

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA	*	CRIMINAL NO. 09-222
V.	*	SECTION: "K"
PAUL E. NATHAN	*	

* * *

FACTUAL BASIS

If this case were to proceed to trial, the Government would prove the defendant's guilt beyond a reasonable doubt through the introduction of admissible evidence including surveillance videos and the testimony of competent witnesses. More specifically, the evidence would establish the following:

The defendant is a medical doctor who previously operated several vascular clinics on the Northshore. On August 8, 2008, the defendant voluntarily surrendered his DEA controlled substance privileges and agreed to a revocation of his registration number. As a result, the defendant was barred from prescribing or dispensing controlled substances for himself or others. Subsequent to that date, the defendant continued to write prescriptions at various pharmacies in St. Tammany Parish using the DEA number which he surrendered in August 2008. The defendant generally obtained oxycontin (oxycodone) although he also obtained other pain killers and sleeping aids. This combination of drugs, that is, pain killers and sleeping aids, is common for prescription drug abusers. The

defendant was a prescription drug abuser at the time of these offenses. The defendant listed either himself or a family member on the prescription as the patient. More specifically, the evidence would prove:

Count One

On March 3, 2009, the defendant went to the Pharmacy at Target and wrote a prescription for Oxycontin (60 tabs/40 mg) using the DEA registration number he surrendered in August, 2008. The defendant listed himself as the patient.

Count Two

On April 28, 2009, the defendant went to the Paul's Pharmacy and wrote a prescription for Oxycontin (60 tabs/40 mg) using the DEA registration number he surrendered in August, 2008. The defendant listed B. H. (Defendant's Father-in-law) as the patient.

Count Three

On April 4, 2009, the defendant went to the Roeling Pharmacy and wrote a prescription for Oxycontin (60 tabs/40 mg) using the DEA registration number he surrendered in August, 2008. The defendant listed himself as the patient.

Count Four

On June 2, 2009, the defendant went to the Roeling Pharmacy and wrote a prescription for Ambien (30 tabs/10 mg) using the DEA registration number he surrendered in August, 2008. The defendant listed his wife, M. N., as the patient.

Count Five

On April 24, 2009, the defendant went to the Roeling Pharmacy and wrote a prescription for Oxycodone (60 tabs/80 mg) using the DEA registration number he surrendered in August, 2008. The defendant listed himself as the patient.

Count Six

On February 25, 2009, the defendant went to the Madisonville Pharmacy and wrote a prescription for Oxycontin (120 tabs/40 mg) using the DEA registration number he surrendered in August, 2008. The defendant listed B. H. (Defendant's Father-in-law) as the patient.

Count Seven

On February 4, 2009, the defendant went to the Madisonville Pharmacy and wrote a prescription for Oxycontin (60 tabs/40 mg) using the DEA registration number he surrendered in August, 2008. The defendant listed himself as the patient.

Count Eight

On February 18, 2009, the defendant went to the Madisonville Pharmacy and wrote a prescription for Hydrocodone (40 tabs/10 mg) using the DEA registration number he surrendered in August, 2008. The defendant listed himself as the patient.

Count Nine

On April 24, 2009, the defendant went to the Madisonville Pharmacy and wrote a prescription for Ambien (30 tabs/10 mg) using the DEA registration number he surrendered in August, 2008. The defendant listed his wife, M. N., as the patient.

Count Ten

On March 3, 2009, the defendant went to the Madisonville Pharmacy and wrote a prescription for Oxycontin (60 tabs/40 mg) using the DEA registration number he surrendered in August, 2008. The defendant listed himself as the patient.

READ AND APPROVED:

Vincent Booth (Date)
Counsel for Paul E. Nathan

Mark A. Miller (Date)
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Paul E. Nathan (Date)
Defendant