

March 26, 2007

Hon. Senator Claire McCaskill
Whittaker Federal Office Building
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Dear Senator McCaskill,

I am writing to your constituent services office about my problem being denied entry into the market for hospital supplies by Novation, LLC a hospital group purchasing organization. I developed an electronic marketplace that supplies hospitals that includes an automated bid fulfillment process that saves over 40% of the 1.8 trillion dollars hospitals annually spend on hospital supplies. However, I have discovered that hospitals have all signed long term anticompetitive contracts with Novation, LLC or Premier that include kickbacks to hospital administrators in excess of that permitted for hospital group purchasing organizations under the Medicare Anti-Kickback Act, 42 U.S.C. § 1320a-7b(b).

When I tried to enter the market for hospital supplies in 2002, Novation LLC and other members of the hospital supply cartel caused me to be deprived of critical inputs to obstruct and prevent me from competing to lower hospital supply prices. Since the Bush administration was not enforcing 42 U.S.C. § 1320a-7b(b) or the Sherman Antitrust Act, I attempted to obtain a civil injunction with the aid of a private attorney, Bret D. Landrith.

When our complaint clearly stated antitrust claims against the cartel co-conspirators, the opposing counsel caused my attorney to be repeatedly prosecuted on pretextual ethics violations in Kansas over his unrelated civil rights representation of the African American James Bolden. Fearing the loss of the only attorney I could get to help me, I helped Bret Landrith defend against the ethics prosecution and personally witnessed the presentation of false testimony that contradicted the court records. After Landrith was disbarred for representing Bolden and Bolden's American Indian witness, The Tenth Circuit reversed the US District Court for the District of Kansas' dismissal of Bolden's case.

The U.S. Justice department has been reported by the New York Times and the London Times to be investigating Novation LLC for its anticompetitive practices in the market for hospital supplies. The Assistant U.S. Attorney in Ft. Worth Texas who signed the subpoenas against Novation LLC passed away as did the Ft. Worth office's Assistant Attorney in charge of Medicare Fraud two months earlier. The U.S. Attorney General Alberto R. Gonzales immediately fired three more Assistant U.S. Attorneys with extensive experience in prosecuting white collar crime that worked in the Ft. Worth, Texas U.S. Attorney Office which started the investigation of Novation, LLC. The U.S.

Attorney General Alberto R. Gonzales while in private practice was a partner with the law firm of Vinson & Elkins L.L.P. that represents Novation, LLC in my complaint and other hospital supply antitrust litigation.

I filed a criminal complaint against Magistrate James P. O'Hara of the Kansas District Court who was himself a managing partner of the law firm Shughart Thomson & Kilroy defending a cartel member in my antitrust complaint for obstructing justice in my civil litigation with the Kansas City, Missouri office of the F.B.I. in January 2006. I never received a reply or acknowledgement of the complaint. Instead I appear to have been targeted by that office with warrantless searches and monitoring of my telephone and Internet communications even to the point of having my business interrupted.

I know it is in the national interest to not have Medicare and Medicaid overcharged for hospital supplies. Would your office help me obtain the records the F.B.I. office created on me and my company Medical Supply Chain, Inc. from 2001 to the present and advise me on how I might get help entering the market for hospital supplies in Medicare funded healthcare systems without suffering violence and tortuous interference with my contracts at the hands of the Novation LLC monopoly?

Thank you in advance for your cooperation.

Sincerely,

Samuel Lipari
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