

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

FILED
LOS ANGELES SUPERIOR COURT

SEP 23 2009

JOHN A. CLARKE, EXECUTIVE OFFICER/CLERK

BY: G. Armenta DEPUTY
CASE NO. BA353907/G. ARMBNTA

THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,

v.

01 SANDEEP KAPOOR (05/20/1968),
02 KRISTINE EROSHEVICH (11/08/1947), and
03 HOWARD KEVIN STERN (11/29/1968)
Defendant(s).

2nd AMENDED
FELONY COMPLAINT

The undersigned is informed and believes that:

COUNT 1

On or between September 11, 2006 and February 8, 2007, in the County of Los Angeles, the crime of CONSPIRACY TO COMMIT A CRIME, in violation of PENAL CODE SECTION 182(a)(1), a Felony, was committed by SANDEEP KAPOOR, KRISTINE EROSHEVICH and HOWARD KEVIN STERN, who did unlawfully conspire together and with another person and persons whose identity is unknown to commit the crimes of PRESCRIBING, ADMINISTERING, AND DISPENSING CONTROLLED SUBSTANCES TO AN ADDICT, in violation of Section 11156(a) of the Health and Safety Code; UNLAWFULLY PRESCRIBING A CONTROLLED SUBSTANCE, in violation of Section 11153(a) of the Health and Safety Code; OBTAINING A CONTROLLED SUBSTANCE BY FRAUD, DECEIT, OR MISREPRESENTATION, in violation of Section 11173(a) & (b) of the Health and Safety Code; OBTAINING A CONTROLLED SUBSTANCE BY FALSE NAME OR ADDRESS, in violation of Section 11174 of the Health and Safety Code; ISSUING A PRESCRIPTION THAT IS FALSE OR FICTITIOUS, in violation of Section 11157 of the Health and Safety Code, and REPEATEDLY AND EXCESSIVELY PRESCRIBING, FURNISHING, DISPENSING, OR ADMINISTERING DRUGS TO ANNA NICOLE SMITH, in violation of Section 725(a) of the Business and Professions Code, that pursuant to and for the purpose of carrying out the objectives and purposes of the aforesaid conspiracy, the said defendants committed the following overt act and acts at and in the County of Los Angeles: See Attached.

* * * * *

COUNT 2

On or between June 9, 2004 and September 10, 2006, in the County of Los Angeles, the crime of CONSPIRACY TO COMMIT A CRIME, in violation of PENAL CODE SECTION 182(a)(1), a Felony, was committed by SANDEEP KAPOOR and HOWARD KEVIN STERN, who did unlawfully conspire together and with another person and persons whose identity is unknown to commit the crime of PRESCRIBING, ADMINISTERING, AND DISPENSING A CONTROLLED SUBSTANCE TO AN ADDICT, in violation of Section 11156(a) of the Health and Safety Code; UNLAWFULLY PRESCRIBING A CONTROLLED SUBSTANCE, in violation of Section 11153(a) of the Health and Safety Code; PRESCRIBING, ADMINISTERING, DISPENSING, OR FURNISHING A CONTROLLED SUBSTANCE TO A PERSON NOT UNDER SANDEEP KAPOOR'S TREATMENT, in violation of Section 11154 (a)& (b) of the Health and Safety Code; OBTAINING A CONTROLLED SUBSTANCE BY FRAUD, DECEIT, OR MISREPRESENTATION, in violation of Section 11173(a) & (b) of the Health and Safety Code; OBTAINING A CONTROLLED SUBSTANCE BY FALSE NAME OR ADDRESS, in violation of Section 11174 of Health and Safety Code; ISSUING A PRESCRIPTION THAT IS FALSE OR FICTITIOUS, in violation of Section 11157 of the Health and Safety Code; AND REPEATEDLY AND EXCESSIVELY PRESCRIBING, FURNISHING, DISPENSING, OR ADMINISTERING DRUGS TO ANNA NICOLE SMITH in violation of Section 725(a) of the Business and Professions Code, that pursuant to and for the purpose of carrying out the objectives and purposes of the aforesaid conspiracy, the said defendants committed the following overt act and acts at and in the County of Los Angeles: See Attached.

* * * * *

OVERT ACTS AS TO COUNT 1

Overt Act 1. On 9/11/06, KHRISTINE EROSHEVICH prescribed chloral hydrate and lorazepam, controlled substances, to ANNA NICOLE SMITH.

Overt Act 2. On 9/11/06, HOWARD K. STERN directed KHRISTINE EROSHEVICH to bring controlled substances for ANNA NICOLE SMITH to the Bahamas.

Overt Act 3. On 9/12/06, KHRISTINE EROSHEVICH arrived in the Bahamas with controlled substances for ANNA NICOLE SMITH.

Overt Act 4. On 9/12/06, SANDEEP KAPOOR prescribed a controlled substance to Michelle Chase, intended for ANNA NICOLE SMITH.

Overt Act 5. On 9/12/06, with knowledge of ANNA NICOLE SMITH's addiction, SANDEEP KAPOOR prescribed two (2) prescriptions for hydromorphone, a controlled substance, to Michelle Chase, intended for ANNA NICOLE SMITH.

Overt Act 6. On 9/12/06, with no legitimate medical purpose, SANDEEP KAPOOR prescribed two separate prescriptions for hydromorphone, a controlled substance, to Michelle Chase, intended for ANNA NICOLE SMITH.

Overt Act 7. On 9/12/06, SANDEEP KAPOOR prescribed hydromorphone and Dilaudid to Michelle Chase, intended for ANNA NICOLE SMITH, for no legitimate medical purpose.

Overt Act 8. On 9/15/06, KHRISTINE EROSHEVICH faxed a prescription for controlled substances for Michelle Chase, intended for ANNA NICOLE SMITH, to SANDEEP KAPOOR.

Overt Act 9. On 9/15/06, SANDEEP KAPOOR forwarded KHRISTINE EROSHEVICH's requested prescription for controlled substances for Michelle Chase, intended for ANNA NICOLE SMITH, to a pharmacy in Los Angeles County.

Overt Act 10. On 9/15/06, HOWARD K. STERN was informed by a pharmacist that the requested prescription for Michelle Chase, intended for ANNA NICOLE SMITH and submitted by KHRISTINE EROSHEVICH through SANDEEP KAPOOR, would not be filled.

Overt Act 11. On 9/15/06, SANDEEP KAPOOR was warned of the dangers of submitting requests for prescriptions for Michelle Chase, intended for ANNA NICOLE SMITH.

Overt Act 12. On 9/15/06, a pharmacist informed SANDEEP KAPOOR that the submitted prescription request for Michelle Chase, intended for ANNA NICOLE SMITH, would not be filled.

Overt Act 13. On 9/15/06, KHRISTINE EROSHEVICH called another doctor to discuss the requested prescription for Michelle Chase, intended for ANNA NICOLE SMITH.

Overt Act 14. On or about 9/15/06, KHRISTINE EROSHEVICH was informed by another doctor of the dangers related to the requested prescription for controlled substances, that ANNA NICOLE SMITH should be hospitalized and on a heart monitor, and recommended that ANNA NICOLE SMITH be admitted to an addiction rehabilitation clinic.

Overt Act 15. On or about 9/15/06, with knowledge of ANNA NICOLE SMITH's addiction, KHRISTINE EROSHEVICH was informed by another doctor of the dangers related to the requested prescription for controlled substances, that ANNA NICOLE SMITH should be hospitalized and on a heart monitor, and recommended ANNA NICOLE SMITH be admitted to an addiction rehabilitation clinic.

Overt Act 16. On 9/22/06, after being warned of the danger of such controlled substances, SANDEEP KAPOOR prescribed controlled substances to Michelle Chase, intended for ANNA NICOLE SMITH.

Overt Act 17. On 9/22/06, with no legitimate medical purpose, SANDEEP KAPOOR prescribed hydromorphone, a controlled substance, to Michelle Chase, intended for ANNA NICOLE SMITH

Overt Act 18. On 9/22/06, after warnings of the danger of such controlled substances, KHRISTINE EROSHEVICH prescribed controlled substances in the names of Howard Stem, Howard K. Steam and Wesley Irwin intended for ANNA NICOLE SMITH.

Overt Act 19. On 9/22/06, KHRISTINE EROSHEVICH prescribed controlled substances to Howard Stem, Howard K. Steam and Wesley Irwin, each of whom were not patients.

Overt Act 20. On 9/22/06, KHRISTINE EROSHEVICH prescribed controlled substances to Howard Stem, Howard K. Steam and Wesley Irwin, for no legitimate medical purpose.

Overt Act 21. On 9/22/06, with no legitimate medical purpose, KHRISTINE EROSHEVICH prescribed clonazepam, a controlled substance, and carisoprodol to Wesley Irwin, intended for ANNA NICOLE SMITH.

Overt Act 22. On 9/22/06, with no legitimate medical purpose, KHRISTINE EROSHEVICH prescribed chloral hydrate and clonazepam, controlled substances, and carisoprodol to Howard K. Steam, intended for ANNA NICOLE SMITH.

Overt Act 23. On 9/22/06, with no medical purpose, KHRISTINE EROSHEVICH prescribed chloral hydrate, a controlled substance, to Howard Stern, intended for ANNA NICOLE SMITH.

Overt Act 24. On 9/22/06, KHRISTINE EROSHEVICH prescribed two (2) prescriptions of chloral hydrate, two (2) prescriptions of clonazepam, and two (2) prescriptions of carisoprodol in the names Howard Stern, Howard K. Steam and Wesley Irwin, none of whom were patients of KHRISTINE EROSHEVICH.

Overt Act 25. From 9/11/06 to 9/22/06, HOWARD K. STERN directed KHRISTINE

EROSHEVICH to bring excessive quantities of controlled substances to the Bahamas for ANNA NICOLE SMITH.

Overt Act 26. From 9/11/06 to 9/22/06, HOWARD K. STERN dispensed excessive quantities of controlled substances to ANNA NICOLE SMITH.

Overt Act 27. From 9/11/06 to 9/22/06, KHRISTINE EROSHEVICH prescribed excessive quantities of controlled substances to ANNA NICOLE SMITH.

Overt Act 28. From 9/11/06 to 9/22/06, HOWARD K. STERN acted with knowledge that ANNA NICOLE SMITH was an addict.

Overt Act 29. From 9/11/06 to 9/22/06, SANDEEP KAPOOR acted with knowledge that ANNA NICOLE SMITH was an addict.

Overt Act 30. From 9/11/06 to 9/22/06, KHRISTINE EROSHEVICH acted with knowledge that ANNA NICOLE SMITH was an addict.

Overt Act 31. On 10/17/06, KHRISTINE EROSHEVICH prescribed controlled substances to Charlene Underwood, not a patient, intended for ANNA NICOLE SMITH, using Wesley Irwin's date of birth from a pharmacy in Orange County, California.

Overt Act 32. On 10/17/06, KHRISTINE EROSHEVICH paid cash for and picked up the controlled substances for Charlene Underwood, not a patient, intended for ANNA NICOLE SMITH, from a pharmacy in Orange County, California.

Overt Act 33. On 11/24/06, KHRISTINE EROSHEVICH prescribed controlled substances to Charlene Underwood, not a patient, intended for ANNA NICOLE SMITH, using Wesley Irwin's date of birth from a pharmacy in Orange County, California.

Overt Act 34. On 11/24/06, KHRISTINE EROSHEVICH paid cash for and picked up the controlled substances for Charlene Underwood, not a patient, intended for ANNA NICOLE SMITH, from a pharmacy in Orange County, California.

Overt Act 35. On 12/4/06, KHRISTINE EROSHEVICH prescribed controlled substances to Howard K. Steam, who was not a patient, which were intended for ANNA NICOLE SMITH.

Overt Act 36. On 1/2/07, KHRISTINE EROSHEVICH prescribed controlled substances to Howard K. Stem, who was not a patient of KHRISTINE EROSHEVICH, which were intended for ANNA NICOLE SMITH.

Overt Act 37. On 1/3/07, KHRISTINE EROSHEVICH picked up the controlled substances prescribed to Howard K. Steam, who was not a patient of KHRISTINE EROSHEVICH, which were intended for ANNA NICOLE SMITH.

Overt Act 38. On 1/5/07, KHRISTINE EROSHEVICH prescribed controlled substances to Howard K. Stearn and Ben Stern, who were not patients of KHRISTINE EROSHEVICH, which were intended for ANNA NICOLE SMITH.

Overt Act 39. On 1/5/07, KHRISTINE EROSHEVICH picked up the controlled substances prescribed to Howard K. Stearn and Ben Stern, who were not patients of KHRISTINE EROSHEVICH, which were all intended for ANNA NICOLE SMITH.

Overt Act 40. On 1/5/07, KHRISTINE EROSHEVICH picked up the controlled substances for Howard K. Stearn and Ben Stern, all intended for ANNA NICOLE SMITH.

Overt Act 41. On 1/5/07, KHRISTINE EROSHEVICH shipped the controlled substances via Federal Express overnight to Maurice Brighthaupt in Florida and intended for ANNA NICOLE SMITH.

Overt Act 42. On 1/26/07, KHRISTINE EROSHEVICH prescribed controlled substances to Howard K. Stearn, who was not a patient of KHRISTINE EROSHEVICH, which were intended for ANNA NICOLE SMITH.

Overt Act 43. Between 9/11/06 and 1/26/07, KHRISTINE EROSHEVICH gave placebos to ANNA NICOLE SMITH.

Overt Act 44 Between 9/11/06 and 1/26/07, KHRISTINE EROSHEVICH prescribed excessive amounts of controlled substances to ANNA NICOLE SMITH.

Overt Act 45 Between 9/11/06 and 1/26/07, HOWARD K. STERN administered excessive amounts of controlled substances to ANNA NICOLE SMITH.

OVERT ACTS AS TO COUNT 2

Overt Act 1. Between 6/9/04 and 6/29/04, SANDEEP KAPOOR prescribed hydromorphone, a controlled substance, on three different occasions to ANNA NICOLE SMITH.

Overt Act 2. On 6/29/04, SANDEEP KAPOOR and HOWARD K. STERN discussed the dispensing of medication for ANNA NICOLE SMITH.

Overt Act 3. On 12/7/04, SANDEEP KAPOOR and HOWARD K. STERN discussed referring ANNA NICOLE SMITH to an addiction specialist and weaning ANNA NICOLE SMITH "off the Dilaudid".

Overt Act 4. Between July 2005 and May of 2006, SANDEEP KAPOOR prescribed excessive amounts of sleep aids and benzodiazepines to ANNA NICOLE SMITH.

Overt Act 5. Between 6/09/04 and 9/10/06, SANDEEP KAPOOR prescribed excessive amounts of opiates to ANNA NICOLE SMITH.

Overt Act 6. Between 6/09/04 and 9/10/06, HOWARD K. STERN dispensed excessive amounts of controlled substances to ANNA NICOLE SMITH.

Overt Act 7. Between February 2005 and July 2006, HOWARD K. STERN paid for and picked up prescriptions in the name Michelle Chase, intended for ANNA NICOLE SMITH, from a pharmacy in Los Angeles County, California.

Overt Act 8. On 2/9/06, SANDEEP KAPOOR prescribed alprazolam (Xanax) to ANNA N. SMITH from a pharmacy in Los Angeles County, California.

Overt Act 9. On 2/10/06, SANDEEP KAPOOR prescribed Ambien to HOWARD K. STERN, who was not a patient of SANDEEP KAPOOR, and Ambien and Xanax to ANNA N. SMITH, as well as methadone to Michelle Chase, which were all intended for ANNA NICOLE SMITH, from a pharmacy in Los Angeles County, California.

Overt Act 10. On 2/23/06, SANDEEP KAPOOR prescribed Ambien and Xanax to ANNA N. SMITH from a pharmacy in Los Angeles County, California.

Overt Act 11. On 3/13/06, SANDEEP KAPOOR prescribed Ambien and Xanax to ANNA N. SMITH and Ambien to HOWARD K. STERN, who was not a patient of SANDEEP KAPOOR, which were all intended for ANNA NICOLE SMITH, from a pharmacy in Los Angeles County, California.

Overt Act 12. Between 4/24/06 and 5/2/06, SANDEEP KAPOOR and HOWARD K. STERN saw ANNA NICOLE SMITH, who had been admitted to a hospital in Los Angeles County, California for opiate withdrawal and prenatal care

Overt Act 13. On 6/7/06, SANDEEP KAPOOR prescribed Ambien, a controlled substance, to HOWARD K. STERN, who was not a patient of SANDEEP KAPOOR, which was intended for ANNA NICOLE SMITH, from a pharmacy in Los Angeles County, California.

Overt Act 14. On 3/13/06 and 6/7/06, HOWARD K STERN paid for the controlled substances prescribed in his name, intended for ANNA NICOLE SMITH, using ANNA NICOLE SMITH's credit cards.

Overt Act 15. Between 4/14/06 and 6/30/06, SANDEEP KAPOOR prescribed methadone, lorazepam, and Xanax in the name Michelle Chase, intended for ANNA NICOLE SMITH, from a pharmacy in Los Angeles County, California.

Overt Act 16. After prescribing methadone to Michelle Chase, which was intended for ANNA NICOLE SMITH on 8/18/06, SANDEEP KAPOOR prescribed methadone to Michelle Chase, intended for ANNA NICOLE SMITH, on 8/25/06, for no legitimate medical purpose, from a pharmacy in Los Angeles County, California.

Overt Act 17. On 8/25/06, HOWARD K. STERN requested that a pharmacy in Los Angeles

County, California ship methadone to Nassau, Bahamas in the name Vicki Marshall, which was intended for ANNA NICOLE SMITH.

Overt Act 18. From 6/09/04 to 9/22/06, HOWARD K. STERN acted with knowledge that ANNA NICOLE SMITH was an addict.

Overt Act 19. From 6/09/04 to 9/22/06, SANDEEP KAPOOR acted with knowledge that ANNA NICOLE SMITH was an addict.

OVER T ACTS AS TO COUNT 3

Overt Act 1. Between 6/5/04 and 6/22/04, KHRISTINE EROSHEVICH prescribed controlled substances to Vicki Marshall, who was not a patient of KHRISTINE EROSHEVICH, from a pharmacy in Los Angeles County, California

Overt Act 2. Between 6/5/04 and 6/22/04, KHRISTINE EROSHEVICH prescribed controlled substances to Vicki Marshall, for no legitimate medical purpose, from a pharmacy in Los Angeles County, California.

Overt Act 3. On 8/24/04, HOWARD K. STERN picked up a controlled substance for Vicki Marshall, who was not a patient of KHRISTINE EROSHEVICH, which were intended for ANNA NICOLE SMITH, from a pharmacy in Los Angeles County, California.

Overt Act 4. On 8/28/04, HOWARD K. STERN picked up a controlled substance for Vicki Marshall, who was not a patient of KHRISTINE EROSHEVICH, which were intended for ANNA NICOLE SMITH, from a pharmacy in Los Angeles County, California.

Overt Act 5. Between 10/19/04 and 1/28/06, KHRISTINE EROSHEVICH prescribed controlled substances to ANNA NICOLE SMITH, who was not a patient of KHRISTINE EROSHEVICH, from a pharmacy in Los Angeles County, California.

Overt Act 6. Between 10/19/04 and 1/28/06, KHRISTINE EROSHEVICH prescribed controlled substances to ANNA NICOLE SMITH, for no legitimate medical purpose, from a pharmacy in Los Angeles County, California.

Overt Act 7. On 1/25/05, HOWARD K. STERN picked up a controlled substance for ANNA NICOLE SMITH, who was not a patient of KHRISTINE EROSHEVICH, from a pharmacy in Los Angeles County, California.

Overt Act 8. Between April 29, 2005 and September 4, 2005, KHRISTINE EROSHEVICH prescribed carisoprodol five (5) times to ANNA NICOLE SMITH, who was not a patient of KHRISTINE EROSHEVICH.

Overt Act 9. Between 6/21/06 and 9/10/06, KHRISTINE EROSHEVICH prescribed controlled substances to Howard K. Stern, who was not a patient of KHRISTINE EROSHEVICH, from a

pharmacy in Los Angeles County, California.

Overt Act 10. Between 6/21/06 and 9/10/06, KHRISTINE EROSHEVICH prescribed controlled substances to Howard K. Stern, for no legitimate medical purpose, from a pharmacy in Los Angeles County, California.

Overt Act 11. On 6/21/06, HOWARD K. STERN picked up the controlled substances prescribed by KHRISTINE EROSHEVICH from a pharmacy in Los Angeles County, California.

Overt Act 12. On 6/30/06, HOWARD K. STERN picked up the controlled substances prescribed by KHRISTINE EROSHEVICH to Howard K. Stern, from a pharmacy in Los Angeles County, California.

Overt Act 13. On 7/11/06, HOWARD K. STERN picked up the controlled substances prescribed by KHRISTINE EROSHEVICH in the name Howard K. Stern, who was not patient of KHRISTINE EROSHEVICH, which were intended for ANNA NICOLE SMITH, from a pharmacy in Los Angeles County, California.

Overt Act 14. On 7/18/06, HOWARD K. STERN flew to Nassau, Bahamas.

Overt Act 15. On 8/19/06, HOWARD K STERN, who was not a patient of KHRISTINE EROSHEVICH, picked up the controlled substances prescribed by KHRISTINE EROSHEVICH from a pharmacy in Los Angeles County, California.

Overt Act 16. On 8/20/06, HOWARD K STERN flew to Nassau, Bahamas.

Overt Act 17. From 6/05/04 to 9/10/06, HOWARD K. STERN acted with the knowledge that ANNA NICOLE SMITH was an addict.

Overt Act 18. From 6/05/04 to 9/10/06, KHRISTINE EROSHEVICH acted with the knowledge that ANNA NICOLE SMITH was an addict.

COUNT 3

On or between June 5, 2004 and September 10, 2006, in the County of Los Angeles, the crime of CONSPIRACY TO COMMIT A CRIME, in violation of PENAL CODE SECTION 182(a)(1), a Felony, was committed by KHRISTINE EROSHEVICH and HOWARD KEVIN STERN, who did unlawfully conspire together and with another person and persons whose identity is unknown to commit the crime of PRESCRIBING, ADMINISTERING, AND DISPENSING A CONTROLLED SUBSTANCE TO AN ADDICT, in violation of Section 11156(a) of the Health and Safety Code; UNLAWFULLY PRESCRIBING A CONTROLLED SUBSTANCE, in violation of Section 11153(a) of the Health and Safety Code; PRESCRIBING, ADMINISTERING, DISPENSING, OR FURNISHING A CONTROLLED SUBSTANCE TO A PERSON NOT UNDER KHRISTINE EROSHEVICH'S TREATMENT, in violation of Section 11154 (a) & (b) of the Health and Safety Code; OBTAINING A CONTROLLED SUBSTANCE BY FRAUD, DECEIT, OR MISREPRESENTATION, in violation of Section 11173(a) & (b) of the Health and Safety Code; OBTAINING A CONTROLLED SUBSTANCE BY FALSE NAME OR ADDRESS, in violation of Section 11174 of Health and Safety Code; ISSUING A PRESCRIPTION THAT IS FALSE OF FICTITIOUS, in violation of Section 11157 of the Health and Safety Code; AND REPEATEDLY AND EXCESSIVELY PRESCRIBING, FURNISHING, DISPENSING, OR ADMINISTERING DRUGS TO ANNA NICOLE SMITH in violation of Section 725(a) of the Business and Professions Code, that pursuant to and for the purpose of carrying out the objectives and purposes of the aforesaid conspiracy, the said defendants committed the following overt act and acts at and in the County of Los Angeles: See Attached.

* * * * *

COUNT 4

On or between June 9, 2004 and September 22, 2006, in the County of Los Angeles, the crime of UNLAWFULLY PRESCRIBING A CONTROLLED SUBSTANCE, in violation of Section 11153(a), of the Health and Safety Code a Felony, was committed by SANDEEP KAPOOR and HOWARD KEVIN STERN, who did unlawfully issue a prescription for a controlled substance, to wit: AMBIEN, HYDROMORPHONE, DILAUDID, CLONAZEPAM, METHADONE, AND XANAX.

* * * * *

COUNT 5

On or between June 5, 2004 and January 26, 2007, in the County of Los Angeles, the crime of UNLAWFULLY PRESCRIBING A CONTROLLED SUBSTANCE, in violation of Section 11153(a), of the Health and Safety Code a Felony, was committed by KHRISTINE EROSHEVICH and HOWARD KEVIN STERN, who did unlawfully issue a prescription for a controlled substance, to wit: AMBIEN, CLONAZEPAN, DIAZEPAM, HYDROCODONE, PROMETHAZINE WITH CODEINE, CHLORALHYDRATE, et al.

* * * * *

COUNT 6

On or between August 18, 2006 and September 22, 2006, in the County of Los Angeles, the crime of OBTAINING A PRESCRIPTION FOR OPIATES BY FRAUD, DECEIT, OR MISREPRESENTATION, in violation of Section 11173(a) of the Health and Safety Code a Felony, was committed by SANDEEP KAPOOR and HOWARD KEVIN STERN, who did unlawfully obtain and attempt to obtain a controlled substance, to wit: OPIATES and did procure and attempt to procure the administration of and prescription for said controlled substance by fraud, deceit and misrepresentation .

* * * * *

COUNT 7

On or between October 17, 2006 and November 24, 2006, in the County of Los Angeles, the crime of OBTAINING A PRESCRIPTION FOR OPIATES BY FRAUD, DECEIT, OR MISREPRESENTATION, in violation of Section 11173(a) of the Health and Safety Code a Felony, was committed by KHRISTINE EROSHEVICH and HOWARD KEVIN STERN, who did unlawfully obtain and attempt to obtain a controlled substance, to wit: OPIATES and did procure and attempt to procure the administration of and prescription for said controlled substance by fraud, deceit and misrepresentation .

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COUNT 8

On or between August 18, 2006 and September 22, 2006, in the County of Los Angeles, the crime of OBTAINING A PRESCRIPTION FOR OPIATES BY GIVING A FALSE NAME OR ADDRESS, in violation of 11174 of the Health and Safety Code, a Felony, was committed by SANDEEP KAPOOR and HOWARD KEVIN STERN, who did unlawfully obtain and attempt to obtain a controlled substance, to wit: OPIATES and did procure and attempt to procure the administration of and prescription for said controlled substance by fraud, deceit and misrepresentation .

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COUNT 9

On or between October 17, 2006 and November 24, 2006, in the County of Los Angeles, the crime of OBTAINING A PRESCRIPTION FOR OPIATES BY GIVING A FALSE NAME OR ADDRESS, in violation of 11174 of the Health and Safety Code, a Felony, was committed by KRISTINE EROSHEVICH and HOWARD KEVIN STERN, who did unlawfully obtain and attempt to obtain a controlled substance, to wit: OPIATES and did procure and attempt to procure the administration of and prescription for said controlled substance by fraud, deceit and misrepresentation .

* * * * *

COUNT 10

On or between June 9, 2004 and September 22, 2006, in the County of Los Angeles, the crime of PRESCRIBING, ADMINISTERING, OR DISPENSING A CONTROLLED SUBSTANCE TO AN ADDICT, in violation of Section 11156 of the Health and Safety Code, a Felony, was committed by SANDEEP KAPOOR and HOWARD KEVIN STERN.

* * * * *

COUNT 11

On or between June 5, 2004 and January 26, 2007, in the County of Los Angeles, the crime of PRESCRIBING, ADMINISTERING, OR DISPENSING CONTROLLED SUBSTANCES TO ANNA NICOLE SMITH, AN ADDICT, in violation of Section 11156 of the Health and Safety Code, a Felony, was committed by KHRISTINE EROSHEVICH and HOWARD KEVIN STERN.

* * * * *

FELONY COMPLAINT -- ORDER HOLDING TO ANSWER -- P.C. SECTION 872

It appearing to me from the evidence presented that the following offense(s) has/have been committed and that there is sufficient cause to believe that the following defendant(s) guilty thereof, to wit:

(Strike out or add as applicable)

SANDEEP KAPOOR

<u>Count No.</u>	<u>Charge</u>	<u>Charge Range</u>	<u>Special Allegation</u>	<u>Alleg. Effect</u>
1	PC 182(a)(1)	Check Code		
2	PC 182(a)(1)	Check Code		
4	HS 11153(a)	16-2-3		
6	HS 11173(a)	16-2-3		
8	HS 11174			
10	HS 11156			

KHRISTINE EROSHEVICH

<u>Count No.</u>	<u>Charge</u>	<u>Charge Range</u>	<u>Special Allegation</u>	<u>Alleg. Effect</u>
1	PC 182(a)(1)	Check Code		
3	PC 182(a)(1)	Check Code		
5	HS 11153(a)	16-2-3		
7	HS 11173(a)	16-2-3		
9	HS 11174(a)			
11	HS 11156(a)			

HOWARD KEVIN STERN

<u>Count No.</u>	<u>Charge</u>	<u>Charge Range</u>	<u>Special Allegation</u>	<u>Alleg. Effect</u>
1	PC 182(a)(1)	Check Code		
2	PC 182(a)(1)	Check Code		
3	PC 182(a)(1)	Check Code		
4	HS 11153(a)	16-2-3		
5	HS 11153(a)	16-2-3		
6	HS 11373(a)	16-2-3		
7	HS 11373(a)	12-2-3		
8	HS 11174			
9	HS 11174(a)			
10	HS 11156(a)			
11	HS 11156(a)			

I order that the defendant(s) be held to answer therefore and be admitted to bail in the sum of:

SANDEEP KAPOOR

\$ 20,000 Dollars

KHRISTINE EROSHEVICH

\$ 20,000 Dollars

HOWARD KEVIN STERN

\$ 20,000 Dollars

and be committed to the custody of the Sheriff of Los Angeles County until such bail is given. Date of arraignment in Superior Court will be:

SANDEEP KAPOOR

12/11/09 in Dept 102

KHRISTINE EROSHEVICH

12/11/09 in Dept 102

HOWARD KEVIN STERN

12/11/09 in Dept 102

at: 9:00 A.M.

Date: 10/30/09



Committing Magistrate

ROBERT J. PERRY

MINUTE ORDER
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE PRINTED: 07/18/17

CASE NO. BA353907

THE PEOPLE OF THE STATE OF CALIFORNIA
VS.

DEFENDANT 02: KHRISTINE ELAINE EROSHEVICH

INFORMATION FILED ON 12/11/09.

COUNT 01: 182(A)(1) PC FEL
COUNT 03: 182(A)(1) PC FEL
COUNT 05: 11153(A) H&S FEL
COUNT 07: 11173(A) H&S FEL
COUNT 09: 11174 H&S FEL
COUNT 11: 11156 H&S FEL

ON 10/28/10 AT 130 PM IN CENTRAL DISTRICT DEPT 104

CASE CALLED FOR VERDICT

PARTIES: ROBERT PERRY (JUDGE) MELODY RAMIREZ (CLERK)
BETH QUINTANA (REP) RENEE MECKLER (DA)

DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY BRADLEY BRUNON PRIVATE
COUNSEL

COUNT (01) : DISPOSITION: FOUND GUILTY - CONVICTED BY JURY

COUNT (03) : DISPOSITION: FOUND GUILTY - CONVICTED BY JURY

COUNT (07) : DISPOSITION: FOUND GUILTY - CONVICTED BY JURY

COUNT (09) : DISPOSITION: FOUND GUILTY - CONVICTED BY JURY

COURT ORDERS AND FINDINGS:

THE COURT ORDERS THE DEFENDANT TO APPEAR ON THE NEXT COURT DATE.

AT 1:40 P.M., IN THE PRESENCE OF THE JURY: THE FOLLOWING
VERDICTS ARE RENDERED:

WE, THE JURY IN THE ABOVE-ENTITLED ACTION, FIND THE DEFENDANT,
KHRISTINE EROSHEVICH, GUILTY OF THE CRIME OF CONSPIRACY TO
COMMIT A CRIME, DURING THE PERIOD SEPTEMBER 11, 2006 TO FEBRUARY
3, 2007, IN VIOLATION OF PENAL CODE SECTION 182(A)(1), A FELONY,
AS CHARGED IN COUNT 1 OF THE INFORMATION.

WE FURTHER FIND THE DEFENDANT, KHRISTINE EROSHEVICH, CONSPIRED

CASE NO. BA353907
DEF NO. 02

DATE PRINTED 07/18/17

TO COMMIT THE CRIME OF UNLAWFULLY PRESCRIBING, ADMINISTERING, OR DISPENSING A CONTROLLED SUBSTANCE TO AN ADDICT IN VIOLATION OF HEALTH & SAFETY CODE §11156 TO BE ***** NO VERDICT *****

WE FURTHER FIND THE DEFENDANT, KRISTINE EROSHEVICH, CONSPIRED TO COMMIT THE CRIME OF UNLAWFULLY PRESCRIBING A CONTROLLED SUBSTANCE IN VIOLATION OF HEALTH & SAFETY CODE §11153(A) TO BE ***** NO VERDICT *****

WE FURTHER FIND THE DEFENDANT, KRISTINE EROSHEVICH, CONSPIRED TO COMMIT THE CRIME OF OBTAINING A CONTROLLED SUBSTANCE BY FRAUD, DECEIT OR MISREPRESENTATION OR CONCEALMENT OF A MATERIAL FACT IN VIOLATION OF HEALTH & SAFETY CODE § 11173(A) TO BE TRUE.

WE FURTHER FIND THE DEFENDANT, KRISTINE EROSHEVICH, CONSPIRED TO COMMIT THE CRIME OF UNLAWFULLY GIVING A FALSE NAME IN A PRESCRIPTION FOR A CONTROLLED SUBSTANCE IN VIOLATION OF HEALTH & SAFETY CODE §11174 TO BE TRUE.

WE FURTHER FIND THE DEFENDANT, KRISTINE EROSHEVICH, CONSPIRED TO COMMIT THE CRIME OF REPEATEDLY AND CLEARLY EXCESSIVELY PRESCRIBING, FURNISHING, DISPENSING, OR ADMINISTERING DRUGS IN VIOLATION OF BUSINESS & PROFESSIONS CODE §725(A) TO BE ***** NO VERDICT *****

THIS 28TH DAY OF OCTOBER 2010, JUROR NO. 3, FOREPERSON

WE, THE JURY IN THE ABOVE-ENTITLED ACTION, FIND THE DEFENDANT, KRISTINE EROSHEVICH, GUILTY OF THE CRIME OF CONSPIRACY TO COMMIT A CRIME, DURING THE PERIOD JUNE 5, 2004 TO SEPTEMBER 10, 2006 IN VIOLATION OF PENAL CODE SECTION 182(A)(1), A FELONY, AS CHARGED IN COUNT 3 OF THE INFORMATION.

WE FURTHER FIND THE DEFENDANT, KRISTINE EROSHEVICH, CONSPIRED TO COMMIT THE CRIME OF UNLAWFULLY PRESCRIBING, ADMINISTERING, OR DISPENSING A CONTROLLED SUBSTANCE TO AN ADDICT IN VIOLATION OF HEALTH & SAFETY CODE §11156 TO BE NOT TRUE.

WE FURTHER FIND THE DEFENDANT, KRISTINE EROSHEVICH, CONSPIRED TO COMMIT THE CRIME OF UNLAWFULLY PRESCRIBING A CONTROLLED SUBSTANCE IN VIOLATION OF HEALTH & SAFETY CODE §11153(A) TO BE ***** NO VERDICT *****

WE FURTHER FIND THE DEFENDANT, KRISTINE EROSHEVICH, CONSPIRED TO COMMIT THE CRIME OF UNLAWFULLY PRESCRIBING A CONTROLLED SUBSTANCE TO A PERSON NOT UNDER A PHYSICIAN'S TREATMENT FOR A PATHOLOGY OR CONDITION OTHER THAN ADDICTION TO A CONTROLLED SUBSTANCE IN VIOLATION OF HEALTH & SAFETY CODE §11154(A) AND (B) TO BE ***** NO VERDICT *****

CASE NO. BA353907
DEF NO. 02

DATE PRINTED 07/18/17

WE FURTHER FIND THE DEFENDANT, KRISTINE EROSHEVICH, CONSPIRED TO COMMIT THE CRIME OF OBTAINING A CONTROLLED SUBSTANCE BY FRAUD, DECEIT OR MISREPRESENTATION OR CONCEALMENT OF A MATERIAL FACT IN VIOLATION OF HEALTH & SAFETY CODE §§11173(A) TO BE TRUE.

WE FURTHER FIND THE DEFENDANT, KRISTINE EROSHEVICH, CONSPIRED TO COMMIT THE CRIME OF UNLAWFULLY GIVING A FALSE NAME IN A PRESCRIPTION FOR A CONTROLLED SUBSTANCE IN VIOLATION OF HEALTH & SAFETY CODE §11174 TO BE TRUE.

WE FURTHER FIND THE DEFENDANT, KRISTINE EROSHEVICH, CONSPIRED TO COMMIT THE CRIME OF REPEATEDLY AND CLEARLY EXCESSIVELY

PRESCRIBING, FURNISHING, DISPENSING, OR ADMINISTERING DRUGS IN VIOLATION OF BUSINESS & PROFESSIONS CODE §725(A) TO BE
***** NO VERDICT *****

THIS 28TH DAY OF OCTOBER 2010, JUROR NO. 3, FOREPERSON

WE, THE JURY IN THE ABOVE-ENTITLED ACTION, FIND THE DEFENDANT, KRISTINE EROSHEVICH, GUILTY OF THE CRIME OF UNLAWFULLY PRESCRIBING A CONTROLLED SUBSTANCE, AN OPIATE, NAMELY, HYDROCODONE (VICODIN), ON NOVEMBER 24, 2006, BY FRAUD, DECEIT OR MISREPRESENTATION OR CONCEALMENT OF A MATERIAL FACT, IN VIOLATION OF HEALTH AND SAFETY CODE §11173(A), A FELONY, AS CHARGED IN COUNT 7 OF THE INFORMATION.

THIS 28TH DAY OF OCTOBER 2010, JUROR NO. 3, FOREPERSON

WE, THE JURY IN THE ABOVE-ENTITLED ACTION, FIND THE DEFENDANT, KRISTINE EROSHEVICH, GUILTY OF THE CRIME OF UNLAWFULLY OBTAINING A PRESCRIPTION BY GIVING A FALSE NAME OR ADDRESS FOR AN OPIATE, NAMELY, HYDROCODONE (VICODIN), ON NOVEMBER 24, 2006, IN VIOLATION OF HEALTH AND SAFETY CODE §11174, A FELONY,

AS CHARGED IN COUNT 9 OF THE INFORMATION.

THIS 28TH DAY OF OCTOBER 2010, JUROR NO. 3, FOREPERSON

THE JURY IS POLLED AND ALL ANSWER IN THE AFFIRMATIVE. THE COURT DECLARES A MISTRIAL IN COUNTS 5 AND 11 AND TO THE ALLEGATIONS THAT COULD NOT BE DECIDED IN THE CONSPIRACY COUNTS. THE JURY IS THANKED AND EXCUSED. BAIL REMAINS AS SET.

NEXT SCHEDULED EVENT:

11/06/11 830 AM PROBATION AND SENTENCE HEARING DIST CENTRAL DISTRICT DEPT L04

CUSTODY STATUS: BAIL TO STAND.

VERDICT
PAGE NO. 3 HEARING DATE: 10/28/10



THE DOCUMENT TO WHICH THIS COPY IS ATTACHED IS A TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE AND OF RECORD IN MY OFFICE.
SPERRI R. CARTER, EXECUTIVE OFFICE CLERK OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES.

Attested: 7/18/17 BY: [Signature] DEPUTY



State of California—Health and Human Services Agency
Department of Health Care Services



EDMUND G. BROWN JR.
Governor

JUL 26 2012

Khristine Elaine Eroshevich
3656 Avenida Del Sol
Studio City, CA 91604-4020

**Re: Physician;
License No. C37980;
Provider No.: 00C379800.**

Dear Ms. Eroshevich:

The Deputy Director and Chief Counsel of the State Department of Health Care Services (Department) has been notified that your license to practice medicine has been put on suspended for 90 days, effective March 30, 2012. Pursuant to Welfare and Institutions Code section 14043.6, the Department shall automatically suspend, as a provider in the Medi-Cal program, any individual who, or any entity that, has a license, certificate, or other approval to provide health care which is revoked or suspended by a federal or state licensing, certification, or approval authority, has otherwise lost that license, certificate, or approval, or has surrendered that license, certificate, or approval while a disciplinary hearing on that license, certificate, or approval was pending. This suspension is non-discretionary, and shall be effective on the date that the license, certificate, or approval was revoked, lost, or surrendered. In addition, California Code of Regulations, title 22, section 51228 requires that you must be licensed in order to participate in the Medi-Cal program. Furthermore, pursuant to Business and Professions Code section 2050, et seq., it is unlawful to practice medicine without a license.

In addition, the Department has been notified of your October 28, 2010, misdemeanor conviction in the Los Angeles County Superior Court (*People v. Khristine Eroshevich*, No. BA353907) for violation of Health and Safety Code section 11173(a). Pursuant to Welfare and Institutions Code, section 14123, subdivision (a), the Director is required to suspend a provider of service for conviction of any felony or any misdemeanor involving fraud, abuse of the Medi-Cal program or any patient, or otherwise substantially related to the qualifications, functions, or duties of a provider of service. (See 42 C.F.R. § 1001.101(a); Welf. & Inst. Code, §§ 14043.36, 14123.25.)

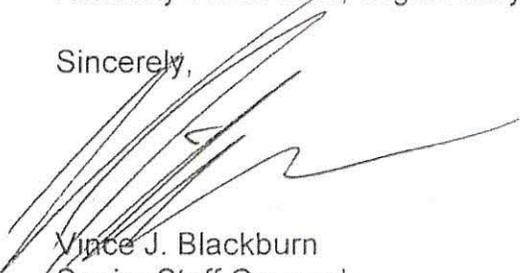
Therefore, pursuant to the authority delegated to me by the Director of the Department of Health Care Services, you are hereby notified that you are prohibited from

JUL 26 2012

participating in the Medi-Cal program for an indefinite period of time, effective March 14, 2012. Your name will be posted on the "Medi-Cal Suspended and Ineligible Provider List," available on the Internet. During the period of your suspension, no person or entity, including an employer, may submit any claims to the Medi-Cal program for items or services rendered by you. Additionally, no provider numbers may be issued to you or to any other person, entity, or employer on your behalf prior to your reinstatement to the Medi-Cal program by the Department of Health Care Services. Any involvement by you directly or indirectly (i.e., as an office manager, administrator, billing clerk processing or preparing claims for payment, salesperson for medical equipment, etc., or utilizing any other provider number or group or clinic number for services rendered by you) will result in nonpayment of the claim(s) submitted. Any person who presents or causes to be presented a claim for equipment or services rendered by a person suspended from participation in the Medi-Cal program shall be subject to suspension from participation in the Medi-Cal program, the assessment of civil money penalties, and/or criminal prosecution. (See Welf. & Inst. Code, §§ 14043.61, 14107, 14123.2; Cal. Code Regs., tit. 22, §§ 51458.1, 51484, 51485.1.) The Department will seek recoupment of any monies paid for claims presented to the Medi-Cal program for services or supplies provided by you during the duration of your suspension.

If you have any questions about this action, please submit your concerns, in writing, to Kimberly Woodward, Legal Analyst, at the above address.

Sincerely,



Vince J. Blackburn
Senior Staff Counsel

cc: See next page.

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