

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

UNITED STATES OF AMERICA	:	
PLAINTIFF	:	Civil No.3:14-CV1558(JCH)
	:	
	:	
v.	:	
	:	
AJAY S. AHUJA, MD,	:	
DEFENDANT	:	January 16, 2017

AMENDED

DEFENDANT'S HEARNG IN DAMAGES WITNESS LIST AND EXHIBITS

I. Anticipated Time for Cross-Examination of Plaintiff's Witnesses

Counsel for the Defendant anticipates that cross-examination of the plaintiff's witnesses (as listed in plaintiff's Hearing ON Damages Witness List and Exhibits, dated January 9, 2017) will take up the following amounts of time:

- a. Investigator Johnson: one hour
- b. DEA Diversion Group Supervisor Leonard Levin: one half-hour
- c. Agent Lele: one half-hour
- d. Agent Rodrick Marriott, Director of State Drug Control: one hour
- e. Dr. Perrin: one and one-half hours

II. Defendant's Witness List

The defendant, Ajay S. Ahuja, MD, will testify as to the circumstances and

- a. maintained controlled substance receipt records, inventory of controlled substances, and his dispensing records;

- b. dispensed controlled substances to "Jane Doe #1" and "John Doe #1" (as so identified in the plaintiff's amended complaint), and prescribed controlled substances to "John Doe #2" and "Johns Doe #3" (as so identified in the plaintiff's amended complaint);
- c. Had 2 bottles of 1 milligram Alprazolam in his possession that had been labeled for patient use.

He will further testify as to his income, his assets, his expenses and liabilities.

It is anticipated that his direct testimony will take three hours.

The individuals identified as "John Doe #1", "John Doe #2", and "John Doe #3" (as so identified in the plaintiffs amended complaint) will each testify as to the circumstances under which they were either dispensed or prescribed controlled substances by the defendant. It is anticipated that their testimony on direct will take a total of one hour.

Stefan Peleschuk, CPA is Dr. Ahuja's accountant. He will present testimony and evidence as to Dr. Ahuja's income, both at the present time and in past years. It is anticipated that his testimony will take a total of one hour.

Gerald J. Hansen, III, M.D. will testify and provide background expert testimony regarding the dispensing or prescribing of controlled substances and the degree to which such conduct was outside the scope of normal medical practice. It is anticipated that his direct testimony will take one hour.

Nicholas Ahuja will testify about the manner in which the defendant

conducted his medical practice at the relevant time periods. He will also testify as to his knowledge of the defendant's financial circumstances. It is anticipated that his direct testimony will take one hour.

III. Defendant's Exhibits

The defendant will utilize the exhibits previously furnished to the Court by the plaintiff for trial in the upcoming hearing in damages. In addition the defendant will introduce the following exhibits:

- a. the defendant's professional resume.
- b. all of the defendant's pertinent income tax returns for the past five years.
- c. a copy of the Ajay Ahuja Revocable Trust, the Ajay Ahuja 209 Family Trust, the Ahuja Holdings LLC Operating Agreements, and the Assignment of Membership Interest in Ahuja Holdings, LLC.

The defendant may seek permission to call additional witnesses to those listed herein. Much relevant and important testimony was to have been presented by Gurpreet Ahuja, the defendant's wife and domestic partner. However, she passed away unexpectedly on December 28, 2016. Counsel for

the defendant is presently searching for other, substitute witnesses who might be able to present testimony as to pertinent facts in her stead.

GLENN GAZIN
ATTORNEY FOR THE DEFENDANT

s/ Glenn Gazin/

GLENN GAZIN, ESQ.
24 Hinckley Avenue,
Stamford, CT 06905
(203) 569-5608
FAX: (203) 569-5609
Federal Bar No. ct14320
gazinesq@optonline.ne

CERTIFICATE OF SERVICE

This is certify that on January 16, 2017, a copy of the within and foregoing Defendant's Hearing on Damages Witness List and Exhibits has been mailed by first class mail, or by electronic means, and by means of the CM/ECF Court Docketing System, to the following:

ALLAN MARC SOLOWAY, AUSA, United States Attorney's Office
157 Church Street, 25th Floor, new Haven, CT 06510
(203) 821-3700, FAX: (203) 773-5373,
alan.soloway@usdoj.gov

In addition, I have emailed a copy of this pleading to Attorney Soloway at alan.soloway@usdoj.gov, and sent it to him via telephone facsimile on this date.

s/GLENN GAZIN

Glenn Gazin, Esq.