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CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

January 2014 Grand Jury

CR14-0259

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11 UNITED STATES OF AMERICA,

) CR No.

12
13 Plaintiff,

) I N D I C T M E N T

14 v.

) [18 U.S.C. § 1349: Conspiracy
) to Commit Health Care Fraud;
) 18 U.S.C. § 1347: Health Care
) Fraud; 18 U.S.C. § 2(b):
) Causing an Act to be Done; 18
) U.S.C. § 371: Conspiracy to
) Pay and Receive Health Care
) Kickbacks]

15 SYLVIA OGBENYEANU WALTER-EZE,
16 JUDITH BONGCAYAO ESTRELLA,
17 aka "Judith Bituin," and
18 WILMER DAVID GUZMAN,

19 Defendants.
20

21 The Grand Jury charges:

22 COUNT ONE

23 [18 U.S.C. § 1349]

24 A. INTRODUCTORY ALLEGATIONS

25 At all times relevant to this Indictment:

26 The Defendants

27 1. Defendant SYLVIA OGBENYEANU WALTER-EZE ("WALTER-EZE")
28 owned and operated EZCOR-9000, Inc. ("Ezcor"), a durable medical

1 equipment ("DME") supply company located in Valencia, California,
2 within the Central District of California.

3 2. Defendant JUDITH BONGCAYAO ESTRELLA, also known as
4 ("aka") "Judith Bituin" ("ESTRELLA"), worked as a "marketer" for
5 Ezcor.

6 3. Defendant WILMER DAVID GUZMAN ("GUZMAN") worked as a
7 "marketer" for Ezcor.

8 The Medicare and Medi-Cal Programs

9 4. Medicare was a federal health care benefit program,
10 affecting commerce, that provided benefits to individuals who
11 were over the age of 65 or disabled.

12 5. Medi-Cal was a health care benefit program, affecting
13 commerce, that provided reimbursement for health care services to
14 indigent persons in California. Funding for Medi-Cal was shared
15 between the federal government and the State of California.

16 6. Medicare was administered by the Centers for Medicare
17 and Medicaid Services ("CMS"), a federal agency under the United
18 States Department of Health and Human Services ("HHS"). CMS
19 contracted with private insurance companies to: (a) certify DME
20 providers for participation in Medicare and monitor their
21 compliance with Medicare standards; (b) process and pay claims;
22 and (c) perform program safeguard functions, such as identifying
23 and reviewing suspect claims.

24 7. The California Department of Health Care Services
25 ("CAL-DHCS") administered Medi-Cal. CAL-DHCS authorized provider
26 participation, determined beneficiary eligibility, issued Medi-
27 Cal cards to beneficiaries, and promulgated regulations for the
28 administration of the program.

1 8. Individuals who qualified for Medicare or Medi-Cal
2 benefits were referred to as "beneficiaries."

3 9. Medicare assigned each Medicare beneficiary a Health
4 Identification Card containing a unique identification number
5 ("HICN").

6 10. DME companies, physicians, and other health care
7 providers who provided medical services that were reimbursed by
8 Medicare and Medi-Cal were referred to as Medicare and Medi-Cal
9 "providers."

10 11. To obtain payment from Medicare and Medi-Cal, a DME
11 company first had to apply for and obtain a Medicare or Medi-Cal
12 provider number. By signing the Medicare provider application,
13 the DME company agreed to abide by Medicare rules and
14 regulations, including the Anti-Kickback Statute (42 U.S.C.
15 § 1320a-7b(b)), which, among other things, prohibited the payment
16 of kickbacks or bribes for the referral of Medicare beneficiaries
17 for any item or service for which payment may be made by the
18 Medicare program.

19 12. If Medicare or Medi-Cal approved a provider's
20 application, Medicare or Medi-Cal assigned the provider a
21 provider number, enabling the provider (such as a DME company) to
22 submit claims to Medicare and Medi-Cal for services and supplies
23 provided to Medicare or Medi-Cal beneficiaries.

24 13. Medicare and Medi-Cal reimbursed DME companies and
25 other health care providers for medically-necessary treatment and
26 services rendered to beneficiaries.

27 14. Most Medicare providers, including Ezcov, submitted
28 their claims to Medicare electronically pursuant to an agreement

1 with Medicare that they would submit claims that were accurate,
2 complete, and truthful.

3 15. To obtain payment for services from Medi-Cal, an
4 enrolled provider, such as Ezcors, using its provider number,
5 would submit claims to Medi-Cal certifying that the information
6 on the claim form was truthful and accurate and that the services
7 provided were reasonable and necessary to the health of the
8 Medi-Cal beneficiary.

9 16. To obtain and maintain their Medicare provider number
10 billing privileges, DME suppliers had to meet Medicare standards
11 for participation.

12 17. Medicare paid DME providers only for DME that was
13 medically necessary to the treatment of a beneficiary's illness
14 or injury, was prescribed by a beneficiary's physician, and was
15 provided in accordance with Medicare regulations and guidelines
16 that governed whether a particular item or service would be paid
17 by Medicare.

18 18. Medicare required a claim for payment to set forth,
19 among other things, the beneficiary's name and HICN, the type of
20 DME provided to the beneficiary, the date the DME was provided,
21 and the name and unique physician identification number ("UPIN")
22 of the physician who prescribed or ordered the DME.

23 19. Medicare had a co-payment requirement for DME.
24 Medicare reimbursed providers 80% of the allowed amount of a DME
25 claim and the beneficiary was ordinarily obligated to pay the
26 remaining 20%.

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1 B. THE OBJECT OF THE CONSPIRACY

2 20. Beginning no later than in or around 2007, and
3 continuing through in or around May 2012, in Los Angeles County,
4 within the Central District of California, and elsewhere,
5 defendants WALTER-EZE, ESTRELLA, and GUZMAN, together with others
6 known and unknown to the Grand Jury, knowingly combined,
7 conspired, and agreed to commit health care fraud, in violation
8 of Title 18, United States Code, Section 1347.

9 C. THE MANNER AND MEANS OF THE CONSPIRACY

10 21. The object of the conspiracy was carried out, and to be
11 carried out, in substance, as follows:

12 a. On or about February 1, 1999, a corporate bank
13 account was opened for Ezcors at Bank of America, account number
14 xxxxx-2800 ("Ezcors BA #1 Account"). Defendant WALTER-EZE was
15 an authorized signator on this account.

16 b. On or about April 1, 2000, defendant WALTER-EZE
17 opened a corporate bank account for Ezcors at Bank of America,
18 account number xxxxx-3951 ("Ezcors BA #2 Account"). Defendant
19 WALTER-EZE was an authorized signator on this account.

20 c. On or about August 29, 2003, WALTER-EZE executed
21 and submitted an application to Medicare to obtain and maintain a
22 Medicare provider number for Ezcors.

23 d. On or about August 23, 2006, defendant WALTER-EZE
24 executed and submitted an electronic funds transfer agreement
25 ("EFT") to Medicare, requesting that all future reimbursements
26 from Medicare be directly deposited into the Ezcors BA #1
27 Account.

1 e. On or about February 12, 2010, defendant WALTER-
2 EZE opened a corporate bank account for Ezcors at Capital One
3 Bank, account number xxxxx-4585 ("Ezcors Capital One Account").
4 Defendant WALTER-EZE was the sole authorized signator on this
5 account.

6 f. On or about January 11, 2010, defendant WALTER-EZE
7 executed and submitted an updated EFT to Medicare, requesting
8 that all future reimbursements from Medicare be directly
9 deposited into the Ezcors Capital One Account.

10 g. On or about April 15, 2010, defendant WALTER-EZE
11 opened a corporate bank account for Ezcors at Wells Fargo Bank,
12 account number xxxxx-8707 ("Ezcors Wells Fargo Account").
13 Defendant WALTER-EZE was the sole authorized signator on this
14 account.

15 h. Individuals known as "marketers," including
16 defendants ESTRELLA and GUZMAN, obtained beneficiaries'
17 information by offering them medically unnecessary power
18 wheelchairs ("PWCs"), hospital beds, orthotics, and other DME.

19 i. Defendant WALTER-EZE would pay "marketers,"
20 including defendants ESTRELLA and GUZMAN, to solicit
21 beneficiaries for Ezcors, and to offer them medically unnecessary
22 PWCs, hospital beds, orthotics, and other DME.

23 j. At defendant WALTER-EZE's instruction, the
24 "marketers," including defendants ESTRELLA and GUZMAN, would take
25 or refer the beneficiaries to medical clinics, doctors' offices,
26 and other locations where fraudulent prescriptions and medical
27 documents were generated using the beneficiaries' personal
28 information and HICNs.

1 k. Defendant WALTER-EZE would then acquire these
2 false and fraudulent prescriptions and other documents from the
3 medical clinics, doctors' offices, and other sources for the
4 purpose of using these prescriptions and documents to submit and
5 cause the submission of false and fraudulent claims to Medicare
6 and Medi-Cal on behalf of Ezcors.

7 l. As a result of the submission of these false and
8 fraudulent claims, Medicare made payments to Ezcors's BA #1
9 Account and Ezcors's Capital One Account.

10 m. Defendant WALTER-EZE then disbursed, and caused
11 the disbursement of, monies from Ezcors's corporate bank accounts
12 to herself and others, including defendants ESTRELLA and GUZMAN.

13 22. Between on or about January 1, 2007, and in or around
14 May 2012, defendant WALTER-EZE and her co-conspirators submitted
15 and caused Ezcors to submit claims to Medicare and Medi-Cal
16 totaling approximately \$3,521,786.83 for PWCs, DME, and other
17 related services. Ezcors received approximately \$1,939,529.27 on
18 those claims.

COUNTS TWO THROUGH SIX

[18 U.S.C. §§ 1347, 2(b)]

A. INTRODUCTORY ALLEGATIONS

23. The Grand Jury incorporates by reference and re-alleges paragraphs 1 through 19 above of this Indictment as though set forth in their entirety herein.

B. THE SCHEME TO DEFRAUD

24. Beginning no later than in or around 2007, and continuing through in or around May 2012, in Los Angeles County, within the Central District of California, and elsewhere, defendants WALTER-EZE, ESTRELLA, and GUZMAN, together with others known and unknown to the Grand Jury, knowingly, willfully, and with intent to defraud, executed, and attempted to execute, a scheme and artifice: (a) to defraud a health care benefit program, namely Medicare, as to material matters in connection with the delivery of and payment for health care benefits, items, and services; and (b) to obtain money from Medicare by means of material false and fraudulent pretenses and representations and the concealment of material facts in connection with the delivery of and payment for health care benefits, items, and services.

C. MEANS TO ACCOMPLISH THE SCHEME TO DEFRAUD

25. The fraudulent scheme operated, in substance, as described in paragraph 21 above of this Indictment, which is hereby incorporated by reference as though set forth in its entirety herein.

D. THE EXECUTION OF THE FRAUDULENT SCHEME

26. On or about the dates set forth below, within the Central District of California and elsewhere, defendants WALTER-

1 EZE, ESTRELLA, and GUZMAN, together with others known and unknown
 2 to the Grand Jury, for the purpose of executing and attempting to
 3 execute the fraudulent scheme described above, knowingly and
 4 willfully caused to be submitted to Medicare for payment the
 5 following false and fraudulent claims for power wheelchairs and
 6 related accessories:

| <u>COUNT</u> | <u>DEFENDANTS</u> | <u>BENEFICIARY</u> | <u>CLAIM NUMBER</u> | <u>APPROX. DATE SUBMITTED</u> | <u>APPROX. AMOUNT OF CLAIM</u> |
|--------------|------------------------|--------------------|---------------------|-------------------------------|--------------------------------|
| TWO | WALTER-EZE ESTRELLA | M.M | 100988321 17000 | 4/08/2010 | \$5,810.09 |
| THREE | WALTER-EZE ESTRELLA | V.C.M. | 101758082 29000 | 6/24/2010 | \$4,876.27 |
| FOUR | WALTER-EZE GUZMAN | N.G. | 102288192 53000 | 8/16/2010 | \$5,810.09 |
| FIVE | WALTER-EZE GUZMAN | M.W. | 111088060 79000 | 4/18/2011 | \$1,624.21 |
| SIX | WALTER-EZE GUZMAN | M.G. | 111368334 31000 | 5/16/2011 | \$1,624.21 |

COUNT SEVEN

[18 U.S.C. §§ 371 and 2(b)]

A. INTRODUCTORY ALLEGATIONS

27. The Grand Jury incorporates by reference and re-alleges paragraphs 1 through 19 above of this Indictment as though set forth in their entirety herein.

B. OBJECT OF THE CONSPIRACY

28. Beginning no later than in or around 2007, and continuing through in or around January 2012, in Los Angeles County, within the Central District of California, and elsewhere, defendants WALTER-EZE, ESTRELLA, and GUZMAN, together with others known and unknown to the Grand Jury, knowingly combined, conspired, and agreed to pay and receive kickbacks for patient referrals, in violation of Title 42, United States Code, Sections 1320a-7b(b) (1) (A) and (2) (A).

C. THE MANNER AND MEANS OF THE CONSPIRACY

29. The object of the conspiracy was carried out, and to be carried out, in substance, as follows:

a. Defendant WALTER-EZE would maintain a valid Medicare provider number for Ezcors in order to submit claims to Medicare for DME.

b. Defendants ESTRELLA and GUZMAN would provide patient referrals to Ezcors.

c. Defendant WALTER-EZE would pay, and cause to be paid, kickbacks to defendants ESTRELLA and GUZMAN in return for patient referrals that Ezcors would use to submit claims to Medicare.

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1 D. OVERT ACTS

2 30. In furtherance of the conspiracy and to accomplish its
3 object, defendants WALTER-EZE, ESTRELLA, and GUZMAN, together
4 with others known and unknown to the Grand Jury, committed and
5 willfully caused others to commit the following overt acts, among
6 others, within the Central District of California and elsewhere:

7 Overt Act No. 1: On or about March 5, 2007, defendant
8 WALTER-EZE paid and caused to be paid kickbacks for patient
9 referrals by defendant ESTRELLA in the amount of \$2,600 paid to
10 defendant ESTRELLA. The check was drawn upon Ezcors BA #2
11 Account (check number #2826).

12 Overt Act No. 2: On or about April 13, 2009, defendant
13 WALTER-EZE paid and caused to be paid kickbacks for patient
14 referrals by defendant ESTRELLA in the amount of \$1,500 paid to
15 defendant ESTRELLA. The check was drawn upon Ezcors BA #2
16 Account (check number #3269).

17 Overt Act No. 3: On or about May 11, 2010, defendant
18 WALTER-EZE paid and caused to be paid kickbacks for patient
19 referrals by defendant GUZMAN in the amount of \$500 paid to
20 defendant GUZMAN. The check was drawn upon Ezcors BA #2 Account
21 (check number #10439).

22 Overt Act No. 4: On or about June 14, 2010, defendant
23 WALTER-EZE paid and caused to be paid kickbacks for patient
24 referrals by defendant GUZMAN in the amount of \$1,200 paid to
25 defendant GUZMAN. The was drawn upon Ezcors BA #2 Account
26 (check number #10450).

27 Overt Act No. 5: On or about June 22, 2010, defendant
28 WALTER-EZE paid and caused to be paid kickbacks for patient

1 referrals by defendant ESTRELLA in the amount of \$1,000 paid to
2 defendant ESTRELLA. The check was drawn upon Ezcors BA #2
3 Account (check number #1375).

4 Overt Act No. 6: On or about February 15, 2011, defendant
5 WALTER-EZE paid and caused to be paid kickbacks for patient
6 referrals by defendant GUZMAN in the amount of \$1,650 paid to
7 defendant GUZMAN. The check was drawn upon Ezcors Wells Fargo
8 Account (check number #1056).

9 Overt Act No. 7: On or about June 4, 2011, defendant
10 WALTER-EZE paid and caused to be paid kickbacks for patient
11 referrals by defendant ESTRELLA in the amount of \$500 paid to
12 defendant ESTRELLA. The check was drawn upon Ezcors Wells Fargo
13 Account (check number #1109).

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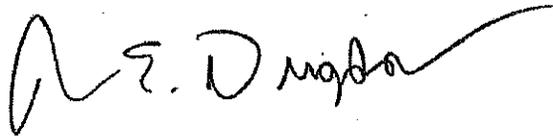
1 Overt Act No. 8: On or about January 19, 2012, defendant
2 WALTER-EZE paid and caused to be paid kickbacks for patient
3 referrals by defendant GUZMAN in the amount of \$120 paid to
4 defendant GUZMAN. The check was drawn upon Ezcors Wells Fargo
5 Account (check number #1193).

6
7 A TRUE BILL

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9 151

10 Foreperson

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12 ANDRÉ BIROTTE JR.
13 United States Attorney

14 
15

16 ROBERT E. DUGDALE
17 Assistant United States Attorney
18 Chief, Criminal Division

19 RICHARD E. ROBINSON
20 Assistant United States Attorney
21 Chief, Major Frauds Section

22 CONSUELO WOODHEAD
23 Assistant United States Attorney
24 Deputy Chief, Major Frauds Section

25 BEN SINGER
26 Deputy Chief, Fraud Section
27 United States Department of Justice

28 BEN CURTIS
29 Assistant Chief, Fraud Section
30 United States Department of Justice

31 BLANCA QUINTERO
32 Trial Attorney, Fraud Section
33 United States Department of Justice

**United States District Court
Central District of California**

UNITED STATES OF AMERICA vs.

Docket No. CR 14-00259-RGK-3

Defendant WILMER DAVID GUZMAN

Social Security No. [REDACTED]

akas: _____

(Last 4 digits)

JUDGMENT AND PROBATION/COMMITMENT ORDER

In the presence of the attorney for the government, the defendant appeared in person on this date.

| | | |
|--------------|------------|-------------|
| MONTH | DAY | YEAR |
| NOV | 19 | 2015 |

COUNSEL BERC AGOPOGLU, RETAINED
(Name of Counsel)

PLEA **GUILTY**, and the court being satisfied that there is a factual basis for the plea. **NOLO** **NOT**
CONTENDERE **GUILTY**

FINDING There being a finding/verdict of **GUILTY**, defendant has been convicted as charged of the offense(s) of:
Conspiracy to Commit Health Care Fraud, in violation of 18 USC 1349, as charged in Count 1 of the Indictment

JUDGMENT AND PROB/ COMM ORDER The Court asked whether there was any reason why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the Court, the Court adjudged the defendant guilty as charged and convicted and ordered that: Pursuant to the Sentencing Reform Act of 1984, it is the judgment of the Court that the defendant is hereby committed to the custody of the Bureau of Prisons to be imprisoned for a term of:

It is ordered that the defendant shall pay to the United States a special assessment of \$100, which is due immediately. Any unpaid balance shall be due during the period of imprisonment, at the rate of not less than \$25 per quarter, and pursuant to the Bureau of Prisons' Inmate Financial Responsibility Program.

It is ordered that the defendant shall pay restitution in the total amount of \$108,535.21 pursuant to 18 U.S.C. § 3663A.

Defendant shall pay restitution in the total amount of \$108,535.21 to victims set forth in a separate victim list prepared by the probation office which this Court adopts and which reflects the Court's determination of the amount of restitution due to each victim. The victim list, which shall be forwarded to the fiscal section of the clerk's office, shall remain confidential to protect the privacy interests of the victims.

Restitution shall be due during the period of imprisonment, at the rate of not less than \$25 per quarter, and pursuant to the Bureau of Prisons' Inmate Financial Responsibility Program. If any amount of the restitution remains unpaid after release from custody, nominal monthly payments of at least 10% of defendant's gross monthly income but not less than \$25, whichever is greater, shall be made during the period of supervised release and shall begin 30 days after the commencement of supervision. Nominal restitution payments are ordered as the Court finds that the defendant's economic circumstances do not allow for either immediate or future payment of the amount ordered.

The defendant shall be held jointly and severally liable with co-participant, Sylvia Walter-Eze (Docket No. CR-13-00259-RGK), for the amount of restitution ordered in this judgment. The victim's recovery is limited to the amount of its loss and the defendant's liability for restitution ceases if and when the victim receives full restitution.

Pursuant to 18 U.S.C. § 3612(f)(3)(A), interest on the restitution ordered is waived because the defendant does not have the ability to pay interest. Payments may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

The defendant shall comply with General Order No. 01-05.

All fines are waived as it is found that the defendant does not have the ability to pay a fine in addition to restitution.

Pursuant to the Sentencing Reform Act of 1984, it is the judgment of the Court that the defendant, Wilmer David Guzman, is hereby committed on Count 1 of the Indictment to the custody of the Bureau of Prisons for a term of FOUR (4) MONTHS.

Upon release from imprisonment, the defendant shall be placed on supervised release for a term of TWO (2) YEARS under the following terms and conditions:

1. The defendant shall comply with the rules and regulations of the United States Probation Office, General Order 05-02, and General Order 01-05, including the three special conditions delineated in General Order 01-05.
2. The defendant shall not commit any violation of local, state, or federal law or ordinance.
3. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, not to exceed eight tests per month, as directed by the Probation Officer.
4. The defendant shall participate in an outpatient substance abuse treatment and counseling program that includes urinalysis, breath, and/or sweat patch testing, as directed by the Probation Officer. The defendant shall abstain from using illicit drugs and alcohol, and abusing prescription medications during the period of supervision.
5. The defendant shall participate in mental health treatment, which may include evaluation and counseling, until discharged from the treatment by the treatment provider, with the approval of the Probation Officer.
6. As directed by the Probation Officer, the defendant shall pay all or part of the costs of treating the defendant's drug and/or alcohol dependency and mental health treatment to the aftercare contractor during the period of community supervision, pursuant to 18 U.S.C. § 3672. The defendant shall provide payment and proof of payment as directed by the Probation Officer.
7. During the period of community supervision, the defendant shall pay the special assessment and restitution in accordance with this judgment's orders pertaining to such payment.
8. The defendant shall apply all monies received from income tax refunds, lottery winnings, inheritance, judgments and any anticipated or unexpected financial gains to the outstanding court-ordered financial obligation.
9. The defendant shall not engage, as whole or partial owner, employee or otherwise, in any business involving Medicare, without the express written approval of the Probation Officer prior to engaging in such employment. Further, the defendant shall provide the Probation Officer with access to any and all business records, client lists, and other records pertaining to the operation of any business owned, in whole or in part, by the defendant, as directed by the Probation Officer.

USA vs. WILMER DAVID GUZMAN

Docket No.: CR 14-00259-RGK-3

- 10. The defendant shall not be employed in any position that requires licensing and/or certification by any local, state, or federal agency without the prior written approval of the Probation Officer.
- 11. The defendant shall comply with the immigration rules and regulations of the United States, and if deported from this country, either voluntarily or involuntarily, not reenter the United States illegally. The defendant is not required to report to the Probation Office while residing outside of the United States; however, within 72 hours of release from any custody or any reentry to the United States during the period of Court-ordered supervision, the defendant shall report for instructions to the United States Probation Office located at: United States Court House, 312 North Spring Street, Room 600, Los Angeles, California 90012.
- 12. The defendant shall cooperate in the collection of a DNA sample from the defendant.

The Court authorizes the Probation Office to disclose the Presentence Report to the substance abuse treatment provider to facilitate the defendant's treatment for narcotic addiction or drug dependency. Further redisclosure of the Presentence Report by the treatment provider is prohibited without the consent of the sentencing judge.

The Court authorizes the Probation Officer to disclose the Presentence Report, and/or any previous mental health evaluations or reports, to the treatment provider. The treatment provider may provide information (excluding the Presentence Report), to State or local social service agencies (such as the State of California, Department of Social Services), for the purpose of the client's rehabilitation.

Counsel for the government motions the Court to dismiss Counts 2 through 7. Motion granted.

Defendant is advised of his right to appeal.

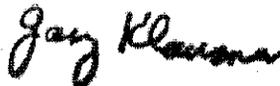
The Court recommends that the defendant be designated to a Bureau of Prisons facility in Southern California.

Remand 12314 issued.

In addition to the special conditions of supervision imposed above, it is hereby ordered that the Standard Conditions of Probation and Supervised Release within this judgment be imposed. The Court may change the conditions of supervision, reduce or extend the period of supervision, and at any time during the supervision period or within the maximum period permitted by law, may issue a warrant and revoke supervision for a violation occurring during the supervision period.

November 20, 2015

Date



R. GARY KLAUSNER, U. S. District Judge

It is ordered that the Clerk deliver a copy of this Judgment and Probation/Commitment Order to the U.S. Marshal or other qualified officer.

Clerk, U.S. District Court

November 20, 2015

Filed Date

By /s/

Sharon L. Williams, Deputy Clerk

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below).

STANDARD CONDITIONS OF PROBATION AND SUPERVISED RELEASE

While the defendant is on probation or supervised release pursuant to this judgment:

1. The defendant shall not commit another Federal, state or local crime;
2. the defendant shall not leave the judicial district without the written permission of the court or probation officer;
3. the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
4. the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
5. the defendant shall support his or her dependents and meet other family responsibilities;
6. the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
7. the defendant shall notify the probation officer at least 10 days prior to any change in residence or employment;
8. the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
9. the defendant shall not frequent places where controlled substances are illegally sold, used, distributed or administered;
10. the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
11. the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
12. the defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer;
13. the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
14. as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to conform the defendant's compliance with such notification requirement;
15. the defendant shall, upon release from any period of custody, report to the probation officer within 72 hours;
16. and, for felony cases only: not possess a firearm, destructive device, or any other dangerous weapon.

USA vs. WILMER DAVID GUZMAN

Docket No.: CR 14-00259-RGK-3

The defendant will also comply with the following special conditions pursuant to General Order 01-05 (set forth below).

STATUTORY PROVISIONS PERTAINING TO PAYMENT AND COLLECTION OF FINANCIAL SANCTIONS

The defendant shall pay interest on a fine or restitution of more than \$2,500, unless the court waives interest or unless the fine or restitution is paid in full before the fifteenth (15th) day after the date of the judgment pursuant to 18 U.S.C. §3612(f)(1). Payments may be subject to penalties for default and delinquency pursuant to 18 U.S.C. §3612(g). Interest and penalties pertaining to restitution, however, are not applicable for offenses completed prior to April 24, 1996.

If all or any portion of a fine or restitution ordered remains unpaid after the termination of supervision, the defendant shall pay the balance as directed by the United States Attorney's Office. 18 U.S.C. §3613.

The defendant shall notify the United States Attorney within thirty (30) days of any change in the defendant's mailing address or residence until all fines, restitution, costs, and special assessments are paid in full. 18 U.S.C. §3612(b)(1)(F).

The defendant shall notify the Court through the Probation Office, and notify the United States Attorney of any material change in the defendant's economic circumstances that might affect the defendant's ability to pay a fine or restitution, as required by 18 U.S.C. §3664(k). The Court may also accept such notification from the government or the victim, and may, on its own motion or that of a party or the victim, adjust the manner of payment of a fine or restitution-pursuant to 18 U.S.C. §3664(k). See also 18 U.S.C. §3572(d)(3) and for probation 18 U.S.C. §3563(a)(7).

Payments shall be applied in the following order:

1. Special assessments pursuant to 18 U.S.C. §3013;
2. Restitution, in this sequence (pursuant to 18 U.S.C. § 3664(i), all non-federal victims must be paid before the United States is paid):
 - Non-federal victims (individual and corporate),
 - Providers of compensation to non-federal victims,
 - The United States as victim;
3. Fine;
4. Community restitution, pursuant to 18 U.S.C. §3663(c); and
5. Other penalties and costs.

SPECIAL CONDITIONS FOR PROBATION AND SUPERVISED RELEASE

As directed by the Probation Officer, the defendant shall provide to the Probation Officer: (1) a signed release authorizing credit report inquiries; (2) federal and state income tax returns or a signed release authorizing their disclosure; and (3) an accurate financial statement, with supporting documentation as to all assets, income and expenses of the defendant. In addition, the defendant shall not apply for any loan or open any line of credit without prior approval of the Probation Officer.

The defendant shall maintain one personal checking account. All of defendant's income, "monetary gains," or other pecuniary proceeds shall be deposited into this account, which shall be used for payment of all personal expenses. Records of all other bank accounts, including any business accounts, shall be disclosed to the Probation Officer upon request.

The defendant shall not transfer, sell, give away, or otherwise convey any asset with a fair market value in excess of \$500 without approval of the Probation Officer until all financial obligations imposed by the Court have been satisfied in full.

These conditions are in addition to any other conditions imposed by this judgment.

USA vs. WILMER DAVID GUZMAN

Docket No.: CR 14-00259-RGK-3

RETURN

I have executed the within Judgment and Commitment as follows:

Defendant delivered on _____ to _____

Defendant noted on appeal on _____

Defendant released on _____

Mandate issued on _____

Defendant's appeal determined on _____

Defendant delivered on _____ to _____

at _____

the institution designated by the Bureau of Prisons, with a certified copy of the within Judgment and Commitment.

United States Marshal

By _____
Deputy Marshal

Date

CERTIFICATE

I hereby attest and certify this date that the foregoing document is a full, true and correct copy of the original on file in my office, and in my legal custody.

Clerk, U.S. District Court

By _____
Deputy Clerk

Filed Date

FOR U.S. PROBATION OFFICE USE ONLY

Upon a finding of violation of probation or supervised release, I understand that the court may (1) revoke supervision, (2) extend the term of supervision, and/or (3) modify the conditions of supervision.

These conditions have been read to me. I fully understand the conditions and have been provided a copy of them.

(Signed) _____
Defendant

Date

U. S. Probation Officer/Designated Witness

Date

WESTERN,PASPRT

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA (Western Division - Los Angeles)
CRIMINAL DOCKET FOR CASE #: 2:14-cr-00259-RGK-3**

Case title: USA v. Walter-Eze et al

Date Filed: 05/06/2014

Date Terminated: 11/20/2015

Assigned to: Judge R. Gary Klausner

Defendant (3)

Wilmer David Guzman
TERMINATED: 11/20/2015

represented by **Berc Agopoglu**
The Agopoglun Law Firm
10250 Constellation Boulevard Suite
2320
Los Angeles, CA 90067
310-356-4677
Fax: 310-356-4678
Email: agopoglulaw@aol.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Pending Counts

18:1349 CONSPIRACY TO COMMIT
HEALTH CARE FRAUD
(1)

Disposition

It is the judgment of the Court that the defendant, Wilmer David Guzman, is hereby committed on Count 1 of the Indictment to the custody of the Bureau of Prisons for a term of FOUR (4) MONTHS. Supervised release for a term of TWO (2) YEARS.

Highest Offense Level (Opening)

Felony

Terminated Counts

18:1347, 2(b) HEALTH CARE
FRAUD, CAUSING AN ACT TO BE
DONE
(2-6)

Disposition

Counsel for the government motions the Court to dismiss Counts 2 through 7. Motion granted.

18:371, 2(b) CONSPIRACY TO PAY
AND RECEIVE HEALTH CARE

KICKBACKS, CAUSING AN ACT
TO BE DONE
(7)

Counsel for the government motions the
Court to dismiss Counts 2 through 7.
Motion granted.

Highest Offense Level (Terminated)

Felony

Complaints

Defendant in violation of 18:371,2

Disposition

Plaintiff

USA

represented by **Alexander F Porter**
AUSA - Office of US Attorney
Criminal Division - Major Frauds
312 North Spring Street 11th Floor
Los Angeles, CA 90012
213-894-0813
Fax: 213-894-6269
Email: alexander.porter2@usdoj.gov
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Blanca Quintero
AUSA - Office of US Attorney
Southern District of California
880 Front Street Room 6293
San Diego, CA 92101
619-546-7118
Fax: 619-546-0510
Email: blanca.quintero2@usdoj.gov
TERMINATED: 10/26/2016
Designation: Assistant US Attorney

| Date Filed | # | Docket Text |
|-------------------|----------|--|
| 04/21/2014 | <u>5</u> | NOTICE OF REQUEST FOR DETENTION filed by Plaintiff USA as to Defendant Wilmer David Guzman (mhe) [2:14-mj-00804-DUTY *SEALED*] (Entered: 04/22/2014) |
| 04/22/2014 | <u>8</u> | REPORT COMMENCING CRIMINAL ACTION as to Defendant Wilmer David Guzman; defendants Year of Birth: 1960; date of arrest: 4/22/2014 (mhe) [2:14-mj-00804-DUTY *SEALED*] (Entered: 04/29/2014) |
| 04/22/2014 | <u>9</u> | MINUTES OF INITIAL APPEARANCE ON LOCAL COMPLAINT held before Magistrate Judge Charles F. Eick as to Defendant Wilmer David Guzman. Defendant arraigned and advised of the charges. Defendant states true |

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| | | name as charged. Attorney: Berc Agopoglu for Wilmer David Guzman, Retained, present. Court orders bail set as: Wilmer David Guzman (1) \$25,000 Appearance Bond, see attached bond for terms and conditions. Defendant remanded to the custody of the U.S. Marshal. Preliminary Hearing set for 5/13/2014 04:30 PM before Duty Magistrate Judge. Post-Indictment Arraignment set for 5/19/2014 01:00 PM before Duty Magistrate Judge. RELEASE ORDER NO 35783 Court Reporter: Maria Bustillos. (mhe) [2:14-mj-00804-DUTY *SEALED*] (Entered: 04/29/2014) |
| 04/22/2014 | <u>10</u> | NOTICE DIRECTING DEFENDANT TO APPEAR for Preliminary Hearing and Arraignment on Indictment/Information. Defendant Wilmer David Guzman is directed to appear for Preliminary Hearing on 5/13/14 at 4:30 pm and for Post Indictment Arraignment on 5/19/14 at 1:00 pm before the Duty Magistrate Judge. (mhe) [2:14-mj-00804-DUTY *SEALED*] (Entered: 04/29/2014) |
| 04/25/2014 | <u>17</u> | BOND AND CONDITIONS OF RELEASE filed as to Defendant Wilmer David Guzman conditions of release: \$25,000 Appearance Bond, see attached bond for terms and conditions approved by Magistrate Judge Jacqueline Chooljian. (mhe) [2:14-mj-00804-DUTY *SEALED*] (Entered: 05/01/2014) |
| 04/25/2014 | <u>18</u> | PASSPORT RECEIPT from U. S. Pretrial Services as to Defendant Wilmer David Guzman. Foreign passport was received on 4/25/14. Re: Bond and Conditions (CR-1) <u>17</u> . (mhe) [2:14-mj-00804-DUTY *SEALED*] (Entered: 05/01/2014) |
| 04/25/2014 | <u>19</u> | PASSPORT RECEIPT from U. S. Pretrial Services as to Defendant Wilmer David Guzman. Foreign passport was received on 4/25/14. Re: Bond and Conditions (CR-1) <u>17</u> . (mhe) [2:14-mj-00804-DUTY *SEALED*] (Entered: 05/01/2014) |
| 04/25/2014 | <u>21</u> | AFFIDAVIT OF SURETIES (No Justification - Pursuant to Local Criminal Rule 46-5.2.8) in the amount of \$25,000 by surety: Anabel Guzman Salguero for Bond and Conditions (CR-1) <u>17</u> . Filed by Defendant Wilmer David Guzman (mhe) [2:14-mj-00804-DUTY *SEALED*] (Entered: 05/01/2014) |
| 04/25/2014 | <u>22</u> | UNREDACTED Affidavit of Surety (No Justification) filed by Defendant Wilmer David Guzman re: Affidavit of Surety (No Justification)(CR-4) <u>21</u> (mhe) [2:14-mj-00804-DUTY *SEALED*] (Entered: 05/01/2014) |
| 05/06/2014 | <u>23</u> | INDICTMENT filed as to Sylvia Ogbenyeau Walter-Eze (1) count(s) 1, 2-6, 7, Judith Bongcayao Estrella (2) count(s) 1, 2-6, 7, Wilmer David Guzman (3) count(s) 1, 2-6, 7. Offense occurred in LA. (ja) (Entered: 05/12/2014) |
| 05/06/2014 | <u>25</u> | EX PARTE APPLICATION to Seal Indictment and Related Documents Filed by Plaintiff USA as to Defendant Sylvia Ogbenyeau Walter-Eze, Wilmer David Guzman, Judith Bongcayao Estrella. (ja) (Entered: 05/12/2014) |
| 05/06/2014 | <u>26</u> | ORDER by Magistrate Judge Patrick J. Walsh granting <u>25</u> Ex Parte Application to Seal Case as to Sylvia Ogbenyeau Walter-Eze (1), Judith Bongcayao Estrella (2), Wilmer David Guzman (3) (ja) (Entered: 05/12/2014) |
| 05/06/2014 | <u>29</u> | |

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| | | CASE SUMMARY filed by AUSA Blanca Quintero as to Defendant Wilmer David Guzman; defendant's Year of Birth: 1960 (ja) (Entered: 05/12/2014) |
| 05/06/2014 | <u>31</u> | MEMORANDUM filed by Plaintiff USA as to Defendant Sylvia Ogbenyeanu Walter-Eze, Judith Bongcayao Estrella, Wilmer David Guzman in regards to the following Magistrate Judges: Jacqueline Chooljian, Patrick J. Walsh, Sheri Pym, Michael Wilner, Alka Sagar, Jean Rosenbluth, Douglas McCormick (ja) (Entered: 05/13/2014) |
| 05/06/2014 | <u>32</u> | MEMORANDUM filed by Plaintiff USA as to Defendant Sylvia Ogbenyeanu Walter-Eze, Judith Bongcayao Estrella, Wilmer David Guzman. This criminal action, being filed on 5/6/14, was not pending in the U. S. Attorneys Office before the date on which Judge Michael W. Fitzgerald, and Judge Beverly Reid O'Connell began receiving criminal matters. (ja) (Entered: 05/13/2014) |
| 05/19/2014 | <u>43</u> | STATEMENT OF CONSTITUTIONAL RIGHTS filed by Defendant Wilmer David Guzman (tba) (Entered: 05/19/2014) |
| 05/19/2014 | <u>44</u> | MINUTES OF POST-INDICTMENT ARRAIGNMENT: held before Magistrate Judge Carla Woehrle as to Defendant Judith Bongcayao Estrella (2) Count 1,2-6,7 and Wilmer David Guzman (3) Count 1,2-6,7. Defendant arraigned, states true name: As charged. Defendant entered not guilty plea to all counts as charged. Attorney: 2.) Marisol Orihuela, special appearance by Jill K. Ginstling for 2.) Judith Bongcayao Estrella, 3.) Berc Agopoglu for 3.) Wilmer David Guzman, 2.)Deputy Federal Public Defender, 3.) Retained present. Case assigned to Judge R. Gary Klausner.(Jury Trial set for 7/1/2014 09:00 AM before Judge R. Gary Klausner.), (Tagalog) INTERPRETER Required as to Defendant Wilmer David Guzman, Judith Bongcayao Estrella Court Reporter: Lisa Gonzalez. (tba) (Entered: 05/21/2014) |
| 05/23/2014 | <u>45</u> | STIPULATION for Order Stipulation for Protective Order filed by Plaintiff USA as to Defendant Sylvia Ogbenyeanu Walter-Eze, Wilmer David Guzman, Judith Bongcayao Estrella (Attachments: # <u>1</u> Proposed Order for Protective Order)(Quintero, Blanca) (Entered: 05/23/2014) |
| 05/27/2014 | <u>46</u> | PROTECTIVE ORDER by Judge R. Gary Klausner as to Defendant Sylvia Ogbenyeanu Walter-Eze, Wilmer David Guzman, Judith Bongcayao Estrella, re Stipulation for Order, <u>45</u> . (See document for details) (bp) (Entered: 05/28/2014) |
| 06/25/2014 | <u>51</u> | First STIPULATION to Continue Trial Date from July 1, 2014 to January 27, 2015 filed by Plaintiff USA as to Defendant Sylvia Ogbenyeanu Walter-Eze, Wilmer David Guzman, Judith Bongcayao Estrella (Attachments: # <u>1</u> Proposed Order Continuing Trial Date and Findings Regarding Excludable Time Periods Pursuant to Speedy Trial Act)(Quintero, Blanca) (Entered: 06/25/2014) |
| 06/27/2014 | <u>52</u> | ORDER by Judge R. Gary Klausner as to Defendant Sylvia Ogbenyeanu Walter-Eze, Wilmer David Guzman, Judith Bongcayao Estrella, re Stipulation to Continue, Jury Trial <u>51</u> . 1. The trial in this matter is continued from July 1, 2014, to NOVEMBER 12, 2014, for defendants Judith Bongcayao Estrella ("Estrella") and Wilmer David Guzman (Guzman). And, the trial date for defendant Sylvia Ogbenyeanu Walter-Eze (Walter-Eze), is continued from July |

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| | | 8, 2014, to NOVEMBER 12, 2014. The trial for all defendants is to be joined and the trial date is continued for all defendants to NOVEMBER 12, 2014. 2. The time period of July 1, 2014, to NOVEMBER 12, 2014, inclusive, is excluded in computing the time within which the trial must commence, pursuant to 18 U.S.C. §§3161(h)(7)(A), (h)(7)(B)(i), and (h)(7)(B)(iv). 3. Defendants shall appear in Courtroom 850 of the Federal Courthouse, 255 E. Temple Street, Los Angeles, California on NOVEMBER 12, 2014 AT 9:00 A.M. (shb) (Entered: 06/27/2014) |
| 08/04/2014 | <u>54</u> | SCHEDULING NOTICE TO ALL PARTIES AND ORDER by Judge R. Gary Klausner as to Defendant Wilmer David Guzman. A Change of Plea Hearing has been placed on calendar for 8/13/2014 at 2:00 pm.THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(sw) TEXT ONLY ENTRY (Entered: 08/04/2014) |
| 08/06/2014 | <u>55</u> | NOTICE of Manual Filing of Ex Parte Application for Order Sealing Document; Proposed Order; Sealed Document filed by Plaintiff USA as to Defendant Wilmer David Guzman (Quintero, Blanca) (Entered: 08/06/2014) |
| 08/07/2014 | <u>57</u> | SEALED DOCUMENT- GOVERNMENT'S EXPARTE APPLICATION for Order Sealing Documents; Declaration of Blanca Quintero. (mat) (Entered: 08/12/2014) |
| 08/07/2014 | <u>58</u> | SEALED DOCUMENT- ORDER Sealing Documents. (mat) (Entered: 08/12/2014) |
| 08/07/2014 | <u>59</u> | SEALED DOCUMENT- Document (mat) (Entered: 08/12/2014) |
| 08/13/2014 | <u>61</u> | MINUTES OF Change of Plea Hearing held before Judge R. Gary Klausner as to Defendant Wilmer David Guzman. Defendant sworn. Court questions defendant regarding the plea. The Defendant Wilmer David Guzman (3) pleads GUILTY to Count 1. The plea is accepted. The Court ORDERS the preparation of a Presentence Report. Sentencing set for 12/8/2014 at 1:30 PM before Judge R. Gary Klausner. Terms of bond to remain pending sentencing.Court Reporter: Sandra MacNeil. (sw) (Entered: 08/13/2014) |
| 08/13/2014 | <u>62</u> | JOINT STATEMENT RE: PARTIES' DISCOVERY CONFERENCE filed by Plaintiff USA as to Defendant Sylvia Ogbenyeau Walter-Eze, Judith Bongcayao Estrella, Wilmer David Guzman (Quintero, Blanca) (Entered: 08/13/2014) |
| 10/09/2014 | <u>64</u> | STIPULATION to Continue Sentencing of defendant Wilmer David Guzman from December 8, 2014 at 1:30 p.m. to April 27, 2015 at 1:30 p.m. filed by Plaintiff USA as to Defendant Wilmer David Guzman (Attachments: # <u>1</u> Proposed Order Continuing Sentencing of defendant Wilmer David Guzman) (Quintero, Blanca) (Entered: 10/09/2014) |
| 10/10/2014 | <u>65</u> | SCHEDULING NOTICE TO ALL PARTIES AND ORDER by Judge R. Gary Klausner as to Defendant Sylvia Ogbenyeau Walter-Eze, and Judith Bongcayao Estrella. The Court has reviewed the stipulation to continue the trial date 63 . A Status Conference has been placed on calendar for 10/15/2014 at 2:00 pm. All parties shall be present.THERE IS NO PDF DOCUMENT |

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| | | ASSOCIATED WITH THIS ENTRY.(sw) TEXT ONLY ENTRY (Entered: 10/10/2014) |
| 10/15/2014 | <u>67</u> | ORDER by Judge R. Gary Klausner as to Defendant Wilmer David Guzman, re Stipulation to Continue Sentencing, <u>64</u> . IT IS HEREBY ORDERED THAT the sentencing hearing for defendant Wilmer David Guzman to be continued from December 8, 2014, at 1:30 p.m. to February 2, 2015, at 1:30 p.m. (shb) (Entered: 10/16/2014) |
| 11/04/2014 | <u>69</u> | *NOTE CHANGES MADE BY THE COURT8 ORDER by Judge R. Gary Klausner CONTINUING TRIAL DATE AND FINDINGS REGARDING EXCLUDABLE TIME PERIODS PURSUANT TO SPEEDY TRIAL ACT as to Defendant Sylvia Ogbenyeau Walter-Eze, Wilmer David Guzman, Judith Bongcayao Estrella. FOR GOOD CAUSE SHOWN: The Trial in this matter is continued to 1/13/2015 @ 9:00 AM. The time period of 11/12/14, to 1/13/15, inclusive, is deemed an excludable period pursuant to the Speedy Trial Act. (es) (Entered: 11/04/2014) |
| 12/19/2014 | <u>71</u> | STIPULATION to Continue Sentencing from February 2, 2015 to June 15, 2015 filed by Plaintiff USA as to Defendant Wilmer David Guzman (Attachments: # <u>1</u> Proposed Order Continuing Sentencing of defendant Wilmer David Guzman)(Quintero, Blanca) (Entered: 12/19/2014) |
| 12/19/2014 | <u>72</u> | DENIED BY ORDER OF THE COURT by Judge R. Gary Klausner as to Defendant Sylvia Ogbenyeau Walter-Eze, Wilmer David Guzman, Judith Bongcayao Estrella, re Stipulation to Continue, <u>70</u> , Stipulation to Continue, <u>71</u> . (bp) (Entered: 12/22/2014) |
| 12/29/2014 | <u>77</u> | SCHEDULING NOTICE TO ALL PARTIES AND ORDER by Judge R. Gary Klausner. The motions in limine filed at docket entries 73 through 75 previously scheduled for 01/05/2015 at 10:00 am have been rescheduled. The motions have been calendared for hearing on 01/13/2015 at 9:00 am. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(sw) TEXT ONLY ENTRY (Entered: 12/29/2014) |
| 12/30/2014 | <u>79</u> | NOTICE of Change of Attorney Business or Contact Information: for attorney Alexander F Porter counsel for plaintiff United States of America. Adding Alexander F. Porter as attorney as counsel of record for United States of America for the reason indicated in the G-06 Notice. Filed by plaintiff United States of America (Attorney Alexander F Porter added to party USA(pty:pla)) (Porter, Alexander) (Entered: 12/30/2014) |
| 01/08/2015 | <u>93</u> | ORDER CONTINUING SENTENCING OF DEFENDANT WILMER DAVID GUZMAN by Judge R. Gary Klausner as to Defendant Wilmer David Guzman, re Stipulation to Continue, <u>71</u> ., IT IS HEREBY ORDERED THAT the sentencing hearing for defendant Wilmer David Guzman to be continued from February 2, 2015, at 1:30 p.m. to MARCH 30, 2015, AT 1:30 P.M. (bp) (Entered: 01/09/2015) |
| 02/05/2015 | <u>97</u> | NOTICE of Manual Filing of Stipulation to Continue Sentencing and Proposed Order filed by Plaintiff USA as to Defendant Wilmer David Guzman (Quintero, Blanca) (Entered: 02/05/2015) |

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| 02/09/2015 | <u>99</u> | SEALED DOCUMENT- GOVERNMENT'S EXPARTE APPLICATION for Order Sealing Documents; Declaration of Blanca Quintero. (mat) (Entered: 02/11/2015) |
| 02/09/2015 | <u>100</u> | SEALED DOCUMENT- ORDER Sealing Documents. (mat) (Entered: 02/11/2015) |
| 02/09/2015 | <u>101</u> | SEALED DOCUMENT- STIPULATION to Continue Sentencing of Defendant Wilmer David Guzman. (mat) (Entered: 02/11/2015) |
| 02/09/2015 | <u>102</u> | SEALED DOCUMENT- ORDER CONTINUING SENTENCING of Defendant Wilmer David Guzman. (mat) (Entered: 02/11/2015) |
| 02/25/2015 | <u>113</u> | NOTICE OF MOTION AND MOTION to Continue TRIAL Filed by Plaintiff Sylvia Ogbenyeanu Walter-Eze as to Defendant Sylvia Ogbenyeanu Walter-Eze, Wilmer David Guzman, Judith Bongcayao Estrella. (Attachments: # <u>1</u> Proposed Order)(Darden, Christopher) (Entered: 02/25/2015) |
| 02/25/2015 | <u>114</u> | Amendment to MOTION to Continue TRIAL <u>113</u> filed by Defendant Sylvia O. Walter-Eze. (Attachments: # <u>1</u> Proposed Order)(Darden, Christopher) (Entered: 02/25/2015) |
| 04/13/2015 | <u>161</u> | NOTICE of Manual Filing of Stipulation to Continue Sentencing and [Proposed] Order to Continue Sentencing filed by Plaintiff USA as to Defendant Wilmer David Guzman (Quintero, Blanca) (Entered: 04/13/2015) |
| 04/15/2015 | <u>162</u> | SEALED DOCUMENT- GOVERNMENT'S EXPARTE APPLICATION for Order Sealing Documents; Declaration of Blanca Quintero. (mat) (Entered: 04/21/2015) |
| 04/15/2015 | <u>163</u> | SEALED DOCUMENT- ORDER Sealing Documents. (mat) (Entered: 04/21/2015) |
| 04/15/2015 | <u>164</u> | SEALED DOCUMENT- STIPULATION to Continue Sentencing of Defendant Wilmer David Guzman. (mat) (Entered: 04/21/2015) |
| 04/15/2015 | <u>165</u> | SEALED DOCUMENT- ORDER CONTINUING Sentencing of Defendant Wilmer David Guzman. (mat) (Entered: 04/21/2015) |
| 10/21/2015 | <u>246</u> | NOTICE of Manual Filing of Ex parte application for under seal filing; ex parte proposed order; and under seal Sentencing Memorandum filed by Plaintiff USA as to Defendant Wilmer David Guzman (Quintero, Blanca) (Entered: 10/21/2015) |
| 10/25/2015 | <u>249</u> | SENTENCING MEMORANDUM filed by Defendant Wilmer David Guzman (Attachments: # <u>1</u> Exhibit)(Agopoglu, Berc) (Entered: 10/25/2015) |
| 10/25/2015 | <u>250</u> | SENTENCING MEMORANDUM filed by Defendant Wilmer David Guzman (Attachments: # <u>1</u> Exhibit)(Agopoglu, Berc) (Entered: 10/25/2015) |
| 10/26/2015 | <u>253</u> | SEALED DOCUMENT- GOVERNMENT'S EX PARTE APPLICATION for Order Sealing Documents; Declaration of Blanca Quintero. (mat) (Entered: 10/28/2015) |
| 10/26/2015 | <u>254</u> | |

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| | | SEALED DOCUMENT- ORDER Sealing Documents. (mat) (Entered: 10/28/2015) |
| 10/26/2015 | <u>255</u> | SEALED DOCUMENT- Document (mat) (Entered: 10/28/2015) |
| 10/29/2015 | <u>256</u> | STIPULATION to Continue Sentencing Hearing from 11/02/2015 to 11/19/2015 filed by Defendant Wilmer David Guzman (Attachments: # <u>1</u> Proposed Order)(Agopoglu, Berc) (Entered: 10/29/2015) |
| 10/30/2015 | <u>257</u> | ORDER by Judge R. Gary Klausner as to Defendant Wilmer David Guzman, re Stipulation to Continue <u>256</u> . Pursuant to parties' agreement, the Court continues the sentencing hearing date to November 19, 2015 at 10:30 a.m. (bp) (Entered: 10/30/2015) |
| 11/19/2015 | <u>261</u> | MINUTES OF SENTENCING Hearing held before Judge R. Gary Klausner. It is the judgment of the Court that the defendant, Wilmer David Guzman, is hereby committed on Count 1 of the Indictment to the custody of the Bureau of Prisons for a term of FOUR (4) MONTHS. Supervised release for a term of TWO (2) YEARS. Counsel for the government motions the Court to dismiss Counts 2 through 7. Motion granted. Defendant remanded to the custody of the U.S. Marshal. Defendant advised of right of appeal. Court Reporter: Sandra MacNeil. (bp) (Entered: 11/23/2015) |
| 11/20/2015 | <u>262</u> | JUDGMENT AND COMMITMENT by Judge R. Gary Klausner. It is the judgment of the Court that the defendant, Wilmer David Guzman, is hereby committed on Count 1 of the Indictment to the custody of the Bureau of Prisons for a term of FOUR (4) MONTHS. Supervised release for a term of TWO (2) YEARS.; Count(s) 2-6, 7, Counsel for the government motions the Court to dismiss Counts 2 through 7. Motion granted. (bp) (Entered: 11/24/2015) |
| 10/26/2016 | <u>268</u> | Notice of Appearance or Withdrawal of Counsel: for attorney Blanca Quintero counsel for Plaintiff USA. Blanca Quintero is no longer counsel of record for the aforementioned party in this case for the reason indicated in the G-123 Notice. Filed by plaintiff USA. (Quintero, Blanca) (Entered: 10/26/2016) |

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| Description: | Docket Report | Search Criteria: | 2:14-cr-00259-RGK End date: 8/1/2018 |
| Billable Pages: | 6 | Cost: | 0.60 |



JENNIFER KENT
DIRECTOR

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



EDMUND G. BROWN JR.
GOVERNOR

APR 12 2016

Wilmer David Guzman, #64674-112
Taft Correctional Institution
P.O. Box 7001,
Taft, CA 93268

Re: Suspension from Medi-Cal Participation

Dear Mr. Guzman:

The Deputy Director and Chief Counsel of the State Department of Health Services (Department) has been notified by the Director, Health Care Program Exclusions, Office of Investigations, Office of Inspector General, Department of Health and Human Services, that you have been excluded from participation in the Medicare, Medicaid, and all Federal health care programs, effective March 20, 2016. As a provider of health care services, you were granted certain permissions to participate in the Medi-Cal program by operation of law with or without applying for enrollment. Upon your exclusion from the Medicare program, you became ineligible to participate in the Medi-Cal program. The Department's Director is required to automatically suspend these permissions in certain cases, which means that the affected individual or entity is precluded from being eligible to receive payment from the Medi-Cal program directly or indirectly. (See 42 U.S.C. § 1320a-7(d)(3)(A); Welf. & Inst. Code, § 14123, subd. (b).)

Therefore, on behalf of the Director of the Department, you are hereby notified that you are suspended from being able to receive payment from the Medi-Cal program for an indefinite period of time, effective March 20, 2016. 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. If you are currently enrolled in Medi-Cal, that enrollment will be terminated. 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 receiving Medi-Cal payment shall be subject to suspension from receiving payment, the assessment of civil money penalties, and/or criminal

Wilmer David Guzman, #64674-112

Page 2

APR 12 2016

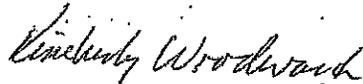
prosecution. (See Welf. & Inst. Code, §§ 14043.61, 14107, 14123.2; Cal. Code Regs., tit. 22, §§ 51458.1, 51484, 51485.1.) The Department will seek recoupment of any monies paid for claims presented to the Medi-Cal program for services or supplies provided by you during the duration of your suspension.

If your exclusion from participation in Medicare/Medicaid is reinstated by the Department of Health and Human Services in the future, and if no other circumstance(s) exist at that time that would preclude your being considered for reinstatement in the Medi-Cal program, you may then submit a written petition for reinstatement to participate in the Medi-Cal program. Reinstatement into the Medi-Cal program is not automatic. Only if your petition for reinstatement is granted will you be eligible to submit an application for enrollment in Medi-Cal.

If you have any questions about this action, or will be submitting a written petition for reinstatement (in accordance with the restrictions above), please submit your concerns or petition, in writing, to the Office of Legal Services, Mandatory Suspension Desk, at the address above.

Sincerely,

Sara M. Granda
Attorney



Kimberly Woodward
Legal Analyst

cc: See next page

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