

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA

v.

No. 13-cr-20600

Hon. Paul D. Borman

FARID FATA, M.D.

Defendant.

ORDER EXTENDING RESTITUTION FILING DEADLINE

On April 11, 2016, pursuant to the Mandatory Victim Restitution Act of 1996 (MVRA), Pub. L. No. 104-132, § 204(a), 110 Stat. 1227 (1996) (codified as amended at 18 U.S.C. § 3663A), the United States District Court entered an Order Establishing a Restitution Plan and Review of Claims for Restitution (“Restitution Order”).

The Court’s Restitution Order followed multiple hearings held on July 30, 2015, March 10, 2016, and March 28, 2016, regarding the determination of restitution during which the government proposed to the Court a restitution plan which would identify the patient victims to whom restitution should be ordered and amounts of restitution with respect to those areas of restitution that are readily determinable under the plan set forth below.

The Court found in its Restitution Order that complex issues of fact with respect to the areas of restitution not included in the plan for determining the cause

and amount of each patient victim's losses that would unreasonably prolong the sentencing process to a degree and a monetary expense that the need to provide restitution to any victim is outweighed by the burden on the sentencing process.

The Court ordered restitution in the Restitution Order to defined categories to former patients of Dr. Fata who are victims of Dr. Fata's offenses and representatives of their legal estates (hereinafter, collectively, "former patients").¹

The Court further ordered that former patients who wished to request restitution must submit a restitution claim form and supporting documents according to the instructions on the claim form, on or before October 5, 2016.

The Court has been informed by the United States that due to the complexity and nature of the claims being submitted and the necessity that former patients obtain medical and financial documentation supporting these claims, additional time is required to ensure that the maximum number of eligible claims will be submitted by former patients.

Accordingly, and to ensure that former patients have sufficient time and ability to submit claims for restitution, the Court hereby extends the deadline for filing such claims from October 5, 2016 to November 14, 2016.

¹ As used in this Order, the term "patient" means a patient who received at least one office-based evaluation and management service (i.e., office visit) from Farid Fata as the rendering physician. The term "former patient" includes former patients of Dr. Fata, or if deceased, the personal representative of his/her estate.

For the reasons stated on the record at the hearings held on March 10, 2016 and March 28, 2016, the procedures and dates set forth in the Restitution Order, the reasons set forth in the instant Order and the legal precedent set forth in the United States Supreme Court case of *United States v. Dolan*, 130 S. Ct. 2533 (2010), the restitution hearing in this matter is adjourned from November 1, 2016 until January 17, 2016 at 2:00 p.m.

IT IS SO ORDERED.

s/Paul D. Borman

Paul D. Borman

United States District Judge

Dated: September 26, 2016

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on September 26, 2016.

s/Deborah Tofil

Deborah Tofil

Case Manager