

Angelides
CPL

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Counselors at Law

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April 26, 2004

BY HAND AND FACSIMILE

Honorable Thomas P. Griesa
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street
Room 1630
New York, New York 10007

Re: United States v. John Angelides
Docket No. 03 Cr. 635-01 (TPG)

Dear Judge Griesa:

We are co-counsel for John Angelides, along with Mark S. Cohen, of Cohen & Gresser. On May 22, 2003, Mr. Angelides pleaded guilty before Your Honor to one count of conspiracy (18 U.S.C. § 371) to commit wire fraud, submit false claims and make false statements to the government in connection with his participation in the E-rate program. His sentencing is presently scheduled for April 30, 2004 at 4:30 p.m.

Unfortunately, as we previously advised the Court in our letters in November, 2003 and March, 2004, Mr. Angelides has been diagnosed with stage IV non-small cell lung cancer, which has metastasized and also reached his brain. Enclosed herewith is a letter from Mr. Angelides's doctor, Dr. Jorge Gomez of Memorial Sloan-Kettering Cancer Center, setting forth an update on Mr. Angelides's treatment. Dr. Gomez indicates that Mr. Angelides received six cycles of chemotherapy and whole brain radiation and is now under observation. Dr. Gomez advises that Mr. Angelides will go to the clinic every three months with a new CT scan of the chest and will have a serial MRI of the brain. Mr. Angelides's next MRI is scheduled for mid-June, 2004. Dr. Jorge has indicated that on average, patients with this diagnosis live approximately nine months from the date of diagnosis, which was October 2003.

We respectfully submit that during this time, Mr. Angelides should be permitted to devote his entire energies to his treatment. We do not believe that Mr. Angelides is prepared, either mentally or physically, to proceed with sentencing at this time.

In light of the foregoing, we respectfully request that his sentencing be adjourned for a period of six months. I have spoken with Assistant United States Attorney David Siegal, who consents to our request for an adjournment.

Respectfully submitted,



Ira Lee Sorkin

ILS:tbm
Enclosure

cc: Mr. John Angelides
Mark S. Cohen, Esq.
AUSA David Siegal



*Thoracic Oncology Service
Department of Medicine*

April 22, 2004

RE: John Angelides

Mark G. Kris, MD
Service Chief
212.639.7790

Christopher G. Azzoli, MD
212.639.2131

Jorge E. Gomez, MD
212.639.3042

Lee M. Krug, MD
212.639.4120

Vincent A. Miller, MD
212.639.7243

Herbert F. Oestgen, MD
212.639.7707

Naiyer A. Rizvi, MD
212.639.3204

Ann Cullkin, RN, OCN

Amy Farmer, RN, FNP-C

Bernadette Giaccone, RN, OCN

Anne Haughney, RN, OCN

Dana Inzen, RN, MA, CNS

Gina Lalla, RN, ANP-C

Diane Paolilli, RN, MSN, OCN

Barbara Pizzo, RN, OCN

Kim Plastini, RN, OCN

Chrysa Smalley, RN, ANP-C

Leslie Tyson, MSN, ANP-CS, OCN

To Whom It May Concern:

Mr. Angelides is a 66 year-old man with stage IV non-small cell lung cancer with metastatic disease to the brain. He has received six cycles of chemotherapy with paclitaxel and carboplatin and is now under observation. He has also had whole brain radiation. As of 4/12/04, Mr. Angelides will come to our clinic every three months with a new CT scan of the chest. He will also have serial MRI of the brain. His next MRI is scheduled for mid-June.

If there is any additional information that you may require, please contact my office at 212-639-3042.

Sincerely,


Jorge E. Gomez, M.D.
Thoracic Oncology Service



*Thoracic Oncology Service
Department of Medicine*

Mark G. Kris, MD
Service Chief
212.639.7704

Christopher G. Azzi, MD
212.639.2491

Jorge E. Gomez, MD
212.639.3042

Lee M. Krug, MD
212.639.4420

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212.639.7443

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212.639.7791

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212.639.3044

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Gica Lalla, RN, ANP-C

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Barbara Pizzo, RN, OCN

Kim Placidi, RN, OCN

Chrysta Smalley, RN, ANP-C

Leslie Tyson, MSN, ANP-CS, OCN

February 19, 2004

Re: John Angelides

To Whom It May Concern:

Mr. John Angelides is under my care for a diagnosis of stage IV non-small cell lung cancer with metastatic disease to the brain. He was first seen in consultation on 10/20/03. He has completed whole brain radiation therapy and is currently receiving chemotherapy. He will finish treatment in 4-6 weeks and then be followed with CT scans of the chest every three months. On average, patients with stage IV non-small cell lung cancer live approximately 9 months.

If there is any additional information that you may require, please contact my office at (212) 639-3042.

Sincerely,


Jorge E. Gomez, MD.
Thoracic Oncology Service

*Memorial Sloan-Kettering Cancer Center
1275 York Avenue, New York, New York 10021
NCI-designated Comprehensive Cancer Center*

PETER STATHOPOULOS, M.D.
INTERNAL MEDICINE
856 CASTLETON AVENUE
STATEN ISLAND, NEW YORK 10310

718 - 720-6300
718 - 720-6318

April 2, 2004

To Whom It May Concern:

Mr. John Angelides was under my care and therapy from January 2001 to September 2003. His condition worsened and was transferred to Sloan Kettering Hospital on October 20, 2003, for continuation of treatment of cancer on his lungs and brain.

Very truly yours,


Peter Stathopoulos, MD

PS/mf



*Thoracic Oncology Service
Department of Medicine*

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Service Chief
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Christopher G. Azzoli, MD
212.639.2131

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Gina Lalla, RN, ANP-C

Diane Paolilli, RN, MSN, OCN

Barbara Pizzo, RN, OCN

Kim Plastini, RN, OCN

Chrysa Smalley, RN, ANP-C

Leslie Tyson, MSN, ANP-CS, OCN

October 24, 2003

Re: Angelides, John

To Whom It May Concern:

Mr. John Angelides was seen in consultation on 10/20/03 for a diagnosis of metastatic non-small cell lung cancer. He is currently receiving whole brain radiation at our institution. He will receive radiation therapy for two weeks and then he will receive chemotherapy for three to four months

If there is any additional information that you may require, please contact my office at (212) 639-3042.

Sincerely,


Jorge E. Gomez, MD.
Thoracic Oncology Service

RECEIVED

JUN 02 2004

MTT
MSC
EFB
Chron

COHEN & GRESSER LLP

666 FIFTH AVENUE, 26TH FLOOR

NEW YORK, N.Y. 10103

TELEPHONE (212) 957-7600

FAX (212) 957-4514

COHEN & GRESSER LLP

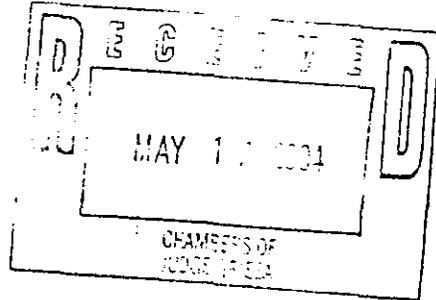
MEMO ENDORSED

Mark S. Cohen
Direct Dial: (212) 957-7601
Email: mcohen@cohengresser.com

May 13, 2004

VIA U.S. MAIL

Hon. Thomas P. Griesa
United States District Court Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, NY 10007



Re: United States of America v. John Angelides, et al, Ind. No. 03-635

Dear Judge Griesa:

I represent the defendant John Angelides, along with Ike Sorkin.

Mr. Angelides pleaded guilty before Your Honor on May 22, 2003, and has been awaiting sentencing. However, as we have previously advised the Court, Mr. Angelides is in a precarious medical condition. He is being treated for stage IV metastasized non-small cell lung cancer, and, unfortunately, has a very short life expectancy. For this reason, his sentencing has been deferred to November 9, 2004.

Nonetheless, Mr. Angelides has continued, as required, to report in person to Pre-Trial Services.

My associate spoke to Lisa Chan, of Pre-Trial Services, to whom Mr. Angelides reports, and also spoke to Assistant U.S. Attorney David Siegel. Neither Ms. Chan nor Mr. Siegel had any objection to releasing Mr. Angelides from the reporting requirement.

*Approved
Thomas P. Griesa*

[Signature]
5/27/04

Hon. Thomas P. Griesa
May 13, 2004
Page 2

Accordingly, we respectfully request that Your Honor grant Mr. Angelides permission to cease reporting in person to Pre-Trial Services, and release him from all reporting requirements. In the alternative, we request that Your Honor permit Mr. Angelides to report by telephone.

Respectfully submitted,



Mark S. Cohen

Enclosures

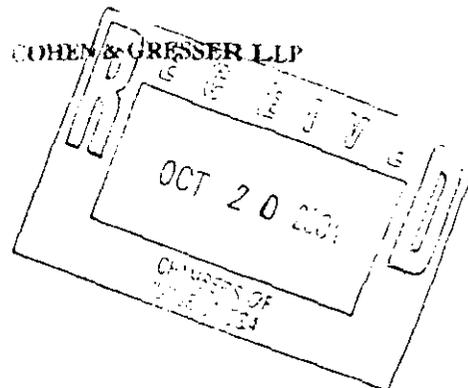
cc: A.U.S.A. David Siegel
United States Attorney's Office
United States Attorney for the Southern
District of New York
One St. Andrew's Plaza
New York, NY 10007

Ms. Lisa Chan
Pre-Trial Services
500 Pearl Street
New York, NY 10007

Ira L. Sorkin, Esq.
Carter Ledyard & Milburn LLP
2 Wall Street
13th Floor
New York, NY 10005

COHEN & GRESSER LLP
666 FIFTH AVENUE, 26TH FLOOR
NEW YORK, N.Y. 10103
TELEPHONE (212) 957-7600
FAX (212) 957-4514

OCT 25 2004



Mark S. Cohen
Direct Dial: (212) 957-7601
Email: mcohen@cohengresser.com

October 19, 2004

BY HAND

Hon. Thomas P. Griesa
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1630
New York, New York 10007-1312

MEMO ENDORSED

Re: United States of America v. John Angelides, et al,
Docket No. 03 Cr. 635-01 (TPG)

Dear Judge Griesa:

Along with my co-counsel, Ira Sorkin of Carter Ledyard & Milburn, I represent the defendant John Angelides. Mr. Angelides pleaded guilty before Your Honor on May 22, 2003. His sentencing is currently scheduled for November 9, 2004. I am writing to request that his sentencing be adjourned.

As Your Honor has previously been advised, Mr. Angelides is in a precarious medical condition. He is being treated for stage IV metastasized non-small cell lung and brain cancer. He has a very short life expectancy. For this reason, Mr. Angelides' sentencing was previously deferred for six months, at our request, with the consent of the United States Attorney. Your Honor also excused Mr. Angelides from all reporting requirements, on the consent of Pre Trial Services and the United States Attorney.

I enclose a letter from Mr. Angelides' physician, Dr. Jorge Gomez, of Memorial Sloan-Kettering Cancer Center, to update the Court's information. As of September 20, 2004, Mr. Angelides had received brain radiation and six cycles of chemotherapy. During follow-up examinations, it was found that the lung cancer had started to grow again, and Mr. Angelides began experimental treatments. Mr. Angelides is to be monitored and take new drugs. Mr. Angelides' medical appointment calendar (also enclosed) shows that he is scheduled for follow-up examinations on October 18, October 28, and November 1 - i.e., at frequent intervals.

I respectfully request that, for the next six months, Mr. Angelides be permitted to continue devoting his mental and physical energy entirely to his treatment. I do not

Approved. Adjourned to 5/12/05.
Thomas P. Griesa

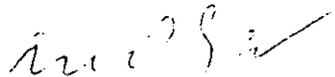
COHEN & GRESSER LLP

Honorable Thomas P. Greisa
October 19, 2004
Page 2

believe that Mr. Angelides is mentally or physically able to proceed with sentencing at this time.

Accordingly, I request that sentencing be adjourned for a period of six months. I have spoken to Assistant United States Attorney David Siegal, who consents to this request.

Respectfully submitted,



Mark S. Cohen

Enclosure

cc: A.U.S.A. David Siegal
United States Attorney's Office
United States Attorney for the Southern
District of New York
One St. Andrew's Plaza
New York, NY 10007

Ira L. Sorkin, Esq.
Carter Ledyard & Milburn LLP
2 Wall Street
13th Floor
New York, NY 10005



Jorge E. Gomez, MD
Thoracic Oncology Service

September 20, 2004

Re: John Angelides

To Whom It May Concern:

Mr. Angelides is a 66 year old man with stage IV non-small cell lung cancer with metastatic disease to the brain. He has received six cycles of chemotherapy with paclitaxel and carboplatin and is now under observation. He has also had whole brain radiation. As of 4/12/04, Mr. Angelides will come to our clinic every three months with a new CT scan of the chest. The June CT scan showed that the lung cancer has started to grow again. Mr. Angelides made a decision to go with experimental therapy. We will monitor his condition with the new drugs, RAD 001 and Iressa. A new MRI of the brain performed on June 14 showed stable disease.

If there is any additional information that you may require please contact my office at (212)-639-3042.

Sincerely,

Jorge E. Gomez, MD
 Jorge E. Gomez, M.D.
 Thoracic Oncology Service

Memorial Sloan-Kettering Cancer Center
 1275 York Avenue, New York, New York 10021
 Telephone 212.639.3042 • FAX 212.794.4357
 NCI-designated Comprehensive Cancer Center



FAX COVERSHEET

Date 10/4/04
Number of Pages Including Cover 2

TO: Mr. Angelides

FROM: Dr. Gomez's Clinic

PHONE: _____

PHONE: _____

FAX: _____

FAX: _____

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Thank you,

Memorial Sloan-Kettering Cancer Center
1275 York Avenue, New York, New York 10021
NCI-designated Comprehensive Cancer Center

MEMORIAL HOSPITAL FOR CANCER AND ALLIED DISEASES

John G Angelides
758 Todt Hill Road
Staten Island, NY 10304

MRN: 00959381
Home #: 718-979-6163
Work #: 000-000-0000

Monday, Oct 18, 2004

11:00 AM Radiology
MRI
MSK Rockefeller Outpatient Pavilion
160 East 53rd Street, 8th Floor

Patient Instructions
Please arrive 30 minutes prior to your appointment time. Eating is permitted prior to your scan, but please eat lightly.

1:30 PM Alexi Demopoulos
Follow Up Visit
MSKCC
1275 York Avenue

Thursday, Oct 28, 2004

5:00 PM Radiology
CT Scan
MSK Main Campus
1275 York Avenue

Patient Instructions
Please arrive 30 minutes prior to your appointment time.

Monday, Nov 01, 2004

12:30 PM Jorge Gomez, MD
Follow Up Visit
MSK Rockefeller Outpatient Pavilion
160 East 53rd Street, 8th Floor
212-639-3042

Patient Instructions
Please arrive 30 minutes prior to your appointment time.