

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 08-00026-02/05-CR-W-FJG
)	
CYNTHIA S. MARTIN, et. al.,)	
)	
Defendants.)	

GOVERNMENT’S NOTICE OF EXPERT WITNESSES

COMES NOW, the United States of America, by John F. Wood, United States Attorney, Rudolph R. Rhodes IV, Assistant United States Attorney, and James Curt Bohling, Assistant United States Attorney, all for the Western District of Missouri, and hereby files its notice of expert witnesses.

EXPERT TESTIMONY

The government will call the following persons as experts to testify.

1. Don Lock
Forensic Document Examiner
Subject area: Mr. Lock is expected to describe his training and experience, including his present employment as a Forensic Document Examiner at D.L. Lock, Inc. He will testify consistently with his report, which has been provided.
Resume: Attached

2. Richard Morgan, M.D.
St. Joseph Health Center
Subject area: Dr. Morgan is expected to describe his training and experience, including his present employment as the Director of the Pain Management Services at St. Joseph Medical Center. He will testify consistently with his report, which is attached. Dr. Morgan is expected to explain what is pain management, and summarize the many modalities of treatment available to a doctor for that purpose. This will include the pros and cons of each, and when they are indicated and contraindicated. Dr. Morgan will explain the requirements he imposes on his patients receiving opioids for pain

and the reasons therefore. Dr. Morgan will describe the dangers associated with the unsupervised use of opioids, specifically hydrocodone. Dr. Morgan will state how the standards in the industry define a “doctor-patient relationship,” “outside the usual course of medical practice,” and “not for a legitimate medical purpose.”

Resume: Attached.

3. Carmen A. Catizone, M.S., R.Ph., D.Ph

Executive Director

National Association of Boards of Pharmacy

Subject area: Dr. Catizone is expected to describe his training and experience, including his role as Executive Director of the National Association of Boards of Pharmacy. Dr. Catizone will describe “outside the usual course of professional practice,” and “not for a legitimate medical purpose.” Dr. Catizone will identify the things pharmacists can look for when trying to verify whether a prescription has been issued within “the usual course of professional practice” and “for a legitimate medical purpose.” This information includes, but is not limited to, observing that doctor and patient are geographically distant, that the doctor is issuing a large number of prescriptions in any one day, that the percentage of controlled substances is very high, and that all the patients are getting the same drug regardless of age, health or complaint. Dr. Catizone will opine that the prescriptions in this case were distributed and dispensed “other than for a legitimate medical purpose and not in the usual course of professional practice.”

Resume: Attached

4. Tom Glenski, R.Ph.

Chief Inspector

Missouri Board of Pharmacy

Subject area: Mr. Glenski is expected to describe his training and experience, including his role as the Chief Inspector of the Missouri Board of Pharmacy. He will explain the duties and responsibilities of a pharmacist in charge. He will testify that the pattern of prescriptions would suggest that to a practitioner that these prescriptions were not valid, that is, not issued in the usual course of professional practice and not for a legitimate medical purpose. None of these prescriptions were paid for with insurance. He will opine that the prescriptions were not issued in the usual course of professional practice and not for a legitimate medical purpose.

Resume: Attached.

5. Lori Nelson
Financial Analyst
United States Attorney's Office
Subject area: Ms. Nelson's area of expertise is financial analysis. She will testify to financial documents pertaining to Rostie Enterprises, dba The Medicine Shoppe; LP Inc., which owns Ascensia Nutritional Pharmacy; Troy Solomon; and Cynthia Martin.
Resume: Attached.
6. John Kowal
Police Officer, Narcotics
Houston Police Department
Subject area: Detective Kowal's area of expertise is narcotics trafficking. His testimony will encompass how hydrocodone, alprazolam, and promethazine with codeine, trafficked, packaged, and paid for, typically sold, dollar values of controlled substances.
Resume: Attached.

Respectfully submitted,

John F. Wood
United States Attorney

By */s/ Rudolph R. Rhodes, IV*

Rudolph R. Rhodes IV, #39310
Assistant United States Attorney

By */s/ James C. Bohling*

James C. Bohling
Assistant United States Attorney

Charles Evans Whittaker Courthouse
400 E. Ninth Street, Fifth Floor
Kansas City, Missouri 64106
Telephone: (816) 426-3122

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was delivered on December 10, 2008 to the CM-ECF system of the United States District Court for the Western District of Missouri for electronic delivery to all counsel of record.

James R. Hobbs
Wyrsh Hobbs & Mirakian, P.C.
1000 Walnut, Suite 1600
Kansas City, Missouri 64106
Attorney for Defendant Martin

Anthony L. Bannwart
Bannwart & Associates
7322 SW Frwy., Suite 1510
Houston, Texas 77074
Attorney for Defendant Solomon
and Defendant Johnson

John Osgood
Commercial Federal Bank
740 NW Blue Parkway
Suite 305
Lee's Summit, Missouri 64086
Attorney for Defendant Elder

/s/ Rudolph R. Rhodes, IV

Rudolph R. Rhodes IV
Assistant United States Attorney

Document re-posted on this site www.juris99.com/texas by Osgood Law Office, John Osgood Kansas City Area Criminal Defense Attorney. www.juris99.com www.lexrixa.com White Collar, drug, capital murder, and other serious felony cases. These web sites are intended to be advertisement of services. The choice of a lawyer is an important decision and should not be based solely on advertisements.