


U.S. DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA
FILED 10-17-2018
WILLIAM W. BLEVINS
CLERK 

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA * CRIMINAL NO. 18-138
v. * SECTION: I
CYNTHIA BADEAUX FORET *
* * *

FACTUAL BASIS

Should this matter have gone to trial, the government would have proved through the introduction of competent testimony and admissible tangible exhibits, including documentary evidence, the following to support the allegations charged by the government in Count 11, Object 1, of the indictment now pending against the defendant, **CYNTHIA BADEAUX FORET**, charging her with a violation of Title 21, United States Code, Sections 846 and 843(a)(3), namely, conspiracy to acquire or obtain possession of oxycodone by fraud.

1. The Controlled Substances Act (“CSA”), Title 21, United States Code, Section 801, *et seq.*, and its implementing regulations set forth which drugs and other substances are defined by law as “controlled substances.” Those controlled substances are then assigned to one of five schedules – Schedule I, II, III, IV, or V – depending on their potential for abuse, likelihood of physical or psychological dependency, accepted medical use, and accepted safety for use under medical supervision. A substance listed on Schedule I has a higher abuse potential than a substance on Schedule II. The abuse potential decreases as the Schedule numbers increase. Schedule II drugs or substances have some accepted medical use, but with severe restrictions, and

DOJ Trial Attorney SLW
Defendant CF
Defense Counsel [Signature]

have a high potential for abuse, with use potentially leading to severe psychological or physical dependence. These drugs are also considered dangerous, and abuse can lead to addiction, overdose, and sometimes death.

2. Oxycodone is classified as a Schedule II controlled substance. Oxycodone is the generic name for a highly addictive prescription analgesic. The use of oxycodone in any form can lead to physical and/or psychological dependence, and abuse of the drug may result in addiction. Oxycodone is sold generically or under a variety of brand names, including OxyContin and Roxicodone.

3. The defendant, a resident of St. Charles Parish, Louisiana, worked as an assistant to a physician in Metairie, Louisiana ("Physician 1"). As a result of her employment, the defendant had access to Physician 1's prescription pad and was familiar with how Physician 1 signed his/her name on prescriptions.

4. Beginning in or around February 2015 and continuing through in or around September 2016, the defendant forged Physician 1's signature on Physician 1's prescription pad for oxycodone pills in her own name. Based on the defendant's experience working for Physician 1, the defendant was able to duplicate Physician 1's signature. The defendant would then fill the prescriptions for oxycodone that she forged using Physician 1's prescription pad at pharmacies located in the Eastern District of Louisiana.

5. In total between approximately February 2015 and September 2016, the defendant filled 65 prescriptions for oxycodone that she obtained by forging Physician 1's signature on Physician 1's prescription pad. The defendant kept the oxycodone pills that she obtained using these prescriptions for herself.

6. Beginning in or around February 2015 and continuing through in or around January 2017, the defendant also forged Physician 1's signature on Physician 1's prescription pad for oxycodone pills for her co-conspirators. The defendant created these fictitious prescriptions for oxycodone pills for her co-conspirators who would then fill those prescriptions at pharmacies in the Eastern District of Louisiana and obtain oxycodone pills.

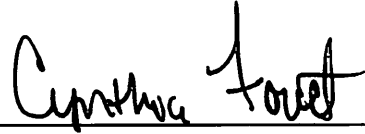
7. In sum, the Government's evidence would prove the defendant, **CYNTHIA BADEAUX FORET**, acquired and obtained possession of oxycodone by fraud for herself and conspired with and aided and abetted her co-conspirators in acquiring and obtaining possession of oxycodone by fraud.

Limited Nature of Factual Basis

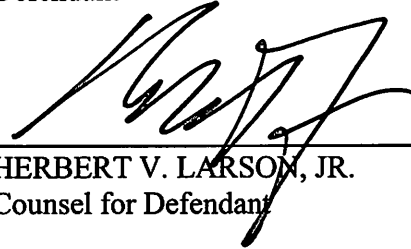
This proffer of evidence is not intended to constitute a complete statement of all facts known by **FORET**, and/or the government, and it is not a complete statement of all facts described by **FORET** to the Government. Rather, it is a minimum statement of facts intended to prove the necessary factual predicate for her guilty plea. The limited purpose of this proffer is to demonstrate that there exists a sufficient legal basis for the pleas of guilty to the charged offense by **FORET**.

The above facts come from an investigation conducted by, and would be proven at trial by credible testimony from, *inter alia*, Special Agents and forensic examiners from the Federal Bureau of Investigation and the United States Department of Health and Human Services – Office of the Inspector General, Drug Enforcement Administration, and admissible tangible exhibits in the custody of the FBI and HHS.

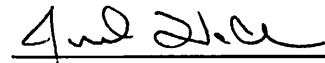
READ AND APPROVED:



CYNTHIA BADEUAX FORET
Defendant



HERBERT V. LARSON, JR.
Counsel for Defendant



JARED L. HASTEN
Trial Attorney