

ATTORNEY WORK PRODUCT

██████████ 2008

To: ██████████, Attorney At Law

From: ██████████, Private Investigator

In Re: ██████████

In regards to the above matter and per your direction I made contact with ██████████ at approximately 12:32 P.M. CDT when I called ██████████ from my office number of ██████████. The person answering the phone was asked if he ██████████ and the person to whom I was speaking acknowledged that by saying, ██████████, can I help you!"

At that point I identified myself as a private investigator in Kansas City, Missouri and went onto state that I was working for and with attorney ██████████ who represents ██████████ and began to state the reason I was calling him. I explained that I needed to ask him some questions regarding ██████████ and ██████████. The person that identified himself as ██████████ immediately wanted to know what I wanted to ask him so I began my questioning.

During the initial contact with ██████████ he answered questions about ██████████, told me that he did not know him, to his knowledge had never had a conversation with him or about him with anyone else to include ██████████ and ██████████, both of which he knew and both of which solicited him to refer his patients to their pharmacy.

As we talked during the initial contact, as there were two, the first occurred when I called him as noted and the second contact occurred when he called me back after telling me during our first conversation that there was something that he needed to take care of or something like that or said something to that effect, and told me he would have to call me back. At that point he requested my number and my name and informed me that he would be calling me back shortly, which he did. However, prior to engaging in the second conversation ██████████, he did answer questions ██████████ and others and I was able to question him about the faxing of prescriptions from Houston, Texas to Belton, Missouri.

As we began ██████████ told me that he did not know anything about any prescriptions being faxed from his office to a pharmacy in Missouri, so I read him the letter that was apparently faxed from his office by his office manager, ██████████ dated 10/21/05 and sent to Frank Van Fleet, Inspector Missouri Board of Pharmacy.

The letter that was apparently written by ██████████ or so it appears and is identified as government bate stamp 007616. The letter is an apparent acknowledgement from ██████████ ██████████, Missouri. We can only rely on the fact that this document in its entirety is represented as being

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written and sent by [REDACTED] on what appears to be the letterhead of [REDACTED] clinic, [REDACTED].” The letter reads:

“I have consulted with [REDACTED] he verified that the prescriptions are legitimate. He also verified that he authorized the faxing of these prescriptions to the pharmacy. I must add that this was a prior practice but at the present time we do not fax prescriptions. We wish to thank you for drawing this to our attention so we can fully be informed of any prescription from this office”.

After I read that [REDACTED] he paused and all he would say was “Hum” and when I would ask if he heard what I said and what I read all he would do was say “Hum”. I asked if in fact he agreed with the contents of the letter and all he said was “Hum”. I asked him if he knew [REDACTED] and again all he would say was “Hum”. As I was preparing to cover the aspect of the investigation that involved the fraudulent prescriptions being sent from Texas to Missouri, and as I began to ask questions relative to that inquiry of him, he told me that he would have to call me back. He requested my number and my name, even though I identified myself at the top of the conversation, but did not provide my number to him at that time, other than to say I was calling him from Kansas City, Missouri. I provide my contact information and awaited his call. The first call ended at approximately 12:37 P.M. CDT.

1:05 P.M. CDT

As noted at this time on this date a call was received on my office phone of 8 [REDACTED] 5 and apparently made from [REDACTED] as that is what appeared on the caller identification. The caller identified himself [REDACTED] and wanted to know if I was “The investigator [REDACTED]”. I informed him I was and at first he indicated that I would have to call him at a later date, so I asked when I could call him back, he said “no, if you have questions just ask me now”, so I preceded to question him again. Prior to commencing with questioning he inquired of me again as to who I was and who I was working for or with. I explained to him again that I was a private investigator and I had been retained to work with attorney [REDACTED] in his representation [REDACTED].

At that point I revisited the information about the faxing of the prescriptions from Houston, Texas to a [REDACTED]. [REDACTED] said he had no direct knowledge of that, but then said [REDACTED], who he acknowledged that he knew and informed me that [REDACTED] had “solicited me to refer my patients to his [REDACTED] pharmacy, he was the one who did that and he then told me about it later”. I asked him to explain.

[REDACTED] said he had a conversation [REDACTED] about the faxing of the prescriptions to a pharmacy other than in the Houston area. [REDACTED] say if the conversation he had with [REDACTED] that he was the one

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[REDACTED]

faxing the prescriptions to a pharmacy in Missouri, was before or after [REDACTED] of the Missouri Pharmacy Board contacted [REDACTED] to inquire about the situation.

As we continued to discuss the faxing of the prescriptions [REDACTED] he did not know anything about the Rostie's and had no knowledge of the pharmacy and claimed that he had never heard the name, "The Medicine Shop" prior to my phone call with him.

I then [REDACTED] to tell me what he recalled about the discussion he had with T [REDACTED]

[REDACTED]

After [REDACTED] He said that [REDACTED] had solicited him to refer his patients to [REDACTED], but did not provide a time line and did not say that both [REDACTED] approached him together or separately and did not offer any details of any business arrangement if one existed. It should be noted that [REDACTED] the interviewing DEA Agents/Investigators on page 4 of 5, bate stamp 014904 at number 6 at the second entry that he "does not have a business relationship [REDACTED] or any other remuneration from either one or both of these people for referring his patients to their pharmacy to have the prescriptions filled.

At this point I questioned Dr. Okose about the contents of the report that begins with bate stamp 014901 and is dated Mary 6, 2006. I referred [REDACTED] page 3 of 5, bate stamp 014903, and to the first paragraph on page 3 wherein it reads: "Preprinted prescriptions was [REDACTED] authorize refills over the phone or fax prescriptions to pharmacies". When asked, [REDACTED] that was accurate to the best of his knowledge. Additionally, I did not ask [REDACTED] about apparently being disciplined by the Medical Board for the State of Texas because of the way and manner that he prescribed drugs, but he contended that he had Physicians Assistants who saw patients and issued the preprinted prescriptions to them at his direction and supervision. Refer to the interview of [REDACTED] as an example of the way and manner [REDACTED] operated his clinics.

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[REDACTED]

I then referred [REDACTED] bottom of page 3 at number 5 wherein there is some discussion about him receiving the passports of his children from the interviewing investigators and making a request for the return of money that was seized from his residence and onto the next page where he is also asking for the return of the planner that was seized during the search of his home. It should be noted that I don't show any reports relative to that search that may contain any comments made [REDACTED] to the DEA Agents that conducted the search of his premises. [REDACTED] his home was searched and confirmed what was in the report that I read to him as being accurate.

As I continued to review the report [REDACTED] his attention to page 4 of 5 at number 6, and onto the second entry within number 6 that reads: [REDACTED]

[REDACTED] he said "that is correct". As well, I finished a review of the report by reading two last points identified in number 6, to wit: "The money [REDACTED] residence were proceeds derived from a car lot investment. [REDACTED] three car notes at [REDACTED]. [REDACTED] charges the sellers 10% interest for financing the car notes. [REDACTED] not represented by an attorney." [REDACTED] statements were accurate then and the last one about not being represented by an attorney now is accurate as well.

At that point I asked [REDACTED] practicing medicine and he said he was. He went onto inform me he was not permitted to write prescriptions for controlled substances, which is also information that can found in Texas Medical Board's findings, which I did not ask him about because it did not appear to be relevant at this time.

[REDACTED]

[REDACTED]. He said he has not testified before a Grand Jury at any time during any of this and was not told by the DEA or anyone else that he would be a witness at trial and to his knowledge he has not been indicted. [REDACTED] he hesitated so I asked if he knew either one of them to be [REDACTED] that he had any business dealings with and he informed me "that's the first time I heard that name in all of this" and contended he had no information whatsoever about the [REDACTED] if he knew [REDACTED] and he said he had never heard that name before I mentioned the name to him and contended he had no information about [REDACTED]

As the interview was concluding I [REDACTED] I wanted to make a blanket statement to him about [REDACTED] if he would agree with it. He agreed to listen to it and I said the following to him:

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[REDACTED]
[REDACTED] that you do not [REDACTED]. That you have never had a conversation with [REDACTED] with anyone that you can recall to include but not limited to [REDACTED]. You told me that you have never discussed [REDACTED] [REDACTED] that he too was writing prescriptions and involved in a scheme [REDACTED] prescription medicine to drug users/abusers by first obtaining the drugs through those prescriptions from The Medicine Shop in Belton, Missouri and then getting those drugs to people in Texas". [REDACTED] that statement and assured me that he would not know [REDACTED] has no knowledge of [REDACTED]. [REDACTED] me what I told him today is the first he has heard of a lot of what I imparted to him during the interview.

Overall he is cooperative and said if I or anyone else needs to speak with him again we should call him on his cellular number [REDACTED]. The interview was concluded at approximately 1:35 P.M.

[REDACTED]