

## **Brodeur, Larry**

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**From:** Brodeur, Larry  
**Sent:** Wednesday, May 20, 2009 6:08 AM  
**To:** Brizzi, Carl  
**Cc:** Brodeur, Larry  
**Subject:** FW: Joseph Mobareki

Carl:

I received this e-mail note (set forth below) from Paul Page regarding the case of State v. Mobareki (the steroid case). However, I have not received any specific instructions from you regarding this matter. I do not take directions on my cases from defense lawyers.

I want to take this opportunity to attempt to change your mind and your views on the Mobareki case.

### **MOBAREKI IS A DRUG DEALER**

Paul Page has contended, throughout the pendency of this case, the Mobareki is nothing more than a body builder who foolishly uses steroids. That is completely incorrect.

When the police searched Mobareki's car, residence and storage facility, they discovered and seized the following:

1. 700 tablets of alprazolam (xanax) wrapped in plastic baggies of 100 pills each, ready for sale. The street value of these alprazolam pills is in excess of \$2,000. This controlled substance is, obviously, unrelated to body building and steroids.
2. Hundreds (maybe thousands) of pills containing steroids and a large quantity of bottles containing liquid steroids, complete with syringes. Some of the steroids were in packages with names and dollar amounts on the packages (examples: "\$3,500 BH" and "Aaron \$400 IDB IDECA"). The steroids were worth many thousands of dollars.
3. 1,791 grams of marijuana, packaged for sale in four one-pound bags. The marijuana was worth approximately \$4,000.00. Not sure what marijuana has to do with body building.
4. A total of \$17,550 in cash. \$14,100 was located in the freezer, inside a bag of frozen chicken. \$2,680 was located in an envelope in the ice-maker. \$770 was located on Mobareki's person.
5. A total of 5 firearms, including a 7.62 SKS rifle.

Mobareki's computer and cell phone were seized and downloaded. There were approximately 400 contact names stored electronically which we strongly suspect may be Mobareki's customer base. The names included at least one name that we recognized as a high school coach.

### **THE FORFEITURE ACTION**

Paul Page has claimed that the cash seized from Mobareki was simply rent money that Mobareki collected for a friend, who owns some rental property. That is a load of crap.

Most of the cash was seized from two different containers inside the freezer. This is classic drug dealer behavior.

Rent is generally not paid in cash. Agents collecting cash rent do not store that cash in a freezer for months at a time. The agents open up bank accounts for the rent to properly protect the rent and properly account for it. After

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all, the owner of the rental property has to be able to properly account for the rent for tax purposes.

During the course of this investigation, Mobareki's tax returns were seized. They show Mobareki's gross income at about \$7,500 per year and further show that Mobareki's payments for his real estate taxes and the interest on his mortgage was in EXCESS of his gross income for the year. How did Mobareki pay the rest of his living expenses? How did Mobareki the drug user pay for thousands and thousands of dollars worth of drugs? The answer is simple -- he is a drug dealer.

## REQUEST

I would request that you not allow Mobareki to obtain a misdemeanor conviction in this case. He is a fairly significant drug dealer and should, at the very least, walk away from this case as a convicted felon.

I would request that you not return the \$17,550 that is currently the subject of a forfeiture action. It is drug money and neither Mobareki nor Paul Page should profit from it.

Moreover, I have been working hard to convince police agencies that the MCPO has both the ability and the motivation to strip drug dealers of their ill-gotten gains. Returning this money to Mobareki would certainly undercut that effort.

Please advise how you want me to proceed in this matter.

FYI -- I will be out of the office today, as I have a funeral to attend this morning. However, I will be back on-line this afternoon.

Thank you for your consideration in this matter.

Larry Brodeur  
Your Chief of Narcotics

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**From:** Paul Page [mailto:paul.page@page-development.com]  
**Sent:** Fri 5/15/2009 2:08 PM  
**To:** Brodeur, Larry  
**Subject:** RE: Joseph Mobareki

Larry: I talked to Carl and he has agreed to allow Mr. Mobareki to obtain AMS upon successful completion of probation. Have you had the opportunity to check on the civil?

-----Original Message-----

**From:** Brodeur, Larry [mailto:LBRODEUR@indygov.org]  
**Sent:** Thursday, May 14, 2009 4:55 PM  
**To:** Paul Page  
**Cc:** Brodeur, Larry  
**Subject:** RE: Joseph Mobareki

Paul:

When I was advised of the terms of the plea, I was told that it would be a plea to a D felony possession. I was never informed that AMS was a part of that plea. When I approached Wyser about this issue, he told me that it was a D felony and not AMS.

My own view is that, given the gravity of this case, AMS is not appropriate. I suppose that, after your client has given his statement pursuant to the Pretrial Cooperation Agreement, I might believe that your client was a mere user and not a dealer. I have strong doubts about that.

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I don't know what else to tell you. At this point, I am not agreeing to AMS as a part of the plea. Obviously, if Mr. Brizzi or Mr. Wyser tells me otherwise, I will follow those directions.

Please let me know how you want to proceed at this point.

Larry Brodeur

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**From:** Paul Page [mailto:paul.page@page-development.com]

**Sent:** Thu 5/14/2009 3:25 PM

**To:** Brodeur, Larry

**Subject:** Joseph Mobareki

Larry: I have not gone over these documents with my client, but I do not have a problem with the pretrial cooperation agreement even though it is significantly more burdensome and encumbering than the original agreement. Therefore, I will have to go over that with my client. The plea is fine except AMS is paramount to the deal.

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