

# Office of the Special Narcotics Prosecutor for the City of New York

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## Five charged in heroin and oxycodone ring: Closed shop for Shabbat, advertised in mass texts

BRIDGET G. BRENNAN, New York City's Special Narcotics Prosecutor, and RAYMOND W. KELLY, New York City Police Commissioner, announced today a new indictment charging five drug traffickers in a conspiracy to possess heroin, oxycodone and other drugs with intent to sell in Sheepshead Bay, Brooklyn.

The charges of Conspiracy in the Fourth Degree and Criminal Possession of a Forged Instrument in the Second Degree are the result of a six-month investigation dubbed "Only after Sundown" and conducted by the NYPD's Narcotics Borough Brooklyn South and the Office of the Special Narcotics Prosecutor. The Brooklyn District Attorney's Office assisted in the investigation.

As part of the conspiracy, which ran from February 2012 to April 2013, JACK ZIBAK, JACK ZAIBAK, EDUARD SORIN, DAVID GEROWITZ and PHILIP MANDEL, are accused of selling heroin, oxycodone, cocaine, and other controlled substances from an apartment at 4190 Bedford Ave., Apt 3C in Brooklyn. All five were arrested in April when police searched the apartment. A subsequent five-month investigation shed light on the group's methods and the source of their drugs.

The indictment charges that the defendants sent mass text messages to a long customer list announcing drugs for purchase. The texts contained detailed information about the crew's hours of operation and coded language for the specific drugs available, such as "D.O.B." for the brand name of heroin sold.

In a message to over 50 recipients on April 12, 2013, ZIBAK, ZAIBAK, SORIN and GEROWITZ wrote, "Awesome batch of dob just came!!! Open from now till 7:30 also blues stix & subs."

Crew members maintained a strict policy of closing shop in observation of Shabbat. Text messages repeatedly cautioned customers against arriving after sundown on a Friday or before nightfall on Saturday. Additionally, texts included specific windows of time during which sales would take place on a particular day, such as the first 15 minutes of the hour, as well as detailed instructions on where customers should wait in the event of a bottleneck at the apartment.

On March 29, 2013, SORIN wrote in a text message to a customer, "He said he can't do that but he can give you an 8 for 275 but its only gonna be tomorrow because he is closed for Shabbat. And the safe is locked."

In another text on April 12, 2013, ZIBAK, ZAIBAK, SORIN and GEROWITZ wrote, "We are closing 7:30 on the dot and we will reopen Saturday 8:15 so if u need anything you have 45mins to get what you want."

During the course of the conspiracy, the crew obtained more than 23,000 pills of oxycodone carrying a street value of approximately \$460,000. They used a variety of methods to illegally amass prescription drugs, including obtaining stolen prescription sheets, which were then forged. The investigation revealed that many of the illegal prescriptions were stolen from several physicians with ties to Montefiore Medical Center in the Bronx.

ZAIBAK and SORIN are charged with filling fraudulent prescriptions at pharmacies. Other individuals were also recruited to obtain oxycodone using forged prescriptions. While the indictment spans February 2012 to April 2013, investigators believe some group members have been filling prescriptions for oxycodone since 2010.

Records and other information developed during the investigation suggest the drug crew received frequent shipments of heroin, sometimes on multiple days per week. Heroin was packaged in glassine envelopes and stamped with the brand name "D.O.B."

At the outset of the investigation, between March and April 2013, the drug crew made four sales of heroin to an undercover NYPD detective. These sales involved a total of 819 glassines (envelopes containing individual doses) for nearly \$8,500. The heroin bore the brand name "D.O.B."

On April 20, 2013, shortly before police searched the apartment at 4190 Bedford Ave., Apt 3C, ZIBAK, ZAIBAK, SORIN and GEROWITZ wrote, "Shop is now opened DOB, Blues, kpins, subs & white girl." Investigators determined that "blue stix" referred to Xanax, "subs" meant Suboxone, "blues" oxycodone, "kpins" Klonopin and "white girl" cocaine.

During the court authorized search, police seized approximately 900 glassines of heroin, 335 oxycodone pills, a small quantity of cocaine, additional quantities of Xanax, Suboxone and Klonopin, and a sawed-off shotgun and ammunition. Police also recovered a BlackBerry that was used to send texts to customers, drug paraphernalia and packaging material from a workstation in the apartment, as well as drug ledgers. The drugs were on a table, inside two safes and in the bathroom, as well as other locations. The firearm was inside a closet.

ZIBAK, ZAIBAK, SORIN and GEROWITZ were all inside the apartment at the time police conducted the search on April 20 and were arrested. MANDEL, who participated in sales to the undercover, was arrested on the same day on his way to the apartment. Prior to the new conspiracy indictment, the defendants were charged in two Special Narcotics indictments containing multiple counts of Criminal Sale of a Controlled Substance, Criminal Possession of a Controlled Substance, Criminal Possession of a Weapon, Criminally Using Drug Paraphernalia and Criminal Possession of Stolen Property for the crimes under investigation when the April arrests were made.

Also arrested on April 20 was ARON DOMBROFF, who is charged in the earlier indictments, but not the new conspiracy indictment.

SORIN is expected to be arraigned on the conspiracy indictment today in Manhattan Supreme Court before Judge Michael R. Sonberg. He will be the first of the defendants arraigned on the new charges, with additional court dates to follow in the coming weeks.

Special Narcotics Prosecutor BRIDGET G. BRENNAN thanked NYPD Commissioner Raymond W. Kelly and the Narcotics Borough Brooklyn South, as well as Brooklyn District Attorney Charles J. Hynes and his office for assisting in the investigation.

## INDICTED DEFENDANTS

## CHARGES

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Jack Zibak 2133 E. 21st St. Brooklyn, NY 7/21/85	Conspiracy 4th -- 1 ct CSCS 2nd -- 1 ct CSCS 3rd -- 1 ct CPCS 3rd -- 7 ct CPCS 4th -- 4 ct CPCS 5th -- 6 cts Criminal Poss. of a Weapon 2nd -- 2 ct Criminal Poss. of a Weapon 3rd -- 1 ct Criminal Poss. of a Weapon 4th -- 1 ct Criminally Using Drug Paraphernalia 2nd -- 2 cts Criminal Poss. of Stolen Property 5th -- 5 cts
Jack Zaibak 4190 Bedford Ave., Apt 3C Brooklyn, NY 12/8/88	Conspiracy 4th -- 1 ct Criminal Poss. of Forged Instrument 2nd -- 4 cts CPCS 3rd -- 6 ct CPCS 4th -- 4 ct CPCS 5th -- 6 cts Criminal Poss. of a Weapon 2nd -- 2 ct Criminal Poss. of a Weapon 3rd -- 1 ct Criminal Poss. of a Weapon 4th -- 1 ct Criminally Using Drug Paraphernalia 2nd -- 2 cts Criminal Poss. of Stolen Property 5th -- 5 cts
Eduard Sorin 4190 Bedford Avenue, Apt. 3C Brooklyn, NY 6/1/1975	Conspiracy 4th -- 1 ct Criminal Poss. of Forged Instrument 2nd -- 3 cts CPCS 3rd -- 6 ct CPCS 4th -- 4 ct CPCS 5th -- 6 cts Criminal Poss. of a Weapon 2nd -- 2 ct Criminal Poss. of a Weapon 3rd -- 1 ct Criminal Poss. of a Weapon 4th -- 1 ct Criminally Using Drug Paraphernalia 2nd -- 2 cts Criminal Poss. of Stolen Property 5th -- 5 cts
Philip Mandel 2654 East 63 St. Brooklyn, NY 10/21/87	Conspiracy 4th -- 1 ct CSCS 2nd -- 1 ct CSCS 3rd -- 3 ct CSCS 5th -- 1 ct
David Gerowitz 4190 Bedford Avenue, Apt. 3C Brooklyn, NY 12/8/1975	Conspiracy 4th -- 1 ct CPCS 3rd -- 7 ct CPCS 4th -- 4 ct CPCS 5th -- 6 cts Criminal Poss. of a Weapon 2nd -- 1 ct Criminal Poss. of a Weapon 4th -- 1 ct Criminally Using Drug Paraphernalia 2nd -- 2 cts Criminal Poss. of Stolen Property 5th -- 5 cts
Aron Dombroff 2154 East 35 Street Brooklyn, NY 2/20/83	CPCS 3rd -- 3 ct CPCS 4th -- 2 ct CPCS 5th -- 2 cts

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The charges and allegations are merely accusations and the defendants are presumed innocent until proven guilty.