

UNITED STATES OF AMERICA
BEFORE THE FOOD AND DRUG ADMINISTRATION
DEPARTMENT OF HEALTH AND HUMAN SERVICES

In the Matter of)

ECUMED HEALTH GROUP)
a corporation,)

and)

AMADOR REYES,)
JUAN C. CARRAI,)
RICHARD W. STONE, M.D., and)
ERLINDA E. ENRIQUEZ, M.D.,)
individuals.)
_____)

ADMINISTRATIVE COMPLAINT
FOR CIVIL MONEY PENALTY

FDA Docket: 2004H-0322

Proposed Scheduling Order

Pursuant to the Court's instructions, the parties have prepared the following proposed scheduling order to govern the future course of this proceeding:

1. Discovery will be completed by February 25, 2005.
2. Dispositive motions will be filed by March 25, 2005.
3. Joint stipulations will be filed and witness lists will be exchanged by April 22, 2005.
4. Documentary evidence and written direct testimony will be filed by May 20, 2005.
5. Motions to strike will be filed by June 17, 2005.
6. Replies to motions to strike will be filed by July 1, 2005.
7. Numbered proposed findings of fact with record references, citations, and requests for cross-examination of opposing parties' witnesses with a reasonable estimate of the time required for such

2004H-0322

MO 2

examination of each witness, will be filed by July 29, 2005.

8. Correspondingly numbered critiques of opposing parties' findings of fact will be filed by August 12, 2005.
9. The hearing for purposes of cross-examination will commence on September 9, 2005.

Respectfully Submitted,



Michael N. Varrone
Attorney for Complainant
5600 Fishers Lane (GCF-1)
Rockville, MD 20857
(301) 827-4413

Mario R. Delgado
Attorney for Ecumed Health
Group, Inc. and Amador Reyes
2000 Ponce de Leon Blvd., Ste. 102
Coral Gables, FL 33134
(305) 774-9210

Juan C. Martinez
Attorney for Juan Carrai
1395 Brickell Avenue, 14th Floor
Miami, FL 33131
(305) 789-9202



Steven R. Ballinger
Attorney for Erlinda Enriquez
888 South Andrews Avenue, Ste. 205
Fort Lauderdale, FL 33316
(954) 527-5222

Michael S. Kaufman
Attorney for Richard Stone
11900 Biscayne Blvd., Ste. 511
Miami, FL 33181
(305) 893-8562

examination of each witness, will be filed by July 29, 2005.

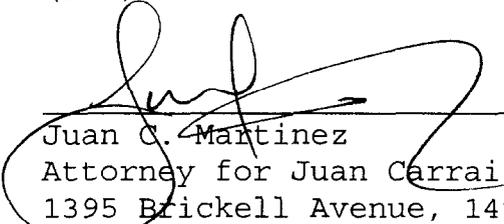
8. Correspondingly numbered critiques of opposing parties' findings of fact will be filed by August 12, 2005.
9. The hearing for purposes of cross-examination will commence on September 9, 2005.

Respectfully Submitted,



Michael N. Varrone
Attorney for Complainant
5600 Fishers Lane (GCF-1)
Rockville, MD 20857
(301) 827-4413

Mario R. Delgado
Attorney for Ecumed Health
Group, Inc. and Amador Reyes
2000 Ponce de Leon Blvd., Ste. 102
Coral Gables, FL 33134
(305) 774-9210



Juan C. Martinez
Attorney for Juan Carrai
1395 Brickell Avenue, 14th Floor
Miami, FL 33131
(305) 789-9202

Steven R. Ballinger
Attorney for Erlinda Enriquez
888 South Andrews Avenue, Ste. 205
Fort Lauderdale, FL 33316
(954) 527-5222

Michael S. Kaufman
Attorney for Richard Stone
11900 Biscayne Blvd., Ste. 511
Miami, FL 33181
(305) 893-8562

CERTIFICATE OF SERVICE

I certify under the penalty of perjury that on this 19th day of November, 2003, I served a copy of this Proposed Scheduling Order via regular United States mail on the following:

Mario R. Delgado
Attorney for Ecumed Health
Group, Inc. and Amador Reyes
2000 Ponce de Leon Blvd., Ste. 102
Coral Gables, FL 33134

Juan C. Martinez
Attorney for Juan Carrai
1395 Brickell Avenue, 14th Floor
Miami, FL 33131

Steven R. Ballinger
Attorney for Erlinda Enriquez
888 South Andrews Avenue, Ste. 205
Fort Lauderdale, FL 33316

Michael S. Kaufman
Attorney for Richard Stone
11900 Biscayne Blvd., Ste. 511
Miami, FL 33181



MICHAEL N. VARRONE
Attorney for Complainant
5600 Fishers Lane (GCF-1)
Rockville, MD 20857

UNITED STATES OF AMERICA
BEFORE THE FOOD AND DRUG ADMINISTRATION
DEPARTMENT OF HEALTH AND HUMAN SERVICES

_____)	
In the Matter of)	
ECUMED HEALTH GROUP)	ADMINISTRATIVE COMPLAINT
a corporation,)	<u>FOR CIVIL MONEY PENALTY</u>
and)	
AMADOR REYES,)	FDA Docket: 2004H-0322
JUAN C. CARRAI,)	
RICHARD W. STONE, M.D., and)	
ERLINDA E. ENRIQUEZ, M.D.,)	
individuals.)	
_____)	

Order

On November 19, 2004, parties to this proceeding submitted a proposed scheduling order. The proposed schedule, which will govern the procedural course of this proceeding, is adopted as set forth below:

1. Discovery will be completed by February 25, 2005.
2. Dispositive motions will be filed by March 25, 2005.
3. Joint stipulations will be filed and witness lists will be exchanged by April 22, 2005.
4. Documentary evidence and written direct testimony will be filed by May 20, 2005.
5. Motions to strike will be filed by June 17, 2005.
6. Replies to motions to strike will be filed by July 1, 2005.
7. Numbered proposed findings of fact with record references, citations, and requests for cross-examination of opposing parties' witnesses with a

reasonable estimate of the time required for such examination of each witness, will be filed by July 29, 2005.

8. Correspondingly numbered critiques of opposing parties' findings of fact will be filed by August 12, 2005.
9. The hearing for purposes of cross-examination will commence on September 9, 2005.

Dated this _____ day of November, 2004.

Daniel J. Davidson
Administrative Law Judge
U.S. Food and Drug Administration
Room 9-57, HF-3
5600 Fishers Lane
Rockville, MD 20857