** (DE 535) and

7. Defendant **Howard Helfant's** Motion for Disclosure of Grand Jury Minutes and Instructions Relating to the Import of State Regulations on the Federal Crimes Alleged in the Indictment or, in the Alternative, for *In Camera* Inspection of Said Grand Jury Materials by the Court (DE 528) adopted by defendants **Frank Hernandez, Amada Hernandez, Steve Marhee, Lawrence Pinkoff, Edgar Cruz, Everett Echols and Hannibal Edwards.**

For the reasons set forth by the Government in its responses to these motions, and being duly advised, it is hereby

ORDERED AND ADJUDGED that the above referenced seven motions are DENIED.

DONE AND ORDERED at Fort Lauderdale, Florida, this 5th day of October, 2007.

  
LURANA S. SNOW  
UNITED STATES MAGISTRATE JUDGE

Copies to:

See Attached Service List

**SERVICE LIST**

**USA v. FRANK HERNANDEZ, et al.**

**CASE NO. 07-60027-CR-ZLOCH/Snow**

AUSA Ellen Cohen (WPB)  
Richard Hersch, Esq. (D-Frank Hernandez)  
Omar Guerra Johansson, Esq. (D-Amada Hernandez)  
Chris Grillo, Esq. (D-Marhee)  
Greg Ross, Esq. (D-Marhee)  
Bruce Lyons, Esq. (D-Antonio)  
Joe Rosenbaum, Esq. (D-Pinkoff)  
Jon May, Esq. (D-E.V.A. Global & Tropical)  
David Bogenschutz, Esq. (D-Antoniou)  
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Jeffrey Voluck, Esq. (D-Helfant)  
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Jeff Harris, Esq. (D-Cruz)  
Michael Hursey, Esq. (D-Walker)  
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