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Correction: *The lawyer representing Stephen Schneider in several medical malpractice suits said Wednesday that she has no first-hand knowledge of any possible criminal indictments against the Haysville doctor. Pamela Clancy said the information she gave to a judge on Tuesday about a federal grand jury investigation came from a conversation she had with the U.S. attorney's office.*

DOCTOR SEEKS TO POSTPONE LAWSUITS

RON SYLVESTER, The Wichita Eagle

The lawyer defending Stephen Schneider in five medical malpractice lawsuits told a judge Tuesday that she expects a federal criminal indictment against the Haysville doctor by spring.

Pam Clancy made details of a federal investigation into Schneider's practice public for the first time, as she tried to persuade Sedgwick County District Judge Mark Vining to postpone the lawsuits.

The osteopathic doctor has faced a whirlwind of accusations over prescriptions of narcotics since federal agents searched the Schneider Medical Clinic on Sept. 13.

Four of the five suits claim patients died from over-prescribing of narcotics by Schneider and others who worked in his clinic. The suits claim Schneider and his associates prescribed large amounts of painkillers without regard for a patient's history of drug abuse.

Likewise, the federal investigation "involves the distribution of narcotics that resulted in death," Clancy told Vining.

Schneider is fighting all the allegations against him. He has hired another lawyer to guide him in the criminal investigation.

A spokesman for the U.S. attorney's office said prosecutors cannot publicly comment on pending cases.

But Clancy told Vining she'd talked to assistant U.S. attorney Alan Metzger about her client.

"My understanding is the target is Dr. Schneider," Clancy said regarding grand jury proceedings currently under way.

In written legal pleadings, Clancy said Schneider is scheduled to appear before a grand jury this month. Grand jury proceedings are closed to the public.

Federal prosecutors "feel confident the investigation would be concluded by the spring, and there will be an indictment," Clancy said.

Clancy argued that proceeding with the malpractice suits would force Schneider to give sworn testimony to defend himself -violating his Fifth Amendment right to remain silent in the criminal case.

Larry Wall and Andy Hutton, the lawyers bringing the malpractice suits, meanwhile, said their clients' rights would be violated by delaying their cases.

Wall and Hutton said they were reviewing at least a half dozen more malpractice cases they were considering filing against Schneider.

Hutton filed his latest suit Tuesday on behalf of Danny Chapman, a patient of Schneider's. His family claims he died of a prescription drug overdose.

Vining ruled Tuesday that Schneider does not have to give sworn statements in the malpractice cases for six months, "or until the grand jury investigation is closed."

But the judge said the doctor had to continue providing documents and assist in other ways, including interpreting medical records.