

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

UNITED STATES OF AMERICA)	
)	
Plaintiff,)	
)	
v.)	No. 08-00026-04-CR-W-FJG
)	
CHRISTOPHER L. ELDER,)	
)	
Defendant.)	

**DEFENDANT CHRISTOPHER ELDER’S FIRST
AMENDED PROPOSED EXHIBIT LIST**

COMES NOW defendant Elder and hereby files his first proposed exhibit list. Defendant’s list is comprised of 63 described items. Defendant’s exhibits have been marked and copies of have been scanned and are in electronic PDF format burned to CDs, a copy of which will be served on counsel via electronic transmission. ic connection.

Defendant has reviewed the lengthy exhibit list filed by the United States and has determined that a number of the government exhibits would otherwise be offered by defendant Elder but for appearing on the government’s list and Elder therefore reserves the right to offer any exhibit listed by the government as a defense exhibit should the government fail to offer same.

WHEREFORE, defendant serves notice of his proposed exhibits.

Respectfully submitted,

/s/

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CERTIFICATE OF SERVICE

I certify that a copy of this pleading has been caused to be served on the Assistant United States Attorney for Western District of Missouri and other ECF listed counsel through use of the Electronic Court Document Filing System on Thursday, June 17, 2010/s/

JOHN R. OSGOOD

INDEX TO DEFENDANT ELDER EXHIBIT

EX #	Action Taken	Date	Time	Description
<u>001</u>				Atty Jennifer Bolen letter to AUSA Rhodes on 6/12/07 transmitting affidavit in response to GJ subpoena
<u>002</u>				Atty Jennifer Bolen letter to DEA agent Overton on 2/12/07
<u>003</u>				Letter to Elder from American Academy of Pain Medicine date 8 Dec 09
<u>004</u>				Letter to Elder from American Academy of Pain Medicine date 1 Jul 09
<u>005</u>				Physician Profile on Doctor Juan Botto current as of 8/27/08 - TMB site
<u>006</u>				Texas Controlled Substances Registration Certificate Elder - expired 3/31/2010
<u>007</u>				Current Texas Controlled Substances Registration Certificate Elder - expires 3/31/2011
<u>008</u>				Sign posted in Elder's clinic - right to refuse service to patients
<u>009</u>				Sign - notice clinic does not prescribe promethazine with codeine
<u>010</u>				Physician Profile on Doctor Eleder current as of 8/31/08 - TMB web site
<u>011</u>				Advertisement for Cypress Landing clinic
<u>012</u>				DEA and University of Wisconsin study on pain medications
<u>013</u>				Notice to Elder 2005 he passed oral boards for Physical Medicine and Rehab 10 year certificate
<u>014</u>				Application by Elder for renewal of license under Texas Controlled Substance Act date 3/31/2010

<u>015</u>				Grand Jury Subpoena served on South Texas Wellness Center for Jan 06
<u>016</u>				Corporation papers on SOJO corporation incorporated by Solomon in 2004
<u>017</u>				Certification from Yahoo Corp as to start date for Elder's email address which has never changed
<u>018</u>				2005 Audit of Elder taxes showing audit increase of \$4882 in taxes applied against a credit balance of \$5639 resulting in an yr 05 refund of \$212
<u>019</u>				Letter to TMB date 3/29/10 advising TMB that Lynch is no longer being supervised by Dr. Elder
<u>020</u>				Letter to TMB date 4/8/2010 advising TMB Elder no longer supervises Nurse Practitioner Kathy Monre
<u>021</u>				Notice from health systems - contracted to Travelers insurance to cross check on patient abuse - dated Aug 25, 2008 to Elder MD
<u>022</u>				Letter from TMB 4/9/2010 to Elder clearing him of any problems with treatment of patient PL
<u>023</u>				TMB board findings on 5 patients indicating that Elder properly medicated the patients but negligently failed to fully document treatment and was lax in examinations - <u>See 055</u> complaint
<u>024</u>				Typical Cypress landing notice to patients of dos and don't with medication where long term controlled substances therapy is involved - patient must sign

<u>025</u>				Discharge of patient Amanda Hayes notice sent 10/28/06
<u>026</u>				Elder documents - Elder victim of forgery checks not his signature.
<u>027</u>				TMB profile on Doctor Howard Grand and disciplinary action
<u>028</u>				Letter notice to Elder 1/23/07 from HHS of his right to treat addicts and his wavier of certain requirements
<u>029</u>				Troy Maarsaw records dealing with STWC
<u>030</u>				Letter to Marsh 7/28/07 re Elder termination of his job as Medical Director of Pinewood Medical Center
<u>031</u>				2nd Letter to Marsh 7/28/07 re Elder termination of his job as Medical Director of Pinewood Medical Center
<u>032</u>				Confidential - cooperation letter to court for Cindy Martin
<u>033</u>				Signed notarized receipt for cash Elder gave to STW center during Nov 04 and Dec 04
<u>034</u>				NADDI National Assn of Drug Diversion Investigators membership letter
<u>035</u>				NSAID deaths report and drug abuse information
<u>036</u>				Typical informed consent and HIPPA document Elder uses with patients
<u>037</u>				Delmon Johnson record of prior conviciton
<u>038</u>				DOJ letter re return of seized funds to Troy Solomon
<u>039</u>				McCarty report of "probable" findings on Elder handwriting
<u>040</u>				Lock report of handwriting on botto

<u>041</u>				unsigned personal service contract with STWC
<u>042</u>				STWC contract signed only by Elder with proposed start date of 7/1/04
<u>043</u>				Contract between Elder Houston Medical Clinic dated 9/1/04
<u>044</u>				Elder Medicare participating physician application 8/30/04
<u>045</u>				Notice of ownership to Harris County Clerk by Elder of Pinewood Medical Cetner (assumed name notification under Texas law)
<u>046</u>				Notice of intent to use Schedule III, IV and V opiate drugs file by Elder on 2/2/2010
<u>047</u>				Notice to DEA from Elder dated 8/1/07 of address change per regs
<u>048</u>				Letter to STWC demanding his name be removed from any where it is still posted at STWC because he left several years prior and was unaware it was still posted.
<u>049</u>				Renewal application submitted by Elder on 8/4/09
<u>050</u>				Texas Department of Public Safety Officers Assn certificate to Cypress Landing Pain and Rehab Center
<u>051</u>				letter to Andy Zhao, MD 2/28/05 and Houston Medical Clinic stating Elder was terminating his agreement as employee
<u>052</u>				Typical Cypress Landing patient acknowledge sheet each must complete
<u>053</u>				Typical Termination procedure for patient caught abusing system

INDEX TO DEFENDANT ELDER EXHIBIT

<u>054</u>				Legal warning Cypress Landing patient must sign re loss of medication
<u>055</u>				Complaint on non-therapeutic issuing of prescriptions by TMB - resolved in Elder's favor - see <u>EX 023</u>
<u>056</u>				Elder Marriage License
<u>057</u>				Photo of Christopher Elder, MD in office with waning sign
<u>058</u>				NOVA Health care time sheet for August 2004
<u>059</u>				Extract from "Pain" - treaties on pain management
<u>060</u>				Urine Sampler cup for court demonstration
<u>061</u>				Photo - front view of the sampler cup
<u>062</u>				Photo - rear view sampler cup showing tear-off reaction paper for chart comparison
<u>063</u>				Photo - side view of sampler copy showing graduation chart for read determination