

United States Senate

COMMITTEE ON FINANCE

WASHINGTON, DC 20510-6200

September 29, 2008

Via Electronic Transmission

The Honorable Michael B. Mukasey
Attorney General
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Re: *U.S. ex rel. [UNDER SEAL] v. Medtronic, Inc., et al.*, C.A. 02-2709 (W.D. Tenn.)
U.S. ex rel. Poteet v. Medtronic, Inc., et al., C.A. 03-2979 (W.D. Tenn.)

Dear Attorney General Mukasey:

The Senate Finance Committee (Committee) has jurisdiction over the Medicare and Medicaid programs in the United States Senate. The Committee is presently investigating financial relationships between medical device manufacturers and physicians. According to press accounts and court filings, the Department of Justice reached a settlement in the two cases named above and successfully moved to have them dismissed from federal court. These cases involve allegations of kickbacks between the defendant and several leading physicians as well as possible fraud, waste, and abuse in the Medicare system.

As I carry out my investigation, I would appreciate a status update on the above cases. Please arrange to have the counsel(s) responsible for these matters brief my staff on it as soon as possible.

Thank you in advance for your assistance and please have your staff make arrangements with my staff by October 10, 2008. Please do not hesitate to contact me if you have any concerns. I look forward to your cooperation and assistance on this important matter. Should you have any questions regarding this letter, please contact Christopher Armstrong or Paul Thacker of my staff at (202) 224-4515.

Sincerely,



Charles E. Grassley
Ranking Member

cc: Peter D. Keisler, Assistant Attorney General