

EXHIBIT D

United States of America

v.

Eugene Gosy

Case No. 16-cr-46G

INDEX OF SUPPORT LETTERS – DOCTORS/MEDICAL PROFESSIONALS

Nicholas J. Aquino, M.D., Internist	Michael E. Merhige, M.D., Cardiologist
David Bagnall, M.D., Orthopedist	Robert A. Milch, M.D., F.A.C.S., Anesthesiologist
John J. Bodkin, II, M.D., Urologist	Nancy H. Nielsen, M.D., PhD., Internist
Karen Ann Mariglio-Boyd, P.A.	Gerald L. Peer, M.D., Anesthesiologist
John M. Carlone, D.C., Chiropractor	Philip A. Penepent, Jr., M.D., Internist
Phillip C. Culliton, D.P.M., Podiatrist	David J. Pochatko, M.D., Orthopedic Surgeon
Ryan DenHaese, M.D., M.S., F.A.A.N.S., Neurosurgeon	Richard D. Popson, L.C.S.W-R
Zair Fishkin, M.D., PhD., Orthopedic Surgeon	Monica Ralabate PAC
Julius P. Horvath, D.C., P.C., Chiropractor	Eric P. Roger, M.D., Neurosurgeon
Susanna Horvath, M.D., Neurologist	Marcus Romanowski, M.D., Orthopedic Surgeon
Thomas F. Hughes III, M.D., Primary Care Physician	Gregory D. Sambuchi, M.D., Neurologist
Kinga Michelle Huzella, M.D., Ophthalmologist	Alex Selioutski, M.D., Primary Care Physician
Elizabeth Hyla, B.S.N., M.S.N., Nurse Practitioner	David A. Silverstein, M.D., Primary Care Physician

Peter Kovacs, M.D., Neurologist

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Neurosurgeon

Michael K. Landi, M.D., F.A.A.N.S.,
Neurosurgeon

Akos M. Tibold, M.S.

Frederick B. McAdam, M.D.,
Physiatrist

Joshua Usen, D.O., Primary Care
Physician

Laszlo Mechtler, M.D., F.A.A.N.,
Neurologist

NICHOLAS J. AQUINO, M.D.
WILLIAM M. HARTRICH, M.D.
DAWN P. HRAB, M.D.
TIMOTHY M. HEYDEN, M.D.
ERIC J. THIERMAN, M.D.
NICOLE M. RIEDY, D.O.

PEDIATRICS - ADOLESCENT MEDICINE - INTERNAL MEDICINE

March 20, 2020

1835 MAPLE ROAD
WILLIAMSVILLE, NEW YORK 14221

(716) 634-5410

The Honorable Frank P. Geraci
US District Court for Western District of NY
50 Fountain Plaza, Suite 1700
Buffalo, NY 14202

Dear Hon. Frank P. Geraci:

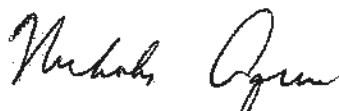
I am writing this letter regarding Dr. Eugene Gosity and I am aware that he has plead guilty to several charges and will be sentenced shortly. I am a primary care physician in Williamsville, New York for the last 33 years and have had multiple exposures to Dr. Gosity with several different patients over the years. I have been in practice, as I have stated for 33 years doing primary care and have used Dr. Gosity several times for consultations regarding difficult patients we have both shared. He has always been kind and understanding with my patients who are very difficult patients with usually pain management which tends to complicate patient's medical history and are more difficult to treat due to their multiple medical problems. He has never said No to seeing a patient of mine when I call or even if the patient called, he was always willing to see patients and try to help. As with most doctors he was not 100% successful but he tried and was available for consultations throughout the years. I often wondered how difficult it was to take care of these patients and to see one after another after another.

I would concede to the fact that the Dr. Gosity was a good doctor to my patients, offered as much help as he could with these difficult patients.

In conclusion, I would state over many years Dr. Gosity had been a true friend and good consultant who over the years has taken care of multiple different patients of mine and I truly am grateful.

If you have any further questions, please do not hesitate to contact me at my office.

Yours truly,



Nicholas J. Aquino, M.D.

RehabNY

SPINE AND MUSCULOSKELETAL MEDICINE

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David Bagnall, MD • Karyanne Cox, PA-C

March 19, 2020

RE: Sentencing of Eugene Gosy, MD

Hon. Frank P Geraci, Jr.
United States District Court
Western District of New York
2 Niagara Square
Buffalo, NY 14202-3498

Dear Judge Geraci:

I am writing on behalf of Dr. Gosy.

I am aware that Dr Gosy has pled guilty to Conspiracy Distribute Prescriptions for Controlled Substance Medications Not for Legitimate Medical Purpose, As Well As Healthcare Fraud.

I am a board-certified specialist in physical medicine and rehabilitation with subspecialty certification in pain medicine and have been in practice in the Buffalo area since 1995.

Although I have not had a personal relationship with Dr. Gosy, I have known him professionally during my practice in Buffalo. I referred my most difficult patients to him as he was the last option for those in chronic pain. I was confident they would receive competent and thorough care. I have also had a chance to review many of his medical records in my role as an independent medical examiner.

It is important to note our responsibility as physicians has been to minimize the suffering of patients, and until recently that included the monitored use of Schedule II substances. Knowledge evolves, and at the time Dr. Gosy was practicing, the use of Schedule II opiates was the best we knew how to do. In fact, we were successful at minimizing the suffering of many patients and have yet to find an effective way to reduce physical suffering.

Although Dr. Gosy was aggressive in his treatment, my knowledge of the patients I referred to him and my review of his Workers' Compensation and no-fault cases do not indicate he provided treatment solely for personal gain. In fact, the history available to me reflects he tried to maintain professionalism and focus on minimizing his patients' suffering. Even as his treatment style was assertive, it was not wholly inconsistent with what the medical community felt was appropriate.

Sincerely,



David Bagnall, M.D.



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March 20, 2020

Hon. Frank P. Geraci, Jr.
United States District Court
Western District of New York
2 Niagara Square
Buffalo, NY 14202-3498

Dear Hon. Frank P. Geraci, Jr.,

I am aware that Dr. Gosy pled guilty to Conspiracy to Distribute Prescriptions for Controlled Substance Medications not for Legitimate Medical Purpose, as well as Health Care Fraud.

I am a Family Physician with Highgate Medical Group in Williamsville, New York. When Dr. Gosy's legal problems began many years ago, I ran a report to determine how many patients we had referred to Dr. Gosy. The report showed we had over 700 referrals to Dr. Gosy.

Many years ago, when pain management was in its infancy, Dr. Gosy, a respected Neurologist with the Dent Clinic, decided to enter the pain management field. This was a welcome event to primary care doctors in our area. The combination of new pain medicines, injections and the fact the primaries had little formal training in pain management, nor adequate time in already busy schedules made Dr. Gosy's new career all the more appealing. Being the President of Highgate Medical Group, I fielded the majority of patient complaints. I can not recall any complaint about Dr. Gosy after it was looked into that was medically valid.

I feel with the ageing population, the opioid crises and the continued advent of new pain medicines and non-medical management of pain, that we need every pain management doctor (especially those with a neurology background and long-time experience) that we already have. Also, a lot of current pain management doctors are not taking new patients.

Perhaps, rather than jail time, Dr. Gosy's sentence could be one of a strict work supervision in a hospital clinic or other situation where he would continue to be helping the community.

I would hate to lose a valuable resource for the primary care community and the Western New York population in general.

Sincerely,

John J. Bodkin, II, MD

Physicians

- John J. Bodkin, II, M.D.
- Michael Dlugosz, M.D.
- Michael Freitas, M.D., M.S.
- Stacey Gugino, M.D.
- Lori Luzi, M.D.
- David Pawlowski, M.D.

Nurse Practitioners

- Kathleen Barone, F.N.P.
- Lauren Lowe, F.N.P.
- Kimberly MacDonald, F.N.P.
- Mary Sue Niederpruem, A.N.P.
- Sharon Tasner, F.N.P.
- Elliott Yadon, F.N.P.

Physician Assistants

- Derek Aube-Marchant, RPA-C
- Jessica Castro, RPA-C
- Brie Anne Crowther, RPA-C
- Jennifer Gaffney, RPA-C
- Stephanie Guize, RPA-C
- Jillian LaMarca, RPA-C
- Christine McKenna, RPA-C
- Chelsey Milleville, RPA-C
- Alicia Reimondo, RPA-C
- Danielle Rice, RPA-C
- Renee Sawka, RPA-C
- Megan Schifferli, RPA-C
- Chelsea Percy, RPA-C
- Janeille Young, RPA-C
- Martina Waldriff, RPA-C

Long-Term Nursing Care/

Short-Term Rehab

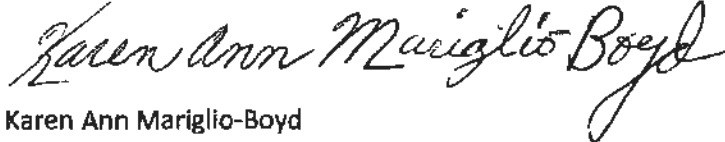
- Ellen Brody, F.N.P.
- Danielle Casillo, A.G.N.P.
- Leah Gorsline, RPA-C
- Kimberly Gruber, F.N.P.
- Sandy Michel, A.N.P.
- Erin Morgan, RPA-C
- Christina Parkot, F.N.P.

2/29/20

Hon. Frank P. Geraci, Jr.

This letter is written in behalf of Dr. Eugene Gosy, pleading guilty to Conspiracy to Distribute Prescriptions for Controlled Substance Medications Not for Legitimate Medical Purpose, as well as Health Care Fraud.

Newbury St. Center for Wellness, Mary's Room at the American Cancer Society, Paramedical Esthetician



Karen Ann Mariglio-Boyd

NEWBURY ST. H.W.W./OFFICE
3180 WOODLAND CT. S.
NORTH TONAWANDA, NY 14120
(716)694-4528

As constituents of the medical community of WNY we choose to focus on Truth, Honesty, and Justice. We represent that which is Pure, Compassionate and Commendable. The incrimination of Dr. Eugene Gosy has prompted us to take a stand.

As medical providers, we are certain that Patients, who follow their medical regime, stay on a regulated course, keeping appointments and following health teaching, have sustained. As health care professionals we are aware there are and will always be a percentage of patients who do not follow our orders. There are those noncompliant patents that choose to interpret drug labels conveniently. Example: 3x daily, AS NEEDED, to mean breakfast, lunch and dinner. There are also those patients who self medicate with other non prescribed drugs, purchased on the street. This has gone on among this type of persons for as long as medicine has existed. However: as Physicians, Nurses and moral people with knowledge and integrity, is it just to ignore the vast number of patients who comply? I think not. As a medical care giver, I ask, should we run for the hills every time a non- compliant patient chooses to abuse their prescription, overdoses and dies. We ARE truly heartfelt for the families of those patients. However; many of those patients have underlying issues which bring about their decision to ABUSE MEDICINE. Many have mental pain which often becomes physical. We are Doctors and nurses, not wizards. Once a prescription is filled and picked up, it is the patient who controls it. We, as members of the medical community must focus on the vast, number of patients who choose integrity. We focus on the patient who makes a conscious effort toward wellness and hope they are not lying, regarding their level of pain. The vast majority RARELY fall victim to addiction.

There is a clouded perception regarding the use of opioids and Dr. Eugene Gosy. Dr. Gosy is the man that many medical providers continue to depend on for his amazing perception of each and every pt. and his belief in each patient's symptoms and level of pain suffered. The courage it takes to treat these patients is pure in thought, compassionate and commendable. Doctors and nurses are human beings with knowledge of medicine. We are not all knowing at all times. **Pain left untreated often delays healing and can lead to respiratory, cardiac and endocrine complications. Pain left untreated can also potentiate the onset of further chronic pain issues. Yet, so many Doctors do not want to take the risk of treating pain as it could and should be treated at all times.**

I have witnessed the unjust treatment of Dr. Gosy, a pillar of our medical community. Gosy stuck his neck out and went the extra mile to prohibit further chronic pain issues by allowing **established, chronic** patients, not new patients, the opportunity to stay the course while he visited out of country. He did so to the best of his knowledge, under the circumstances, regardless of the cost to himself. Dr. Gosy is and has been much more than fair to his patients as well as his fellow medical colleges. His work ethic as a medical provider is amazing. He treats a number of patients as injured reserves. Health teaching and prescribing alternative treatment such as Physical therapy, functional medicine, etc...He gives countless hours health teaching each of his patients, often saving patients from invasive surgeries with his brilliance, courage and code of ethics. Gosy lives for medicine. He arrives hours early and or stays after hours for as long as he is needed. He is always dependable. Cardiac patients with back pain who are denied medical clearance for spinal surgery are treated with urgency.

Let us not forget the vast number of pts. Gosal has returned to health. Those who will never return to a pain free life are kept close and treated so other complications of severe pain are lessened. He gives so much more life to his patients. He has already paid the price of any mistakes that may have been made, by giving his youth and his life to medicine, his thousands of Patients and to his colleges.

Dr. Eugene Gosal is one of our top pain management physicians. He is effective and courageous in his efforts to keep pain under control for hundreds of thousands of patients. Pain is what the patient says it is regardless of what families assume. Other than Hospice, where the whole family is our concern, we are treating patients as individuals, without bias from families and friends. However, with each patient who leaves our offices, we as medical providers can only pray that they will administer drugs as prescribed, with respect for themselves and the effort and knowledge of the medical staff. We all try to put patient s first. None of us wish to stick our neck out when we leave town, however, it goes without saying, that we are all aware of the fact **that Dr. Eugene Gosal has been used as an example. Using him as a scape goat has brought unjust fear to medicine in WNY. Doctors are practicing with one hand tied behind their backs, fearful and patients are in pain.** As a nurse I have repeatedly heard other physicians say, "There by the grace of God go I". *Therefore; We choose to stand with Dr. Gosal as an outstanding, dependable, ethical, non-bias, Neurology/ Pain management physician. We conclude that his decisions are made with careful thought, regard for patient and transparency.*

This is the Doctor who has brought life back to thousands of WNY **patience**. . We can all agree, Doctors do make mistakes in the effort to make a difference. Dr. Gosal's patients need him. Medicine has already experienced a crisis when he was unable to care for the vast majority of critical patients under his care. As stated earlier in this letter, **Gosal treats a wide range of Pain, his effort and success with patients are unrivaled in WNY.** We do not need another medical crisis. His patients need his care. The medical community needs his expertise and tireless work ethic. His heroic deeds, his love for his patience, his ability to inspire people, make **Dr. Gosal Epic!!**

I am certain, as I am a sixty four year old end of life nurse. I suffered in pain from my first hard fall in 2005, followed by 2 more consecutive falls partly d/t the first injury. I searched WNY for a pain management physician who could make a difference. My list of Doctors/health care providers, tried their best. After approximately 6 years a nurse practitioner suggested I see Dr. Gosal. He was different than any other Doctor I have ever met. I am from a family of medical providers. Gosal was amazing! His words to me were, "I will treat you as though you are an injured reserve." "What you suffer from is crappie, but if you follow through, I can help." I have followed his lead for the past 8 Yrs. D/T His brilliance and my tenacity, we are winning.

With all due respect, Your Honor, We humbly request that Dr. Eugene Gosal be assigned to community service with little or no jail time. We all need him, Patients, Nurses and Physicians alike, for various reasons.


Respectfully, **Karen A. Mariglio-Boyd**

John M. Carlone, D.C.
5189 Hunters Creek Road
East Aurora, NY 14052
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(716)435-5087 Cell
john.dora@verizon.net

Hon. Frank P. Geraci, Jr.
United States District Court
Western District of New York
2 Niagara Square
Buffalo, NY 14202-3498

RE: Dr. Eugene Gosy

April 17, 2020

Dear Judge Geraci:

I am respectfully submitting my thoughts regarding the upcoming sentencing of the above-captioned physician. I understand that Dr. Gosy has pled guilty to Conspiracy to Distribute Prescriptions for Controlled Substance Medications Not for Legitimate Medical Purpose, as well as Health Care Fraud.

I have known Dr. Gosy professionally for over thirty years. He is one of the most knowledgeable and revered practitioners in Western New York.

Over time I had the opportunity to participate in the care of several of his patients. I approached modes of treatment with a drugless regimen; all had been or were still using opiates.

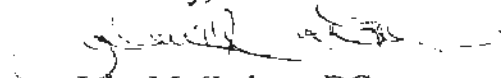
From the patients medical histories, x-rays and MRI's it was apparent in almost every case that their condition was permanent, many having sustained three to four lumbar spinal surgeries with fusion.

I have great respect and admiration for pain management physicians. Their journey in treating desperate patients is one of extreme difficulty. A sensible treatment regime with opioids can become distorted when patients do not follow instructions, which often happens.

Miscalculations and mistakes will be made especially in a practice as voluminous as Dr. Gosy's. We are all human and overworked.

My hope is that you will consider these conditions when you are sentencing Dr. Gosy.

Sincerely,



John M. Carlone, DC

JMC/dar

PHILLIP C. CULLITON, D.P.M.

2700 Sheridan Drive Member: American Board of Podiatric Surgery
Tonawanda, NY 14150
Phone: 716-835-2617
Fax: 716-835-5865

April 13, 2020

Hon. Frank P. Geraci, Jr.
United States District Court
Western District of New York
2 Niagara Square
Buffalo, NY 14202-3498

Good Morning, Your Honor,

I am a practicing Podiatrist in Tonawanda, NY. I have been performing this profession for 41 years. I am aware that Dr. Gosy pled guilty to conspiracy to distribute Prescriptions for Controlled Substance Medications, not for legitimate medical purpose, as well as Health Care Fraud.

I first met Dr. Gosy after he had emigrated from Hungary. He was living in the guest room of an older Hungarian woman, Mrs. Moschl. She had provided shelter for him so that he could emigrate.

I had the opportunity to watch him as he progressed in our culture. He attended school to prepare for the medical boards (ECFMG). He then completed a residency in Neurology. I did not see him during that 3 year period. When he started practice, I sent patients to him for consultation which he performed well. As his practice continued, he began to perform more and more pain management functions. In this regard, I had very few patients in common with Dr. Gosy, but would see him at medical meetings. We would discuss medical issues and common patients. He was bright, articulate and generally very interested in patients' well being.

On rare occasions, we would share patients with severe nerve pain. In my practice, these were mostly neuropathic patients with severe pain, the pain being worse at night. He treated them with compassion. He was one of few practices that did their level best to make their lives more bearable. As the pain issue seemed to become more difficult to manage, he continued to provide competent, compassionate service.

I have seen many practitioners of whom my analysis was that their approach was very clipped and concise. Dr. Gosy, at least, seemed to do his best to provide improvement in the patients' lives.

It has become apparent in the courts and the court of public opinion, that his medication use was inappropriate. Of this, I am an inexperienced judge, but I think from what I could see, he was a competent and compassionate doctor.

Thank you for your kind attention.

Sincerely,



Phillip C. Culliton, DPM



*Ryan DenHaese, M.S., M.D., FAANS
Board Certified Neurosurgeon*

*Joseph Boang, M.S., RPA-C
Board Certified Physician Assistant*

*Amber Phillippi, M.S., PA-C
Board Certified Physician Assistant*

March 5, 2020

United States District Court
Western District of New York
2 Niagara Square
Buffalo, NY 14202

To Honorable Frank P. Geraci, Jr.

I am writing this letter on behalf of Eugene Gosy, M.D. I have had the pleasure of knowing Gene for the last 13 years. I am a local neurosurgeon who performs mostly complex spinal procedures. I first came to know Gene through our professional work where he was the last line of defense for patients with no other option who were in severe pain. Despite surgical intervention, some of these patients had no good alternative to deal with their pain. Gene was one of the only pain management doctors in Western New York that had compassion and the skill set to care for these patients.

It would often be the case that I would be in the hospital first thing in the morning around 5:30 a.m. and the only other physician that would be there before me was Eugene Gosy. I would talk to him early in the morning and he would have already have been at two other hospitals. He was incredibly hard working and genuinely cared for his patients. I have not seen dedication like that ever in a neurologist in my career. He is a skillful neurologist and pain management doctor and I trust his professional opinion immensely.

Over the years I did have the occasion to see Gene in social settings. He was always a perfect gentleman. He was pleasant, kind, and caring. I consider him a friend.

I am aware that Gene plead guilty to conspiracy to distribute prescriptions for controlled substances and healthcare fraud. While I am disappointed that this happened, it is without hesitation that I am writing this letter. I have no reservations about the kind of human being that Eugene Gosy is or the compassionate physician that Eugene is. He certainly will be missed as a physician and pain management doctor in Western New York. It is my hope that you find this letter helpful in adjudicating his sentence.

If there is any questions you have, please do not hesitated to contact me.

Sincerely,

A handwritten signature in black ink that reads "Ryan DenHaese MD, FAANS". The signature is written in a cursive, flowing style.

Dr. Ryan DenHaese, MD , MS, FAANS



PINNACLE

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March 9, 2020

The Honorable Frank P. Geraci Jr.
United States District Court
Western District of New York
2 Niagara Square
Buffalo, NY 14202-3498

To whom it may concern:

I am familiar with Dr. Eugene Gosalbally professionally. As a practicing spinal surgeon I have come across and treated patients with chronic pain. I have had mutual patients with Dr. Gosalbally. I am aware that he pled guilty to Conspiracy to Distribute Prescriptions for Controlled Substance Medication Not for Legitimate Medical Purpose as well as Health Care Fraud.

Many of the patients treated by Dr. Gosalbally can be difficult, manipulative, and with secondary gains. I can tell from my own experience that the boundary between legitimate pain and secondary gain can become blurred. Many of us physicians in the community not trained to treat chronic pain would often refer patients to Pain Management Specialists including Dr. Gosalbally whose practice became a repository for these "difficult" patients from the community. I believe that years of treating these patients can have an adverse impact on the treating physician's mind, body, and soul.

Sincerely,

Zair Fishkin, MD, PhD.

Cameron B. Huckell, M.D.

Adult & Pediatric
Spinal Surgery

Graham R. Huckell, M.D.

Joint Replacement
& Arthroscopy
General Orthopedics

A. Marc Tetro, M.D.

Hand, Shoulder
& Elbow Surgery,
Arthroscopy
& Microsurgery

Zair Fishkin, M.D., PhD

Adult & Pediatric
Spinal Surgery

Brent Boeing, MBA

Chief Executive Officer

Pinnacle Therapy

Physical & Occupational



Dr. Julius P. Horvath

March 9, 2020

Hon. Frank P. Geraci, Jr.
United States District Court
Western District of New York
2 Niagara Square
Buffalo, NY 14202-3498

Re: Eugene J. Gosy, MD

Dear Hon. Judge Geraci:

I am a practicing chiropractor in Buffalo, New York and have been practicing since May of 1992. My practice focus is primarily on trauma-based spine injuries secondary to motor vehicle accidents, work injuries, and sports related matters. The primary focus of chiropractic care is to try to treat patients without the use of drugs and/or surgical intervention if possible. Yet, the realization is that in health care chiropractors work in a collaborative effort with pain management physicians as well as neurologists, orthopedic surgeons, and neurosurgeons to obtain the best possible outcome for a patient.

I want to acknowledge that I am aware that Dr. Gosy has pled guilty to conspiracy to distribute prescription controlled substance medications not for legitimate medical purposes as well as health care fraud.

In the course of my chiropractic career, I have referred patients to several different pain management physicians including Dr. Gosy at Gosy and Associates, which for a lengthy period of time, also had Dr. Tracy as part of the team. Compared to other pain management practices in Western New York, Dr. Gosy's clinic was able to accommodate and get a new patient in much quicker than several of the other providers in the Western New York area. As an example, in treating a trauma based clientele at my chiropractic office where several patients may have been involved in head-on collisions and severe work injuries, many times they also needed some type of medication to help minimize or put a lid on their pain as they underwent the chiropractic and physical therapy conservative measures. One of the frustrations through the years was with other providers that were not able to accommodate seeing a new patient referred from my office and others for sometimes one to two months. That model does not work and does nothing good for injured people that need help from physicians.



Dr. Julius P. Horvath

-2-

Because he had extra assistants with mid-level health care workers as well at his clinic, Dr. Gosy was able to accommodate treating injured people in a more expeditious manner. I am aware of a number of other health care practitioners in the Western New York area that have referred their patients to Dr. Gosy for several years. These physicians, as well as myself, would not keep referring patients back to Dr. Gosy's office if any of us felt remotely at any chance that Dr. Gosy was not providing proper health care services with utmost honest intent.

I am aware of other pain management physicians, even in the Western New York area, that themselves have referred patients to Dr. Gosy to help manage chronic pain as several physicians "did not want to deal with it." Over a period of time, Dr. Gosy received the bulk of referrals from physicians that did not want to deal with patients with chronic as well as acute pain. Dr. Gosy's intentions were clearly to create a medical model to accommodate people in pain as soon as possible to minimize suffering and to help with quality of life.

It has been noted that over the last few years there has been a major reluctance by medical providers to prescribe medications that are warranted and validated by a person's injury. This has resulted in a lot of emergency room visits that may have been unwarranted.

Dr. Gosy's heartfelt intentions were not to create drug addicts/addiction but to help a patient's quality of life. To further illustrate, Dr. Gosy also utilized various different types of injections during his course of practice such as facet block, nerve block, epidural and trigger point. Moreover, pain is subjective. The treating doctor cannot "feel" someone's pain but must rely on the patient's subjective comments. As an example, headaches are subjective, physicians must rely on a patient's comments that they have a headache whether it be mild to excruciating upon making a medical decision. In certain types of conditions such as headaches, there aren't many, if any, physical office exam tests that would confirm what a person is telling a doctor. The illustration here is that the subjective component is the primary basis in treating chronic pain while further substantiating someone's injury with diagnostic testing such as MRI, etc.

I know that the general medical community that I have communicated with since charges were brought against Dr. Gosy has similar feelings as mine. That feeling is...that Dr. Gosy is not a villain and his intentions for his patients were to improve quality of life, improve function, and in some cases prevent suicide.

I know of several patients that have treated with Dr. Gosy and these patients have made it clear that he has helped their quality of life, helped them be good parents, husbands, wives, siblings. He has helped his patients maintain themselves in the work force as well as overall



Dr. Julius P. Horvath

-3-

improving their functional status and quality of life such as allowing them to spend some extra time with their children and/or grandchildren.

Respectfully, I am hopeful that you look at all the good Dr. Gossy has provided to the community in his medical career when considering your decision at sentencing.

Respectively submitted,

A handwritten signature in black ink, appearing to read "Julius P. Horvath", is written over the text "Respectively submitted,". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Julius P. Horvath, DC PC

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drhorvath@soctelemed.com

Hon. Frank C. Geraci, Jr.
United States District Court
Western District of New York
2 Niagara Square

April 10, 2020

This letter is in support of Dr Eugene Gosy.

I acknowledge that Dr Gosy has pled guilty to Conspiracy to Distribute Prescriptions for Controlled Substance Medications Not for Legitimate Medical Purpose as well as Health Care Fraud.

I am a Neurologist with both a professional and a personal connection to Dr Gosy. I have known Dr Gosy since 1992, when I began my Neurology residency in Buffalo New York. At that time he was a Neurologist with the Dent Neurology Group and inasmuch participated in the teaching and training of residents. I can only say that in this role he was both an excellent as well as a patient teacher. He always took his time to explain sometimes very complicated subject matter, able to break it down into comprehensible components, when as residents we often felt the material was beyond our grasp. His bedside manner was something we all could learn from as well, taking the time to comfort the sick with a very hands-on and human approach. I took the lessons I learned from my residency teachers, including Dr Gosy and used them in my practice. I ultimately ended up at Columbia Presbyterian in New York City as a Vascular Neurologist specializing in stroke. I switched career paths and now practice Teleneurology because of the necessity that arose several years ago in needing to take care of my ill mother.

I did not see Dr Gosy for many years and called upon his services again in 2014 for a personal matter. My mother, who was living in Toronto at the time was undergoing rehab for a hip replacement when she developed sudden and debilitating back pain. Despite my being a Neurologist and shuttling back and forth between Toronto and New York City, taking my mother to the Emergency room numerous times, to physicians and to rehab, I simply could not get her the care she needed. She rapidly became wheelchairbound in intractable pain. I was repeatedly told that she was over 80 years old, what did I expect?

In sheer desperation I reached out to Dr Gosy hoping he would remember me after so many years. Not only did he remember me, but he told me to put my mother in the car and drive her to Buffalo where he would see her the following day. He gave her an epidural injection, which gave her significant relief of her intractable pain. My mother ultimately ended up having surgery in Buffalo for a piece of broken bone that had floated up and compressed her spine, paralyzing one leg and making it necessary to wear diapers.

Dr Gosy helped with both his clinical acumen in accurately diagnosing the problem and finding a path to a cure. He was always willing to take my calls and answer any questions regarding the management of my mother's pain. All as a professional courtesy, without charge for the visits or the epidural injections.

My mother is now 89 years old, walking well and far, and has not needed to use diapers since. Her biggest problem is that she is constantly losing her cane because she walks so well without it.

Mortality in the elderly rises significantly once someone is wheelchair bound. I truly believe that I have am privileged to not only have my mother alive but also well, still climbing stairs in the house she has lived in for over 60 years because Dr Gosy stepped in to help.

I cannot put into words how difficult it is to have a parent sick or suffering and as a physician feel that there is nothing you can do. My mother took care of my father through his ten years of Alzheimer's disease as I watched and could only say, as a Neurologist, that there was nothing I could do to intervene and help him with this devastating neurological condition.

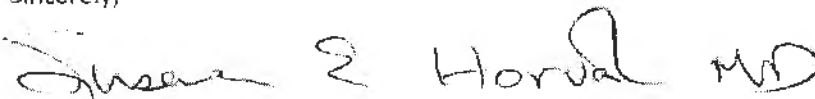
Dr Gosy could do something to help my mother, and he did. I will never be able to adequately express my gratitude to him.

I have seen the expression of true human compassion in this man, in his approach to his patients and those in need.

I hope you will consider this aspect of this physician in your sentencing.

Should you have any further questions or concerns please do not hesitate to call.

Sincerely,

A handwritten signature in black ink that reads "Susanna E. Horvath MD". The signature is written in a cursive, flowing style.

Susanna E. Horvath MD

Thomas F. Hughes III, MD

2701 Transit
Elma, NY 14059

Hon Frank P Geraci, Jr
United States District Court
Western District of New York
2 Niagara Square
Buffalo, NY 14202-3498

April 24, 2020

Dear Judge Geraci,

I would like to offer a letter of support for Eugene Gosy, MD. I have known Dr. Gosy for more than 20 years as a professional colleague and i have always trusted him to do the right thing by his patients. I am aware of the fact that Dr. Gosy has pled guilty to conspiracy to distribute prescription drugs for controlled substance medications not for legitimate medical purposes as well as healthcare fraud.

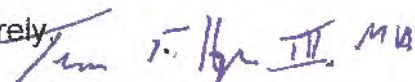
As a family physician, it has been my honor to work with Dr. Gosy since the mid-1990s. In that time, I have always found him willing to take on some of the most difficult patients in this community. He has been a leader in a space where few people had the courage to practice at all. Pain is a uniquely complicated area of medicine. While there are sometimes external manifestations, the experience of pain is extraordinarily personal. It takes a very special physician to dedicate their life to sorting this problem out.

In my time working with Dr. Gosy, we have co-managed more than one hundred patients. He always provided a level of professional care that cannot be found anywhere else in Western New York and likely not anywhere in the region. Dr. Gosy was able to build large practice by meeting the medical needs of sick patients and he did it in a way that garnered the respect of his colleagues.

Over the years, I have also sent friends and family to see him. When one physician refers to another, they are expressing a trust that that physician will take care of their patient. When a physician refers a family member, they are trusting their colleagues to care for family. This is not something that we take lightly. Dr. Gosy consistently was a man of trust and honor. I believed in his ability to provide excellent care then and I continue to believe in it now.

When considering what is to come next to Dr. Gosy, I would ask that you think of all the patients who he has served over the years and the critical role he played in this medical community.

Sincerely,



Thomas F Hughes III, MD



Sidney Chang, M.D.
K. Michelle Huzella, M.D.
George R. Smith, M.D.
Augustus Stern, M.D.
Kevin Dobbins, O.D.
Gerald N. Frishman, O.D.
Paul Heavner, O.D.
Purvi Patel, O.D.

Page 1

3/27/2020

Dear Judge Geraci,

I am writing you a letter in support of Dr. Eugene Gosy whom I have known for approximately the last 35yrs.

I am aware that he plead guilty to Conspiracy to Distribute Prescriptions for Controlled Substance Medications Not for Legitimate Medical Purpose as well as Health Care Fraud.

I am a board certified ophthalmologist working in Maryland in a reputable and highly regarded large ophthalmology practice. I grew up and went to medical school in Buffalo, NY.

I met Dr. Gosy in my late teens or early twenties through the Hungarian community. I know him well as both a friend and a colleague. We have maintained contact throughout the years. He has helped many members of the Hungarian community throughout the years with compassionate and quality medical care often free of charge for those who did not have medical insurance or the ability to pay. He is known by his medical co-workers, fellow health care professionals, and colleagues (including myself) as a very intelligent and terrific doctor. He listens, is easy to talk to, is caring, is ethical, and gets the job done. He has saved many many lives and has made numerous people's lives bearable (even enjoyable) when they otherwise gave up hope. With his help, people changed from incapacitated to productive citizens. He is known to take on challenging cases that other doctors could not handle. Many physicians refer difficult cases to him for help and advice.

Here is a specific example of someone whose life he has saved who is very close to me:

In 2014, my aunt and godmother, Hedy Horvath, was in her 80's, living alone in Toronto, completely lucid and physically well EXCEPT for a relatively sudden back problem she acquired. She was at a point where she was constantly laying on her stomach to minimize the pain but was still crying and whimpering as she was unable to live her life paralyzed by her discomfort. The Canadian doctors were unable to help and she was on the schedule for 6 months wait for her next test in Toronto to even decide what they should do!

Her daughter (my cousin) Dr. Susanna Horvath, is a board certified neurologist herself in NYC (currently practicing telemedicine). She could not help her own mother anymore! My cousin and I (both doctors) knew Dr. Gosy both as a friend and a colleague and we knew how smart and caring he was. He was our go to neurologist when no one else could help. Dr. Gosy got her in right away when we called him. My cousin drove her to Buffalo, lying in the car crying in pain from Toronto. Dr. Gosy gave her some back injections of pain medicines and steroids. She was like a new person. She was able to walk and was smiling again!

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Sidney Chang, M.D.
K. Michelle Huzella, M.D.
George R. Smith, M.D.
Augustus Stern, M.D.
Kevin Dobbins, O.D.
Gerald N. Frishman, O.D.
Paul Heavner, O.D.
Purvi Patel, O.D.

Page 2

We were all so happy for her that she did not have to spend the rest of her years suffering. Obviously, my aunt did not have US insurance. Dr. Gosy never asked us for any payment in return and he was just happy to help. He saved my aunt's life, continued to help her, and she continues to walk pain free and enjoys her children and her grandchildren even today.

That is just one example. I still have friends from high school who through his talent as a doctor has made the quality of their lives much better. My longtime childhood friend, Michael Trbovich, is a lawyer now unable to practice law after he was hit head on by an elderly driver and all his vertebrae collapsed. With the help of Dr. Gosy, he was able to walk around some and have some quality of life. Mike is my good friend and loves Dr. Gosy and credits him with giving him some quality of life back.

My other friend from high school, Monica Karsay, hurt herself in a skiing accident many years ago. She was able to get relief and some ability to regain normal mobility with the help of Dr Gosy. She stated that he was kind, a good listener, and she always had to do the proper drug testing and follow up in order to get her medicines renewed.

My father, Ferenc Tibold, died of lung cancer in 2015. For the years prior to his death, Dr Gosy helped him get pain relief (the cancer spread to his brain and bones) and therefore able to enjoy is last years with his family even though the cancer was terminal when he was diagnosed.

In summary, I have known Dr. Gosy for many years and KNOW that he is a terrific physician, was not afraid to help those that other doctors gave up on, and has saved and helped many many lives including those in my own family. I KNOW he is a good person. In all these years I have only heard him say caring things about his patients. In my many years of interactions with him, I do NOT know him to be unkind, unethical, uncaring...never had ANY indication of such. He has always been there to help the community without hesitation. He is loved by so many and has always stepped up to the plate for those in need.

A handwritten signature in black ink, appearing to read "K. Huzella", with a horizontal line extending to the right. Below the signature is the text "M.D.".

Kinga Michelle Huzella, M.D.

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DIA INVISION HEALTH
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March 16, 2020

Hon. Frank P. Geraci, Jr.
United States District Court
Western District of New York
2 Niagara Square
Buffalo, NY 14202-3498

Re: Dr. Eugene Gosy

Your Honor:

This letter is being written on behalf of Dr. Eugene Gosy. I have had the privilege of working with Dr. Gosy for the past 14 years as an adult nurse practitioner-board-certified. In my experience, this man has worked diligently, honestly and safely in regards to the concerns of his patients and staff.

I have personally witnessed the compassion, sincerity and knowledge of his care towards his patients and coworkers. It is my viewpoint, that his medicinal skills and knowledge be continued to be utilized within our community. I do realize that the citizens of our municipality are in need of such empathy and awareness, which he maintains. Please, deliberate this very profoundly and understandingly so the requirements and welfares of our community are maintained and addressed meritoriously.

It would appear that the expertise that Dr. Gosy preserves would be well applied for the practice of medicine and the maintenance and persistence of care for the community that we reside in, rather than subtraction from the field of medicine.

Kindly,



Elizabeth Hyla BSN, MSN, ANP-BC

HOLLY SPRINGS NEUROLOGY

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TELEPHONE: (919) 888-0074

FAX: 910-263-8363

PETER KOVACS, M.D.

March 30, 2020

Hon. Frank P. Geraci, Jr.
United States District Court
Western District of New York
2 Niagara Square
Buffalo, NY 14202

RE: Eugene Gosy, M.D.

I am a general neurologist currently practicing in North Carolina. I met Dr. Eugene Gosy almost 30 years ago, during my neurology training in Buffalo, NY where he was one of my attending physicians. When I lived in Buffalo, I visited Dr. Gosy's office multiple times as a physician discussing patients' care. Even after I left Buffalo we stayed in contact.

Practicing pain medicine is difficult and dangerous. Any medicine can be abused when consumed inappropriately and this is especially true for the narcotics that are a staple of pain management. But these medications do exist for a reason and it is cruel to have patients needlessly suffer while these medications are available to help them. As a result of the complexity, stigma, and potential for abuse, I do not prescribe narcotics to my patients. Instead, I send them to pain specialists like Dr. Gosy who devote their practice to navigating this difficult landscape. Therefore, I am dependent on physicians like Dr. Gosy to provide my patients with the best care. Without such pain specialists, my patients would needlessly suffer.

I am aware that Dr. Gosy pleads guilty to Conspiracy to Distribute Prescriptions for Controlled Substance Medications Not for Legitimate Medical Purpose, as well as Health Care Fraud.

How the circumstances forced him to do so, I do not know. I know Dr. Gosy as a valuable, honest, well respected member of the medical community. There has never been a question in my mind that he was mostly concerned about his patient's well being. As long as I practiced in Buffalo, I referred all of my patients who needed pain management to him, trusting that he would treat them well. I know that most of my colleagues had the same opinion about him.

Sincerely,



Peter Kovacs, M.D.



400 International Drive - Williamsville, NY 14221
USA PH: 716.631.3555 - USA FAX: 716.631.9525

Hon, Frank P. Geraci, Jr.
United States District Court
Western District New York
2 Niagara Square
Buffalo, NY 14202-3498

Your Honor,

I am writing this letter on behalf of Eugene Gosy, MD. I am aware that he has pled guilty to distribute prescriptions for controlled substance medications not legitimate for medical purposes as well as healthcare fraud. As a neurosurgeon I have worked with Dr. Gosy on a professional basis for 20 years. I have referred him many, many patients throughout this time. A large part of my practice has been helping patients with failed back surgery from around the state. He has always been able to accommodate the most difficult cases of pain control. Many of these patients who experienced traumatic nerve injuries required very high doses of narcotic medicine for pain control. Dr. Gosy took care of patients compassionately and professionally when nobody else would help these patients. These were patients the community physicians didn't feel comfortable managing or were not capable of. When Dr. Gosy's practice was suddenly closed, Western New York experienced a health care crisis as there was no capacity in the region to accommodate these patients, in volume, or complexity.

I worked with the insurance companies, the DEA and US Attorney's office to provide a place for these patients to continue their care. This eventually resulted in Dr Gosy becoming employed by Invision Health under my supervision in coordination with other physicians in the practice. I accepted this responsibility because of my confidence in Dr. Gosy's clinical abilities and our policies and procedures. He has been under our supervision since May of 2018 and has been a productive member of the local health care community. He currently manages about one thousand patients who continue to see him under the guidelines imposed by the court. He continues to be a very competent and compassionate physician held in high regard by his patients. Over the last two years with us his performance has been commendable. Dr. Gosy has been compliant with Invision Health policies and procedures and there have been no disciplinary actions or patient complaints.

I am aware he has been completely devastated financially and professionally as a result of his actions in such a way that he will never recover. I am certainly willing to continue this supervisory arrangement indefinitely if the court feels this is necessary.

I respectfully request that you take these comments into consideration. If you need any further information, please call me at 716-316-7117.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael K. Landi".

Michael K. Landi, MD, FAANS, FACS
Invision Health CEO



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Frederick B. McAdam, MD
Buffalo Spine and Sports Medicine
100 College Pkwy.
Williamsville, NY 14221
March 22, 2020

Frederick B. McAdam, M.D.
Corine S. Cicchetti, M.D.
Michael Cicchetti, M.D.
Jaclyn Jullé, M.D.

Hon. Frank P. Geraci, Jr.
United States District Court
Western District of New York
2 Niagara Square
Buffalo, NY 14202-3498

Dear Judge Geraci:

I would like you to consider my experience with Dr. Eugene Gosy as part of the context for the deliberations on his upcoming sentencing. I do understand that Dr. Gosy has pled guilty to Conspiracy to Distribute Prescriptions for Controlled Substance Medications Not for Legitimate Medical Purpose as well as Health Care Fraud. Although I cannot speak directly to the behavior that led to these convictions, it may be helpful to understand some of the circumstances that may have influenced Dr. Gosy's style of practice.

Although I have never had a personal relationship with Dr. Gosy, I have known of him since the mid-1980s when we were both completing our residency training; his in Neurology and mine in Physical Medicine and Rehabilitation (PM&R). I ended up pursuing extra training and expertise in musculoskeletal medicine focused mainly on back and neck pain. Dr. Michael C. Geraci, Jr. and I established an outpatient practice in 1989 which became incorporated in 1991. Our practice has emphasized nonoperative care of spine, sports and occupational injuries, utilizing exercise primarily with adjunctive pain control measures such as oral medications and injections. In the mid-90s, there was a big push for pharmacologic pain control at a time when pain became recognized as a "5th vital sign". At that time nonsteroidal anti-inflammatory medications such as Vioxx fell into disrepute because of new research that suggested unexpected small, but tangible cardiovascular risks in addition to the known risks for gastrointestinal bleeding and renal toxicity. This left the door open for analgesia with opioid medication, which was very effectively exploited initially by Perdue with Oxycontin, a long acting narcotic. Other companies soon followed suit. These narcotic medications were touted as a "safe" alternative to formerly preferred nonsteroidal anti-inflammatory medications, and the potential for addiction were downplayed because of the presumed advantage of long-acting steady state pharmacokinetics. So, there developed considerable pressure to consider pharmacologic pain management with opioids not only from patients and the pharmaceutical industry but also from many medical and nursing professionals. Pain management grew as a subspecialty with the availability of extra training in Pain Medicine within the specialties of Anesthesiology, Neurology or PM&R.

We became aware that Dr. Gosy, who initially practiced general Neurology, had meanwhile developed a focus on pain management, partly in response to a need for this expertise in the community. Our practice had a fair number of chronic pain patients who were failing our usual measures and needed help. We had generally preferred to send these complicated chronic pain patients to the nascent local

Judge Geraci
March 22, 2020
Page 2

multidisciplinary pain clinics, but unfortunately, these clinics were short lived for a variety of reasons. In my opinion, the basic problem undermining the establishment of a viable, sustainable pain clinic in this community was the lack of support from the University at Buffalo, hospital systems and the insurance industry among other shareholders. Therefore, patients and treating physicians like us were left with a fragmented system of care, that often left these difficult patients confused if not neglected. We, as specialists, along with primary clinicians did not quite know what to do with patients who failed the usual nonoperative care and were either not surgical candidates or who had already failed surgery. Many of us at that point turned to pain management specialists such as Dr. Gosy for help, often as a last resort. I must say that Dr. Gosy, more than any other pain management specialist that I have known, took on almost every pain patient that I sent him, no matter how complicated, and tried to help with different methods, including opioids. Whereas other pain specialists might not engage some patients in treatment, he was willing to try and salvage even the most difficult pain patients that were in a certain sense abandoned by our medical system. Whether this willingness to attempt to help all these patients was motivated more by altruism or by profit, I could not say, but I do know that he did try to help patients. However, this burgeoning patient load may have put him in a precarious position of not having the requisite resources to monitor the care of these often complicated, overwhelming patients.

Part of the difficulty in treating these patients is that these patients can be desperate to pursue treatments that are marginally helpful and even keep using medications or injections that are not helping at all. It is all too easy for all clinicians caring for these patients to get somewhat trapped in continuing treatments that are suboptimal or even ineffective, given the pressure generated by some patients with unrealistic expectations. This is a particular risk with fragmented care outside a multidisciplinary pain clinic, where there are more resources for psychosocial checks and balances. Even the best clinicians can be misled by their motivation to try help patient with low risk treatments that offer only a slim chance of success combined with a patient's desperation for pain control. And for a number of years, we clinicians were presented with data and opinions that narcotics, properly managed, posed little risk.

In summary, I don't know the extent of any physician's questionable behavior, including Dr. Gosy's, but I did not perceive him to be a menace to society but rather on the whole as attempting a service to a community of patients with chronic pain essentially abandoned by the health care system in WNY.

Sincerely,



Frederick B. McAdam, MD

ernice Bates, MD
resident
Laszlo Mechtler, MD
Chief Medical Officer

DENT

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ela Ajtai, MD
raci Aladeen, PharmD
ernice Bates, MD
Aubrey Bottoms, PhD
toracio Capote, MD
Erica Colligan, MD
inaame L. Farrell, MD
oseph Fritz, PhD, CEO
Marc Frost, MD
Iran Gengo, PharmD
Sanjay Gupta, MD
Ashraf Henry, MD
Tomas Holmlund, MD
Shivang Joshi, MD
Anupama Kale, MD
Leonard Kaplan, DO
Xiuli Li, MD
Amir Mazhari, MD
Jennifer McVige, MD
Laszlo Mechtler, MD
Bennett Myers, MD
Thomas Piffner, MD
Nandor Pinter, MD
Mohammad Qasaymeh, MD
Michelle Rainka, PharmD
Luisa Rojas, MD
Nicolas Saikali, MD
Kalyan Shastri, MD
Lixing Zhang, MD, PhD

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Pediatric Neurology
Physiatry
Behavioral Health
Sleep
Spasticity Clinic
Spine
Stroke

Dear Honorable Frank P Geraci, Jr
United States District Court
Western District of New York
2 Niagara Square
Buffalo, NY 14202-3498

My name is Laszlo Mechtler; I am the Chief of neuro-oncology at Roswell Park Compressive Care Center and Medical Director of Dent Neurological Institute. I am also a Professor of Neurology, Neurosurgery and Oncology at the State University of New York at Buffalo. I have trained hundreds of students and residents since 1989, including Dr. Eugene Gosy.

I have professionally known Dr. Eugene Gosy since 1989, when trained as a resident under my direct supervision until 1993. Following his residency, I encouraged him to apply for a pain fellowship in Tampa, Florida, at University of South Florida. We then brought him back to Western New York, as the first neurology pain specialist at the Dent Neurological Institute in Buffalo NY. After 6 years, Dr. Gosy left the Dent to start a private practice in Pain Management in Western New York. The Dent Institute physicians including myself continued referring patients to him, due to our unwavering confidence in him as the top pain specialist in WNY.

For complete transparency, I should mention that I have known Eugene as a classmate, as we attended the same medical school, Semmelweis Medical University, in Budapest Hungary from 1978-1984. I did not know him well, but what I do know, is that he came from the poorest part of Hungary, and he studied his way to become an excellent medical student with exceptional grades. He escaped communism to come to America, where I met him by accident when he worked as an orderly at the Kenmore Mercy hospital emergency department. He passed his US examinations immediately on first try and started his residency program at Millard Fillmore hospital. We began a friendship, and I helped him become accustomed to American ways.

While we worked together at the Dent, Dr. Gosy was wonderful doctor that was loved by his patients. He was an empathetic, professional, knowledgeable physician that developed a large pain practice. He was a regional specialist and his expertise was used by most of the community physicians. He was a truly respected clinician.

After Eugene left the Dent, he started his private practice, and we lost contact for a significant amount of time. I knew he was extremely busy running a practice on his own. The regulatory and IT expectations are so draconian that most physicians are selling their practices and joining hospital systems. I personally feel that this is the major reason that Eugene is here today fighting for his freedom. He is not a drug dealer; he is private practice doctor who was struggling to perform his duties, and had to cut corners to alleviate the suffering of his patients.

I do understand that Dr. Gosy has plead guilty to Conspiracy to Distribute Prescriptions for Controlled Substance Medications Not for Legitimate Medical Purpose, as well as Health Care Fraud

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This to me is a far more than a personal request; it is a request to allow the best pain specialist in this region to continue caring for Western New Yorkers. This community is need of quality pain specialists who care for the most complicated and afflicted patients. Many of them have cancer and chronic diseases. 2400 doctors in WNY have used Dr. Gosy's expertise in the treatment of the most resistant pain cases. I was one of them.

The Dent Neurological Institute is the largest neuroscience center in the United States that has a national and international reputation. As the medical director I, am pleased to say that we would welcome Dr. Gosy back to our institute where together we would establish a pain center that the community needs. This Covid-19 pandemic only reinforces my strong opinion that our community needs him more than ever.



Laszlo Mechtler MD, FAAN, FASN, FAEN, FAHS
Professor of Neurology, Neurosurgery and Oncology
University of Buffalo, SUNY
Chief of Neuro-oncology, Roswell Park Comprehensive Cancer Center
Medical Director of Dent Neurologic Institute
Past President of the American Society of Neuroimaging

- ela Ajtai, MD
- razi Aladeen, PharmD
- ernice Bates, MD
- Aubrey Bottoms, PhD
- loracio Capote, MD
- rica Colligan, MD
- naame L. Farrell, MD
- seph Fritz, PhD, CEO
- faric Frost, MD
- ran Gengo, PharmD
- anjay Gupta, MD
- shraf Henry, MD
- omas Holmlund, MD
- hivang Joshi, MD
- rupama Kale, MD
- eonard Kaplan, DO
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Williamsville, March 21, 2020.

Dear Honorary Geraci,

My name is Dr Stephen Mechtler, Obstetrician-Gynecologist, serving Western New York for over 30 years. Your honor, I'm writing to you in behalf of **Dr Eugene Gosy**.

Originally from Australia, my family moved to Buffalo late 1969. I graduated from Sweet Home High School, attended Canisius College for pre-med in the 70's. I then decided to go to Medical School in Budapest as both my parents are from there.

It was in medical school when I met Dr Gosy back in 1978, and both of us graduated in 1984. You might say I've known Dr Gosy the longest here in the United States. After fleeing Communism, what a coincidence that his uncle lived in Buffalo, and therefore Dr Gosy moved to Buffalo. We've been close friends ever since.

I remember how difficult it was for him at the beginning, not knowing the language, working as an orderly at Kenmore Mercy Hospital, driving an old car that my father constantly repaired.

He passed his American medical exams and did his Neurology Residency, similar to my brother, Dr Laszlo Mechtler, President of Dent Neurologic Institute. Although, he completed his Pain Management Fellowship in Florida, he then returned to Buffalo to practice medicine.

As an OB-GYN, I've sent many of my patients with chronic pain to Dr Gosy. He always kept me up to date with my patients, and did a great job treating them. I can say this after receiving feedback from my patients, who praised him for his excellent care, both professionally and personally. He followed the national guidelines and even discharged patients if they didn't follow his instructions.

I understand that he pled guilty to Fraud as well as to Conspiracy to Distribute Prescriptions for Controlled Substance Medications Not for Legitimate Medical Purpose. But Your Honor, Dr Gosy is a good physician, good human being who cares about others very much. This medical community needs more physicians like him. Unfortunately, Western New York loses, on average, 20 physicians per year.

I'm sorry if this letter was long, but I urge you to be lenient towards him, so he can return to the medical community, and again be one of the leaders in neurology.

Please do not hesitate to call me (716-536-0727) if I can be any further help. Thank you for your time.

Sincerely,

Stephen Mechtler, MD



Michael E. Merhige, M.D. LLC

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September 2, 2020

Honorable Frank P. Geraci
Chief District Judge
US District Court
2 Niagara Square
Buffalo, NY 14202

RE: Eugene Gosy, M.D.

Dear Judge Geraci:

I am writing in vigorous petition for your clemency in the sentencing of my friend, physician and professional colleague Dr. Eugene Gosy.

At age 68, as a full time practicing cardiologist educated at the University of Kentucky, Mayo Clinic and Texas Medical Center I have had the privilege of knowing many superb physicians. I have known Dr. Gosy since I became his patient in 2009. I have referred my own family members as well as my own patients to him for pain management. In my opinion, he is simply the best pain management physician in Western New York.

In my experience, he has maintained the highest professional standards of medical, humanitarian and ethical conduct in the care of his patients including myself. During the years that he maintained his own practice, I was always impressed looking around the waiting room at the obvious severity of his patients' clinical problems. He ran a tight ship, requiring close monitoring of scheduled drugs through patient/physician medication "contracts", frequent surprise urine toxicology testing, and not allowing early refills of opiate medication. As a patient and a referrer of patients, I have continued to have the highest respect and gratitude for Dr. Gosy's work, which involves a very complex and challenging group of patients who require aggressive medical management of their pain. As far as I know, he has never treated a pain patient without a clear cut, objectively demonstrated biological basis for pain complaints including personally reviewing pertinent imaging studies, neurology testing, physical exam etc.

Because of the current “war on drugs” societal atmosphere, almost all physicians in Western New York including myself, simply stopped prescribing opiate medication because of our fear that we would come under the microscope of law enforcement. This is problematic because I have known patients who have committed suicide because their pain was undertreated or ignored by our frightened physician community.

Dr. Gosy exposed himself to government attack because he would not abandon his patients. He has accepted all referrals including avowed drug addicts who also required pain management [e.g. after falling four stories from scaffolding suffering spinal fracture while simultaneously being a diagnosed drug addict]. As I think became clear when his office was initially shut down by the government, thousands of patients in Western New York were left in severe pain, non functional with no hope, until local physicians stepped into the breach and re-enforced the message that someone has to be brave enough to take care of pain patients in this aggressive administrative atmosphere where it is felt to be “better” to let chronic pain patients suffer 24/7 than to “expose them” to appropriate opiate medication because “they might become addicts”. The medical definition of addiction involves the use of medication that impairs the functioning of an individual in society. Dr. Gosy’s practice was just the opposite. By carefully managing his patients’ complex pain problems [and as the “last resort” in our community], he has enabled countless patients to maintain their function, he able to interact properly with their families and continue working. That in fact is the opposite of addiction, as we define it in medicine.

When government forces place people in a position where they have no option for medically appropriate and professionally managed pain medication, they may turn to illegal drugs like heroin. This addiction problem in my view, is actually driven by an aggressive law enforcement approach inappropriately directed against treating physicians who are always readily accessible, and open wide for endless administrative scrutiny. Any practicing physician exposed to law enforcement descending en masse on their medical records will inevitably be found to have made mistakes because all physicians are human.

In medicine we take an oath: we promise to do no harm and to do our best to relieve suffering. That is a tight rope that is not easily walked and I have never seen a doctor do the job more brilliantly than Dr. Gosy.

When you go into private practice and if you stay in it long enough, you do outlive some of your patients. As you know, we have a robust medical malpractice system that is highly evolved, to identify bad

actors in the medical profession who have more bad outcomes than the level we all have to accept if anyone is to continue practicing medicine.

I implore you to not punish this good man with prison time. He has been a steady defender of his patients' right to live and stay functional despite incapacitating pain. Please don't send him to prison for trying to care for difficult and challenging patient problems, who no one else will touch.

I enclose my CV and stand ready at any time to answer questions or discuss Dr. Gosy's situation with you if you would like.

Thank you for taking the time to read this letter.

Sincerely,



Michael E. Merhige, M. S. , M. D. F.A.C.C , F.A.S. N.C

ba

Enclosure

Robert A. Milch, MD, FACS
74 Hidden Creek Court
Williamsville, NY 14221

May 21, 2020

Dear Judge Geraci,

I am one of three physicians who worked in Dr. Eugene Gosy's office during the time when he was prohibited from practicing, and subsequently when his participation was under supervision. With that experience as background, and with the passage of time for reflection, I respectfully ask for your consideration in anticipation of his sentencing for the crimes to which he has pled guilty.

I practiced general and vascular surgery at the Buffalo Medical Group from 1975 – 1993, when I left private practice to become the full-time medical director at Hospice Buffalo, a position I had held as a volunteer since 1978. I retired in 2015. That span and breadth of practice have gifted me witness and perspectives on the patient's experience of illness, and how we as a profession care for them.

My medical education and training regarding pain management was typical of the time: a paucity of pharmacology, myths and habits guiding application, then growing acknowledgement of the inadequacies of what and how we were doing. Knowledge evolved about the nature of pain – acute vs. chronic, somatic vs. visceral vs neuropathic, physical and psychic – and the modalities for dealing with them – pharmacologic, interventional, rehabilitative, supportive. The principles of pain management evolved and changed with ongoing research, much done and promoted by drug companies, but predicated on a sea-change of physician attitude in soliciting and believing the patient's report of pain. Pain management got complicated, demanding real skill sets in knowledge and communication and perseverance. It was time consuming, and like other "cognitive" medical specialties such as primary care and pediatrics,

relatively poorly reimbursed. Third party reimbursers and agencies added to the management requisites, not infrequently with unintended consequences which hindered access to and rendering of care. Pain Management became a sub-specialty of other specialties – neurology, anesthesia, internal medicine – requiring a special kind of dedication, attracting few practitioners.

Those few practitioners, however, are venerated by other physicians in the community. They have the resources and skill sets to understand and meet the complex physical and psychosocial needs of the chronic pain patient, needs which often outstrip the capabilities and willingness to engage of most other doctors. That is why, in all of Western New York, Dr. Gosy became the “go to” guy for referral from other doctors and patients, myself included. And he almost always accepted referral of a patient for consultation and management, much to the relief of patient and referring doctor, both well served.

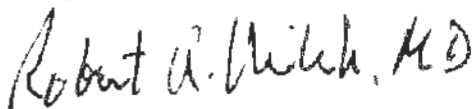
I recall looking out the window of Dr. Gosy’s office the first day of covering the practice. I watched car after car pull up to the entrance in a kind of balletic procession: passenger door opens, driver exits to open the trunk and retrieve a wheelchair or walker or crutches, assists the patient/passenger to the door. It would do justice to supplicants at Lourdes. Nearly every patient is accompanied by a relative or friend who has disrupted or modified their own daily routine, requisite for transportation, necessary for support. One begins to appreciate that chronic pain doesn’t affect just one person, that its management is also socioeconomic at base, and sometimes it does “take a village”.

In my many months working in the office I was impressed by the quality Dr. Gosy’s clinical judgment, its reflection apparent in assessment and decision-making. Watching his dialogue with patients, a complex sampling of humanity with complicated needs and motivations, it was clear to me that his interactions and demeanor were individualized with each, appropriate to need as the circumstances required – skillful, insightful, paternal, firm, compassionate, even wise.

I can attest to the many patients who speak of his care with gratitude and appreciation. His use of ancillary support staff and monitoring were always appropriate, as were the prescriptive practices I witnessed. I never had the impression that his recommendations for care were premised on greed or callousness.

I am so deeply saddened by what has transpired, what has and will befall Dr. Gosy. The loss of his ability to practice medicine and his specialty, his professional reputation, his home and property, in and of themselves are devastating. So, too, would be the totality of an interminable loss of his practice to our community. To the end that your judgment in sentencing might take these reflections into consideration is greatly appreciated.

Respectfully,

A handwritten signature in black ink that reads "Robert A. Milch, MD". The signature is written in a cursive, slightly slanted style.

Robert A. Milch, MD

7861 E. Quaker Rd.
Orchard Park, NY 14127
May 31, 2020

Hon. Frank P. Geraci, Jr.
United States District Court
Western District of New York
2 Niagara Square
Buffalo, NY 14202-3498

Re: Eugene Gosy, MD

Dear Judge Geraci:

I am writing to tell you what I know from firsthand experience about Dr. Eugene Gosy, who I know has pled guilty to two charges.

I am currently senior associate dean for health policy at UB's Jacobs School of Medicine and Biomedical Sciences. I am an internal medicine specialist with a long career in practice in Western New York. I was the president of the American Medical Association from 2008-9 and speaker of the AMA House of Delegates prior to that, so I spent a decade in medical leadership at the national level. For eight years I directed NYS Dept. of Health's Buffalo Office of Professional Medical Conduct (OPMC) which investigated allegations against physicians. So I am no stranger to allegations of misconduct by physicians, and I recognize it when I see it. I directed a number of investigations of fraud, incompetence, negligence, moral unfitness, etc. In some of the cases, I collaborated with the Federal Bureau of Investigation or the Drug Enforcement Agency in investigating cases and preparing them for prosecution or OPMC administrative hearings. I have great respect for law enforcement and its role in protecting the public. I also know that the lens through which law enforcement officials see things is somewhat different from that of a medical professional, and that contrast is very apparent when it comes to treatment of patients with chronic pain and the changing understanding of the risks/benefits of opioids over the past several decades.

I had a large private practice in Buffalo, and co-directed the medical intensive care unit at Buffalo General Hospital (now Buffalo General Medical Center) for nearly a decade. Like many physicians at the time, I used opioid medications sparingly and with great wariness, employing them most often in the treatment of patients with cancer. Then a number of things happened throughout the United States that focused attention on physicians' undertreatment of pain. The VA medical system under the direction of Dr. Kenneth Kizer promulgated "pain is the fifth vital sign". That influenced The Joint Commission, the accrediting body for most hospitals, to begin evaluating hospitals and other healthcare organizations on the basis of patient-reported relief of pain. Then there was the congressionally mandated "Decade of Pain" which began in 2001, following almost two decades of rising concern over inadequate treatment of chronic pain in the US. So physicians and hospitals were hearing a steady drumbeat of how poorly we had done in treating pain and also we were evaluated ("graded", often with financial penalties attached) if patients reported that their complaints of pain were not "completely relieved". In 1995 Oxycotin was released with aggressive marketing and what we now know (but did not then) were fraudulent claims and marketing practices. It was the perfect storm: articles in the literature claimed little risk of abuse potential or patient harm; regulators, patients and Congress itself regarded the absence of pain as a mark of high quality; the pharmaceutical industry was

relentless and unscrupulous in its claims and marketing of opioids to clinicians and the general population.

So that was the milieu in which all clinicians practiced. Most of us were not trained to use opioids long term and were afraid to do so, and yet we were also concerned about under-treating patient complaints of pain. Patients were targeted by pharmaceutical ads on TV and in print, and patient support groups were funded and deliberately manipulated by Purdue Pharmaceutical and other manufacturers of opioid drugs. More and more patients were seen who complained of chronic pain, and physicians who were trained in the subspecialty of pain medicine seemed to be the appropriate place to refer those patients for care.

And that is how Dr. Eugene Gony, his physician associate at the time and his 10 or 11 midlevel practitioners (nurse practitioners [NPs] and physician assistants [PAs]) came to have about 10,000 patients in their practice. Patients were referred to that practice by physicians throughout the region when our usual ways of caring for them failed. As you may know, chronic pain patients are very tough to deal with because their lives have changed in ways that would challenge anyone. Their activities are limited, sometimes severely, and there are numerous psychosocial sequelae of that. Often they desperately search for answers in repeated surgeries, numerous trials of medications and they become insistent advocates for themselves, which is off-putting to clinicians and difficult for family members to handle. Dr. Gony was adept at dealing with patients we were unable to handle and so his practice grew.

Now let me get to my interaction with Dr. Gony in the spring and summer of 2016, after he had been charged by federal authorities. To my knowledge I had never met him prior to that, though I knew of him and may have referred a few patients to him over the years. What I did know was his reputation for being willing to come to the hospital when called for consults on pain patients. With all the fanfare of his arrest: surrendering his DEA license as a condition and being able to practice only under supervision, there was a severe public health crisis in WNY when his practice closed, since the midlevel practitioners could only see patients with a physician present, and their patients and Dr. Gony's patients were unable to get care anywhere. The few pain medicine practices in the area were full. All the local hospital emergency departments agreed they would only prescribe 5 days of opioids; no doctor in the area knew how to treat these chronic pain patients and also no doctor wanted to be the next one indicted by federal authorities. It was a true crisis. There were multiple meetings of the county medical society with state officials, trying to figure out what to do, as admissions for withdrawal were occurring across the region. Tragically, there were two patient suicides that I know of and several reported deaths of patients desperately seeking drugs they had been stabilized on for years, but could now only obtain on the street. After nearly three weeks, during a meeting at the medical society I called the current medical director and CEO of Hospice Buffalo (Dr. Chris Kerr) and a former Hospice medical director (Dr. Robert Milch) and asked them if the three of us could volunteer to go to the Gony practice, supervise the midlevel practitioners, and bring needed care to the thousands of patients who were "medical refugees" and increasingly desperate. I did not know how to prescribe high dose or long term opioids, but they did. We agreed, so I notified the DEA and the US attorney's office of our plans and we began a 75 day volunteer supervision of the practice. We were helped by local insurers and even the state Workers Comp (WC) medical director to cut through the usual bureaucracy and red tape, since no one wanted patients to be hurt and unable to get care.

What I expected to find when I went to the practice was a significant number of drug seekers, maybe 30-something aged guys with California tans and wearing gold chains. How wrong I was. What I found was mostly elderly patients, many in wheelchairs or using walkers. The

youngest patient I saw on the first day was 42, and he had a history of 4 failed back surgeries. He told me he was bedridden until being cared for by Dr. Gosal, and while his activity was still significantly limited, he was now able to be up, walk, toss a ball to his young son, and sit at a table to eat with his family. He was on opioid medications prescribed by Dr. Gosal and had been for some time. Dr. Milch and I saw every patient that first day, along with the NPs and PAs. Because we had to review every chart, we were hopelessly behind schedule. By 5 p.m. we were 90 mins behind, so we went to the packed waiting room to apologize and explain why things were delayed. The patients not only nodded in appreciation, they applauded. It was an emotional moment, and it brought home how many people came there, not demanding drugs, but needing help and appreciating the care they had received from Dr. Gosal and his associates.

Part of our role was also to supervise Dr. Gosal, who was able to practice medicine under supervision but could not prescribe any controlled substances since he had surrendered his DEA license. Dr. Gosal saw his patients, then presented them to me or one of the other two physicians. Meanwhile, we reviewed each chart, the medication history and the state database of prescribed meds. We also reviewed the urine toxicology done in the office that day. The office routine was well outlined and impeccably followed in terms of length of time between office visits, necessity of toxicology tests, and review of the state drug database. [Perhaps the biggest surprise to me was how well Dr. Gosal knew the patients. Without referring to the charts, he would present a patient, describe the physical exam he had just done and fill in many details of the patient's psychosocial situation (e.g. marital issues, economic challenges, past problems with medications, consultations with other specialists, etc.) The level of detail he provided, using no notes and no charts, was evidence that he knew the patients very, very well and had spent time with them discussing their life challenges due to their continued pain.]

After several weeks at the office, I received a call from then-US Attorney William Hochul. He inquired what percentage of Dr. Gosal's patients I thought were drug-seekers. I responded that it was maybe 2-3%. He was surprised, saying his office thought it was about 40%. I invited him to spend a day with me in the office to learn for himself. To clarify, I discharged a handful of patients during my time in Dr. Gosal's office, usually because of urine tox screens that showed presence of cocaine or marijuana in addition to prescribed meds. I told those patients they had a different problem that needed an addiction medicine specialist and referred them to regional resources. (I have since had many conversations with pain medicine specialists across the country that I've known from AMA meetings – they have educated me that patients with chronic pain and signs of concomitant addiction, if discharged from a practice, have a 7-fold increase in mortality, and that there were better ways to be sure they were handled safely and appropriately. I wish I had known that at the time I was in Dr. Gosal's office.)

I learned through my 3 months of volunteer time that Dr. Gosal was a highly skilled, responsible pain specialist who cared deeply about his patients and knew them well. He was fellowship-trained in pain medicine and board certified in neurology at a time when the country was demanding that not just adequate but complete pain relief be afforded to patients. What we know now about the addictive properties and risks of opioids has completely changed things, obviously, and has changed the way clinicians prescribe opioids at all, let alone long-term. What has been lost in the move to change medical practices is the sufferers – the patients for whom the usual treatments have not worked, whose lives have been changed forever by injuries or surgical interventions, who resent being thought of as drug-seekers and who are desperate for relief of pain and improvement of function. National surveys estimate that 50 million Americans suffer from chronic pain.

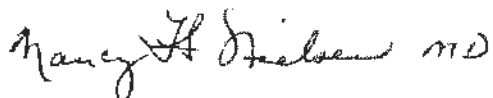
Because of the volume of patients in the Gosy practice, it was very difficult to keep up with the monthly refills (the state database had to be consulted before issuing each refill, in between the required office visits every three months), reviewing the charts, and supervising midlevel practitioners who had their own patients. Some workers' compensation requirements made little sense to me, for example the requirement that a physician had to personally be in the office when a midlevel practitioner saw his or her own WC patients and that medications for those patients could only be prescribed by the physician. I appealed personally to the NYS WC medical director who waived the requirement for the three of us volunteer physicians to have to personally prescribe meds and med refills for the patients of the NPs and PAs. That was a tremendous help. The midlevels knew their patients well, knew what needed to be prescribed and it seemed unnecessary for a physician to have to write the scripts for them. This was not required for any patients covered by other insurances, only Workers Comp. The midlevels had their own DEA licenses, just couldn't write meds or refills for WC patients.

Dr. Gosy's office was very, very busy. There was nothing "creative" about the way patients were handled or brought into the office. There was nothing that indicated patients were brought into the office unnecessarily; in fact, the sheer volume of patients who had been referred to the practice made seeing them every 3 months (the current standard of care) hard to keep up with. Without the NPs and PAs who worked there, it would have been impossible. Pain medicine is a tough specialty because the medical knowledge required is vast, the interview and interpersonal skills needed to deal with complex patients is demanding, and the volume of patients with chronic pain is enormous. That is how, I think, Dr. Gosy ran into the trouble which led to his guilty pleas. I do not believe that greed entered into it. He did not "deal drugs" or exchange opioid prescriptions for money (or barbeque grills, etc as has been seen in WNY with other physicians).

I have respect for Dr. Gosy's medical knowledge, his comprehensive understanding and compassion for his chronic pain patients, and his integrity in prescribing for them. This opinion is based on direct observation during the three months I spent supervising him, while fully aware of the federal charges levied against him. I hope that will be considered as you contemplate a just sentence for the actions to which he has admitted.

Please don't hesitate to contact me if I can provide any further information.

Respectfully,



Nancy H. Nielsen, MD, PhD
Senior Associate Dean for Health Policy
Jacobs School of Medicine and Biomedical Sciences
University at Buffalo
Cell phone: (716) 207-6866

**PEER PAIN MEDICINE, PLLC
PO Box 1098
AMHERST, NY 14226**

GERALD L. PEER, MD

The Honorable Frank P. Geraci, Jr.
United States District Court
Western District of New York
2 Niagara Square
Buffalo, NY 14202-3498

Dear Judge Geraci,

I am aware that Dr. Eugene Gosy has taken a plea of guilty to Conspiracy to Distribute Prescriptions for Controlled Substance Medications Not for Legitimate Medical Purpose, as well as Health Care Fraud. I submit this letter of request for clemency on the part of the Court in his upcoming sentencing.

I am a Pain Management physician, retired from active practice in May 2019. I formerly worked in liaison with the State University at Buffalo School of Medicine and established the region's first Multidisciplinary Pain Clinic at the Buffalo General Hospital in 1985. I first met and guided Dr. Eugene Gosy in this context, he as a Neurology Resident and worked closely with him for two months. I found him to be intelligent, cooperative, inventive and compassionate. He then left our Clinic to complete his neurology residency. We have since been colleagues, although practicing in different settings. I occasionally spoke with him on the phone or at meetings on topics of common interest.

The world of pain diagnosis and treatment can be overwhelming, since the majority of diseases have pain as a symptom. I quickly discovered early in my career that hospital inpatient service in pain management to be overtaxing, since I was often called when inpatients would complain of pain even of a simple, easily treated nature. I therefore stopped this aspect of my practice, not being able to identify in the many referrals the people truly in need of a specialist.

I laud Dr. Eugene Gosy because he did not stop this aspect of his practice.

Dr. Gosy found inventive ways to identify those people in the hospital who truly needed a complex evaluation. He was available nights and weekends to perform this service, even though hospital inpatient evaluations are poorly remunerative and only a minority of these would followup on an extended basis. His availability and work of this kind was truly a public service.

Dr. Gosy's outpatient practice was open to all referrers for patients they didn't want or couldn't handle. This, too, was a great public service.

I respectfully request that Dr. Gosy's public service be taken into account when sentencing is delivered.

Sincerely,

A handwritten signature in black ink that reads "Gerald L. Peer MD". The signature is written in a cursive, flowing style.

Gerald L. Peer MD



Philip A. Penepent, Jr., M.D.
Gretchen Murphy, PA-C
Crystal Densmore, PA-C

March 19, 2020

Hon. Frank P. Geraci, Jr.
United States District Court
Western District of New York
2 Niagara Sq.
Buffalo, NY 14202-3498

Dear Judge Geraci,

I am writing this letter in behalf of Dr. Eugene Gosy who will be before your Court for sentencing in regard to a guilty plea to conspiracy to distribute prescriptions for controlled substance not for legitimate medical purpose, as well as healthcare fraud.

I am a physician in local practice in Western New York since 1982 in the practice of General Internal Medicine. I am well acquainted with Dr. Eugene Gosy for many years, actually since he was trained at Millard Fillmore Hospital in the 1980s, and his subsequent practice in pain management and neurology. I have referred, along with many other physicians in our area, a good number of patients who required the services of pain management with Dr Gosy because of the difficulties these patients had with pain that were beyond the scope of my practice. I have always felt that Dr Gosy provided a much needed service to the physicians in this community to those patients, often in the most dire circumstances, with pain. I feel that Dr. Gosy provided a very professional, competent service to my patients and I do not have any knowledge of harm to any patient that I referred to him. I feel that I still have a few patients that could still benefit from his care but, because of the situation, he can no longer provide such services. Here in Western New York, there is not a lot of choices in regards to referrals to pain management and there is an extreme reluctance upon physicians locally to treat people with pain.

The advent of this case has brought about greater scrutiny by the medical community in prescribing controlled substances, and in many ways rightfully so. We now restrict initial prescriptions to 7 days for controlled substances. We go to the New York State website to see if the patient is requesting controlled substances by other providers. Pain managers are doing more procedures rather than writing controlled substances. Patients are being tested for compliance with their medication. Patients are often offended by testing for compliance because they feel that they are being criminalized. There is always the possibility that some patient can scam you, and there is an increase awareness by providers in this regard. And then there is medical marijuana that is allowed for certain conditions New York State but still is technically a Schedule I prohibited drug under federal law. So a lot has changed since the initiation of the investigation of Dr. Gosy occurred.

I cannot speak to the extent of Dr. Gosy's wrongdoings but I do feel that the leniency should be considered by the Court in his case based on my knowledge of his professionalism that he provided to my patients. I feel that this community will be at a loss for his services.

Respectfully yours,

Philip A. Penepent, M.D.

Electronically signed by Philip A. Penepent, M.D. on 03/19/2020 at 1:02 pm

5196 Genesee Street Bowmansville, NY 14026
www.PenepentMD.com
Phone: (716) 681-1895 Fax: (716) 681-5439

May 1st, 2020

Hon. Frank P Geraci, Jr.
United States District Court
Western District of New York
2 Niagara Square
Buffalo, NY 14202-3498

Dear Judge Geraci,

It is my understanding that Dr. Eugene Gosy has pleaded guilty to Conspiracy to Distribute Prescriptions for Controlled Substance Medications Not for Legitimate Purpose as well as Health Care Fraud. It appears that after a many year struggle with the federal government Dr. Gosy has finally decided he can not afford to defend himself any further.

I know Gene from a professional standpoint as well as a personal standpoint. Gene escaped the USSR control of Hungary and came to the United States to make a better life for himself. He cherished the opportunity of the American Dream through hard work, sacrifice, integrity and this is the way Gene has lived his life.

As a Neurologist he decided there was a need for someone to take care of people with chronic pain. He is a headache specialist too. Dr. Gosy modeled his practice after the Cleveland Clinic. Approximately 3 years prior to this investigation, the federal government evaluated his practice and advised him that he had the model pain management practice in Western New York. They felt that Dr. Gosy set the standard for how patients with chronic pain should be managed.

Gene would take on the patients that had there pain created by injury or multiple surgeries. Western New York physicians knew that if there surgeries did not go well for a patient there was always Dr. Gosy the patient could be sent to to help control their chronic pain. Dr Gosy was a physician that helped patients control their pain with medications that during his career was the norm in healthcare. With the changing of the public attitude toward chronic narcotic use people like Dr. Gosy became targets of politicians and prosecutors who wanted to make a name for themselves.

Things that occurred prior to this investigation was that Dr. Gosy had to dismiss his partner, Dr Jerry Tracy, for not using standards that Dr. Gosy felt necessary to ethically take care of patients with chronic pain. He also dismissed an IT employee who was also performing tasks that were not up to his standards.

At first, as you know, the investigation started with the idea the Dr. Gosy was dealing drugs through his practice. When the feds got done with that investigation they affirmed that Dr. Gosy was not dealing drugs through his practice. They offered Dr. Gosy a way out by paying a fine of approximately \$200,000 or they would not leave. They advised him that if he did not pay this then they would continue to investigate him until they found a way to prosecute him. Dr. Gosy felt that this was unethical and since he knew he was not doing anything wrong he would not pay them.

The feds, through their endless time and money, found some days that Dr Gosy and his partner Dr Jerry Tracy were not in the office at the same time and their physician extenders work comp patient visits were billed like one of them were in the office by a billing company that Dr. Gosy hired to do his billing. This error went unrecognized until the federal investigation discovered it. While I agree that a doctor who hires a billing company to do his billing is still responsible for the billing done appropriately this error does not equal fraud since Dr. Gosy did not willfully do

this. It is my opinion that this should be handled with a refund of the overpayments and a penalty. Not jail time. If billing errors in the medical field were all treated with jail time then most of the doctors and hospitals would be in jail.

In regards to Distribute Prescriptions for Controlled Substance Medications Not for Legitimate Purpose this is Dr. Gosy saying "uncle". The relentless pressure by the feds have broken him. It is my opinion Dr. Gosy would never do what he pled to. He is a man of great integrity. It is my understanding that he did this, because he did not want his daughters/family to be exposed daily to a long drawn out trial of half truths by the feds to defame Dr. Gosy so as to get public opinion to go against him. He also did this to keep his previous employees from being dragged in front of the cameras/media to testify in a way that supported the feds' case and not necessarily the truth.

I have personally known Gene for many years. He built a very successful practice taking care of chronic pain in a way that the physicians in Western New York could trust would be the best. While Gene accumulated many things through this success he never once showed any sign that his wealth was acquired through any nefarious means. He would always advise people when they were interested in his wealth that it was acquired through hard work, sacrifice and integrity. Gene is a humble, kind and supportive person. I was lucky enough to be his friend and watch his family grow through the years. What has been happening for the past few years to Dr Gosy is tragic. It has shown me that men with power can be swayed to produce an outcome that is acquired through means that are not ethical for the sake of advancing their careers. I ask that Dr. Gosy's case be treated with the upmost integrity that I know Judge Geraci you have practiced your whole life.

It is my opinion that the billing errors be treated as errors and not fraud. It is my opinion that the other charge(s) for distributing prescriptions for controlled substance medications not for legitimate purpose be dropped. It is my opinion that this would bring us to a conclusion based on honesty and fact.

I have always wondered why Dr Jerry Tracy who worked with Dr. Gosy has not come under the same scrutiny by the feds as Dr Gosy has. I also wonder why the surgeons, usually spine surgeons, who create many of these chronic pain patients are not under scrutiny for significantly contributing to the current narcotic crisis that afflict many in this country. Many spine surgeons have very lavish lifestyles that are supported by performing the surgeries that contribute to patient's chronic pain.

Sincerely,


David J Pochatko, MD
Foot and Ankle Orthopedic Surgeon.



6722 Erie Road
Derby, NY 14047
716.947.5025

97 S. Buffalo Street
Hamburg, NY 14075
716.648.0650

Hon. Frank P. Geraci, Jr.
United States District Court
Western District of New York
2 Niagara Square
Buffalo, NY 14202-3498

March 13, 2020

Dear Judge Geraci:

I am writing in support of Dr. Eugene Gosi. I understand that Dr. Gosi has plead guilty to Conspiracy to Distribute Prescriptions of Controlled Substance Medications Not for Legitimate Medical Purpose, as well as Health Care Fraud.

I am a New York State Licensed Clinical Social Worker and have been practicing since receiving my MSW in 1977. In addition to working in several Community Mental Health Centers as a counselor, senior clinician and program director, my wife and I have been operating a private practice since 1983. I have treated many patients in my career who have been suffering from both mental illness and physical disabilities, many of them chronic with a very poor prognosis and quality of life. These patients shared that they had been referred to Dr. Gosi, MD, when their other doctors and specialists did not know what else they could do to treat their chronic pain.

My oldest child, Jennifer Popson, has been suffering from chronic, incurable, illnesses her whole life. At age two she began with cyclic vomiting syndrome (CVS), a condition that did not even have a diagnosis until she was ten years old. This condition causes vomiting every fifteen minutes, sometimes for days, usually resulting in hospitalization. She had somewhat of a remission which allowed her to attend college, where she graduated Cum Laude in Engineering from Syracuse University, and secured a job with the NYS Department of Transportation designing bridges. She worked ten years before having to go on disability due to the CVS which became unmanageable as a result of other illnesses.

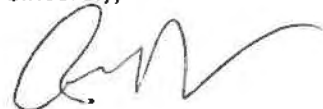
She had a gastric pacemaker implanted in 2016 to help manage the CVS, but unfortunately has suffered with other co-occurring disorders, including: Intractable Migraines; POTS; Crohn's; Celiac; Trigeminal Neuralgia (described as producing "suicide pain"); TMJ; Fibromyalgia; Major Depressive Disorder; and Generalized Anxiety Disorder. The common symptom of most of these illnesses is extreme pain.

Many of Jennifer's doctors performed various surgeries in an effort to provide relief, including: Removing her tonsils and adenoids; placement of tubes in her ears; Removed her gall bladder, implantation of G & J tubes; two brain surgeries for Microvascular decompression of the Trigeminal Nerve; gastric pacemaker; and repair of incisional hernia. In addition, she has undergone over two years of dental work to repair damage done by various opioids over the years to treat the pain.

We have consulted and seen many specialists in hospitals, and private practice, from Syracuse, Rochester, Buffalo, Niagara Falls and Cleveland (at the Cleveland Clinic). It was not until we met Dr. Gosi, MD, in 2009, that we were given a treatment plan whose goal was to reduce the number and potency of the medications that she was being prescribed. Each previous doctor had usually just added onto her growing list. Dr. Gosi has been able to wean her off the strongest medications successfully, without creating a crisis. She continues to see him for pain management and would be adversely affected if he was not able to continue providing services to her.

Dr. Gosi, MD, has, during the time we have known him, treated many of the most difficult patients in Western New York. Many referred when everyone else had run out of options. He is an intelligent, kind, compassionate person and has been a comfort, and provided hope to me and my family when everyone else had given up on my daughter. It is my sincere hope that you understand how my family has experienced him during this long and painful journey.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Popson', written in a cursive style.

Richard D. Popson, LCSW-R
Senior Clinician
Board Certified Diplomate in Clinical Social Work



400 International Drive • Williamsville, NY 14221
USA PH: 716.631.3555 • USA FAX: 716.631.9525

Hon. Frank P. Geraci, Jr.
United States District Court
Western District of New York
2 Niagara Square
Buffalo, NY 14202-3498

I am writing a letter on behalf of Dr. Eugene Gosy. I have worked as a Physician Assistant in Neurosurgery under the supervision of Dr. Michael Landi since August 2001. I am aware that Dr. Gosy has pleaded guilty to conspiracy to distribute prescriptions for controlled substance medications not for legitimate medical purpose as well as health care fraud. I have known Dr. Gosy professionally since 2001 and have taken care of many mutual patients.

In my experience over the years, Dr. Gosy has always been available to his patients and actively involved in treating their chronic pain successfully. We have consulted and requested his services on many, many occasions with successful outcomes. I have worked more closely over the last couple of years as we are practicing in the same facility. He is a kind compassionate man who truly cares for his patients. His patients have expressed they are thankful for his bedside manner and ability to listen. Dr. Gosy has always been kind to our staff and has been a pleasure for me to work with in our office.

In my opinion, pain management is a difficult field of medicine. Dr. Gosy has been an excellent physician and been able to help with this very difficult patient population. His knowledge of neurology and pain management have been an asset to our practice and the Buffalo area. I know his patients and the community will feel a great loss without his care.

Sincerely,

A handwritten signature in cursive script that reads "Monica Ralabate PA-C".

Monica Ralabate PA-C



Eric Roger, M.D.
NEUROSURGERY

869 Delaware Ave
Suite 1
Buffalo, NY 14209
P: 716.853.BACK (716-853-2225)

March 23, 2020

Dear Judge Geraci,

My name is Dr. Éric Roger, I am a spine neurosurgeon here in Buffalo, New York. I have worked closely with Dr. Eugene Gosy for a number of years coordinating care for our spinal injury patients.

Pain management is a very complicated and fluid crisis that we have here in Western New York. The pain, and pain syndromes that patients present with can be very difficult to assess with the exception of patient stated pain, which is subjective. We use objective tools that we in medicine have developed over the years in order to try to objectify pain as reported by the patient. Though we do have these tools available, these tools are only as good as the reported pain which is stated by the patients. Just as in any other specialty, there has always been a need for a specialist who can do a much better job of determining patients true pain and the management of pain using very complex and ever changing medicines. I believe Dr. Eugene Gosy has done a very good job with the patient pain population. I do understand that he had an extraordinary amount of pain patients that often needed to be disbursed to mid-level practitioners. In order to be able to understand the volume of patients that we actually have that require pain management, you would have to be in our business to truly understand the magnitude of the need.

I am aware that Dr. Gosy has pled guilty to conspiracy to distribute prescriptions for controlled substance medications not for legitimate medical purposes as well as healthcare fraud. And even though these events have transpired, I do not change my opinion that Dr. Gosy is a very thoughtful physician who genuinely cares about patients.

I will spare you the information that I am sure you are already aware of in regards to the narcotic crisis. In Healthcare we are constantly screening patients who are asking for more medications than they actually need, medicines that they may be abusing themselves, or ,selling on the street. It has become very difficult to decipher the difference. I am very well aware that Dr. Gosy tests all of his pain patients to make sure that they are actually taking the medicine, however, I have encountered myself patients that try to obtain more medicine than would be considered therapeutic in order to feed the addiction. Patients that are addicted to pain medication can be very manipulative and



Eric Roger, M.D.
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P: 716.853.BACK (716-853-2225)

every day we are all trying to deliver quality healthcare to the best of our ability. All that to be said, I do understand there are legal ramifications to this.

Please except this letter with heartfelt intent and from the healthcare community in general. Dr. Gosy has been a big conversation within our community and, because of Dr. Gosy, we are all afraid to prescribe pain medications for patients. I am not sure that this has been forward progress for medicine and the narcotics crisis.

Please do your best to return this well intended physician back to doing what he does best, what he is qualified more than the rest of us to do. The pain community needs him back and is much worse off without him. Incarcerated he can help no one.

Sincerely,

Dr. Eric P. Roger
Neurosurgeon
716-491-9309
716-853-2225



general physician pc
orthopedics
knee & hip center

Knee and Hip Center
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Williamsville, NY 14221

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Marcus Romanowski, MD
General Physician, PC
705 Maple Road
Williamsville, NY 14221
March 24, 2020

Hon. Frank P. Geraci, Jr.
United States District Court
Western District of New York
2 Niagara Square
Buffalo, NY 14202-3498

Dear Hon. Frank P. Geraci, Jr.:

Please accept this professional reference regarding Eugene Gosy, MD.

I am an orthopedic surgeon specializing in knee and hip replacement and worked closely with Dr. Gosy and his PA's for many years when my practice was at Kenmore Mercy Hospital.

I am aware that Dr. Gosy pled guilty to Conspiracy to Distribute Prescriptions for Controlled Substance Medications Not for Legitimate Medical Purpose, as well as Health Care Fraud.

Over the years that Dr. Gosy and I shared patients I found him to be attentive to their needs and responsive to both them and the other physicians and practitioners involved in their care. Pain management in joint replacement patients can be challenging and the history of each patient must be considered in developing their care plan after surgery. Dr. Gosy was always thorough, compassionate and professional. His PA staff shared these qualities that he emphasized. I served as Chief of Orthopedic Surgery for twelve years at Kenmore Mercy and never received a staff or patient complaint about him or his staff. Rather, I believe the patients we shared received better care than they would have without his specialty input. Dr. Gosy was always available and always there to assist us in the care of these patients. We had many patients that needed help and we could always count on his help.

Kenmore Mercy's joint replacement program grew rapidly over the years Dr. Gosy consulted on our patients and earned The Joint Commission's specialty certification in Knee and Hip replacement. To earn this certification physicians and nurses from the care team had to present in conference to the auditor and demonstrate the facility's commitment to going above and beyond

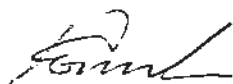
Hon. Frank P. Geraci, Jr.

March 24, 2020

Page 2

what an average facility provided for joint replacement patients. This was a team effort among physicians, nurses and administrators. This certification was completed every other year and Dr. Gosy always attended and presented for the hospital at these certifications. I believe he made time in his schedule to prepare for and attend these sessions because he truly cared about the patients, his colleagues and the institution where he worked. I have always found him to be a caring and attentive provider who is detailed and thorough in his evaluation and treatment of patients.

Sincerely,

A handwritten signature in black ink, appearing to read "Marcus Romanowski". The signature is fluid and cursive, with a prominent initial "M" and "R".

Marcus Romanowski, MD
Orthopedic Surgeon

Gregory D. Sambuchi, M.D.

Board Certified in Neurology,
Neurophysiology and Epileptology

4600 Military Road Suite B
Niagara Falls, N.Y. 14305

Phone (716) 297-8709
Fax (716) 297-8719

4/27/2020

Dear Hon. Frank P. Geraci, Jr,

I am aware that Dr. Gosy pled guilty to Conspiracy to Distribute Prescriptions for Controlled Substance Medications Not for Legitimate Medical Purpose, as well as Health Care Fraud.

I am a neurologist presently employed by Catholic Health Systems of Western New York. I started in private practice in August 1995. I am affiliated with Mount St. Mary's Hospital where I have served as the Head of Neurology and Head of the Stroke Program. I am fellowship trained in Neurophysiology and Epilepsy. Throughout my practice of general neurology beginning in 1995, I have encountered many patients with neuropathic pain for whom I referred to Dr. Gosy for his expertise. Based on patient feedback I came to know and trust his care for patients with chronic neuropathic pain. He quickly became my primary pain referral specialist.

I viewed him as a professional, caring, and competent pain specialist so much so that I sent my sister and brother to see him and to follow with him further pain care. For several years I provided weekly neurophysiological services for his patients in the form of Electromyography and Nerve Conduction Study Testing. In this way, I also got to know many of his patients in the performance of such testing. I was always impressed by the strict rules and protocols for which his patients had to submit and follow or be dismissed from his practice.

Thank you kindly,



Gregory D Sambuchi M.D.



Family Health
MEDICAL SERVICES, PLLC

fhmsmed.com



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95 EAST CHAUTAUQUA AVE • MAYVILLE, NY 14757
716-753-7107

To: Hon. Frank P. Geraci, Jr.
United States District Court
Western District of New York
2 Niagara Square
Buffalo, NY 14202-3498

March 14, 2020

I am aware that Dr. Gosy had pleaded guilty to Conspiracy to Distribute Prescriptions for Controlled Substance Medications Not for Legitimate Medical Purpose, as well as to Health Care Fraud.

I am a primary care physician in Chautauqua County, where I have been practicing Family Medicine for 20 years. During this time, I have been referring patients to several pain management specialists for consultation and assumption of care when their complexity exceeded my expertise.

Dr. Gosy had consistently been my most reliable consultant for non-interventional pain management. He accepted practically all insurances; his advice was always helpful and in accordance with then-current best practices in pain management; and he never refused to take on care of a patient that was too complicated for me. In his absence I have very difficult time coping with demands of managing these complex patients without the benefit of a knowledgeable and supportive consultant.

I do hope, Your Honor, that you would take my letter into consideration when you select the sentence for Dr. Gosy

Sincerely,

Electronically signed by Alex Selioutski, MD on 03/14/2020 at 10:44 pm

Alex Selioutski, MD

Kenmore Family Medicine, LLP

Paul Campana, D.O. Jonathan D. Kessler, M.D. Lisa M. Mendonza, M.D., F.A.A.F.P.
David F. Pfalzer, M.D. David A. Silverstein, M.D.
Patricia Champlin, ANP Lynda Erick, FNP-C
Jennifer Laskowski, Office Manager

30 March 2020

Hon. Frank P. Geraci, Jr.
United States District Court
Western District of New York
2 Niagara Square
Buffalo, NY 14202-3498

RE: Eugene Gosity, M.D.

Dear Judge Geraci:

I am aware that Dr. Gosity has pled guilty to Conspiracy to Distribute Prescriptions for Controlled Substance Medications Not for Legitimate Medical Purpose as well as Health Care Fraud. As a family doctor I am well aware of the seriousness of these offenses and the need to impose appropriate consequences for these actions. At the same time, I am also aware that in our zeal to respond to the opioid crisis we have at times overlooked or minimized the suffering of numerous patients with chronic pain who have lost access to effective treatment and compassionate providers.

I have no firsthand knowledge of the specific crimes Dr. Gosity has pleaded guilty to nor am I in any position to comment on an appropriate sentence. My only purpose in writing is to attest to the fact that Dr. Gosity did care for many of my patients with chronic pain for whom there was no other treatment available and for whom no other physicians were willing or able to provide treatment. Many of those patients have personally told me about the compassion they experienced from Dr. Gosity and the professionalism and thoroughness with which he administered treatment.

I have read many news reports highlighting the large number of opioid prescriptions emanating from Dr. Gosity's office. I have no way of knowing about the appropriateness of those prescriptions or if those numbers were reasonable given the number of patients he cared for and the severity of their symptoms. I do know however that he continued to treat chronic pain for numerous patients throughout our region at a time that few other doctors were willing. It is not surprising that his numbers would be many times greater than the average physician.

Thank you for considering my comments in your determination about sentencing for Dr. Gosity.

Sincerely,



David A. Silverstein,

2914 Elmwood Avenue, Kenmore, New York 14217-1302
Telephone: (716) 875-6700
Fax: (716) 875-6700

Loubert S. Suddaby, MD

 a proud part of **general physician pc**

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Fax (716) 648-6939

Friday March 20, 2020

Joel Daniels, Esq.
42 Delaware Avenue
Suite 700
Buffalo, NY 14202

RE: Eugene Gosy, M.D.

Dear Mr. Daniels:

Thank you for allowing me to speak on behalf of Dr. Eugene Gosy. I have met Dr. Gosy personally and have worked with him professionally for a number of years. I have had the opportunity of referring pain management cases to him and I was always confident that he would render my patients the best of care. We are not friends. He is nothing more than a respected colleague to me. In my dealings with him I have found him to be a considerate, compassionate, highly intelligent, and diligent human being, and I know of no physician that has greater skills in the management of chronic pain.

I would like to start by saying that Dr. Gosy did not cause the opiate crisis that currently exists. This problem was started by the large pharmaceutical companies, who in my opinion, like the tobacco companies, saw an opportunity to exploit a class of people that they knew, or should of known, were vulnerable and would become dependent on opioids. The problem was further exacerbated by the government Veterans Administration that let the patients pick their own level of pain on a Visual Analog Scale. Because pain is a subjective sensation, and because opiates lose their effect over time, most dependent patient's tended to choose an ever increasing level of pain followed predictably by an increase in their treatment medication, as was the recommended fashion. One man's ache is another man's agony. No one should have to endure ANY pain.

To further their objectives, the pharmaceutical companies actively lobbied doctors and suggested that opioids were not addictive and that chemical dependency wasn't a bad thing, if properly managed. They also shamed doctors into feeling that they were neglecting their patients and not treating pain properly because they did not use opioids for chronic pain. I myself was told by drug representatives that opiates were not addictive, a tactic highly reminiscent of the big tobacco companies. Prior to this, of course, most medical schools instructed physicians that opioids were not a good alternative for chronic benign pain, and that 10 to 15% of patients would become dependent, based on an underlying genetic propensity. Once doctors started to get sued for not treating pain appropriately, the flood gates were opened and many physicians started to use opiates against their better judgement, as they feared the consequences of legal action for so called 'pain and suffering' as well as the perception that they were not being compassionate. Additionally, the drugs were FDA approved, which led credence to the idea the perhaps physicians had been too restrictive in the treatment of pain and that these newer synthetic opiates were, as promoted, safe and not as addictive. Needless to say, many patients consequentially became dependent on opiates.

While adaptation to the pain killing effects of opiates occurred readily, the respiratory depressant adaptation did not develop as quickly and, therefore, many incidences of patients taking too many opioids in conjunction with other respiratory depressant substances, such as alcohol, occurred. This, and the outright abuse of these medications for

Page 2

recreational purposes resulted in the unfortunate death of thousands. The very same physicians that were being threatened with legal consequences for not treating pain and suffering appropriately, were left in the unfortunate position of now dealing with patients that were desparately dependant on opiate pain medication with sole focus of obtaining more. At any cost.

Caught up in this quandary, many physicians did not know how to manage these patients safely and relied on physicians with sufficient experience and skills to handle such difficult cases appropriately. These were a welcomed class of experts and Dr. Gosy fit well in this category. While I had spoken to many 'pain management' physicians over the years, I had never found anybody as knowledgeable about opiates and their effect on the human body as he was. When I did encounter patients that had become dependent or addicted to pain medications, often through treatments from their dentists or Primary Care Physicians, I would refer these patients to Dr. Gosy who did an excellent job of managing them. Indeed, his skill was so preeminent in this regard that he became my #1 physician to approach when I had such a difficult patient. Never once did I doubt his judgement or skills in this realm.

Let me reiterate, therefore, that Dr Gosy did not cause the opiate crisis. He did not seek out patients to come to his office for the purpose of supplying them with opoid medications. He never advertised his services as many physicians and lawyers and other professionals now do. People came to him with a need, or were referred to him by other physicians for chemical dependencies that were, in my opinion, caused by the reckless action of large pharmaceutical companies, in conjunction with the Veterans Administration endorsing the Visual Analog Scale as a reasonable way to assess pain. When these patients did indeed become dependent on the medications and it was clear that they had to be managed in some manner, rather than suffer the dangerous and excruciating process of immediate withdrawal or resorting to street drugs, Dr Gosy was frequently called upon to inervene. He weaned them from medication when necessary, maintained them when necessary and prevented many from resorting to street drugs and overdosing themselves. My experience with Dr. Gosy was that he was able to manage these cases effectively, efficiently and compassionately. Clearly, there are always patients that will abuse the situation and take more of the medication then is recommended. Every physician experiences this, and while they are frequently held responsible, no one has control over another human being thought process for personal decisions.

It is my opinion, therefore, Dr. Gosy is being used as a scape goat for government and pharmaceutical companies that have allowed this crisis to develop. Pharmaceutical companies promoted opiates aggressively to physicians knowing full well that this could result in large populations of people dependent or addicted to the drug, thereby ensuring greater and greater profits. This, of course did happen and physicians like Dr. Gosty were left to deal with the fallout. Why government did not step in earlier when people started to die as a consequence of this epidemic is unclear. Why government officials and Pharma executives are not being held culpable is a travesty. Why Dr. Gosy should be left to shoulder this cross is clear.

Now that the situation has reached widespread public awareness the pharmaceutical companies etc. have to find some one that they can blame. The easy target, of course, is the very physician who is called upon to treat these unfortunate patients. What a calculated irony. It is also interesting to note that any of the physicians who were caught up in similar situations have been able to avoid any serious punishment by simply claiming that they were victims of the crisis themselves. Politicians love victims, as do their lawyers, as they can be exploited for money, not to mention various forms of priceless psychological redemption. Along this line of thinking, therefore, who should throw the first stone, and at whom? What punishment should be given to a physician who was charged with managing the care and treatment of opiate dependant patients in a milieu that was at best confused and muddled with misinformation from the very top? How would many of these patients have handled their drug dependancy had Dr. Gosy and others not been there?

Needless to say the executives at Purdue Pharma didn't raise any concerns about this crisis and the politicians that received millions in campaign contributions from pharmaceutical companies didn't either. Neither are they unlikely to face the punishment that they would have accorded to Dr. Gosy. He, as well as others, will be the whipping boys so that the true perpetrators can be absolved of any sin. Some physicians may have taken advantage of the opioid crisis and may have sold drugs for monetary gain, but most of them did not and tried to treat these patients with compassion. Dr. Gosy was in this group.

Page 3

Given these facts, it is my opinion that Dr. Gosy's arrest and public humiliation is a travesty of justice. The true perpetrators of this disaster are unlikely to see any proportional consequences for their actions. Faced with a difficult problem, he did his best to treat these patients with care, consideration, and compassion. He certainly did this with greater reverence for the patient than the large pharmaceutical companies did. If every pharmacy executive, pharma-representative, FDA administrator and the like that participated in this tragedy were to receive the same sentence as Dr. Gosy, then perhaps I might feel that our Judicial Systems is truly just. Still, the time for justice is now and has been delayed for too long. The soldier in the trenches should not be punished for his best prosecution of an unnecessary war. How can we possibly feel good about ourselves if we continue to let this man's life slip further into ruin? Are we truly acting in the public good, or are we simply satisfying a perverse need that somebody, anybody be punished?

In my opinion, true justice in this particular circumstance would result in Dr. Gosy serving no jail time, and embark upon re-education program for the newly improved and revised government recommendations regarding opiate prescriptions, thereby allowing him the ability for to continue to treat patients in the intelligent and compassionate manner that he always has.

Under the mitigating circumstances I have delineated, this and this alone would be justice served.

Sincerely,

A handwritten signature in black ink, appearing to be "LSS/cfo", written in a cursive style.

LSS/cfo

MILLIGRAY & ASSOCIATES

Akos M. Tibold, M.S.

American Board of Radiology Certified Diagnostic Radiological Physicist
NYS Medical Physics License, NYS Certified Radiation Equipment Safety Officer
2141 Williston Heights, Marilla, New York 14102. Tel: (716) 652-2705 Fax: (716) 805-0074

April 7, 2020

Hon. Frank P Geraci, Jr.
United States District Court
Western District of New York
2 Niagara Square
Buffalo, NY 14202-3498

Dear Judge Geraci,

I am writing you to give my support for Dr. Eugene Gosy whom I have known since he immigrated to this country. I am aware that he plead guilty to Conspiracy to Distribute Prescriptions for Controlled Substance Medications Not for Legitimate Medical Purpose, as well as Health Care Fraud.

I am an American Board of Radiology certified Diagnostic Radiological Physicist, licensed to practice Medical Physics in New York State. I am in private practice as a consulting medical physicist providing radiation safety guidance and quality assurance testing of radiological equipment for hospitals and radiology clinics in the Western New York area.

I met Dr. Gosy through my parents and the Hungarian community here in Buffalo. I have known him for approximately 35 years. I have always known him to be kind and caring person. He is intelligent, good natured, and sincere. I have many mutual friends with Dr. Gosy, some have been his patients and some are medical professionals, including physicians. No one has had anything negative to say about Dr. Gosy, only positive.

Although I have never been a patient of Dr. Gosy, he has helped my father and my aunt. My father died of lung cancer that had metastasized to his brain and bones. Near the end of his life Dr. Gosy helped him with his suffering so that he could spend his remaining days in relative comfort. Also, my aunt who lives in Toronto, Canada developed severe back pain in her 80's. The Canadian health system would not help her. She became debilitated to the point where she could not walk, stand, or sit up straight in a chair. My cousin (her daughter), a physician practicing neurology in New York City had worked with Dr. Gosy here in Buffalo in the past. She called his office and he saw my aunt as soon as we could get her there, at no charge. Shortly after that visit she could sit up straight, stand, and walk with a cane. The difference was night and day.

MILLIGRAY & ASSOCIATES

4/7/20

Over the years I've had many conversations with Dr. Gosy about medicine and his practice in particular. It has always been my impression that he did what was best for his patients. I also believe that he did what he could for patients that came to him seeking help with their suffering.

Sincerely,

A handwritten signature in blue ink, appearing to read "Akos Tibold". The signature is fluid and cursive, with a prominent horizontal stroke across the middle.

Akos Tibold, MS, DABR

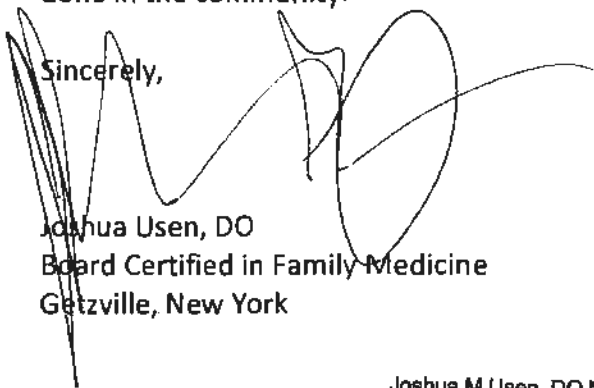
March 25, 2020

To: Hon. Frank P Geraci, Jr
United States District Court
Western District of New York
2 Niagara Square
Buffalo, New York 14202

Dear Judge Geraci

As a family physician in WNY for over 20 years, I have had the opportunity to comanage many patients with Dr. Gosy. Many have reported back to me that he has helped ease their suffering of chronic pain. Some of the treatment regimens and strategies that I currently use were originally devised by Dr. Gosy. As a colleague, Dr. Gosy was very willing to help me manage my patients, both through formal consultations and by means of the extremely valuable informal "roadside" consult. Please take into consideration the good work that he done in the community.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joshua Usen', written over a series of horizontal lines.

Joshua Usen, DO
Board Certified in Family Medicine
Getzville, New York

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1416 Sweet Home Rd #12
Amherst, NY 14228
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