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7 Attorneys for Plaintiff

8 SUPERIOR COURT OF LOS ANGELES COUNTY
9 CENTRAL DISTRICT, STATE OF CALIFORNIA

Case No. GA098502

11 THE PEOPLE OF THE STATE OF CALIFORNIA,

12 Plaintiff,

13 -versus-

- 14 1. VARDAN MNATSAKANYAN,
15 2. MIKAYEL MNATSAKANYAN,
16 3. SERG PETROSIAN,

Defendants.

**FELONY COMPLAINT
FOR ARREST WARRANT**

3 Counts

- P.C. 487(a) (F/M 16-2-3)
Sp. Alleg. P.C. 12022.6(a) (+1)
W&I 14107(b)(1) (F/M 2-3-5)
W&I 14107.2(b) (F/M 16-2-3)

*Dep ltr
14
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Renter*

17 The undersigned, on information and belief, accuses defendants VARDAN
18 MNATSAKANYAN, MIKAYEL MNATSAKANYAN and SERG PETROSIAN of the
19 following crimes, which are connected to one another in their commission:
20

21 **COUNT 1**

22 [GRAND THEFT]

23 From in or about July 2010 to in or about July 2013, in the County of Los Angeles, State
24 of California, defendants VARDAN MNATSAKANYAN, MIKAYEL MNATSAKANYAN and
25 SERG PETROSIAN unlawfully took from the State of California property of a value in excess
26 of nine hundred fifty dollars (\$950), in violation of Penal Code section 487, subdivision (a), a
27 felony.
28

1 **SPECIAL ALLEGATION**

2 [\$65,000 LOSS]

3 The loss from the theft charged in count 1 was in excess of sixty-five thousand dollars
4 (\$65,000), within the meaning of Penal Code section 12022.6, subdivision (a)(1).

5 **COUNT 2**

6 **[PRESENTING FALSE MEDICAL CLAIMS]**

7 From in or about July 2010 to in or about July 2013, in the County of Los Angeles, State
8 of California, defendants VARDAN MNATSAKANYAN, MIKAYEL MNATSAKANYAN and
9 SERG PETROSIAN, with intent to defraud, presented and caused to be presented for allowance
10 and payment numerous false and fraudulent claims for furnishing services under the Medi Cal
11 Act, in violation of section 14107, subdivision (b)(1), of the Welfare and Institutions Code, a
12 felony.

13 **COUNT 3**

14 **[PAYING UNLAWFUL MEDI-CAL REMUNERATION]** *msd*

15 From in or about July 2010 to in or about July 2013, in the County of Los Angeles, State
16 of California, defendants VARDAN MNATSAKANYAN, MIKAYEL MNATSAKANYAN and
17 SERG PETROSIAN unlawfully offered and paid remuneration in return for referring Medi-Cal
18 beneficiaries to defendants so that defendants could furnish and arrange to furnish services for
19 which payment may be made under the Medi-Cal Act, in violation of Welfare and Institutions
20 Code section 14107.2, subdivision (b), a felony. *ei)*

21 **REQUEST FOR ARREST WARRANTS**

22 Based on this complaint and the accompanying declaration in support of arrest warrant, I
23 respectfully request that warrants be issued for the arrest of the defendants pursuant to Penal
24 Code section 813 et seq.

25 **REQUEST FOR DISCOVERY**

26 Pursuant to Penal Code section 1054.5, subdivision (b), the People informally request

1 from defense counsel all materials and information whose disclosure is required by Penal Code
2 section 1054.3.

3 **DECLARATION**

4 I declare under penalty of perjury under the laws of the State of California that the
5 foregoing is true and correct. Signed on the 6th day of April, 2016.

6
7 
8 CRAIG BLACK
9 Special Agent
10 Bureau of Medi Cal Fraud & Elder Abuse
11 California Department of Justice

12 **ARREST WARRANT ORDER**

13 IT IS ORDERED that arrest warrants shall issue for the following persons, who are to be
14 admitted to bail in the sum of:

14 <u>Defendant</u>	<u>Bail</u>
15 VARDAN MNATSAKANYAN	\$ <u>100,000</u>
16 MIKAYEL MNATSAKANYAN	\$ <u>100,000</u>
17 SERG PETROSIAN	\$ <u>100,000</u>

18
19 4/7/16
20 Date

18
19 
20 MAGISTRATE

21 Agency: Bureau of Medi-Cal Fraud & Elder Abuse
22 California Department of Justice
23 Law Enforcement Agency No. 1994
24 ORI no. CA0199409 West Covina
25 BMFEA Docket no. LA2013112197

26 Recommended Bail
27 VARDAN MNATSAKANYAN: \$100,000
28 MIKAYEL MNATSAKANYAN: \$100,000
SERG PETROSIAN: \$100,000

1 Preliminary Hearing Time Estimate
4 hours

2 VARDAN MNATSAKANYAN

3 DOB: 08/16/1955
4 CII No. A22401774 CDL No. D1845006 SSN: 616-21-3700
Sex: M Race: W Hair: Gray Eyes: Brn Ht: 5'11" Wt: 220
5 Residence: 2466 Montrose Ave., #5
Montrose, CA 91020

6 Aliases:

7 MIKAYEL MNATSAKANYAN

8 DOB: 02/01/1982
9 CII No. A35510588 CDL No. D1845003 SSN: 615-21-7030
Sex: M Race: W Hair: Blk Eyes: Grn Ht: 5'10" Wt: 170
Residence: 1118 N. Central Ave., #24
Glendale, CA 91202

10 Aliases:

11 SERG PETROSIAN

12 DOB: 01/04/1985
13 CII No. A21668581 CDL No. D2232078 SSN: 079-84-5156
Sex: M Race: W Hair: Blk Eyes: Brn Ht: 5'10" Wt: 210
14 Residence: 1054 Ruberta Ave., #203
Glendale, CA 91201

15 Aliases:

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HOLDING ORDER

It appearing from the evidence presented at the preliminary hearing that the following offenses charged in this complaint have been committed and that there is sufficient cause to believe that the following defendants are guilty of those offenses,

IT IS ORDERED, pursuant to sections 872 and 875 of the Penal Code, that the following defendants are held to answer in Superior Court to the following offenses:

<u>Defendant</u>	<u>Count</u>	<u>Charge</u>	<u>Special Allegation</u>
VARDAN MNATSAKANYAN	1	P.C. 487(a)	P.C. 12022.6(a)
"	2	W&I 14107(b)(1)	
"	3	W&I 14107.2(b)	
MIKAYEL MNATSAKANYAN	1	P.C. 487(a)	P.C. 12022.6(a)
"	2	W&I 14107(b)(1)	
"	3	W&I 14107.2(b)	
SERG PETROSIAN	1	P.C. 487(a)	P.C. 12022.6(a)
"	2	W&I 14107(b)(1)	
"	3	W&I 14107.2(b)	

and are committed to the custody of the Sheriff of Los Angeles County until bail is posted in the sum of:

<u>Defendant</u>	<u>Bail</u>
VARDAN MNATSAKANYAN	\$ _____
MIKAYEL MNATSAKANYAN	\$ _____
SERG PETROSIAN	\$ _____

Arraignment in Superior Court will be in Department _____ on _____ at _____ a.m./p.m.

DATED this _____ day of _____, 20____.

MAGISTRATE

1 KAMALA D. HARRIS, Attorney General
of the State of California
2 SUE MELTON BARTHOLOMEW
Supervising Deputy Attorney General
3 Bureau of Medi-Cal Fraud & Elder Abuse
DAVID HAXTON, State Bar No. 121702
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8 **SUPERIOR COURT OF LOS ANGELES COUNTY**
9 **CENTRAL DISTRICT, STATE OF CALIFORNIA**

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11 THE PEOPLE OF THE STATE OF CALIFORNIA,

12 Plaintiff,

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- 14 1. VARDAN MNATSAKANYAN,
15 2. MIKAYEL MNATSAKANYAN,
16 3. SERG PETROSIAN,

Defendants.

**DECLARATION IN SUPPORT
OF ARREST WARRANT**

17
18 The undersigned declares upon information and belief:

19 **SUMMARY**

20 California Care Corporation operated an alcohol and drug treatment program in Glendale
21 until July 2013. It handed out cigarettes and food to get clients to attend, and billed for
22 counseling and other services that were never rendered. Medi-Cal was defrauded of at least
23 \$97,000. California Care Corporation was owned by Vardan Mnatsakanyan and his son Mikayel
24 Mnatsakanyan, and its program director was Serg Petrosian.

25 **DECLARANT'S EXPERIENCE AND TRAINING**

26 I, Craig Black, am a Special Agent (SA) employed by the Office of the Attorney General,
27

1 California Department of Justice (DOJ). I am assigned to the Bureau of Medi-Cal Fraud and
2 Elder Abuse in the West Covina Regional Office. I have been a sworn peace officer since
3 December 2006. In addition to my assignment at DOJ, I was previously employed as Criminal
4 Investigator by the California Environmental Protection Agency, Department of Toxic
5 Substances Control, where I investigated various types of environmental crimes. I have also
6 worked for the California Department of Insurance where I was assigned as a Fraud Investigator,
7 conducting numerous types of insurance fraud including auto insurance fraud, workers'
8 compensation fraud, and health/disability insurance fraud.

9 My formal education includes a bachelor of science degree in biology from California
10 State Polytechnic University, Pomona. I also earned an associate of arts degree in administration
11 of justice from Rio Hondo College. I have completed the Specialized Investigators Basic Course
12 Police Academy, recognized by California Peace Officers Standards and Training. I have also
13 attended the DOJ Special Agent Academy. As such, I have received training in search warrant
14 preparation, laws of arrest, search and seizure, and evidence collection.

15 I have received over 40 hours of formal classroom training specific to the Medi-Cal
16 program and Medi-Cal fraud. I have also received informal training from seasoned Medi-Cal
17 fraud agents and attorneys regarding fraudulent schemes used to target the Medi-Cal program. I
18 have participated in and conducted numerous investigations, interviews, and search warrants
19 involving Medi-Cal fraud.

20 From the above training and experience, I have become familiar with the rules and
21 regulations governing health care providers who participate in the Medi-Cal program, including
22 claims processing and record retention practices. I have also interviewed suspects and
23 beneficiaries regarding schemes being used to defraud the Medi-Cal system.

24 THE MEDI-CAL PROGRAM

25 Medi-Cal is a medical assistance program that pays the cost of essential medical care for
26 California's qualifying poor. In other states, Medi-Cal is called Medicaid (not to be confused
27

1 with Medicare, which is a federally funded health insurance program for the elderly and
2 disabled). Medi-Cal is jointly funded by the state and federal governments, and administered by
3 the California Department of Health Care Services.

4 The medical care received by Medi-Cal patients, commonly referred to as beneficiaries,
5 is not provided by employees of the Medi-Cal program, but by independent health care providers
6 enrolled as Medi-Cal providers. Providers not working under managed care contracts are paid on
7 a fee-for-service basis, where the provider submits a claim for payment after providing medical
8 care to a beneficiary.

9 Medi-Cal providers are required to comply with Medi-Cal's rules and regulations, which
10 are found in Welfare and Institutions Code sections 14000-14499.77; in Title 22 of the California
11 Code of Regulations sections 50000-59999; and in Medi-Cal provider manuals. The provider
12 manuals, supplemented with Medi-Cal update bulletins, are distributed to all providers, and
13 explain what medical care is covered by Medi-Cal, and how to prepare and submit claims.

14 Medi-Cal beneficiaries are issued Medi-Cal identification cards, which are plastic cards
15 with a magnetic strip that contains information about the beneficiary's eligibility for Medi-Cal
16 benefits. That information includes the beneficiary's Medi-Cal beneficiary identification number,
17 which is either the beneficiary's social security number or a unique 14-digit number assigned by
18 the county. All medical care provided to beneficiaries must be medically necessary in order to
19 qualify for payments by Medi-Cal. This medical care may not be provided to anyone suspended
20 from the Medi-Cal program.

21 To be processed for payment, a Medi-Cal claim must contain specific information,
22 including the provider's Medi-Cal provider number, the beneficiary's Medi-Cal beneficiary
23 identification number, the dates the health care services or merchandise was provided, and the
24 procedure codes for the services or merchandise.

25 Medi-Cal also requires that claims include a diagnosis code, and when the service
26 rendered requires a prescription or order (e.g., drugs and lab tests), the claim must include the
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1 provider number or the license number of the referring provider.

2 Medi-Cal pays a claim only if the service or merchandise is a covered benefit of the
3 Medi-Cal program and the beneficiary is eligible to receive that service or merchandise. The
4 claim must also have been submitted within six months of the month of service.

5 Medi-Cal generally pays a claim upon receipt, without requiring the claim to be
6 accompanied by any documentary proof that the merchandise or services were actually provided
7 or were medically necessary, or that the prescription had ever been issued for the drugs
8 dispensed.

9 Each claim submitted by a Medi-Cal provider must be signed by the provider or a person
10 authorized by the provider to sign on his behalf. For electronic claims, this signature requirement
11 is met by including a certification statement with each submission, or by the provider's use of its
12 confidential provider identification number when submitting through a point-of-service machine.

13 Every Medi-Cal claim contains express representation that the provider has provided the
14 claimed services or that the merchandise delivered was medically necessary and provided in
15 compliance with Medi-Cal regulations.

16 Medi-Cal providers are required to keep, for three years, records that fully disclose the
17 type and extent of services and merchandise provided to Medi-Cal beneficiaries.

18 The submission of a Medi-Cal claim containing false representation (express or implied),
19 when done with intent to defraud, is a felony-misdemeanor (Welfare and Institutions Code
20 section 14107). If Medi-Cal pays the fraudulent claim, a theft in the amount of the payment is
21 committed, and a theft in excess of \$950 is a felony-misdemeanor (Penal Code section 487(a)).
22 The solicitation, receipt, offer or payment of any type of remuneration in return for a referral of
23 an individual to a Medi-Cal provider is a felony-misdemeanor (Welfare and Institutions Code
24 section 14107.2).

25 **DRUG MEDI-CAL**

26 Treatment for alcohol and drug addiction is a covered benefit of the Medi-Cal program,
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1 and is commonly referred to as Drug Medi-Cal (DMC). The regulations governing DMC are in
2 the California Code of Regulations in Title 9 and in Title 22, section 51341.1.

3 DMC operates somewhat different from most other Medi-Cal programs. Instead of the
4 providers submitting claims directly to Medi-Cal, DMC providers submit their claims to the
5 county's alcohol and drug program (County ADP), and get paid by the County ADP.

6 The claims and payment process for DMC is as follows: the provider submits a claim to
7 the County ADP, the County ADP consolidates all of the claims from DMC providers for that
8 county and submits a single claim to DHCS, DHCS pays the County ADP the amount claimed,
9 and the County ADP pays the DMC providers. Once a year the County ADP submits a cost
10 report to DHCS that specifies the services and amounts paid for each DMC provider.

11 DMC providers are required to have a physician, sometimes referred to as a Medical
12 Director, to establish the medical necessity for each client's DMC services. Once the client
13 decides to attend the designated DMC provider, an intake and initial assessment must be
14 performed, and a treatment plan is established between the physician and the assigned counselor.
15 The treatment plan incorporates the patient's legal, medical, drug recovery, mental health and
16 family issues with projected treatment, goals, and program discharge dates. The counselor must
17 review and sign an updated treatment plan every 90 days after signing the initial treatment plan,
18 and no later than every ninety days thereafter, or when a change in problem identification or
19 focus of treatment occurs, whichever comes first. Within 15 days of signature by the counselor,
20 the physician must review, approve and sign all updated treatment plans.

21 DMC services are listed in the California Code of Regulations, Title 22, section 51341.1,
22 and include Outpatient Drug-Free (ODF) and Day Care Habilitative (DCH).

23 ODF services are defined as outpatient services directed at stabilizing and rehabilitating
24 persons with substance abuse diagnoses. ODF services include the following: admission physical
25 examinations, intake, medical direction, medication services, body specimen screens, treatment
26 and discharge planning, crisis intervention, collateral services, group counseling and/or

1 individual counseling provided by staff that are lawfully authorized to provide, prescribe and/or
2 order these services within the scope of their practice or licensure.

3 The two types of ODF sessions available are group and individual. Group counseling is
4 defined as face-to-face contacts in which one or more therapist(s) or counselor(s) treat two or
5 more clients at the same time, focusing on the needs of the individuals served. Group sessions
6 must focus on short-term, personal, family, job, school and other problems and their relationship
7 to substance abuse or relapses. Each Medi-Cal beneficiary participating in a DMC program must
8 receive at least two group counseling sessions per month.

9 Individual counseling is face-to-face contacts between a beneficiary and a therapist or
10 counselor. Telephone contacts, home visits, and hospital visits do not qualify as Medi-Cal
11 reimbursable units of service. Individual sessions are limited to intake, crisis intervention,
12 collateral services and treatment and discharge planning.

13 ODF group treatment is billed as a 90-minute session, per client, which averages \$30 per
14 client. ODF individual counseling sessions are 50 minutes in duration.

15 DCH services are defined as outpatient counseling and rehabilitation services provided at
16 least three hours per day, three days per week to persons with substance abuse diagnoses, to
17 eligible beneficiaries who are pregnant or in the postpartum period, and/or to Early and Periodic
18 Screening Diagnosis and Treatment (EPSDT) eligible beneficiaries. DCH services include the
19 following: intake, admission physical examinations, medical direction, medication services,
20 treatment planning, individual and group counseling, body specimen screens, medication
21 services, collateral services, and crisis intervention provided by licensed and qualified staff.

22 DCH is provided only to pregnant and post partum women and/or to Early and Periodic
23 Screening, Diagnosis, and Treatment (EPSDT) eligible beneficiaries. The services consist of
24 regularly assigned, structured, and supervised treatment.

25 Since DCH is structured treatment, the reimbursement rate is approximately double that
26 of ODF services. DCH counseling sessions are a minimum of 3 hours, three days a week.

1 DMC providers are required to create and keep certain documentation , including group
2 sign-in sheets, patient and/or beneficiary files, treatment plans, progress notes, and counselor
3 evaluation reports. A state regulation requires this documentation to be kept for three years. In
4 Los Angeles County, the contracts DMC providers enter into with the County ADP require them
5 to keep the documentation for five years.

6 When DMC providers submit their billing to the County ADP, it is coded to show the
7 client's identifying number and the specific type of DMC service that was provided. This billing
8 should be consistent with patient sign-in sheets, patient progress notes, evaluation reports,
9 counselor signatures, and counselor time cards.

10 INITIATION OF INVESTIGATION

11 In July 2013, DHCS conducted an on-site audit of California Care Corporation, a DMC
12 Provider. The DHCS audit team reviewed business records, employee files and a random sample
13 of patient files. The DHCS audit team identified the executive director as Vardan Mnatsakanyan,
14 the vice president as Mikayel Mnatsakanyan, and the program director as Serg Petrosian.

15 On August 29, 2013, the California Department of Justice, Bureau of Medi Cal Fraud and
16 Elder Abuse (BMFEA), received a complaint referral from DHCS stating California Care
17 Corporation was suspected of committing Medi-Cal fraud. Following the referral, BMFEA
18 initiated a criminal investigation based on the complaint, and on February 11, 2014, I was
19 assigned to investigate,

20 As part of my investigation, I reviewed Medi-Cal billing data and identified Medi-Cal
21 beneficiaries to whom California Care Corporation allegedly provided services. I conducted
22 interviews of beneficiaries, several of which told me they had never received treatment from
23 California Care Corporation despite California Care Corporation billing for services and
24 receiving reimbursement from the Medi-Cal program.

25 SECRETARY OF STATE RECORDS

26 According to records of the California Secretary of State, California Care Corporation
27

1 upstairs. There were a total of three counseling rooms, however, only two were ever used for
2 counseling sessions. Between the two rooms, there was room for as many as 30 patients at once.

3 Most of her group sessions consisted of patients from board and care facilities. Petrosian
4 visited nearby board and care facilities and recruited patients from them by making arrangements
5 with facility staff. He assigned the patients to groups, then assigned the groups to counselors. On
6 the days of counseling sessions, Medina called the various facilities where her group members
7 lived and advised the staff. Staff members had patients who wanted to attend ready, and another
8 counselor at California Care Corporation named Wendy Rodriguez, picked them up in a van and
9 bought them back for counseling.

10 Patients who arrived were counseled. Most of Medina's patients were "dual diagnosis,"
11 meaning drug/alcohol problems and or mental health issues. She provided counseling on both
12 topics, however, some of the patients did not need drug/alcohol counseling. Towards the end of
13 the counseling session, Medina had the patients sign a sign-in sheet confirming their attendance
14 for the session. She had them wait until the end of the session, because if she let them sign in at
15 the start of class, they would sign-in and leave. The sessions generally lasted from 10:00 a.m. –
16 12:30 p.m. At the beginning of each session, Petrosian asked Medina how many people were in
17 the group, then he gave Medina a pack of cigarettes for each patient which she gave to them.
18 Halfway through the sessions, Medina prepared frozen burritos for the patients. The frozen
19 burritos were given Monday through Thursdays; on Friday, she or Petrosian ordered pizza for the
20 patients. Medina told me she thought as many as 50 percent of the patients in her group sessions
21 attended only for free food and cigarettes.

22 In addition to Medina's group sessions, Rodriguez also conducted group sessions. Many
23 of her patients were probationers who attended the sessions because the court required them to.
24 Since they were required to attend, they were not provided food or cigarettes. Medina knew she
25 was not supposed to provide food and cigarettes to her patients because Petrosian told her so.
26 Despite telling her it was prohibited, Petrosian told Medina to provide the food and cigarettes;

1 she needed her job and did what she was told to do by Petrosian.

2 . In addition to the group sessions, Medina generally conducted one individual counseling
3 session per day. She normally pulled one patient out of the group session and spoke with them
4 for 30 to 45 minutes while the rest of the group continued. Petrosian had told Medina to try to
5 spend as much as one hour with patients during individual sessions, however, she rarely stayed
6 with them for an hour, and never longer than an hour. Medina worked Monday through Friday
7 from open until close; she never saw Petrosian provide a counseling session.

8 Medina was responsible for completing the "treatment calendars" for her patients. Once
9 completed, she would provide them, along with the patient sign-in sheets, to Petrosian. She was
10 not sure who completed the billing. Medina told me the probationers were required to provide
11 urine samples as part of the counseling. The samples were collected at the facility and sent to an
12 outside laboratory for analysis. The patients she counseled were also required to provide urine
13 samples, however, the samples were analyzed onsite using instant-test kits. Despite the ability to
14 accommodate 30 patients at once, the office only had one working bathroom. It was inconvenient
15 to test everyone during counseling sessions, so it was standard practice not to perform the tests.
16 Petrosian instructed Medina to falsify patient records to indicate tests were given, and the results
17 were negative.

18 I showed Medina several DMV photographs of California Care Corporation employees.
19 She identified Vardan Mnatsakanyan as "Mikes dad, Mr. Vardan; the big boss." She identified
20 Mikayel Mnatsakanyan as "Mike; Serg's boss," and Serg Petrosian.

21 INTERVIEWS OF BENEFICIARIES

22 I interviewed several beneficiaries and compared what they told me to the claims
23 California Care Corporation submitted. Based on my interviews, I discovered California Care
24 Corporation was reimbursed approximately \$95,086 from the Medi-Cal program for services
25 never provided.

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SAMIRA C., JESSICA C., and JENNIFER C.

On March 6, 2014, I interviewed Samira C. and her two daughters, Jessica C. and Jennifer C. Prior to the interview, I reviewed the FY 2012/13 claims report for California Care Corporation and discovered they received reimbursement for counseling services allegedly provided to the above three individuals.

I asked all three members of the family about California Care Corporation. Samira C., Jessica C., and Jennifer C. told me they had never heard of California Care Corporation. They all stated they had never been to the location of 501 E. Harvard St., Unit A, in Glendale, and when I showed them a picture of the building, they said they had never been there before. Samira C., Jessica C., and Jennifer C. all stated they had never received any drug or alcohol dependency treatment, nor do they suffer from drug or alcohol dependency.

While reviewing the claims report for California Care Corporation, I discovered all three beneficiaries allegedly received counseling from the same counselor. I showed all three a series of DMV photographs of California Care Corporation employees, including their alleged counselor. All three stated they did not recognize any of the persons in the photographs, nor had they ever heard the name of the counselor.

For FY 2012/13, California Care Corporation billed for and received approximately \$5,847 from the Medi-Cal program for services not rendered to the family.

Following the interview, I expanded my review of the claims report for California Care Corporation to include FY 2011/12. I discovered additional Medi-Cal billing and payments to California Care Corporation of approximately \$13,087 for services not rendered to Samira C., Jessica C., and Jennifer C.

In total, California Care Corporation billed for and received approximately \$18,934 in Medi-Cal reimbursement for services not rendered to Samira C., Jessica C., and Jennifer C.

SUSANNA S.

On March 14, 2014, I interviewed Susanna S. She told me she sought help for her alcohol

1 use sometime in 2013. A neighbor recommended California Care Corporation to her. Susanna S.
2 told me she went to California Care Corporation one time. She said when she got there, she was
3 taken to a back room where her Medi-Cal information was recorded. Then she was taken to a
4 room with numerous other patients where she had to introduce herself and talk about her
5 problems.

6 Susanna S. said she did not like talking about herself in front of others; she knew group
7 sessions and California Care Corporation were not for her, so she never went back. I showed her
8 a printed list which showed dates of service which California Care Corporation billed Medi-Cal
9 for her. Susanna S. looked at the list and said "no." She reiterated the fact she only went once.
10 I showed Susanna S. a picture of the building located at 501 E. Harvard St. in Glendale. She
11 recognized the building from the photograph and said it was where she went for treatment. I
12 showed her a DMV photo of a counselor who reportedly provided her with 20 counseling
13 sessions. She did not recognize the counselor.

14 California Care Corporation claims to have provided services to Susanna S. from April 4,
15 2013, to June 28, 2013. The billing consists of 47 group counseling sessions totaling \$1,423 in
16 claims, as well as 3 individual counseling sessions for \$213. California Care Corporation
17 fraudulently billed for and received approximately \$1,636 in Medi-Cal reimbursement for
18 services never rendered to the Susanna S.

19 CHRISTINA S.

20 On March 27, 2014, I interviewed Christina S. According to Christina S., in 2012 she was
21 using methamphetamine. She became pregnant and was provided housing at Elizabeth House
22 Maternity Shelter in Pasadena. Her case manager recommended she attend California Care
23 Corporation to receive drug counseling. She, along with her roommate, began attending sessions
24 at California Care Corporation.

25 When she first attended California Care Corporation, she went through an intake process
26 with "Serg" who assessed her needs and recommended a treatment plan. Christina S. described
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1 Serg as an Armenian male, approximately 28-year-old. Serg collected all of her identifying
2 information including her driver license, Social Security Number, and Medi-Cal information.
3 Each time Christina S. attended a session thereafter, she was required to sign an attendance
4 roster.

5 At first, she went to California Care Corporation four to five days per week at the office
6 located at 127 S. Brand Blvd., #241, in Glendale. Eventually, the 127 S. Brand location stopped
7 providing counseling sessions and she was sent to the facility located at 501 E. Harvard Street,
8 Unit A, in Glendale. She continued going to treatment sessions until October 7, 2012 when she
9 gave birth to her daughter. Following her daughter's birth, she stopped attending sessions for a
10 few weeks, then resumed treatment. She graduated the program in February 2013. After
11 graduation, she began to reduce the frequency of her visits to a few times per month and
12 eventually stopped going.

13 In addition to the patients in her group sessions, she also saw groups of older Armenian
14 patients she characterized as having mental disorders. The older patients were brought to
15 California Care Corporation by facility staff. According to Christina S., California Care
16 Corporation provided other types of counseling in addition to drug/alcohol counseling. She
17 thought most of the older patients were there for other counseling services. Christina S. said she
18 saw the older patients receive cigarettes and microwaved burritos from the counselors.

19 California Care Corporation billed Medi-Cal for services provided to Christina S. from
20 August 14, 2012, to June 27, 2013. The billing consists of 96 group counseling sessions totaling
21 \$2,906 in claims, as well as four individual counseling sessions for \$285. The total billed and
22 reimbursed from Medi-Cal for Christina S. is \$3,191.

23 ANN H.

24 On April 4, 2014, I interviewed Ann H. According to Ann H., she lives at Alma Lodge, a
25 care facility in the city of Los Angeles. While at Alma Lodge, she was advised by "Ida" to attend
26 counseling sessions at California Care Corporation for her alcohol consumption. She started
27

1 attending counseling sessions five days per week, Monday through Friday. The classes lasted
2 from approximately 8:00 a.m. – noon.

3 Ann H. was picked up daily from Alma Lodge by “Wendy,” a counselor at California
4 Care Corporation. When she arrived she was provided group counseling services by “Charlene.”
5 She did not see any additional group sessions taking place while she was there.

6 I asked Ann H. if California Care Corporation provided food for her. She was reluctant to
7 tell me and finally stated she was told not to tell anyone, because California Care Corporation
8 would get in trouble. She eventually told me counselors gave everyone burritos Monday through
9 Thursday, as well as free cigarettes; Ann H. is a smoker. Friday was pizza day.

10 The claims report for California Care Corporation shows Ann H. began receiving
11 services from them on December 5, 2012. Her last date of treatment was June 25, 2013. The
12 billing consists of 92 group counseling sessions totaling \$ 2,785 in claims, as well as 10
13 individual counseling sessions for \$712. The total billed and reimbursed from Medi-Cal for Ann
14 H. is \$3,498.

15 KARAPET M.

16 On April 15, 2014, I interviewed Karapet M. Prior to the interview, I reviewed the claims
17 report for California Care Corporation. According to the claims report, Karapet M. received
18 counseling services at 501 E. Harvard Street, Unit A, in Glendale. California Care Corporation
19 billed for, and received reimbursement from the Medi-Cal program for approximately 404
20 counseling sessions to Karapet M. between July 22, 2010, and October 22, 2012. One counselor
21 provided all of the counseling sessions to Karapet M.

22 Karapet M. stated he had never been to California Care Corporation; he has not had a
23 drug or alcohol problem and he had not received any drug/alcohol counseling. I showed him a
24 picture of the building located at 501 E. Harvard Street in Glendale where the counseling
25 services were allegedly conducted. He did not recognize the building. I showed Karapet M. a
26 series of DMV photographs which contained the photograph of the counselor who allegedly

1 provided all his counseling, as well as photographs of California Care Corporation's owners.
2 Karapet M. stated he did not recognize anyone.

3 Karapet M. did not understand how California Care Corporation obtained his Medi-Cal
4 information since he had never been treated by them. Karapet M. was upset his Medi-Cal
5 identity had been used fraudulently, and stated he would testify in court if necessary.

6 As a result of the false claims submitted, California Care Corporation received
7 approximately \$12,462 in Medi-Cal reimbursement for services never rendered to Karapet M.

8 ARMAN G.

9 On April 15, 2014, I interviewed Arman G. He said he was arrested for "smoking weed"
10 and as a condition of his plea agreement, he was ordered to attend drug counseling. His probation
11 officer recommended California Care Corporation. Arman G. told me he regularly attended
12 counseling sessions at California Care Corporation located at 501 E. Harvard Street, Unit A, in
13 Glendale. Initially he went for three sessions per week and later started going five days per week.
14 In the beginning, the group counseling sessions were conducted by "Serg" and later by "Wendy."
15 I showed him a photograph of the building located at 501 E Harvard Street in Glendale. He
16 confirmed it was the building where he received counseling; he told me there were three rooms
17 upstairs in the building, one of which is where his group sessions took place.

18 I showed Arman G. a series of DMV photographs of California Care Corporation
19 employees. He looked at the photos and identified Vardan Mnatsakanyan as "Mike's dad," and
20 Mikayel Mnatsakanyan as "Mike." Arman G. believed Mike and Serg were the owners of the
21 business. Arman G. described Serg as an Armenian male approximately 6' tall and about 30
22 years old.

23 According to the claims report for California Care Corporation, Arman G. received
24 counseling services at their 501 E. Harvard Street, Unit A, location from September 4, 2012 to
25 April 9, 2013. The billing consists of 92 group counseling sessions and three individual
26 counseling sessions totaling approximately \$2,999.

1 were not for them; Igor T. said he had no use for the meetings, and it was a long way for them to
2 drive, so they stopped going.

3 Prior to the interview I reviewed the claims report for California Care Corporation for
4 FYs 2010/11, 2011/12, and 2012/13. I brought a copy of the billing with me and showed it to
5 Igor T. and Larisa T. According to the claims report, California Care Corporation billed for 402
6 individual dates of counseling for Igor T. and 419 dates of service for Larisa T. between July 1,
7 2010, and March 2013. Total Medi-Cal reimbursement for them was approximately \$25,381.
8 Igor T. looked at the dates of counseling and reiterated the fact he went less than five times. He
9 said "no, it's fraud. They must have stole our ID's and billed as much as they wanted."

10 I showed Igor T. a DMV photograph of Vardan Mnatsakanyan. He identified
11 Mnatsakanyan as the person he knew as "Vardan."

12 SVETLANA T.

13 On August 25, 2015, I interviewed Svetlana T. She said she has a heart condition so a
14 few years ago she decided to stop drinking alcohol. She began attending counseling sessions at
15 California Care Corporation in Glendale three to five days per week for approximately six
16 months. She usually drove herself, or took the bus; she never received any transportation from
17 California Care Corporation. Svetlana T. was unsure about the exact dates she attended
18 counseling. She said she stopped going for a short while, then restarted again, however, she
19 knew she initially started sometime around the summer of 2010, and she stopped going the
20 following spring. She said her counselor was a young female, always the same one, however, she
21 did not know her name and could not describe her. I asked if she would recognize her counselor
22 from a photograph and she said "no." She always attended the same group. While at the
23 sessions, she was given soda, chips, cookies, and occasionally a "pizza party."

24 According to Medi-Cal claims data, California Care Corporation began billing for
25 treatment for Svetlana T. on July 1, 2010. Despite her assertion she attended counseling sessions
26 for approximately six months, California Care Corporation billed for Svetlana T. over the course

1 of a three-year period. The total billing and Medi-Cal reimbursement for Svetlana T. is
2 approximately \$14,202, broken down as follows: FY 2010/11 - 11 months totaling \$5,809; FY
3 2011/12 - 10 months totaling \$5,070; FY 2012/13 - seven months totaling \$3,323.

4 Svetlana T. said she had one counselor at California Care Corporation, yet when I
5 reviewed the claims data, I discovered California Care Corporation submitted claims indicating
6 four separate counselors provided her counseling. Discounting the claims from FY 2010/11
7 when Svetlana T. attended counseling, California Care Corporation was reimbursed at a
8 minimum, \$8,393 in fraudulent claims.

9 **HOSPITALIZED AND DECEASED BENEFICIARIES**

10 Using the unique Medi-Cal identification numbers assigned to each beneficiary, DHCS
11 analyzed its Medi-Cal claims data to identify any billing by California Care Corporation for
12 services allegedly rendered on a date when the beneficiary was actually hospitalized. DHCS also
13 identified any billing by California Care Corporation for services allegedly rendered on a date
14 after the beneficiary had passed away. To confirm the DHCS analysis I obtained hospital records
15 and death certificates. California Care Corporation's total Medi-Cal reimbursement based on
16 claims for inpatient and deceased beneficiaries is approximately \$2,865.

17 VIGEN M.

18 Between the dates of December 17, 2010, and January 28, 2011, California Care
19 Corporation billed for 25 dates of DMC service for Vigen M. while Glendale Memorial Hospital
20 records show Vigen M. was hospitalized on all 25 dates. Vigen M. was admitted to Glendale
21 Memorial Hospital on December 16, 2010, and remained in the hospital until his death on May
22 20, 2011. The total amount of Medi-Cal reimbursement for California Care Corporation DMC
23 services for Vigen M. while hospitalized is approximately \$717.

24 ANDRANIK T.

25 On September 21, 2010, California Care Corporation billed for DMC services to
26 Andranik T. Hospital records show Andranik T. was admitted to Glendale Memorial Hospital on
27

1 September 20, 2010, and was not discharged until September 22, 2010. The total amount of
2 Medi-Cal reimbursement for California Care Corporation DMC services for Andranik T. while
3 hospitalized is approximately \$28.

4 SVETLANA T.

5 On November 10, 2010, March 8, 2012, and March 9, 2012, California Care Corporation
6 billed for DMC services to Svetlana T. Hospital records show Svetlana T. was an in-patient at
7 Glendale Memorial Hospital on all three of these dates. The total amount of Medi-Cal
8 reimbursement for California Care Corporation DMC services for Svetlana T. while hospitalized
9 is approximately \$87.

10 PETROS SARGSYAN

11 California Care Corporation billed for DMC services to Petros Sargsyan from December
12 7, 2010, through April 11, 2011, including an individual counseling session with Sargsyan on
13 April 11, 2011, well after he was deceased. According to his death certificate, Sargsyan died
14 March 19, 2011.

15 The billing includes 13 alleged dates of service when Sargsyan was hospitalized as well
16 as 15 dates of service after Sargsyan died, eight of which were reimbursed by Medi-Cal. In total,
17 California Care Corporation was reimbursed approximately \$602 for claims submitted for
18 services while Sargsyan was hospitalized and after his death.

19 BOGHOS MOURADIAN

20 California Care Corporation billed for DMC services to Boghos Mouradian from
21 November 21, 2011, through November 13, 2012. According to his death certificate, Mouradian
22 died November 6, 2012. California Care Corporation billed for a group counseling session for
23 Mouradian on the date of death, November 6, 2012, and continued billing for DMC services for
24 an additional four sessions, including an individual counseling session with Mouradian on
25 November 13, 2012, seven days after he died. The total loss for paid claims following
26 Mouradian's death is approximately \$192.

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JOHNNY SEGOVIA

California Care Corporation billed for DMC services to Johnny Segovia beginning December 18, 2012. Data provided by DHCS indicates California Care Corporation billed for an individual counseling session with Segovia on July 23, 2013. Segovia's death certificate lists his date of death as July 22, 2013. The death certificate for Segovia lists his social security number as UNK and his date of birth as February 8, 1954, one day off from DHCS' records which lists his DOB as February 7, 1954; however, the address listed on the death certificate and the address of record for Segovia on the claims report match. The total loss for the one day of DMC service to Segovia after his death is approximately \$72.

ASTCHIK BORNAZYAN

Astchik Bornazyan is recorded as Burnazyan on the claims report for California Care Corporation. I cross-referenced the client index number listed for Burnazyan on the claims report with DHCS' database and confirmed the social security number, date of birth, and date of death for Burnazyan and Bornazyan are the same. According to the data contained on the claims report, California Care Corporation billed for DMC services for Bornazyan from July 3, 2010, through December 30, 2010. The billing includes 27 dates of service when Bornazyan was hospitalized, as well as 12 dates of service after Bornazyan was deceased, including an alleged individual counseling session on December 29, 2010, 16 days after her death. In total, California Care Corporation was reimbursed approximately \$1167 for claims submitted for services while Bornazyan was hospitalized and after her death.

CONCLUSION

Based on my training and experience, and the facts set forth in this declaration, I believe there is probable cause to show that the owners and operators of California Care Corporation, Vardan Mnatsakanyan, Mikayel Mnatsakanyan and Serg Petrosian, engaged in a scheme to fraudulently bill the Drug Medi-Cal program for Outpatient Drug-Free counseling services that were never provided, and illegally paid beneficiaries to attend sessions by giving them cigarettes

1 and food, thereby committing the crimes charged in the accompanying complaint.

2 **DEFENDANTS FOR WHOM ARREST WARRANTS ARE REQUESTED**

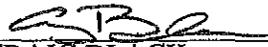
3 Name: VARDAN MNATSAKANYAN
4 DOB: 08/16/1955
5 CDL: D1845006
6 CII: A22401774
7 FBI: 582386KC7
8 Sex: Male
9 Race: Caucasian
10 Hair: Gray
11 Eyes: Brown
12 Height: 5-11
13 Weight: 220
14 Residence: 2466 Montrose Avenue, Apartment #5, Montrose, CA 91020

15 Name: MIKAYBL MNATSAKANYAN
16 DOB: 02/01/1982
17 CDL: D1845003
18 CII: A35510588
19 Sex: Male
20 Race: Caucasian
21 Hair: Black
22 Eyes: Green
23 Height: 5-10
24 Weight: 170
25 Residence: 1118 N. Central Avenue, Apartment #24, Glendale, CA 91202

26 Name: SERG PETROSIAN
27 DOB: 01/04/1985
28 CDL: D2232078
CII: A21668581
FBI: 612958NB2
Sex: Male
Race: Caucasian
Hair: Black
Eyes: Brown
Height: 5-10
Weight: 210
Residence: 1054 Ruberta Avenue, Apartment #203, Glendale, CA 91201

DECLARATION

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Signed on the 6th day of April, 2016.


CRAIG BLACK
Special Agent
Bureau of Medi Cal Fraud & Elder Abuse
California Department of Justice

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Case Number: PASGA098502-01
 Defendant Name: MNATSAKANYAN, VARDAN
 Violation Date: July 1, 2010
 Filing Date: April 6, 2016
 Courthouse: Pasadena Courthouse

CASE INFORMATION

Count	Charge Section	Charge Statute	Plea	Disposition	Disposition Date
01	487(A)	Penal Code	Not Guilty	Dismissed or Not Prosecuted	01/05/2017
02	14107(B) (1)	Welfare and Institutions Code	Nolo Contendere	Gully/Convicted	01/05/2017
03	14107.2 (B)(1)	Welfare and Institutions Code	Not Guilty	Dismissed or Not Prosecuted	01/05/2017

EVENTS

Upcoming Scheduled Events

None

Past Events

Date	Time	Location	Dept/Room Number	Events
April 7, 2016	08:30 AM	Pasadena Courthouse	NED	JUDICIAL ACTION
April 20, 2016	08:30 AM	Pasadena Courthouse	NED	ARRAIGNMENT
May 6, 2016	08:30 AM	Pasadena Courthouse	NED	ARRAIGNMENT AND PLEA
June 10, 2016	08:30 AM		NED	

		Pasadena Courthouse		ARRAIGNMENT AND PLEA
June 27, 2016	08:30 AM	Pasadena Courthouse	NED	ARRAIGNMENT AND PLEA
August 17, 2016	08:30 AM	Pasadena Courthouse	NEJ	PRELIM SETTING/RESETTING
September 20, 2016	08:30 AM	Pasadena Courthouse	NEJ	PRELIM SETTING/RESETTING
October 25, 2016	08:30 AM	Pasadena Courthouse	NEJ	PRELIM SETTING/RESETTING
November 18, 2016	08:30 AM	Pasadena Courthouse	NEJ	PRELIM SETTING/RESETTING
December 20, 2016	08:30 AM	Pasadena Courthouse	NEJ	PRELIM SETTING/RESETTING
January 5, 2017	08:30 AM	Pasadena Courthouse	NEJ	PRELIM SETTING/RESETTING
January 5, 2018	08:30 AM	Pasadena Courthouse	NEJ	MODIFICATION OF PROBATION

BAIL

:	April 20, 2016
:	CC2501201419
:	CONTINENTAL HERITAGE
:	HOURGLASS BAIL BONDS
:	
:	25000.00
:	May 6, 2016
May 6, 2016	Bail To Stand

June 10, 2016	Bail To Stand
June 10, 2016	Bail To Stand
June 10, 2016	Bail To Stand
June 27, 2016	Bail To Stand
August 17, 2016	Bail To Stand
August 17, 2016	Bail To Stand
August 17, 2016	Bail To Stand
September 20, 2016	Bail To Stand
October 25, 2016	Bail To Stand
November 18, 2016	Bail To Stand
December 20, 2016	Bail To Stand
January 5, 2017	Exonerated

SENTENCING INFORMATION

THE INFORMATION PROVIDED ON THIS WEBSITE CONTAINS ONLY AN EXTRACTION FROM THE COURT RECORD. IT IS PROVIDED FOR INFORMATIONAL PURPOSES ONLY AND IS NOT A FULL AND COMPLETE RECORD OF COURT PROCEEDINGS.

Sentencing Information			
SENTENCING DATE:	January 5, 2017		
For Count(s):	02	PROBATION/MANDATORY SUPERVISION:	FORMAL PROBATION 3 YEAR(S)
JAIL TERM:		JAIL TERM:	
BASE FINE/TOTAL FINE:	\$0.00	BASE FINE/TOTAL FINE:	\$0.00
		(OR) Jail term instead of fine:	

(OR) Jail term instead of fine:

Additional Terms	
PROGRAM:	COMMUNITY SERVICE 240 HOUR(S)
PROGRAM INSTEAD OF FINE:	
ALCOHOL PROGRAM:	
LICENSE RESTRICTION/SUSPENSION:	

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

THE PEOPLE OF THE STATE OF CALIFORNIA VS.
VARDAN MNATSAKANYAN

CASE NUMBER : GA098502 (PAS-GA098502-01)
VIOLATION DATE : 07/01/10
CASE FILING DATE: 04/06/16
WITH THE FOLLOWING OFFENSE(S):

COUNT 01: 487(A) PC FELONY
COUNT 02: 14107(B)(1) W&I FELONY
COUNT 03: 14107.2(B) W&I FELONY

BAIL DATE POSTED: 04/20/16
RECEIPT/BOND NUMBER: CC2501201419
SURETY COMPANY : CONTINENTAL HERITAGE
AMOUNT OF BAIL : \$25,000.00
APPEARANCE DATE : 05/06/16

04/07/16 AT 830 AM IN PASADENA COURTHOUSE DEPT NED

CASE CALLED FOR JUDICIAL ACTION

PARTIES: TERRY SMERLING (JUDGE) JAMES FRANCISCUS (CLERK)

NONE (REP) NONE (DDA)

DEFENDANT IS NOT PRESENT IN COURT, AND NOT REPRESENTED BY COUNSEL

THE COURT HAS READ AND CONSIDERED THE ARREST REPORT.

NEXT SCHEDULED EVENT:
ARREST WARRANT TO ISSUE

04/07/16 ARREST WARRANT IN THE AMOUNT OF \$100,000.00 BY ORDER OF JUDGE TERRY SMERLING ORDERED/ISSUED. (04/07/16).

04/07/16 ARREST WARRANT IN THE AMOUNT OF \$100,000.00 BY ORDER OF JUDGE TERRY SMERLING ISSUED (04/07/16).

04/20/16 AT 830 AM IN PASADENA COURTHOUSE DEPT NED

CASE CALLED FOR ARRAIGNMENT

PARTIES: TERRY SMERLING (JUDGE) JAMES FRANCISCUS (CLERK)
J. BARRAGAN (REP) DAVID HAXTON (AG)

DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY JERRY KAPLAN PRIVATE COUNSEL

A COPY OF THE COMPLAINT AND THE ARREST REPORT GIVEN TO DEFENDANTS COUNSEL.

THE COURT ORDERS A PRE-PLEA REPORT PURSUANT TO PENAL CODE SECTION 1203.7.

THE DEFENDANT'S COUNSEL DOES NOT CONSENT TO A PRE-PLEA INTERVIEW.

COURT ORDERS AND FINDINGS:

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

THE DEFENDANT STIPULATES AS TO COUNSEL REPRESENTING BOTH

DEFENDANT'S.

THE DEFENDANT IS TO BE BOOKED AND FINGERPRINTED AT LA CRESCENT VALLEY SHERIFF'S STATION.

THE DEFENDANT'S ARE TO SUBMIT PROOF OF BOOKING ON THE DATE INDICATED BELOW.

BAIL SET AT \$25,000.

WAIVES STATUTORY TIME.

NEXT SCHEDULED EVENT:

05/06/16 830 AM ARRAIGNMENT AND PLEA DIST PASADENA COURTHOUSE DEPT NED

DAY 00 OF 10

04/20/16 ARREST WARRANT IN THE AMOUNT OF \$100,000.00 RECALLED. (04/20/16).

CUSTODY STATUS: REMANDED TO CUSTODY

04/20/16 ARREST WARRANT IN THE AMOUNT OF \$100,000.00 RECALLED (04/20/16).

05/06/16 AT 830 AM IN PASADENA COURTHOUSE DEPT NED

CASE CALLED FOR ARRAIGNMENT AND PLEA

PARTIES: TERRY SMERLING (JUDGE) JAMES FRANCISCUS (CLERK)
J. BARRAGAN (REP) DAVID HAXTON (AG)

DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY JOSEPH BENINCASA PRIVATE COUNSEL APPEARING FOR JERRY KAPLAN

DEMURRER IS FILED.

AT THE REQUEST OF DEFENSE COUNSEL THE ARRAIGNMENT AND PLEA IS CONTINUED TO THE DATE INDICATED BELOW.

DEFENSE COUNSEL SUBMITS PROOF OF BOOKING.

WAIVER OF CONFLICT OF COUNSEL IS FILED.

COURT ORDERS AND FINDINGS:

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

WAIVES STATUTORY TIME.

NEXT SCHEDULED EVENT:

06/10/16 830 AM ARRAIGNMENT AND PLEA DIST PASADENA COURTHOUSE DEPT NED

DAY 00 OF 10

05/06/16 BAIL TO STAND, # CC2501201419

CUSTODY STATUS: BAIL TO STAND.

05/06/16 RECEIPT/BOND NO: CC2501201419

BAIL TO STAND

06/10/16 AT 830 AM IN PASADENA COURTHOUSE DEPT NED

CASE CALLED FOR ARRAIGNMENT AND PLEA

PARTIES: TERRY SMERLING (JUDGE) DARLA MAESE (CLERK)

J. BARRAGAN (REP) DAVID HAXTON (DA)

DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY JOSEPH BENINCASA PRIVATE COUNSEL APPEARING FOR JERRY KAPLAN

MATTER IS CONTINUED FOR ARRAIGNMENT AND PLEA ON JUNE 27, 2016 AT 8:30AM IN DEPARTMENT D.

COURT ORDERS AND FINDINGS:

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

WAIVES STATUTORY TIME.

NEXT SCHEDULED EVENT:

06/27/16 830 AM ARRAIGNMENT AND PLEA DIST PASADENA COURTHOUSE DEPT NED

DAY 00 OF 10

06/10/16 BAIL TO STAND, # CC2501201419

06/10/16 BAIL TO STAND, # CC2501201419

06/10/16 BAIL TO STAND, # CC2501201419

CUSTODY STATUS: BAIL TO STAND.

06/10/16 RECEIPT/BOND NO: CC2501201419

BAIL TO STAND

06/10/16 RECEIPT/BOND NO: CC2501201419

BAIL TO STAND

06/10/16 RECEIPT/BOND NO: CC2501201419

BAIL TO STAND

06/27/16 AT 830 AM IN PASADENA COURTHOUSE DEPT NED

CASE CALLED FOR ARRAIGNMENT AND PLEA

PARTIES: TERRY SMERLING (JUDGE) JAMES FRANCISCUS (CLERK)
ARLENE VAUGHN (REP) DAVID HAXTON (AG)

DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY JOSEPH BENINCASA PRIVATE COUNSEL

ON PEOPLE'S MOTION, COURT ORDERS COMPLAINT AMENDED TO CHANGE COUNT 03 TO READ VIOLATION 14107.2(B)(1) W&I INSTEAD OF 14107.2(B) W&I.

DEFENDANT WAIVES ARRAIGNMENT, READING OF COMPLAINT, AND STATEMENT OF CONSTITUTIONAL AND STATUTORY RIGHTS.

DEFENDANT PLEADS NOT GUILTY TO COUNT 01, 487(A) PC.
DEFENDANT PLEADS NOT GUILTY TO COUNT 02, 14107(B)(1) W&I.
DEFENDANT PLEADS NOT GUILTY TO COUNT 03, 14107.2(B)(1) W&I.

COURT ORDERS AND FINDINGS:

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

DEMURRER IS HEARD AND ARGUED.

THE COURT DENIES THE DEMURRER AS TO COUNT ONE AND COUNT TWO.

THE COURT GRANTS THE DEMURRER AS TO COUNT THREE DUE TO LACK OF SPECIFICITY BUT ALLOWS THE PEOPLE TO AMEND COUNT THREE.

THE COURT SETS A PRELIMINARY HEARING SETTING ON THE DATE INDICATED BELOW.

WAIVES STATUTORY TIME.

NEXT SCHEDULED EVENT:

08/17/16 830 AM PRELIM SETTING/RESETTING DIST PASADENA COURTHOUSE DEPT NEJ

DAY 00 OF 10

06/27/16 BAIL TO STAND, # CC2501201419

CUSTODY STATUS: BAIL TO STAND.

06/27/16 RECEIPT/BOND NO: CC2501201419

BAIL TO STAND

08/17/16 AT 830 AM IN PASADENA COURTHOUSE DEPT NEJ

CASE CALLED FOR PRELIM SETTING/RESETTING

PARTIES: STAN BLUMENFELD (JUDGE) CAROL MOORE (CLERK)
CARRIE GARCIN (REP) DAVID HAXTON (AG)

DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY JEROME A. KAPLAN PRIVATE COUNSEL

MATTER IS CONTINUED TO FURTHER PRELIMINARY HEARING SETTING AS REFLECTED BELOW

COURT TAKES A 10/60 DAY WAIVER FROM DEFENDANT.

COURT ORDERS AND FINDINGS:

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

WAIVES STATUTORY TIME.

NEXT SCHEDULED EVENT:

09/20/16 830 AM PRELIM SETTING/RESETTING DIST PASADENA COURTHOUSE DEPT NEJ

DAY 00 OF 10

08/17/16 BAIL TO STAND, # CC2501201419

08/17/16 BAIL TO STAND, # CC2501201419

08/17/16 BAIL TO STAND, # CC2501201419

CUSTODY STATUS: BAIL TO STAND.

08/17/16 RECEIPT/BOND NO: CC2501201419

BAIL TO STAND

08/17/16 RECEIPT/BOND NO: CC2501201419

BAIL TO STAND

08/17/16 RECEIPT/BOND NO: CC2501201419

BAIL TO STAND

09/20/16 AT 830 AM IN PASADENA COURTHOUSE DEPT NEJ

CASE CALLED FOR PRELIM SETTING/RESETTING

PARTIES: ROBIN MILLER SLOAN (JUDGE) STEPHANIE AGUILLON (CLERK)
ANGELIA PARRISH (REP) DAVID HAXTON (DA)

DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY JEROME A. KAPLAN PRIVATE COUNSEL

MATTER IS CONTINUED TO OCTOBER 25, 2016, AT 8:30 A.M., IN DEPARTMENT NEJ.

COURT ORDERS AND FINDINGS:

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

WAIVES STATUTORY TIME.

NEXT SCHEDULED EVENT:

10/25/16 830 AM PRELIM SETTING/RESETTING DIST PASADENA COURTHOUSE DEPT NEJ

DAY 00 OF 10

09/20/16 BAIL TO STAND, # CC2501201419

CUSTODY STATUS: BAIL TO STAND.

09/20/16 RECEIPT/BOND NO: CC2501201419

BAIL TO STAND

10/25/16 AT 830 AM IN PASADENA COURTHOUSE DEPT NEJ

CASE CALLED FOR PRELIM SETTING/RESETTING

PARTIES: ROBIN MILLER SLOAN (JUDGE) CAROL MOORE (CLERK)
ANGELIA PARRISH (REP) DAVID HAXTON (AG)

DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY JEROME A. KAPLAN PRIVATE COUNSEL

JOSEPH BENINCASA STANDS IN FOR DEFENSE COUNSEL KAPLAN.

FURTHER PRELIMINARY HEARING SETTING IS CALENDARED FOR 11/18/16 AT 8:30AM IN NE-J.

COURT ORDERS AND FINDINGS:

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

WAIVES STATUTORY TIME.

NEXT SCHEDULED EVENT:

11/18/16 830 AM PRELIM SETTING/RESETTING DIST PASADENA COURTHOUSE DEPT NEJ

DAY 00 OF 15

10/25/16 BAIL TO STAND, # CC2501201419

CUSTODY STATUS: BAIL TO STAND.

10/25/16 RECEIPT/BOND NO: CC2501201419

BAIL TO STAND

11/18/16 AT 830 AM IN PASADENA COURTHOUSE DEPT NEJ

CASE CALLED FOR PRELIM SETTING/RESETTING

PARTIES: ROBIN MILLER SLOAN (JUDGE) CAROL MOORE (CLERK)
ANGELIA PARRISH (REP) DAVID HAXTON (AG)

DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY JOSEPH BENINCASA PRIVATE COUNSEL

FURTHER NEGOTIATIONS CONTINUE. FURTHER
PRELIMINARY HEARING SETTING IS CALENDARED FOR DECEMBER 20,2016
AT 8:30AM IN NE-J

COURT ORDERS AND FINDINGS:

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

WAIVES STATUTORY TIME.

NEXT SCHEDULED EVENT:

12/20/16 830 AM PRELIM SETTING/RESETTING DIST PASADENA COURTHOUSE DEPT NEJ

DAY 00 OF 15

11/18/16 BAIL TO STAND, # CC2501201419

CUSTODY STATUS: BAIL TO STAND.

11/18/16 RECEIPT/BOND NO: CC2501201419

BAIL TO STAND

12/20/16 AT 830 AM IN PASADENA COURTHOUSE DEPT NEJ

CASE CALLED FOR PRELIM SETTING/RESETTING

PARTIES: TERI SCHWARTZ (JUDGE) SUSAN PICKETT (CLERK)
YURVINNA WALLACE (REP) DAVID HAXTON (DA)

DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY JOSEPH BENINCASA PRIVATE
COUNSEL.

AT THE REQUEST OF THE DEFENDANT, THE MATTER IS CONTINUED FOR
PRELIMINARY HEARING SETTING TO JANUARY 5, 2017, AT 8:30 A.M.,
IN DEPARTMENT NE-J FOR POSSIBLE DISPOSITION.

COURT ORDERS AND FINDINGS:

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

WAIVES STATUTORY TIME.

NEXT SCHEDULED EVENT:

01/05/17 830 AM PRELIM SETTING/RESETTING DIST PASADENA COURTHOUSE DEPT NEJ

DAY 00 OF 10

12/20/16 BAIL TO STAND, # CC2501201419

CUSTODY STATUS: BAIL TO STAND.

12/20/16 RECEIPT/BOND NO: CC2501201419

BAIL TO STAND

01/05/17 AT 830 AM IN PASADENA COURTHOUSE DEPT NEJ

CASE CALLED FOR PRELIM SETTING/RESETTING

PARTIES: ROBIN MILLER SLOAN (JUDGE) STEVEN REESE (CLERK)
ANDREA BILLUE (REP) DAVID HAXTON (AG)

DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY JERRY KAPLAN PRIVATE COUNSEL

DEFENDANT ADVISED OF AND PERSONALLY AND EXPLICITLY WAIVES THE FOLLOWING RIGHTS:

TRIAL BY COURT AND TRIAL BY JURY

CONFRONTATION AND CROSS-EXAMINATION OF WITNESSES;

SUBPOENA OF WITNESSES INTO COURT TO TESTIFY IN YOUR DEFENSE;

AGAINST SELF-INCRIMINATION;

DEFENDANT ADVISED OF THE FOLLOWING:

THE NATURE OF THE CHARGES AGAINST HIM, THE ELEMENTS OF THE OFFENSE IN THE COMPLAINT, AND POSSIBLE DEFENSES TO SUCH CHARGES;

THE POSSIBLE CONSEQUENCES OF A PLEA OF GUILTY OR NOLO CONTENDERE, INCLUDING THE MAXIMUM PENALTY AND ADMINISTRATIVE SANCTIONS AND THE POSSIBLE LEGAL EFFECTS AND MAXIMUM PENALTIES INCIDENT TO SUBSEQUENT CONVICTIONS FOR THE SAME OR SIMILAR OFFENSES;

THE EFFECTS OF PROBATION;

IF YOU ARE NOT A CITIZEN, YOU ARE HEREBY ADVISED THAT A CONVICTION OF THE OFFENSE FOR WHICH YOU HAVE BEEN CHARGED WILL HAVE THE CONSEQUENCES OF DEPORTATION, EXCLUSION FROM ADMISSION TO THE UNITED STATES, OR DENIAL OF NATURALIZATION PURSUANT TO THE LAWS OF THE UNITED STATES.

COUNSEL FOR THE DEFENDANT JOINS IN THE WAIVERS AND CONCURS IN THE PLEA.

COURT FINDS THAT EACH SUCH WAIVER IS KNOWINGLY, UNDERSTANDINGLY, AND EXPLICITLY MADE;

COUNT (01) : DISPOSITION: DISMISSAL IN FURTH OF JUSTICE PER 1385 PC

THE DEFENDANT PERSONALLY WITHDRAWS PLEA OF NOT GUILTY TO COUNT 02 AND PLEADS NOLO CONTENDERE WITH THE APPROVAL OF THE COURT TO A VIOLATION OF SECTION 14107(B)(1) W&I IN COUNT 02. THE COURT FINDS THE DEFENDANT GUILTY.

COUNT (03) : DISPOSITION: DISMISSAL IN FURTH OF JUSTICE PER 1385 PC

COURT FINDS THAT THERE IS A FACTUAL BASIS FOR DEFENDANT'S PLEA, AND COURT ACCEPTS PLEA.

THERE BEING NO OBJECTION BY THE PEOPLE, THE DEFENDANT IS

ALLOWED TO TRAVEL FREELY OUT OF AND IN TO THE UNITED STATES.

A PLEA AGREEMENT IS SIGNED AND FILED THIS DATE BY ALL PARTIES.

ON THE PEOPLE'S ORAL MOTION, ALL REMAINING COUNTS ARE ORDERED FORTHWITH DISMISSED, PURSUANT TO PENAL CODE SECTION 1385, IN THE INTEREST OF JUSTICE AND PER THE PLEA AGREEMENT.

NUNC PRO TUNC ENTERED IN ERROR.

WAIVES TIME FOR SENTENCE.

NEXT SCHEDULED EVENT:

DEFENDANT WAIVES ARRAIGNMENT FOR JUDGMENT AND STATES THERE IS NO LEGAL CAUSE WHY SENTENCE SHOULD NOT BE PRONOUNCED. THE COURT ORDERED THE FOLLOWING JUDGMENT:

AS TO COUNT (02):

IMPOSITION OF SENTENCE SUSPENDED

001 YEARS OF JAIL SUSPENDED

DEFENDANT PLACED ON FORMAL PROBATION

FOR A PERIOD OF 003 YEARS UNDER THE FOLLOWING TERMS AND CONDITIONS:

PLUS \$40.00 COURT OPERATIONS ASSESSMENT (PURSUANT TO 1465.8(A)(1) P.C.)

\$30.00 CRIMINAL CONVICTION ASSESSMENT (PURSUANT TO 70373 G.C.)

PERFORM 240 HOURS OF COMMUNITY SERVICE

TOTAL DUE: \$70.00

IN ADDITION:

-THE DEFENDANT IS TO PAY A RESTITUTION FINE PURSUANT TO SECTION 1202.4(B) PENAL CODE IN THE AMOUNT OF \$ 300.00.

-DEFENDANT IS ORDERED TO PAY A PROBATION REVOCATION RESTITUTION FINE PURSUANT TO PENAL CODE SECTION 1202.44, IN THE AMOUNT OF \$ 300.00. THIS FINE SHALL BECOME EFFECTIVE UPON THE REVOCATION OF PROBATION.

-OBEY ALL LAWS AND ORDERS OF THE COURT.

-NOT COMMIT SIMILAR OFFENSE DURING PROBATION PERIOD.

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

-DEFENDANT ACKNOWLEDGES TO THE COURT THAT THE DEFENDANT UNDERSTANDS AND ACCEPTS ALL THE PROBATION CONDITIONS, AND

DEFENDANT AGREES TO ABIDE BY SAME.

-DEFENDANT TO REPORT TO THE PROBATION OFFICER WITHIN 48 HOURS OF THIS HEARING.

MAKE RESTITUTION TO VICTIM PURSUANT TO PC SECTION 1202.4(F). DEFENDANT STIPULATES TO PAY VICTIM RESTITUTION IN THE SUM OF \$95,086.00, LESS WITHHELD PAYMENTS.

THE DEFENDANT IS ORDERED TO PERFORM 240 HOURS OF COMMUNITY SERVICE. SAID COMMUNITY SERVICE MAY BE PERFORMED AT ANY NON-PROFIT ORGANIZATION.

THE PEOPLE STIPULATE THAT IF DEFENDANT COMPLIES WITH AND COMPLETES ALL TERMS AND CONDITIONS OF PROBATION, THE PEOPLE WILL REDUCE COUNT 2 FROM A FELONY TO A MISDEMEANOR, UNDER PENAL CODE SECTION 17(B), TERMINATE PROBATION AND NOT OPPOSE AN EXPUNGEMENT.

THE DEFENDANT IS ORDERED TO SERVE 365 DAYS IN THE LOS ANGELES COUNTY JAIL. THE DEFENDANT IS GIVEN CUSTODY CREDITS FOR 0 ACTUAL DAYS PLUS 0 GOOD TIME/WORK TIME DAYS FOR A TOTAL CREDIT OF 0 DAYS.

EXECUTION OF SAID SENTENCE IS ORDERED STAYED PENDING SUCCESSFUL COMPLETION OF ALL TERMS AND CONDITIONS OF PROBATION.

THE MATTER IS ORDERED CONTINUED AS INDICATED BELOW.

IT APPEARING TO THE COURT THAT, THROUGH INADVERTENCE OR CLERICAL ERROR, THE MINUTE ORDER DATED JANUARY 5, 2017 DOES NOT PROPERLY REFLECT THE ORDER OF THE COURT. SAID MINUTE ORDER IS AMENDED BY NUNC PRO TUNC, AS FOLLOWS:

BY ADDING:

"THE COURT NOTES THAT DEFENDANT HAS BEEN ORDERED TO PAY VICTIM RESTITUTION, PURSUANT TO PENAL CODE SECTION 1202.4(F), IN THE TOTAL SUM OF \$95,086.00. THE COURT FURTHER NOTES THAT DEFENDANT HAS CURRENTLY PAID THE SUM OF \$32,627.08 TOWARDS SAID VICTIM RESTITUTION, LEAVING A BALANCE IN THE AMOUNT OF \$62,458.92. THE COURT ORDERS THAT PROBATION DIRECT ALL MONEYS PAID BY THE DEFENDANT TOWARDS PAYING OFF VICTIM RESTITUTION BEFORE ANY AND ALL OTHER FINES, FEES AND/OR COSTS OF PROBATION SERVICES."

DATED: OCTOBER 13, 2017 STEVEN REESE, JUDICIAL ASSISTANT

COUNT (02); DISPOSITION: CONVICTED

DMV ABSTRACT NOT REQUIRED

NEXT SCHEDULED EVENT:

01/05/18 830 AM MODIFICATION OF PROBATION DIST PASADENA COURTHOUSE DEPT NEJ

01/05/17 EXONERATED, # CC2501201419

CUSTODY STATUS: BAIL EXONERATED
CUSTODY STATUS: ON PROBATION

01/06/17 ARREST DISPOSITION REPORT SENT VIA FILE TRANSFER TO DEPARTMENT OF JUSTICE

01/05/17 RECEIPT/BOND NO: CC2501201419

EXONERATED \$25000.

01/06/17 ARREST DISPOSITION REPORT SENT VIA FILE TRANSFER TO DEPARTMENT OF JUSTICE

01/05/18 AT 830 AM IN PASADENA COURTHOUSE DEPT NEJ

CASE CALLED FOR MODIFICATION OF PROBATION

PARTIES: ROBIN MILLER SLOAN (JUDGE) LORNA GARCIA (CLERK)
ANGELIA PARRISH (REP) ANUSHRI VYAS (AG)

DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY JOSEPH BENINCASA PRIVATE COUNSEL

PROBATION TERMINATED

AS TO COUNT (02):

THE COURT ORDERS REMAINING VICTIM'S RESTITUTION TO CIVIL JUDGMENT.

A SUBSEQUENT ADR TO FORWARDED BY THE CLERK'S OFFICE TO THE DEPARTMENT OF JUSTICE.

DMV ABSTRACT NOT REQUIRED

NEXT SCHEDULED EVENT:

PROCEEDINGS TERMINATED