

Appeals Court Orders New Trial for Pain Specialist

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A federal appeals court on Tuesday ordered a new trial for a doctor convicted of drug trafficking for prescribing massive doses of OxyContin and other painkillers to his patients.

A three-judge panel of the 4th U.S. Circuit Court of Appeals unanimously ruled that a jury should have been told it could consider whether William E. Hurwitz acted in good faith in treating patients with chronic and debilitating pain.

Hurwitz's attorney, Lawrence S. Robbins, said the jury's decision to acquit Hurwitz on the fraud counts illustrates the importance of the good faith claim.

"I'm gratified that the 4th Circuit has agreed with us that Dr. Hurwitz deserves a new trial," Robbins said.

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[U.S. v. Hurwitz: http://pacer.ca4.uscourts.gov/opinion.pdf/054474.P.pdf](http://pacer.ca4.uscourts.gov/opinion.pdf/054474.P.pdf)