

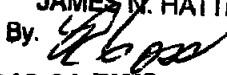
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

JAN 25 2008

UNITED STATES OF AMERICA

-vs-

Case No. 1:05-CR-612-01-RWS

JAMES N. HATTEN, Clerk
By.  Deputy Clerk

TOTADA R. SHANTHAVEERAPPA, M.D.
a/k/a T.R. Shantha, M.D.

Defendant's Attorney:
Don Samuel

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant plead guilty to Count One of the Superseding Indictment.

Accordingly, the defendant is adjudged guilty of such count(s) which involves the following offense

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Count No.</u>
18 U.S.C. § 1347	Healthcare Fraud	1

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to 18 U.S.C. § 3553(a).

All remaining count(s) are dismissed by the United States.


It is ordered that the defendant shall pay the special assessment of \$ 100.00 which shall be due immediately.

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within thirty days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid.

Defendant's Soc Sec No XXX-XX-9874
Defendant's Date of Birth. 1935
Defendant's Mailing Address:
McDonough, Georgia

Date of Imposition of Sentence: January 24, 2008

Signed this the 25th day of January, 2008.


RICHARD W. STORY
UNITED STATES DISTRICT JUDGE

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PROBATION

The defendant is hereby placed on probation for a term of **five (5) years**

While on probation, the defendant shall not commit another federal, state or local crime and shall not illegally possess a controlled substance. The defendant shall comply with the standard and special conditions that have been adopted by this court (set forth below). If this judgment imposes a restitution obligation, it shall be a condition of probation that the defendant pay any such restitution that remains unpaid at the commencement of the term of probation. The defendant shall comply with the following additional conditions.

The defendant shall serve 400 days in the Home Confinement Detention Program. The Court finds that Defendant has completed the Home Confinement Detention portion of the sentence.

The defendant shall not possess a firearm as defined in 18 U.S.C § 921

The defendant shall make restitution in the amount of \$380,966.00 to the victim insurance companies

The restitution shall be paid in full immediately

It is ordered that all of the Defendant's right, title and interest in the property identified in the Consent Preliminary Order of Forfeiture dated January 24, 2008, which is hereby incorporated by reference, is forfeited

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STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1 The defendant shall not leave the judicial district without the permission of the court or probation officer;
2. The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3 The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer,
4. The defendant shall support his or her dependents and meet other family responsibilities;
5. The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
6. The defendant shall notify the probation officer within 72 hours of any change in residence or employment,
7. The defendant shall refrain from the excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician, and shall submit to periodic urinalysis tests as directed by the probation officer to determine the use of any controlled substance,
8. The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered,
- 9 The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
10. The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer,
- 11 The defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer,
12. The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
13. As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

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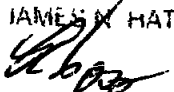
RESTITUTION

The defendant shall make restitution to the following insurance companies in the following amounts

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Aetna SIU-MCA5 151 Farmington Ave. Hartford, CT 06156 Attn: Kim Lajoie	\$36,058.26
Cigna 900 Cottage Grove Road Hartford, CT 06152 Attn: Carol Forte W-22	\$19,302.00
Blue Cross/Blue Shield of Georgia 3350 Peachtree Road Atlanta, Georgia 30326 Attn: Mail Code GAG002-0005	\$232,096.00
United Health Care, Ingenix 12125 Technology Drive Eden Prairie, MN 55344 Mail Station MN002-0220	\$29,847.56
Tricare 16010 N 28 th Street Dept. 109 Phoenix, AZ 85053 Attn: Virginia Robinson	\$3.42
Blue Cross/Blue Shield of South Carolina 4101 Percival Road Columbia, S.C. 29229 Attn: Tommy Mullis	\$17,950.50
CGI c/o Legal Department P.O. Box 1 Des Moines, IA 50334	\$34,500.00
Blue Cross/Blue Shield of Florida 800-447-3736, X 34133	\$672.50
Great West Department 1236 Denver, CO 80256	\$7,953.17
Health Plans, Inc. 1500 West Park Drive Suite 330 Westborough, MA 01581 Attn: Joan H Recore	\$2,581.60

JAN 24 2008

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

JAMES M. HATTEN, Clerk
by  Deputy Clerk

UNITED STATES OF AMERICA, :
 :
 : CRIMINAL INDICTMENT
 :
 v. : NO. 1:05-CR-612-RWS
 : (FIRST SUPERSEDING)
 TOTADA R. SHANTHAVEERAPPA, :
 M.D., a/k/a T.R. Shanta, M.D., :
 :
 Defendant. :

CONSENT PRELIMINARY ORDER OF FORFEITURE

The Court having accepted the guilty plea of the defendant T.R. Shantha to Count One of the above-numbered Superseding Indictment, pursuant to which the Government sought forfeiture under 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) of a sum of money equal to the total amount of money involved in each offense for which the Defendant is convicted, and the Court having determined, based upon the Defendant's admissions in the plea agreement and during the plea colloquy, that the property described below is subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), that the Government has established the requisite nexus between said property and the offenses charged in Count One of the Superseding Indictment; and defendant T.R. Shantha having consented to this Consent Preliminary Order of Forfeiture becoming final as to him, being made a part of his sentence and being included in the judgment against him; and defendant T.R. Shantha having agreed to forfeit any interest he may have in the

Pursuant to 21 U.S.C. § 853(n)(2), any person, other than defendant T.R. Shantha asserting a legal interest in any of the above-described properties may within 30 days of the final publication of notice or receipt of notice, whichever is earlier, petition the Court for a hearing without a jury to adjudicate the validity of his or her alleged interest in the property and for an amendment to the Order of Forfeiture. Any petition filed by a third party asserting an interest in the property shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in the property, the time and circumstances of the petitioner's acquisition of the right, title, or interest in the property, any additional facts supporting the petitioner's claim, and the relief sought.

After disposition of any motion filed under Rule 32.2(c)(1)(A) of the Federal Rules of Criminal Procedure and before a hearing on the petition, discovery may be conducted in accordance with the Federal Rules of Civil Procedure upon a showing that such discovery is necessary or desirable to resolve factual issues.

The United States shall have clear title to the property following the Court's disposition of all third party interests, or if none, following the expiration of the period provided in 21 U.S.C. § 853(n)(2) for the filing of third party petitions. The Court shall retain jurisdiction to enforce this Order and to amend

property described below, having waived his right to participate in any ancillary proceeding conducted pursuant to 21 U.S.C. § 853 in connection with this criminal action,

IT IS HEREBY ORDERED, pursuant to 18 U.S.C. § 981(a)(1)(C), 28 U.S.C. § 2461(c), and Rule 32.2(b)(1) of the Federal Rules of Criminal Procedure, that the sum of \$269,034.00 in United States currency, which amount represents the proceeds defendant T.R. Shantha obtained as a result of the health care fraud violations to which he pleaded guilty, is hereby forfeited.

IT IS HEREBY ORDERED that, upon the entry of this Order, the United States Attorney General, or his designee, is authorized to seize the property described above, whether held by defendant T.R. Shantha or by a third party, in accordance with Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure.


IT IS FURTHER ORDERED that, upon entry of this Order, the United States Attorney General, or his designee, is authorized to commence any applicable proceeding to comply with statutes governing third-party rights, including giving notice of this Order.

The United States shall publish notice of this Order and its intent to dispose of the property in such a manner as the United States Attorney General, or his designee, may direct. The United States may also, to the extent practicable, provide written notice to any person known to have an alleged interest in the property.

it as necessary, pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure.


IT IS FURTHER ORDERED that, pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, this Preliminary Order of Forfeiture is hereby final as to defendant T.R. Shantha, made part of his sentence, and included in the Judgment against him. If no third party files a timely claim, this Order shall become the Final Order of Forfeiture, as provided by Rule 32.2(c)(2) of the Federal Rules of Criminal Procedure.

SO ORDERED this 24~~th~~ day of January, 2008.


RICHARD W. STORY
UNITED STATES DISTRICT JUDGE


Consented to by:

ATTORNEY FOR THE GOVERNMENT:



DAVID E. NAHMIAS
UNITED STATES ATTORNEY
J. RUSSELL PHILLIPS
ASSISTANT U.S. ATTORNEY
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