

1  
2 SUPERIOR COURT OF CALIFORNIA  
3 COUNTY OF KERN - METROPOLITAN DIVISION  
4

FILED  
SUPERIOR COURT, METROPOLITAN DIVISION  
COUNTY OF KERN  
MAR 15 2013  
TERRY MANALLY, CLERK  
BY [Signature] DEPUTY

5 THE PEOPLE OF THE STATE OF CALIFORNIA, ) No.: BF 141700 A, B, C, D,  
6 Plaintiff, ) E, F & G  
7 vs. ) AMENDED  
8 ) INDICTMENT  
9 ) DA No. 809249  
10 JOHN BRENT ARAKELIAN, )  
11 MARIA CECILIA RIOS CABANGANGAN, )  
12 CHARLES ORLANDO LEWIS, )  
13 CATHY AGUILAR PIERCE )  
14 DOLPHUS DWAYNE PIERCE, II, )  
15 TOMAS BALLESTEROS RIOS, )  
16 and )  
17 CHI HONG YANG; Defendants. )

18 JOHN BRENT ARAKELIAN, MARIA CECILIA RIOS CABANGANGAN,  
19 CHARLES ORLANDO LEWIS, CATHY AGUILAR PIERCE, DOLPHUS DWAYNE  
20 PIERCE, II, TOMAS BALLESTEROS RIOS and CHI HONG YANG and/ or other  
21 unnamed or unknown co-conspirators are accused by the Grand Jury of said County of  
22 Kern, State of California by this indictment of the following crimes:

23 **COUNT ONE**

24 On or about and between November 5, 2003 and April 30, 2012, targets JOHN  
25 BRENT ARAKELIAN, MARIA CECILIA RIOS CABANGANGAN, CHARLES  
26 ORLANDO LEWIS, CATHY AGUILAR PIERCE, DOLPHUS DWAYNE PIERCE, II,  
TOMAS BALLESTEROS RIOS and CHI HONG YANG and other unknown/or  
unnamed co-conspirators did willfully and unlawfully conspire together or with another  
person or persons whose identity is unknown to commit the crimes of Insurance Fraud  
pursuant to Penal Code Section 550(A)(1) that is knowingly presenting a false or

1 fraudulent claim; Insurance Fraud pursuant to Penal Code Section 550(A)(2), that is  
2 knowingly presenting multiple claims for the same loss or injury with intent to defraud;  
3 Insurance Fraud pursuant to Penal Code Section 550(A)(5), that is knowingly preparing a  
4 writing with the intent to present in support of a false or fraudulent claim; Insurance  
5 Fraud pursuant to Penal Code Section 550(A)(7), that is knowingly present a claim for  
6 health care benefit not used by, or on behalf of the claimant; Insurance Fraud pursuant to  
7 Penal Code Section 550(A)(8), that is knowingly presenting multiple claims for payment  
8 of the same health care benefit with intent to defraud; Insurance Fraud pursuant to  
9 Insurance Code Section 1871.4(A)(2), that is knowingly presenting or causing to be  
10 presented any false or fraudulent material statement in support of a claim for Workers'  
11 Compensation Benefits; and/or did willfully and unlawfully conspire together or with  
12 another person or persons whose identity is unknown to cheat and defraud Berkshire  
13 Hathaway Homestate Companies, Liberty Mutual Insurance, State Compensation  
14 Insurance Fund, State Farm Insurance, Traveler's Insurance and/or Zenith of money, by  
15 any means which are in themselves criminal, in violation of Penal Code Sections  
16 182(a)(1), a felony.

17 It is further alleged that pursuant to and for the purposes of the aforesaid  
18 conspiracy, the said conspirators committed the following overt acts:

19  
20 **OVERT ACT NO. 1**

21 On or about and between November 1, 2003 and April 15, 2008, John Arakelian,  
22 Cecilia Cabangangan, Charles Lewis, Cathy Pierce, Dolphus Pierce Tomas Rios and/or  
23 Chi Yang paid compensation in the form of direct payment and discounted services to  
24 chiropractors for patient referrals. These payments were called "rent," but were  
25 ultimately tied to time permitted direct access to the patients and the income earned by  
26 the targets for dispensing medications.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**OVERT ACT NO. 2**

On or about and between November 1, 2003 and April 15, 2008, John Arakelian, Cecilia Cabangangan, Charles Lewis, Cathy Pierce, Dolphus Pierce and/or Tomas Rios directed persons unknown or unnamed to prepare reports in support of billing for services allegedly provided at chiropractic clinics by their employees and/or contracted personnel that contained material misrepresentations in support of bills they directed to be sent to insurance companies. These misrepresentations included electronically scanned signatures of the employees and/or contract physicians affixed to declarations under penalty of perjury when the employee and/or contract personnel had not reviewed or authorized the report.

**OVERT ACT NO. 3**

On or about and between November 1, 2003 and April 15, 2008, John Arakelian, Cecilia Cabangangan, Charles Lewis, Cathy Pierce, Dolphus Pierce and/or Tomas Rios directed persons unknown or unnamed to prepare reports in support of billing for services allegedly provided at chiropractic clinics by their employees and/or contracted physicians that contained material misrepresentations in support of bills they directed to be sent to insurance companies. These misrepresentations included alleged statements regarding services that were never rendered by the employees and/or contract personnel.

**OVERT ACT NO. 4**

On or about and between November 1, 2003 and April 30, 2012, John Arakelian, Cecilia Cabangangan, Charles Lewis, Cathy Pierce, Dolphus Pierce Tomas Rios and/or Chi Yang directed that bills demanding payment for services that were rendered pursuant to a referral payment and/or rebate be presented to Berkshire Hathaway Homestate

1 Companies, Liberty Mutual Insurance, State Compensation Insurance Fund, State Farm  
2 Insurance, Traveler's Insurance and/or Zenith.

3  
4 **OVERT ACT NO. 5**

5 On or about and between November 1, 2003 and April 30, 2012, John Arakelian,  
6 Cecilia Cabangangan, Charles Lewis, Cathy Pierce, Dolphus Pierce Tomas Rios and/or  
7 Chi Yang directed that bills demanding payment for services that were not rendered be  
8 presented to Berkshire Hathaway Homestate Companies, Liberty Mutual Insurance, State  
9 Compensation Insurance Fund, State Farm Insurance, Traveler's Insurance and/or Zenith.

10  
11 **OVERT ACT NO. 6**

12 On or about and between November 1, 2003 and April 30, 2012, John Arakelian,  
13 Cecilia Cabangangan, Charles Lewis, Cathy Pierce, Dolphus Pierce Tomas Rios and/or  
14 Chi Yang directed that bills demanding payment for services that were medically  
15 unnecessary be presented to Berkshire Hathaway Homestate Companies, Liberty Mutual  
16 Insurance, State Compensation Insurance Fund, State Farm Insurance, Traveler's  
17 Insurance and/or Zenith.

18  
19 **OVERT ACT NO. 7**

20 On or about and between November 1, 2003 and April 30, 2012, John Arakelian,  
21 Cecilia Cabangangan, Charles Lewis, Cathy Pierce, Dolphus Pierce Tomas Rios and/or  
22 Chi Yang directed that bills demanding payment for services that were previously  
23 presented to Berkshire Hathaway Homestate Companies, Liberty Mutual Insurance, State  
24 Compensation Insurance Fund, State Farm Insurance, Traveler's Insurance and/or Zenith  
25 be represented without indicating credit for previous payment on the claim.  
26

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**OVERT ACT NO. 8**

On or about and between November 1, 2003 and April 30, 2012, John Arakelian, Cecilia Cabangangan, Charles Lewis, Cathy Pierce, Dolphus Pierce Tomas Rios and/or Chi Yang directed that bills demanding payment for services that misrepresented who provided the alleged services be presented to Berkshire Hathaway Homestate Companies, Liberty Mutual Insurance, State Compensation Insurance Fund, State Farm Insurance, Traveler's Insurance and/or Zenith

**OVERT ACT NO. 9**

On or about and between November 1, 2003 and April 30, 2012, John Arakelian, Cecilia Cabangangan, Charles Lewis, Cathy Pierce, Dolphus Pierce Tomas Rios and/or Chi Yang directed that bills demanding payment for services that were previously presented to Berkshire Hathaway Homestate Companies, Liberty Mutual Insurance, State Compensation Insurance Fund, State Farm Insurance, Traveler's Insurance and/or Zenith that contained alterations to the named treating physician.

**OVERT ACT NO. 10**

On or about and between November 1, 2003 and April 30, 2012, John Arakelian, Cecilia Cabangangan, Charles Lewis, Cathy Pierce, Dolphus Pierce Tomas Rios and/or Chi Yang directed that bills demanding payment for services that were previously presented to Berkshire Hathaway Homestate Companies, Liberty Mutual Insurance, State Compensation Insurance Fund, State Farm Insurance, Traveler's Insurance and/or Zenith that contained alterations to the date the bill was allegedly signed by the treating physician.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**OVERT ACT NO. 11**

On or about November 5, 2003, Dolphus Pierce, or other persons unknown or unnamed executed the Articles of Incorporation for P & R Med-Legal Medical Corporation.

**OVERT ACT NO. 12**

On or about November 5, 2003, Dolphus Pierce executed and signed the Articles of Incorporation of Pierce & Rios Medical Corporation.

**OVERT ACT NO. 13**

On or about and between November 1, 2003 and June 17, 2005, Tomas Rios and/or Dolphus Pierce employed Monica Murphy to allegedly perform medical services and to dispense medications at chiropractic offices on behalf of P&R Med-Legal and other corporations owned and/or controlled by Tomas Rios and/or Dolphus Pierce.

**OVERT ACT NO. 14**

On or about November 5, 2003, Dolphus Pierce executed and signed the Articles of Incorporation of Rios & Pierce Medical Corporation.

**OVERT ACT NO. 15**

On or about November 10, 2003, Tomas Rios signed check number 6851 on the EMSI account at San Joaquin Bank payable to James Property for the rental of 2005 Eye Street, suite 7, Bakersfield, CA for the benefit of Premier Interpreting and Support Services as well as other corporations owned and/or controlled by targets John Arakelian, Charles Lewis, Cathy Pierce, Dolphus Pierce, Tomas Rios and/or Chi Yang.

1  
2  
3  
4  
5  
**OVERT ACT NO. 16**

6 On or about November 14, 2003, Maria Cecilia Rios Cabangangan signed the  
7 Articles of Incorporation for Premier Interpreting and Support Services, Inc.

8  
9  
10  
11  
12  
13  
14  
15  
**OVERT ACT NO. 17**

16 On or about November 19, 2003, Dolphus Pierce, or other persons unknown or  
17 unnamed caused to be filed with California Secretary of State the Articles of  
18 Incorporation of Pierce & Rios Medical Corporation.

19  
20  
21  
22  
23  
24  
25  
26  
**OVERT ACT NO. 18**

On or about November 19, 2003, Dolphus Pierce, or other persons unknown or  
unnamed caused to be filed with California Secretary of State the Articles of  
Incorporation of Rios & Pierce Medical Corporation.

**OVERT ACT NO. 19**

On or about November 20, 2003, Tomas Rios signed San Joaquin Bank check  
number 6908 on behalf of EMSI Physicians Group for rent and security deposit 2005 Eye  
St. suite 7, Bakersfield, CA for the benefit of Premier Interpreting and by Premier  
Interpreting as well as other corporations owned and/or controlled by targets John  
Arakelian, Charles Lewis, Cathy Pierce, Dolphus Pierce, Tomas Rios and/or Chi Yang..

**OVERT ACT NO. 20**

On or about December 4, 2003, Maria Cecilia Rios Cabangangan, or other  
persons unknown or unnamed caused the Articles of Incorporation for Premier  
Interpreting and Support Services, Inc. to be filed with the California Secretary of State.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**OVERT ACT NO. 21**

On or about December 23, 2003, Maria Rios Cecilia Cabangangan rented post box number 297 located at 8200 Stockdale Highway, suite M-10 for the use of "P&R Medical Management Corp."

**OVERT ACT NO. 22**

On or about December 31, 2003, Dolphus Pierce signed the California Secretary of State Articles of Incorporation of P & R Med-Legal Corporation.

**OVERT ACT NO. 23**

On or about and between January 1, 2003 and December 31, 2003, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med Legal Medical Corp; Tax ID # 20-0515258; accepted payment from Traveler's Insurance Group for billed services in the amount of \$1,025.52.

**OVERT ACT NO. 24**

On or about January 9, 2004, Dolphus Pierce, or other person unknown or unnamed caused to be filed with the California Secretary of State the Articles of Incorporation of P & R Med-Legal Medical Corporation.

**OVERT ACT NO. 25**

On or about February 3, 2004, Dolphus Pierce, or other persons unknown or unnamed opened Union Bank account number 4410689419 in the name of P&R Med Legal Medical Corporation dba P&R Medical Consultation.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**OVERT ACT NO. 26**

On or about and between June 1, 2004 and April 7, 2009, Tomas Rios and/or Dolphus Pierce employed Kevin Noonan to allegedly perform medical services and to dispense medications at chiropractic offices on behalf of P&R Med-Legal and other corporations owned and/or controlled by Tomas Rios and/or Dolphus Pierce.

**OVERT ACT NO. 27**

On or about and between July 10, 2004 and February 28, 2009, Dolphus Pierce or Cathy Pierce, or other persons unknown or unnamed rented post office box number 398, Lemoore, CA in the name Strathmore Medical Group.

**OVERT ACT NO. 28**

On or about August 1, 2004, Tomas Rios and/or Dolphus Pierce hired Chi Yang to provide medical consultations at chiropractic offices on behalf of P&R Medical and other corporations owned and/or controlled by Tomas Rios and/or Dolphus Pierce.

**OVERT ACT NO. 29**

On or about, and between October 1 and October 31, 2004, Tomas Rios signed an application for fictitious name permit from the California Medical Board for P & R Med-Legal, Medical Corporation.

**OVERT ACT NO. 30**

On or about and between November 22, 2004 and June 30, 2007, Tomas Rios and/or Dolphus Pierce employed Arthur Sakamoto to allegedly perform medical services and to dispense medications at chiropractic offices on behalf of P&R Med-Legal and other corporations owned and/or controlled by Tomas Rios and/or Dolphus Pierce.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**OVERT ACT NO. 31**

On or about December 7, 2004, Tomas Rios, or other persons unknown or unnamed caused to be filed a fictitious name permit with the California Medical Board for P & R Med-Legal, Medical Corporation.

**OVERT ACT NO. 32**

On or about and between January 1, 2004 and December 31, 2004, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med Legal Medical Corp; Tax ID # 20-0515258; accepted payment from Berkshire Hathaway Homestate Companies for billed services in the amount of \$1,554.10.

**OVERT ACT NO. 33**

On or about and between January 1, 2004 and December 31, 2004, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med Legal Medical Corp; Tax ID # 20-0515258; accepted payment from Liberty Mutual Insurance Group for billed services in the amount of \$74,428.87.

**OVERT ACT NO. 34**

On or about and between January 1, 2004 and December 31, 2004, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med Legal Medical Corp; Tax ID # 20-0515258; accepted payment from State Compensation Insurance Fund for billed services in the amount of \$412,511.06.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**OVERT ACT NO. 35**

On or about and between January 1, 2004 and December 31, 2004, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Medical Consultation Corp; Tax ID # 20-0515258; accepted payment from The Travelers Indemnity Company for billed services in the amount of \$11,523.28.

**OVERT ACT NO. 36**

On or about and between January 24, 2005 and March 15, 2012, Dolphus Pierce, or Cathy Pierce, or other persons unknown or unnamed rented post office box number 189, Lemoore, CA 93245 in the name of Pierce Rios Medical Corporation.

**OVERT ACT NO. 37**

On or about and between March 5, 2005 and March 15, 2012, Dolphus Pierce rented post office box number 530, Lemoore, CA in the name Rios Pierce Medical Corporation.

**OVERT ACT NO. 38**

On or about April 14, 2005, Maria Cecilia Rios Cabangangan sign Wells Fargo Bank check number 1153 in the name of Premier Interpreting & Support Services for "April Rent" on 2005 Eye St. suite 7, Bakersfield, CA.

**OVERT ACT NO. 39**

On or about and between April 20, 2005 and 12/04/2006, Tomas Rios and/or Dolphus Pierce employed Cynthia Jones to allegedly perform medical services and to dispense medications at chiropractic offices on behalf of P&R Med-Legal and other corporations owned and/or controlled by Tomas Rios and/or Dolphus Pierce.

1  
2  
3  
4  
5  
6  
**OVERT ACT NO. 40**

7 On or about May 2, 2005, Maria Cecilia Rios Cabangangan signed Wells Fargo Bank  
8 check number 1170 in the name of Premier Interpreting & Support Services for "May  
9 Rent" on 2005 Eye St. suite 7, Bakersfield, CA.  
10

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
**OVERT ACT NO. 41**

21 On or about June 6, 2005, Maria Cecilia Rios Cabangangan signed Wells Fargo Bank  
22 check number 1187 in the name of Premier Interpreting & Support Services for "June  
23 Rent" on 2005 Eye St. suite 7, Bakersfield, CA.  
24

25  
26  
**OVERT ACT NO. 42**

On or about June 15, 2005, Tomas Rios signed the Articles of Incorporation for San  
Joaquin Accident & Medical Group, Inc.

**OVERT ACT NO. 43**

On or about June 29, 2005, Tomas Rios, or other persons unknown or unnamed,  
caused to be filed the Articles of Incorporation for San Joaquin Accident & Medical  
Group, Inc. with the California Secretary of State.

**OVERT ACT NO. 44**

On or about July 5, 2005, Maria Cecilia Rios Cabangangan sign Wells Fargo Bank  
check number 1214 in the name of Premier Interpreting & Support Services for "July  
Rent" on 2005 Eye St. suite 7, Bakersfield, CA.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**OVERT ACT NO. 45**

On or about July 21, 2005, Tomas Rios signed an application to obtain a fictitious name permit from the California Medical Board for San Joaquin Accident & Medical Group.

**OVERT ACT NO. 46**

On or about September 7, 2005, Cathy Pierce signed a California Secretary of State Statement of Information of Pierce & Rios Medical Corporation.

**OVERT ACT NO. 47**

On or about September 7, 2005, Cathy Pierce signed a California Secretary of State Statement of Information of Rios & Pierce Medical Corporation.

**OVERT ACT NO. 48**

On or about October 14, 2005, Cathy Pierce, or other persons unknown or unnamed caused to be filed a California Secretary of State Statement of Information of Rios & Pierce Medical Corporation.

**OVERT ACT NO. 49**

On or about December 9, 2005, Tomas Rios, or other persons unknown or unnamed obtained a fictitious name permit from the California Medical Board for San Joaquin Accident & Medical Group, Inc.

**OVERT ACT NO. 50**

On or about and between January 1, 2005 and December 31, 2005, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med

1 Legal Medical Corp; Tax ID # 20-0515258; accepted payment from Berkshire Hathaway  
2 Homestate Companies for services in the amount of \$10,155.66.

3  
4 **OVERT ACT NO. 51**

5 On or about and between January 1, 2005 and December 31, 2005, Tomas Rios  
6 and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med  
7 Legal Medical Corp; Tax ID # 20-0515258; accepted payment from Liberty Mutual  
8 Insurance Group for billed services in the amount of \$174,652.14.

9  
10 **OVERT ACT NO. 52**

11 On or about and between January 1, 2005 and December 31, 2005, Tomas Rios  
12 and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med  
13 Legal Medical Corp; Tax ID # 20-0515258; accepted payment from State Compensation  
14 Insurance Fund for billed services in the amount of \$740,676.34.

15  
16 **OVERT ACT NO. 53**

17 On or about and between January 1, 2005 and December 31, 2005, Tomas Rios  
18 and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Medical  
19 Consultation Corp; Tax ID # 20-0515258; accepted payment from The Travelers  
20 Indemnity Company for services in the amount of \$12,653.20.

21  
22 **OVERT ACT NO. 54**

23 On or about and between January 1, 2005 and December 31, 2005, Tomas Rios  
24 and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med  
25 Legal Medical Corp; Tax ID # 20-0515258; accepted payment from Zenith Insurance  
26 Company for services in the amount of \$12,028.87.

1  
2  
3  
4  
5  
**OVERT ACT NO. 55**

6 On or about February 13, 2006, Tomas Rios signed an application for fictitious name  
7 permit from the California Medical Board for Westside Medical Group of Mendota, Inc.

8  
9  
10  
11  
12  
13  
14  
15  
16  
**OVERT ACT NO. 56**

17 On or about February, 14, 2006, Cathy Pierce, or other persons unknown or unnamed  
18 caused to be filed a California Secretary of State Statement of Information of Pierce &  
19 Rios Medical Corporation.

20  
21  
22  
23  
24  
25  
26  
**OVERT ACT NO. 57**

On or about March 2, 2006, Cecilia Cabangangan signed a lease for rental of 2920 F  
Street, suite A-3, Bakersfield, CA for use by Premier Interpreting as well as other  
corporations owned and/or controlled by targets John Arakelian, Charles Lewis, Cathy  
Pierce, Dolphus Pierce, Tomas Rios and/or Chi Yang.

**OVERT ACT NO. 58**

On or about June 16, 2006, Tomas Rios, or other persons unknown or unnamed  
obtained a fictitious name permit from the California Medical Board for Westside  
Medical Group of Mendota, Inc.

**OVERT ACT NO. 59**

On or about September 8, 2006, Dolphus Pierce executed and signed the Articles of  
Incorporation for Central California Sportsmedicine.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**OVERT ACT NO. 60**

On or about September 20, 2006, Dolphus Pierce, or other persons unknown or unnamed, caused to be filed the Articles of Incorporation for Central California Sportsmedicine & Orthopaedics Medical Corporation with the California Secretary of State.

**OVERT ACT NO. 61**

On or about September 26, 2006, Maria Cecilia Rios Cabangangan signed a California Secretary of State Statement of Information form for Premier Interpreting.

**OVERT ACT NO. 62**

On or about September 27, 2006, Dolphus Pierce completed an application for Employer Identification Number for Central California Sportsmedicine.

**OVERT ACT NO. 63**

On or about October 2, 2006, Maria Cecilia Rios Cabangangan, or other persons unknown or unnamed, caused a California Secretary of State Statement of Information Form for Premier Interpreting and Support Services, Inc. to be filed with the Secretary of State.

**OVERT ACT NO. 64**

On or about October 16, 2006, Dolphus Pierce, signed a California Secretary of State Statement of Information Form for Central California Sportsmedicine & Orthopaedics.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**OVERT ACT NO. 65**

On or about and between November 22, 2006 and April 7, 2008, Charles Lewis, Tomas Rios and/or Dolphus Pierce employed Ming Hsu to allegedly perform medical services and to dispense medications at chiropractic offices on behalf of P&R Med-Legal, Central California Sportsmedicine & Orthopaedic and/or other corporations owned by Charles Lewis, Tomas Rios and/or Dolphus Pierce.

**OVERT ACT NO. 66**

On or about November 13, 2006, Dolphus Pierce, or other persons unknown or unnamed, caused a California Secretary of State Statement of Information Form for Central California Sportsmedicine & Orthopaedics to be filed with the Secretary of State.

**OVERT ACT NO. 67**

On or about December 19, 2006, Charles Lewis or other persons, unknown or unnamed, obtained a fictitious name permit from the California Medical Board for Central California Sportsmedicine & Othopaedics Medical Corp.

**OVERT ACT NO. 68**

On or about and between January 1, 2006 and December 31, 2006, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med Legal Medical Corp; Tax ID # 20-0515258; accepted payment from Berkshire Hathaway Homestate Companies for services in the amount of \$44,077.46.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**OVERT ACT NO. 69**

On or about and between January 1, 2006 and December 31, 2006, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med Legal Medical Corp; Tax ID # 20-0515258; accepted payment from Liberty Mutual Insurance Group for billed services in the amount of \$64,038.52.

**OVERT ACT NO. 70**

On or about and between January 1, 2006 and December 31, 2006, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med Legal Medical Corp; Tax ID # 20-0515258; accepted payment from State Compensation Insurance Fund for billed services in the amount of \$593,065.85.

**OVERT ACT NO. 71**

On or about and between January 1, 2006 and December 31, 2006, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Medical Consultation Corp; Tax ID # 20-0515258; accepted payment from The Travelers Indemnity Company for services in the amount of \$4,974.74.

**OVERT ACT NO. 72**

On or about and between January 1, 2006 and December 31, 2006, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med Legal Medical Corp; Tax ID # 20-0515258; accepted payment from Zenith Insurance Company for services in the amount of \$15,408.39.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**OVERT ACT NO. 73**

On or about July 31, 2007, Dolphus Pierce and Tomas Rios signed a California Secretary of State Domestic Stock Corporation Certificate of Dissolution for Pierce & Rios Medical Corporation.

**OVERT ACT NO. 74**

On or about August 20, 2007, Dolphus Pierce, Tomas Rios or other persons unknown and unnamed caused to be filed with the California Secretary of State a California Secretary of State Domestic Stock Corporation Certificate of Dissolution for Pierce & Rios Medical Corporation.

**OVERT ACT NO. 75**

On or about October 22, 2007, Dolphus Pierce and Charles Lewis, as the only directors of P &R Med-Legal, Medical Corporation, signed a Waiver of Notice of the Board of Director's Meeting of P&R Med-Legal, Medical Corporation.

**OVERT ACT NO. 76**

On or about October 22, 2007, Dolphus Pierce and Charles Lewis signed the minutes of the shareholder meeting for Central California Sports Medicine.

**OVERT ACT NO. 77**

On or about and between January 1, 2007 and December 31, 2007, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med Legal Medical Corp; Tax ID # 20-0515258; accepted payment from Berkshire Hathaway Homestate Companies for services in the amount of \$40,156.70.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**OVERT ACT NO. 78**

On or about and between January 1, 2007 and December 31, 2007, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med Legal Medical Corp; Tax ID # 20-0515258; accepted payment from Liberty Mutual Insurance Group for billed services in the amount of \$45,458.18.

**OVERT ACT NO. 79**

On or about and between January 1, 2007 and December 31, 2007, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med Legal Medical Corp; Tax ID # 20-0515258; accepted payment from State Compensation Insurance Fund for billed services in the amount of \$444,990.50.

**OVERT ACT NO. 80**

On or about and between January 1, 2007 and December 31, 2007, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Medical Consultation Corp; Tax ID # 20-0515258; accepted payment from The Travelers Indemnity Company for services in the amount of \$7,508.47.

**OVERT ACT NO. 81**

On or about and between January 1, 2007 and December 31, 2007, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med Legal Medical Corp; Tax ID # 20-0515258; accepted payment from Zenith Insurance Company for services in the amount of \$12,365.88.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**OVERT ACT NO. 87**

On or about March 7, 2008, Maria Cecilia Rios Cabangangan signed the 2008 California Secretary of State Statement of Information for Premier Interpreting and Support Services, Inc.

**OVERT ACT NO. 88**

On or about March 11, 2008, John Arakelian, Cecilia Cabangangan, Charles Lewis, Cathy Pierce, Dolphus Pierce, Tomas Rios or Chi Yang directed Veronica Aguayo to draft a letter on behalf of California Consultation Medical Corporation informing "Dr. Chau & Staff" that "[W]e are no longer P&R Medical. We have started a new company and would like for your office to ensure that when you are completing your PR-2 that it reflects our new company name. This is to ensure we will not have any problems in the future with the insurance companies."

**OVERT ACT NO. 89**

On or about March 14, 2008, Cecilia Cabangangan, or other persons unknown or unnamed, caused a California Secretary of State Statement of Information Form for Premier Interpreting and Support Services, Inc. to be filed with the Secretary of State.

**OVERT ACT NO. 90**

On or about November 19, 2008, Cathy Pierce, Dolphus Pierce, or other persons unknown or unnamed opened Union Bank account number 4731709079 in the name of P&R Med Legal Medical Corporation, having an address of P.O. Box 189, Lemoore, CA.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**OVERT ACT NO. 91**

On or about December 17, 2008, Maria Cecilia Rios Cabangangan signed the California Secretary of State Domestic Stock Corporation Certificate of Dissolution for Premier Interpreting and Support Services, Inc.

**OVERT ACT NO. 92**

On or about December 18, 2008, Dolphus Pierce signed the California Secretary of State Statement of Information for P & R Med-Legal Corporation.

**OVERT ACT NO. 93**

On or about December 26, 2008, Maria Cecilia Rios Cabangangan, or other persons unknown or unnamed caused to be filed the California Secretary of State Domestic Stock Corporation Certificate of Dissolution for Premier Interpreting and Support Services, Inc. with the Secretary of State.

**OVERT ACT NO. 94**

On or about and between January 1, 2008 and December 31, 2008, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med Legal Medical Corp; Tax ID # 20-0515258; accepted payment from Berkshire Hathaway Homestate Companies for services in the amount of \$618.97.

**OVERT ACT NO. 95**

On or about and between January 1, 2008 and December 31, 2008, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med Legal Medical Corp; Tax ID # 20-0515258; accepted payment from Liberty Mutual Insurance Group for billed services in the amount of \$30,606.79.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**OVERT ACT NO. 96**

On or about and between January 1, 2008 and December 31, 2008, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med Legal Medical Corp; Tax ID # 20-0515258; accepted payment from State Compensation Insurance Fund for billed services in the amount of \$138,155.87.

**OVERT ACT NO. 97**

On or about and between January 1, 2008 and December 31, 2008, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Medical Consultation Corp; Tax ID # 20-0515258; accepted payment from The Travelers Indemnity Company for services in the amount of \$7,059.08.

**OVERT ACT NO. 98**

On or about and between January 1, 2008 and December 31, 2008, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med Legal Medical Corp; Tax ID # 20-0515258; accepted payment from Zenith Insurance Company for services in the amount of \$500.00.

**OVERT ACT NO. 99**

On or about January 22, 2009, Dolphus Pierce, or persons unknown or unnamed caused to be filed a California Secretary of State Statement of Information for P & R Med-Legal Corporation with the Secretary of State.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**OVERT ACT NO. 100**

On or about March 15, 2009, Dolphus Pierce, on behalf of P&R Med-Legal Corp, signed a contract with Edith Cuartas of Alpha-Billing.

**OVERT ACT NO. 101**

On or about March 23, 2009, Tomas Rios, on behalf of P&R Med-Legal Corp, signed a contract with Edith Cuartas of Alpha-Billing.

**OVERT ACT NO. 102**

On or about December 21, 2009, Tomas Rios signed a fictitious name permit application from the California State Medical Board for Rios & Pierce Medical Corporation.

**OVERT ACT NO. 103**

On or about December 21, 2009, Tomas Rios signed a fictitious name permit application from the California State Medical Board for Medicos Unidos De Avenal.

**OVERT ACT NO. 104**

On or about and between January 1, 2009 and December 31, 2009, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med Legal Medical Corp; Tax ID # 20-0515258; accepted payment from Berkshire Hathaway Homestate Companies for services in the amount of \$1,460.00.

**OVERT ACT NO. 105**

On or about and between January 1, 2009 and December 31, 2009, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of Pierce &

1 Rios; Tax ID # 20-0515258; accepted payment from Liberty Mutual Insurance Group for  
2 billed services in the amount of \$63,595.87.

3  
4 **OVERT ACT NO. 106**

5 On or about and between January 1, 2009 and December 31, 2009, Tomas Rios  
6 and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med  
7 Legal Medical Corp; Tax ID # 20-0515258; accepted payment from State Compensation  
8 Insurance Fund for billed services in the amount of \$66,479.97.

9  
10 **OVERT ACT NO. 107**

11 On or about and between January 1, 2009 and December 31, 2009, Tomas Rios  
12 and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R  
13 Medlegal Medical Corp; Tax ID # 20-0515258; accepted payment from The Travelers  
14 Indemnity Company for services in the amount of \$18,115.63.

15  
16 **OVERT ACT NO. 108**

17 On or about and between January 1, 2009 and December 31, 2009, Tomas Rios  
18 and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med  
19 Legal Medical Corp; Tax ID # 20-0515258; accepted payment from Zenith Insurance  
20 Company for services in the amount of \$2,305.67.

21  
22 **OVERT ACT NO. 109**

23 On or about and between January 1, 2010 and March 1, 2011, Tomas Rios rented post  
24 office box number 290 at 8200 Stockdale Highway, suite M-10 in the name "P&R Med  
25 Legal."  
26

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**OVERT ACT NO. 110**

On or about and between January 1, 2010 and March 1, 2011, Tomas Rios, Cecelia Cabangangan and/or other persons unknown or unnamed picked up the mail from post office box number 290 at 8200 Stockdale Highway, suite M-10 in the name "P&R Med Legal."

**OVERT ACT NO. 111**

On or about January 7, 2010, Tomas Rios, or other person unknown or unnamed, filed an application for a fictitious name permit from the California State Medical Board for Rios & Pierce Medical Corporation.

**OVERT ACT NO. 112**

On or about January 7, 2010, Tomas Rios, or other person unknown or unnamed, filed an application for a fictitious name permit from the California State Medical Board for Medicos Unidos De Avenal.

**OVERT ACT NO. 113**

On or about March 8, 2010, Tomas Rios, or other person unknown or unnamed, obtained a fictitious name permit from the California State Medical Board for Rios & Pierce Medical Corporation.

**OVERT ACT NO. 114**

On or about March 8, 2010, Tomas Rios, or other person unknown or unnamed, obtained a fictitious name permit from the California State Medical Board for Medicos Unidos De Avenal.

1  
2  
3  
4  
5  
6  
**OVERT ACT NO. 115**

7 On or about September 12, 2010, Dolphus Pierce, or persons unknown or unnamed,  
8 caused to be filed a California Secretary of State Statement of Information of Rios &  
9 Pierce Medical Corporation with the Secretary of State.

10  
11  
12  
13  
14  
15  
16  
17  
**OVERT ACT NO. 116**

18 On or about December 14, 2010, Dolphus Pierce, or other person unknown or  
19 unnamed caused to be filed a California Secretary of State Statement of Information of  
20 P&R Med-Legal, Medical Corp with the Secretary of State.

21  
22  
23  
24  
25  
26  
**OVERT ACT NO. 117**

27 On or about and between January 1, 2010 and December 31, 2010, Tomas Rios  
28 and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med  
29 Legal Medical Corp; Tax ID # 20-0515258; accepted payment from Berkshire Hathaway  
30 Homestate Companies for services in the amount of \$4,959.17.

31  
32  
33  
34  
35  
36  
**OVERT ACT NO. 118**

37 On or about and between January 1, 2010 and December 31, 2010, Tomas Rios  
38 and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med  
39 Legal Medical Corp; Tax ID # 20-0515258; accepted payment from Liberty Mutual  
40 Insurance Group for billed services in the amount of \$37,091.07.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**OVERT ACT NO. 119**

On or about and between January 1, 2010 and December 31, 2010, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med Legal Medical Corp; Tax ID # 20-0515258; accepted payment from State Compensation Insurance Fund for billed services in the amount of \$240,596.36.

**OVERT ACT NO. 120**

On or about and between January 1, 2010 and December 31, 2010, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Medlegal Medical Corp; Tax ID # 20-0515258; accepted payment from The Travelers Indemnity Company for services in the amount of \$18,136.66.

**OVERT ACT NO. 121**

On or about and between January 1, 2010 and December 31, 2010, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med Legal Medical Corp; Tax ID # 20-0515258; accepted payment from Zenith Insurance Company for services in the amount of \$34,210.52.

**OVERT ACT NO. 122**

On or about and between January 1, 2011 and December 31, 2011, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med Legal Medical Corp; Tax ID # 20-0515258; accepted payment from Berkshire Hathaway Homestate Companies for services in the amount of \$5,124.35.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**OVERT ACT NO. 123**

On or about and between January 1, 2011 and December 31, 2011, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med Legal Medical Corp; Tax ID # 20-0515258; accepted payment from Liberty Mutual Insurance Group for billed services in the amount of \$6,354.69.

**OVERT ACT NO. 124**

On or about and between January 1, 2011 and December 31, 2011, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med Legal Medical Corp; Tax ID # 20-0515258; accepted payment from State Compensation Insurance Fund for billed services in the amount of \$86,883.52.

**OVERT ACT NO. 125**

On or about and between January 1, 2011 and December 31, 2011, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Medlegal Medical Corp; Tax ID # 20-0515258; accepted payment from The Travelers Indemnity Company for services in the amount of \$5,000.00.

**OVERT ACT NO. 126**

On or about and between January 1, 2011 and December 31, 2011, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med Legal Medical Corp; Tax ID # 20-0515258; accepted payment from Zenith Insurance Company for services in the amount of \$1,650.00.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**OVERT ACT NO. 127**

On or about and between January 1, 2012 and April 30, 2012, Tomas Rios and/or Dolphus Pierce, or other persons unknown or unnamed on behalf of P&R Med Legal Medical Corp; Tax ID # 20-0515258; submitted demands for payment from Berkshire Hathaway Homestate Companies for services in the amount of \$1,517.00.

**ENHANCEMENT – PC 12022.6(A)( 1)**

It is further alleged as to targets JOHN BRENT ARAKELIAN, MARIA CECILIA RIOS CABANGANGAN, CHARLES ORLANDO LEWIS, CATHY AGUILAR PIERCE, DOLPHUS DWAYNE PIERCE, II, TOMAS BALLESTEROS RIOS and CHI HONG YANG that in the commission or attempted commission of the above offense that he/she, with the intent to do so, took, damaged or destroyed property of a value of in excess of \$65,000, within the meaning of Penal Code Section 12022.6(A)(1).

**ENHANCEMENT – PC 12022.6(A)(2)**

It is further alleged as to targets JOHN BRENT ARAKELIAN, MARIA CECILIA RIOS CABANGANGAN, CHARLES ORLANDO LEWIS, CATHY AGUILAR PIERCE, DOLPHUS DWAYNE PIERCE, II, TOMAS BALLESTEROS RIOS and CHI HONG YANG that in the commission or attempted commission of the above offense that he/she, with the intent to do so, took, damaged or destroyed property of a value of in excess of \$200,000, within the meaning of Penal Code Section 12022.6(A)(2).

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**ENHANCEMENT – PC 12022.6(A)(3)**

It is further alleged as to targets JOHN BRENT ARAKELIAN, MARIA CECILIA RIOS CABANGANGAN, CHARLES ORLANDO LEWIS, CATHY AGUILAR PIERCE, DOLPHUS DWAYNE PIERCE, II, TOMAS BALLESTEROS RIOS and CHI HONG YANG that in the commission or attempted commission of the above offense that he/she, with the intent to do so, took, damaged or destroyed property of a value of in excess of \$1,300,000, within the meaning of Penal Code Section 12022.6(A)(3).

**ENHANCEMENT – PC 12022.6(A)(4)**

It is further alleged as to targets JOHN BRENT ARAKELIAN, MARIA CECILIA RIOS CABANGANGAN, CHARLES ORLANDO LEWIS, CATHY AGUILAR PIERCE, DOLPHUS DWAYNE PIERCE, II, TOMAS BALLESTEROS RIOS and CHI HONG YANG that in the commission or attempted commission of the above offense that he/she, with the intent to do so, took, damaged or destroyed property of a value of in excess of \$3,200,000, within the meaning of Penal Code Section 12022.6(A)(4).

**ENHANCEMENT – PC 186.11(A)(1)**

It is further alleged as to targets JOHN BRENT ARAKELIAN, MARIA CECILIA RIOS CABANGANGAN, CHARLES ORLANDO LEWIS, CATHY AGUILAR PIERCE, DOLPHUS DWAYNE PIERCE, II, TOMAS BALLESTEROS RIOS and CHI HONG YANG committed two or more related felonies, a material element of which is fraud or embezzlement, which involve a pattern of related felony conduct which resulted in the taking of more than one hundred thousand dollars, within the meaning of Penal Code Section 186.11(A)(1).

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**COUNT TWO**

On or about March 24, 2009, JOHN BRENT ARAKELIAN, MARIA CECILIA RIOS CABANGANGAN, CHARLES ORLANDO LEWIS, CATHY AGUILAR PIERCE, DOLPHUS DWAYNE PIERCE, II, TOMAS BALLESTEROS RIOS and CHI HONG YANG did willfully, unlawfully and knowingly present or cause to be presented or did aid, abet, solicit or conspire with any person to present multiple claims for payment of the same health care benefit to Liberty Mutual Insurance for Jesus C. with an intent to defraud, in violation of Penal Code Section 550(A)(8), a felony.

**COUNT THREE**

On or about March 24, 2009, JOHN BRENT ARAKELIAN, MARIA CECILIA RIOS CABANGANGAN, CHARLES ORLANDO LEWIS, CATHY AGUILAR PIERCE, DOLPHUS DWAYNE PIERCE, II, TOMAS BALLESTEROS RIOS and CHI HONG YANG did willfully and unlawfully present or cause to be presented any knowingly false or fraudulent written or oral material statement in support of, or in opposition to, any claim for compensation for the purpose of obtaining or denying any workers' compensation benefits, as defined in Section 3207 of the Labor Code to Liberty Mutual Insurance for Jesus C. in violation of Insurance Code Section 1871.4(A)(2), a felony.

**COUNT FOUR**

On or about April 2, 2009, JOHN BRENT ARAKELIAN, MARIA CECILIA RIOS CABANGANGAN, CHARLES ORLANDO LEWIS, CATHY AGUILAR PIERCE, DOLPHUS DWAYNE PIERCE, II, TOMAS BALLESTEROS RIOS and CHI HONG YANG did willfully, unlawfully and knowingly present or cause to be presented or did aid, abet, solicit or conspire with any person to present multiple claims for

1 payment of the same health care benefit to State Compensation Insurance Fund for Jesus  
2 L. with an intent to defraud, in violation of Penal Code Section 550(A)(8), a felony.

3  
4 **COUNT FIVE**

5 On or about April 2, 2009, JOHN BRENT ARAKELIAN, MARIA CECILIA  
6 RIOS CABANGANGAN, CHARLES ORLANDO LEWIS, CATHY AGUILAR  
7 PIERCE, DOLPHUS DWAYNE PIERCE, II, TOMAS BALLESTEROS RIOS and CHI  
8 HONG YANG did willfully and unlawfully present or cause to be presented any  
9 knowingly false or fraudulent written or oral material statement in support of, or in  
10 opposition to, any claim for compensation for the purpose of obtaining or denying any  
11 workers' compensation benefits, as defined in Section 3207 of the Labor Code to State  
12 Compensation Insurance Fund for Jesus L. in violation of Insurance Code Section  
13 1871.4(A)(2), a felony.

14  
15 **COUNT SIX**

16 On or about March 17, 2009, JOHN BRENT ARAKELIAN, MARIA CECILIA  
17 RIOS CABANGANGAN, CHARLES ORLANDO LEWIS, CATHY AGUILAR  
18 PIERCE, DOLPHUS DWAYNE PIERCE, II, TOMAS BALLESTEROS RIOS and CHI  
19 HONG YANG did willfully, unlawfully and knowingly present or cause to be presented  
20 or did aid, abet, solicit or conspire with any person to present multiple claims for  
21 payment of the same health care benefit to State Farm for Maria R. with an intent to  
22 defraud, in violation of Penal Code Section 550(A)(8), a felony.

23  
24 **COUNT SEVEN**

25 On or about March 17, 2009, JOHN BRENT ARAKELIAN, MARIA CECILIA  
26 RIOS CABANGANGAN, CHARLES ORLANDO LEWIS, CATHY AGUILAR

1 PIERCE, DOLPHUS DWAYNE PIERCE, II, TOMAS BALLESTEROS RIOS and CHI  
2 HONG YANG did willfully and unlawfully present or cause to be presented any  
3 knowingly false or fraudulent written or oral material statement in support of, or in  
4 opposition to, any claim for compensation for the purpose of obtaining or denying any  
5 workers' compensation benefits, as defined in Section 3207 of the Labor Code to State  
6 Farm for Maria R. in violation of Insurance Code Section 1871.4(A)(2), a felony.

7  
8 **COUNT EIGHT**

9 On or about July 13, 2009, JOHN BRENT ARAKELIAN, MARIA CECILIA  
10 RIOS CABANGANGAN, CHARLES ORLANDO LEWIS, CATHY AGUILAR  
11 PIERCE, DOLPHUS DWAYNE PIERCE, II, TOMAS BALLESTEROS RIOS and CHI  
12 HONG YANG did willfully, unlawfully and knowingly present or cause to be presented  
13 or did aid, abet, solicit or conspire with any person to present multiple claims for  
14 payment of the same health care benefit to State Farm for Luz H. with an intent to  
15 defraud, in violation of Penal Code Section 550(A)(8), a felony.

16  
17 **COUNT NINE**

18 On or about July 13, 2009, JOHN BRENT ARAKELIAN, MARIA CECILIA  
19 RIOS CABANGANGAN, CHARLES ORLANDO LEWIS, CATHY AGUILAR  
20 PIERCE, DOLPHUS DWAYNE PIERCE, II, TOMAS BALLESTEROS RIOS and CHI  
21 HONG YANG did willfully and unlawfully present or cause to be presented any  
22 knowingly false or fraudulent written or oral material statement in support of, or in  
23 opposition to, any claim for compensation for the purpose of obtaining or denying any  
24 workers' compensation benefits, as defined in Section 3207 of the Labor Code to State  
25 Farm for Luz H. in violation of Insurance Code Section 1871.4(A)(2), a felony.

26

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**COUNT TEN**

On or about June 26, 2009, JOHN BRENT ARAKELIAN, MARIA CECILIA RIOS CABANGANGAN, CHARLES ORLANDO LEWIS, CATHY AGUILAR PIERCE, DOLPHUS DWAYNE PIERCE, II, TOMAS BALLESTEROS RIOS and CHI HONG YANG did willfully, unlawfully and knowingly present or cause to be presented or did aid, abet, solicit or conspire with any person to present multiple claims for payment of the same health care benefit to State Farm for Abel L. with an intent to defraud, in violation of Penal Code Section 550(A)(8), a felony.

**COUNT ELEVEN**

On or about June 26, 2009, JOHN BRENT ARAKELIAN, MARIA CECILIA RIOS CABANGANGAN, CHARLES ORLANDO LEWIS, CATHY AGUILAR PIERCE, DOLPHUS DWAYNE PIERCE, II, TOMAS BALLESTEROS RIOS and CHI HONG YANG did willfully and unlawfully present or cause to be presented any knowingly false or fraudulent written or oral material statement in support of, or in opposition to, any claim for compensation for the purpose of obtaining or denying any workers' compensation benefits, as defined in Section 3207 of the Labor Code to State Farm for Abel L. in violation of Insurance Code Section 1871.4(A)(2), a felony.

**COUNT TWELVE**

On or about April 15, 2009, JOHN BRENT ARAKELIAN, MARIA CECILIA RIOS CABANGANGAN, CHARLES ORLANDO LEWIS, CATHY AGUILAR PIERCE, DOLPHUS DWAYNE PIERCE, II, TOMAS BALLESTEROS RIOS and CHI HONG YANG did willfully, unlawfully and knowingly present or cause to be presented or did aid, abet, solicit or conspire with any person to present multiple claims for

1 payment of the same health care benefit to Traveler's Insurance for Anthony G. with an  
2 intent to defraud, in violation of Penal Code Section 550(A)(8), a felony.

3  
4 **COUNT THIRTEEN**

5 On or about April 15, 2009, JOHN BRENT ARAKELIAN, MARIA CECILIA  
6 RIOS CABANGANGAN, CHARLES ORLANDO LEWIS, CATHY AGUILAR  
7 PIERCE, DOLPHUS DWAYNE PIERCE, II, TOMAS BALLESTEROS RIOS and CHI  
8 HONG YANG did willfully and unlawfully present or cause to be presented any  
9 knowingly false or fraudulent written or oral material statement in support of, or in  
10 opposition to, any claim for compensation for the purpose of obtaining or denying any  
11 workers' compensation benefits, as defined in Section 3207 of the Labor Code to  
12 Traveler's Insurance for Anthony G. in violation of Insurance Code Section  
13 1871.4(A)(2), a felony.

14  
15 **COUNT FOURTEEN**

16 On or about November 15, 2009, JOHN BRENT ARAKELIAN, MARIA  
17 CECILIA RIOS CABANGANGAN, CHARLES ORLANDO LEWIS, CATHY  
18 AGUILAR PIERCE, DOLPHUS DWAYNE PIERCE, II, TOMAS BALLESTEROS  
19 RIOS and CHI HONG YANG did willfully, unlawfully and knowingly present or cause  
20 to be presented or did aid, abet, solicit or conspire with any person to present multiple  
21 claims for payment of the same health care benefit to Traveler's Insurance for Anthony  
22 G. with an intent to defraud, in violation of Penal Code Section 550(A)(8), a felony.

23  
24 **COUNT FIFTEEN**

25 On or about November 15, 2009, JOHN BRENT ARAKELIAN, MARIA  
26 CECILIA RIOS CABANGANGAN, CHARLES ORLANDO LEWIS, CATHY

1 AGUILAR PIERCE, DOLPHUS DWAYNE PIERCE, II, TOMAS BALLESTEROS  
2 RIOS and CHI HONG YANG did willfully and unlawfully present or cause to be  
3 presented any knowingly false or fraudulent written or oral material statement in support  
4 of, or in opposition to, any claim for compensation for the purpose of obtaining or  
5 denying any workers' compensation benefits, as defined in Section 3207 of the Labor  
6 Code to Traveler's Insurance for Anthony G. in violation of Insurance Code Section  
7 1871.4(A)(2), a felony

8  
9 **COUNT SIXTEEN**

10 On or about April 15, 2009, JOHN BRENT ARAKELIAN, MARIA CECILIA  
11 RIOS CABANGANGAN, CHARLES ORLANDO LEWIS, CATHY AGUILAR  
12 PIERCE, DOLPHUS DWAYNE PIERCE, II, TOMAS BALLESTEROS RIOS and CHI  
13 HONG YANG did willfully, unlawfully and knowingly present or cause to be presented  
14 or did aid, abet, solicit or conspire with any person to present multiple claims for  
15 payment of the same health care benefit to Traveler's Insurance for Margaret E. with an  
16 intent to defraud, in violation of Penal Code Section 550(A)(8), a felony.

17  
18  
19 **COUNT SEVENTEEN**

20 On or about April 15, 2009, JOHN BRENT ARAKELIAN, MARIA CECILIA  
21 RIOS CABANGANGAN, CHARLES ORLANDO LEWIS, CATHY AGUILAR  
22 PIERCE, DOLPHUS DWAYNE PIERCE, II, TOMAS BALLESTEROS RIOS and CHI  
23 HONG YANG did willfully and unlawfully present or cause to be presented any  
24 knowingly false or fraudulent written or oral material statement in support of, or in  
25 opposition to, any claim for compensation for the purpose of obtaining or denying any  
26 workers' compensation benefits, as defined in Section 3207 of the Labor Code to

1 Traveler's Insurance for Margaret E. in violation of Insurance Code Section  
2 1871.4(A)(2), a felony  
3

4 **COUNT EIGHTEEN**

5 On or about April 17, 2009, JOHN BRENT ARAKELIAN, MARIA CECILIA  
6 RIOS CABANGANGAN, CHARLES ORLANDO LEWIS, CATHY AGUILAR  
7 PIERCE, DOLPHUS DWAYNE PIERCE, II, TOMAS BALLESTEROS RIOS and CHI  
8 HONG YANG did willfully, unlawfully and knowingly present or cause to be presented  
9 or did aid, abet, solicit or conspire with any person to present multiple claims for  
10 payment of the same health care benefit to Traveler's Insurance for Oscar S. with an  
11 intent to defraud, in violation of Penal Code Section 550(A)(8), a felony.  
12

13 **COUNT NINETEEN**

14 On or about April 17, 2009, JOHN BRENT ARAKELIAN, MARIA CECILIA  
15 RIOS CABANGANGAN, CHARLES ORLANDO LEWIS, CATHY AGUILAR  
16 PIERCE, DOLPHUS DWAYNE PIERCE, II, TOMAS BALLESTEROS RIOS and CHI  
17 HONG YANG did willfully and unlawfully present or cause to be presented any  
18 knowingly false or fraudulent written or oral material statement in support of, or in  
19 opposition to, any claim for compensation for the purpose of obtaining or denying any  
20 workers' compensation benefits, as defined in Section 3207 of the Labor Code to  
21 Traveler's Insurance for Oscar S in violation of Insurance Code Section 1871.4(A)(2), a  
22 felony.  
23

24 **COUNT TWENTY**

25 On or about April 20, 2009, JOHN BRENT ARAKELIAN, MARIA CECILIA  
26 RIOS CABANGANGAN, CHARLES ORLANDO LEWIS, CATHY AGUILAR

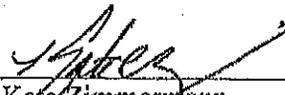
1 PIERCE, DOLPHUS DWAYNE PIERCE, II, TOMAS BALLESTEROS RIOS and CHI  
2 HONG YANG did willfully, unlawfully and knowingly present or cause to be presented  
3 or did aid, abet, solicit or conspire with any person to present multiple claims for  
4 payment of the same health care benefit to Zenith Insurance for Pedro R. with an intent to  
5 defraud, in violation of Penal Code Section 550(A)(8), a felony.

6  
7 **COUNT TWENTY ONE**

8 On or about April 20, 2009, JOHN BRENT ARAKELIAN, MARIA CECILIA  
9 RIOS CABANGANGAN, CHARLES ORLANDO LEWIS, CATHY AGUILAR  
10 PIERCE, DOLPHUS DWAYNE PIERCE, II, TOMAS BALLESTEROS RIOS and CHI  
11 HONG YANG did willfully and unlawfully present or cause to be presented any  
12 knowingly false or fraudulent written or oral material statement in support of, or in  
13 opposition to, any claim for compensation for the purpose of obtaining or denying any  
14 workers' compensation benefits, as defined in Section 3207 of the Labor Code to Zenith  
15 Insurance for Pedro R. in violation of Insurance Code Section 1871.4(A)(2), a felony

16  
17 Dated: March 15, 2013

18 Lisa S Green  
19 District Attorney

20  
21   
22 Kate Zimmermann  
23 Deputy District Attorney  
24  
25  
26

AUG 2 2013

TERRY McNALLY, CLERK  
BY  DEPUTY

Superior Court of California, County of Kern  
Felony Advisement of Rights, Waiver and Plea Form

People vs. Chi Hong Yang Case No. BF 141700G

I, the defendant in the above-entitled case, in support of my plea of Guilty/No Contest, personally declare as follows:

PLEA TERMS

1. Of those charges now filed against me in this case, I plead Guilty/No Contest to the following offense(s) and admit the following sentence enhancement allegation(s) and prior conviction(s) as follows:

Count	Charge	Enhancement
1	PC §187 (a)(1)	

PRIOR CONVICTIONS (List the allegation section, the prior conviction date, case number and charge):

N / A

2. I have not been induced to enter this plea by any promise or representation of any kind, except for the following terms and conditions (state any agreement with the District Attorney or the Court, including any indicated sentence):

See attached Agreement

3. I am entering my plea freely and voluntarily, without fear or threat to me or anyone closely related to me.

✓ chg

4. I understand that a plea of No Contest is the same as a plea of Guilty for the purposes of these criminal proceedings.

✓ chg

5. I understand the charge(s) against me and the possible pleas and defenses to the charge(s).

✓ chg

6. I have had enough time to speak with my attorney regarding the strengths of the case against me, any possible defenses that I may have, and the possible consequences of entering this plea.

✓ chg

CONSEQUENCES OF A PLEA OF GUILTY OR NO CONTEST

1. **REGISTRATION (if applicable):** I understand that I must register as a narcotics/sex/arson/gang offender with local law enforcement, as prescribed by law. X
2. **ALIEN STATUS:** I understand that if I am not a Citizen of the United States, my guilty or no contest plea will result in my deportation, exclusion from admission to the United States, and denial of naturalization under the laws of the United States. **Deportation is mandatory for some offenses. I have fully discussed this matter with my attorney and understand the serious immigration consequences of my plea.** ✓ idy
3. **CURRENT PROBATION OR PAROLE:** I understand that my guilty or no contest plea may be the sole ground for violating probation or parole which was previously granted to me in any other prior case. X
4. **RESTITUTION AND RESTITUTION FINES:** I understand that the judge who sentences me may order me to make actual restitution to any victims for the damages or losses that I may have caused. I will also be ordered to make payments into the State Restitution Fund of an amount not less than \$200.00 up to a maximum of \$10,000.00. ✓ idy
5. **FINES AND FEES:** I understand that the judge who sentences me will order me to pay fines and fees up to \$10,000.00 plus a penalty assessment. ✓ idy
6. **LICENSE SUSPENSION:** I understand that my privilege to operate a motor vehicle shall be revoked by the Department of Motor Vehicles for up to three (3) years if I am entering a plea of guilty or no contest to a violation of Health and Safety Code sections 11350, 11351, 11352, 11357, 11359, 11360, 11377, 11378 or 11379, or any other violation related to controlled substances as defined in Division 10 of the Health and Safety Code if a motor vehicle was involved in or incidental to the commission of the offense. X
7. **VIOLATION OF PROBATION:** I understand that if I am granted probation in this case as a result of my plea, the length of my probation could be for up to five (5) years, and I will have certain terms and conditions to obey. If at any time while I am on probation I am found to be in violation of the terms and conditions of my probation, my probation could be revoked and I could be sentenced to prison for the maximum term of 3 years. ✓ idy
8. **RELEASE ON PAROLE:** I understand that if I am sentenced to prison, upon my release I will be on state parole for up to four (4) years; if my sentence is for a life term with possibility of parole, my parole will last for the rest of my life. I understand that if my parole should be revoked, I could be sent back to state prison on a parole violation for up to one (1) year on each separate violation. If I am released from parole on a sentence of life with the possibility of parole, a parole violation could result in my being sent back to prison for the rest of my life. ✓ idy

9. **HARVEY WAIVER:** I understand that although some charges will be dismissed as a result of my plea of guilty or no contest, I agree that the sentencing judge may nevertheless consider the facts underlying the dismissed counts/cases, including determining any additional restitution that I may have to pay, in deciding the sentence in my case. ✓ dgy
10. **REJECTION OF PLEA BY SENTENCING JUDGE:** I understand that the conditional plea I am entering here today is not binding on the judge who sentences me. I understand that if the judge disapproves of this plea and its conditions, I will be permitted to withdraw my plea, my not guilty plea(s) will be reentered, all dismissed charges and cases will be reinstated, and my case will then be scheduled for a preliminary hearing or trial. ✓ dgy
11. **PENAL CODE SEC. 1210.1 PROBATION (Prop. 36):** I have read and understand the form that explains the drug treatment program under Penal Code section 1210.1, commonly known as Proposition 36. I further understand that if I violate my probation I could eventually be sentenced to jail or state prison. X
12. **DEFERRED ENTRY OF JUDGMENT (PC 1000):** I have read and understand the form that explains the deferred entry of judgment program. I further understand that if I am excluded from the program, I am subject to being sentenced to the maximum possible sentence under the law. X

**CONSTITUTIONAL RIGHTS**

1. **RIGHT TO AN ATTORNEY:** I understand that I have the right to be represented by an attorney throughout these criminal proceedings. I understand that I can hire my own attorney, or the court will appoint an attorney for me free of charge if I cannot afford to hire one. X
2. **RIGHT TO A TRIAL:** I understand that I have the right to a speedy, public trial, by judge or by jury. At the trial I would be presumed innocent, and I could not be convicted unless 12 impartial jurors (or the judge at a court trial) were convinced of my guilt beyond a reasonable doubt. ✓ dgy
3. **RIGHT TO TESTIFY:** I understand that I have the right to testify on my own behalf at trial or any other hearing. ✓ dgy
4. **RIGHT TO PRESENT DEFENSE EVIDENCE:** I understand that I have the right to present evidence and to have the Court issue subpoenas to bring into court defense witnesses and evidence at no cost to me. ✓ dgy
5. **RIGHT TO CONFRONT AND CROSS-EXAMINE WITNESSES:** I understand that I have the right to confront and cross-examine all witnesses testifying against me. ✓ dgy
6. **RIGHT AGAINST SELF-INCRIMINATION:** I understand that I have the right to remain silent and not incriminate myself, and the right to refuse to testify. If I choose to remain silent it cannot be held against me or considered for any purpose by the jury or the judge. I understand that by pleading guilty or no contest, or by admitting enhancements or prior convictions, I am incriminating myself. ✓ dgy

- 7. **RIGHT TO A SPEEDY PRELIMINARY HEARING:** I understand that I have the statutory right to a preliminary hearing, and the right to have that hearing held within ten (10) court days of my arraignment. At the preliminary hearing the District Attorney would be required to present evidence and convince a judge that there is probable cause to believe that I am guilty of the charges against me. X
- 8. **RIGHT TO A HEARING ON PRIORS AND ENHANCEMENTS:** I understand that if I admit the prior conviction(s) or enhancement(s) against me that I will also be giving up these rights as to the proof of these prior conviction(s) or enhancement(s). ✓ idg

**WAIVER OF RIGHTS**

- 1. [PRO PER DEFENDANT] I give up my right to be represented by an attorney. X
- 2. I give up my right to a trial by a judge or a jury. ✓ idg
- 3. I give up my right to testify on my own behalf. ✓ idg
- 4. I give up my right to present defense evidence on my behalf. ✓ idg
- 5. I give up my right to use the subpoena powers of the court. ✓ idg
- 5. I give up my right to confront and cross-examine witnesses. ✓ idg
- 6. I give up my right to remain silent and not incriminate myself. ✓ idg
- 7. I give up my right to a preliminary hearing. X
- 8. I give up my right to require that the prior conviction(s) and enhancement(s) alleged against me be proven. ✓ idg
- 9. I give up my right to be sentenced by the judge who accepts the plea. X
- 10. I give up my right to an in-depth written probation report before sentencing. X

**PLEA**

I hereby freely and voluntarily plead Guilty No Contest to the charge(s) listed above. ✓ idg

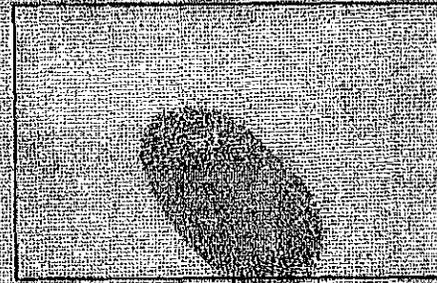
I also admit the enhancement(s) and prior conviction(s) listed above. X

I declare under penalty of perjury that I have read, understood, and initialed each item above, and that everything on the form is true and correct.

Date: Aug 2, 2013

*[Handwritten Signature]*  
Defendant's Signature

**Defendant's Thumb Print**



**Attorney's Statement**

I am the attorney of record for the defendant. I have reviewed this form with my client. I have explained each of the defendant's rights to him/her, and have answered all of the defendant's questions with regard to this plea. I have discussed with the defendant the elements of the charge(s) to which he/she will plead, the prior convictions or enhancement allegations, and the possible defenses that he/she may have. I have also explained to the defendant the direct consequences that will result from a plea of guilty or no contest. I have also explained any possible immigration consequences that may result from this plea. I am satisfied that the defendant understands these things. I concur in this plea and in the defendant's decision to waive his/her constitutional rights. I stipulate that there is a factual basis for the entry of this plea and admission of the prior convictions or enhancements based upon the offense reports contained within the court file, the testimony introduced at the preliminary hearing, and any results of laboratory analysis conducted on any suspected controlled substances seized in this case.

Date: 2 July 13

Signature of Defense Attorney

**INTERPRETER'S STATEMENT**

I have been duly sworn, or have a written oath on file, and certify that I truly translated this entire form to the defendant in the language indicated below. The defendant stated to me that he/she understood the contents of this form, and then he/she initialed and signed the form in my presence.

LANGUAGE:  Spanish  Other \_\_\_\_\_

Date: \_\_\_\_\_

Signature of Interpreter

**COURT'S FINDINGS AND ORDER**

The Court, having reviewed this form, finds that the defendant has been fully advised of his/her rights, understands these constitutional and statutory rights, and has expressly, knowingly, freely, and intelligently waived his/her constitutional and statutory rights. The Court further finds that the defendant's plea(s) and admission(s) are freely and voluntarily made with an understanding of the nature and consequences thereof, that there is a factual basis for the entry of the plea(s) and admission of the prior conviction(s) and/or enhancement(s), and that the plea(s) and admission(s) were done with the consent of the defendant's attorney. This form is ordered to be filed and incorporated into the docket by reference as though fully set forth therein.

Date: 8-2-13

Judge of the Superior Court

## AGREEMENT

1 The following is the complete agreement between the People of the State of California  
2 represented by Kate C. Zimmermann, Deputy District Attorney for the County of Kern, and Chi  
3 Hong Yang represented by his attorney David Torres in Kern County Superior Court Case No.  
4 BF141700G.

5 In consideration of the mutual promises and subject to the conditions contained herein  
6 The People of the State of California agree as follows:

- 7 1. The People shall recommend to the court the acceptance of defendant Yang's plea  
8 of guilty to count one of the indictment, conspiracy to commit insurance fraud as  
9 charged (Penal Code §182(a)(1). The People will ask the Court to dismiss all  
10 other counts, charges, and allegations regarding defendant. Such recommendation  
11 will be made regardless of the outcome of such prosecutions.
- 12 2. The People will agree to a sentence calling for a local commitment with credit for  
13 time served, in light of his confinement in Los Angeles and Kern Counties as well  
14 as his nearly 14 months on home monitoring prior to entry of this plea. Chi Hong  
15 Yang will be ordered to complete 1500 hours of community service and five years  
16 of formal probation. Chi Hong Yang is to be given credit against the total 1500  
17 hours of community service completed between entry of his plea and imposition  
18 of sentencing upon submission and verification of the completed hours. Chi Hong  
19 Yang will stipulate to the entry of an order for restitution in the amount of  
20 \$770,421.00. Chi Hong Yang will immediately surrender his license to practice  
21 medicine in the State of California. Chi Hong Yang will agree to waive time for  
22 sentencing until the completion of all litigation related to the activities of P&R  
23 Medical, California Consultation, Central California SportsMedicine and San  
24 Joaquin Accident and Medical or until released from his time waiver by the Office  
25 of the District Attorney.

26 In consideration of the mutual promises and subject to the conditions contained herein,  
27 Chi Hong Yang agrees as follows:  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1. Chi Hong Yang shall give a complete and truthful account of the participation of all persons in the criminal actions between November 5, 2003 and June 1, 2013 that resulted in the misleading, cheating and defrauding of insurance carriers as to the nature and quality of alleged patient care provided through P&R Medical and its affiliated companies. Said testimony will also contain full description of the formation and actions of the participants in California Consultation Medical, Central California SportsMedicine and San Joaquin Accident and Medical in a complete, truthful and candid manner. In fulfilling this agreement, Chi Hong Yang will give as many complete and truthful interviews as representatives of the California Department of Insurance and the Kern County District Attorney's Office feel are necessary, if any.

2. Chi Hong Yang shall also give complete and truthful testimony at any and all court proceedings pertaining to the defrauding of insurance companies based on illegal corporate structure and control, misrepresentation of the alleged nature and quality of patient care, use of physician DEA numbers, use and supervision of Physician Assistants and lack of billing oversight of P&R Medical, California Consultation, Central California SportsMedicine and San Joaquin Accident and Medical.

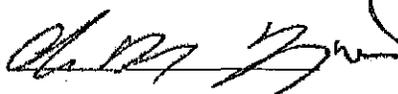
It is understood that this agreement calls for Chi Hong Yang to do nothing other than reveal the truth. At all times he shall tell the truth and nothing other than the truth, both during the investigation and on the witness stand. He shall tell the truth, no matter who asks the questions --the judge, the prosecutor, the attorney for a defendant, or any other individual.

It is further understood that Chi Hong Yang shall be subjected to prosecution for perjury for any intentional deviation from the truth. Any intentional false statements by him during the investigation or his testimony may subject him to criminal charges if it appears that he has falsely implicated an innocent person in the commission of a crime or violated any other statute in making such statements or providing such evidence.

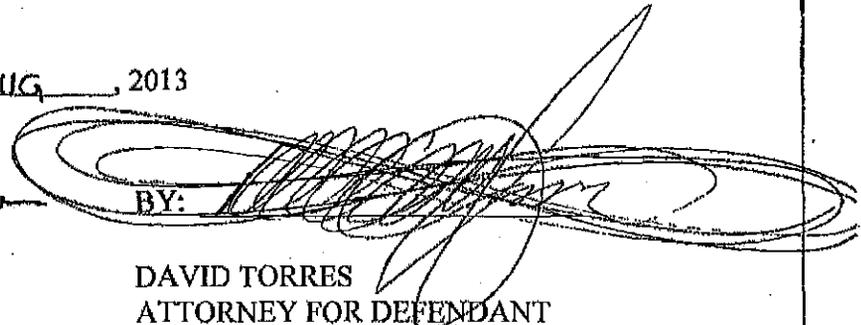
1 In the event a dispute arises as to whether or not Chi Hong Yang has testified truthfully  
2 and completely in all criminal proceedings arising out of the above referenced  
3 defrauding of insurance companies based on illegal corporate structure and  
4 control, misrepresentation of the alleged nature and quality of patient care, use of  
5 physician DEA numbers, use and supervision of Physician Assistants and lack of  
6 billing oversight of P&R Medical, California Consultation, Central California  
7 SportsMedicine and San Joaquin Accident and Medical , Chi Hong Yang and the  
8 Kern County District Attorney's Office agree that a Judge of the Superior Court  
9 appointed by the Presiding Judge of the Kern County Superior Court shall  
10 determine whether Chi Hong Yang testified truthfully and completely and whether  
11 this agreement shall stand.

12 In the event that Chi Hong Yang ~~refuses to testify~~ at any and all court proceedings,  
13 including preliminary hearings, motions and any trials wherein any person is charged with  
14 conspiracy to commit insurance fraud and insurance fraud related to the operation of P&R  
15 Medical and its affiliated companies.

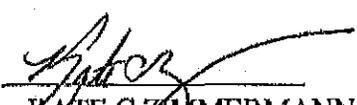
16 Dated this 2 day of AUG, 2013

17  
18 BY: 

19  
20 CHI HONG YANG  
21 DEFENDANT

17  
18 BY: 

19  
20 DAVID TORRES  
21 ATTORNEY FOR DEFENDANT

22  
23 BY: 

24 KATE C ZIMMERMANN  
25 DEPUTY DISTRICT ATTORNEY  
26 COUNTY OF KERN  
27  
28

BEFORE THE  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation )  
Against: )  
)  
)  
Chi Hong Yang, M.D. )  
)  
Physician's and Surgeon's )  
Certificate No. C 38890 )  
)  
Respondent )  
\_\_\_\_\_ )

Case No. 11-2012-224281

DECISION

The attached Stipulated Surrender of License and Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on March 16, 2017.

IT IS SO ORDERED March 9, 2017.

MEDICAL BOARD OF CALIFORNIA

By: Kimberly Kirchmeyer  
Kimberly Kirchmeyer  
Executive Director

1 XAVIER BECERRA  
Attorney General of California  
2 JUDITH T. ALVARADO  
Supervising Deputy Attorney General  
3 State Bar No. 155307  
California Department of Justice  
4 300 South Spring Street, Suite 1702  
Los Angeles, California 90013  
5 Telephone: (213) 576-7149  
Facsimile: (213) 897-9395  
6 *Attorneys for Complainant*

7  
8 **BEFORE THE**  
**MEDICAL BOARD OF CALIFORNIA**  
**DEPARTMENT OF CONSUMER AFFAIRS**  
9 **STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. 11-2012-224281

11 **CHI HONG YANG, M.D.**  
12 9135 Southview Road  
13 San Gabriel, CA 91775

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

14 Physician's and Surgeon's Certificate  
No. C 38890,

15 Respondent.

16  
17 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
18 entitled proceedings that the following matters are true:

19 **PARTIES**

20 1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board  
21 of California (Board). She brought this action solely in her official capacity and is represented in  
22 this matter by Xavier Becerra, Attorney General of the State of California, by Judith T. Alvarado,  
23 Supervising Deputy Attorney General.

24 2. CHI HONG YANG, M.D. (Respondent) is representing himself in this proceeding  
25 and has chosen not to exercise his right to be represented by counsel.

26 ///

27 ///

28 ///







1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

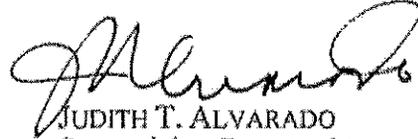
ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Medical Board of California of the Department of Consumer Affairs.

Dated: February 10, 2017

Respectfully submitted,

XAVIER BECERRA  
Attorney General of California

  
JUDITH T. ALVARADO  
Supervising Deputy Attorney General  
*Attorneys for Complainant*

LA2016503792  
62275088.doc

**Exhibit A**

**Accusation No. 11-2012-224281**

1 KAMALA D. HARRIS  
Attorney General of California  
2 JUDITH T. ALVARADO  
Supervising Deputy Attorney General  
3 State Bar No. 155307  
California Department of Justice  
4 300 So. Spring Street, Suite 1702  
Los Angeles, CA 90013  
5 Telephone: (213) 576-7149  
Facsimile: (213) 897-9395  
6 *Attorneys for Complainant*

7  
8 **BEFORE THE**  
**MEDICAL BOARD OF CALIFORNIA**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. 11-2012-224281

11 Chi Hong Yang, M.D.  
12 9135 Southview Road  
13 San Gabriel, CA 91775

**ACCUSATION**

14 Physician's and Surgeon's Certificate  
No. C 38890,

15 Respondent.

16  
17 Complainant alleges:

18 **PARTIES**

19 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official  
20 capacity as the Executive Director of the Medical Board of California, Department of Consumer  
21 Affairs (Board).

22 2. On or about May 12, 2004, the Medical Board issued Physician's and Surgeon's  
23 Certificate Number C 38890 to Chi Hong Yang, M.D. (Respondent). That certificate expired on  
24 November 30, 2013, and has not been renewed.

25 **JURISDICTION**

26 3. This Accusation is brought before the Board, under the authority of the following  
27 laws. All section references are to the Business and Professions Code unless otherwise indicated.

28 ///

1 4. Section 2004 of the Code states:

2 "The board shall have the responsibility for the following:

3 "(a) The enforcement of the disciplinary and criminal provisions of the Medical Practice  
4 Act.

5 "(b) The administration and hearing of disciplinary actions.

6 "(c) Carrying out disciplinary actions appropriate to findings made by a panel or an  
7 administrative law judge.

8 "(d) Suspending, revoking, or otherwise limiting certificates after the conclusion of  
9 disciplinary actions.

10 "(e) Reviewing the quality of medical practice carried out by physician and surgeon  
11 certificate holders under the jurisdiction of the board.

12 "(f) Approving undergraduate and graduate medical education programs.

13 "(g) Approving clinical clerkship and special programs and hospitals for the programs in  
14 subdivision (f).

15 "(h) Issuing licenses and certificates under the board's jurisdiction.

16 "(i) Administering the board's continuing medical education program."

17 5. Section 2227 of the Code provides that a licensee who is found guilty under the  
18 Medical Practice Act may have his or her license revoked, suspended for a period not to exceed  
19 one year, placed on probation and required to pay the costs of probation monitoring, or such other  
20 action taken in relation to discipline as the Board deems proper.

21 6. Section 2234 of the Code, states:

22 "The board shall take action against any licensee who is charged with unprofessional  
23 conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not  
24 limited to, the following:

25 "(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the  
26 violation of, or conspiring to violate any provision of this chapter.

27 "(b) Gross negligence.

28 ///

1           “(c) Repeated negligent acts. To be repeated, there must be two or more negligent acts or  
2 omissions. An initial negligent act or omission followed by a separate and distinct departure from  
3 the applicable standard of care shall constitute repeated negligent acts.

4           “(1) An initial negligent diagnosis followed by an act or omission medically appropriate  
5 for that negligent diagnosis of the patient shall constitute a single negligent act.

6           “(2) When the standard of care requires a change in the diagnosis, act, or omission that  
7 constitutes the negligent act described in paragraph (1), including, but not limited to, a  
8 reevaluation of the diagnosis or a change in treatment, and the licensee’s conduct departs from the  
9 applicable standard of care, each departure constitutes a separate and distinct breach of the  
10 standard of care.

11           “(d) Incompetence.

12           “(e) The commission of any act involving dishonesty or corruption which is substantially  
13 related to the qualifications, functions, or duties of a physician and surgeon.

14           “(f) Any action or conduct which would have warranted the denial of a certificate.

15           “(g) The practice of medicine from this state into another state or country without meeting  
16 the legal requirements of that state or country for the practice of medicine. Section 2314 shall not  
17 apply to this subdivision. This subdivision shall become operative upon the implementation of  
18 the proposed registration program described in Section 2052.5.

19           “(h) The repeated failure by a certificate holder, in the absence of good cause, to attend and  
20 participate in an interview by the board. This subdivision shall only apply to a certificate holder  
21 who is the subject of an investigation by the board.”

22           7. Section 2236 of the Code states:

23           “(a) The conviction of any offense substantially related to the qualifications, functions, or  
24 duties of a physician and surgeon constitutes unprofessional conduct within the meaning of this  
25 chapter [Chapter 5, the Medical Practice Act]. The record of conviction shall be conclusive  
26 evidence only of the fact that the conviction occurred.

27           “(b) The district attorney, city attorney, or other prosecuting agency shall notify the Medical  
28 Board of the pendency of an action against a licensee charging a felony or misdemeanor

1 immediately upon obtaining information that the defendant is a licensee. The notice shall identify  
2 the licensee and describe the crimes charged and the facts alleged. The prosecuting agency shall  
3 also notify the clerk of the court in which the action is pending that the defendant is a licensee,  
4 and the clerk shall record prominently in the file that the defendant holds a license as a physician  
5 and surgeon.

6 "(c) The clerk of the court in which a licensee is convicted of a crime shall, within 48 hours  
7 after the conviction, transmit a certified copy of the record of conviction to the board. The  
8 division may inquire into the circumstances surrounding the commission of a crime in order to fix  
9 the degree of discipline or to determine if the conviction is of an offense substantially related to  
10 the qualifications, functions, or duties of a physician and surgeon.

11 "(d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is deemed to  
12 be a conviction within the meaning of this section and Section 2236.1. The record of conviction  
13 shall be conclusive evidence of the fact that the conviction occurred."

14 8. Section 490 of the Code states:

15 "(a) In addition to any other action that a board is permitted to take against a licensee, a  
16 board may suspend or revoke a license on the ground that the licensee has been convicted of a  
17 crime, if the crime is substantially related to the qualifications, functions, or duties of the business  
18 or profession for which the license was issued.

19 "(b) Notwithstanding any other provision of law, a board may exercise any authority to  
20 discipline a licensee for conviction of a crime that is independent of the authority granted under  
21 subdivision (a) only if the crime is substantially related to the qualifications, functions, or duties  
22 of the business or profession for which the licensee's license was issued.

23 "(c) A conviction within the meaning of this section means a plea or verdict of guilty or a  
24 conviction following a plea of nolo contendere. Any action that a board is permitted to take  
25 following the establishment of a conviction may be taken when the time for appeal has elapsed, or  
26 the judgment of conviction has been affirmed on appeal, or when an order granting probation is  
27 made suspending the imposition of sentence, irrespective of a subsequent order under the  
28 provisions of Section 1203.4 of the Penal Code.



1 Cabangangan, Charles Orlando Lewis, Cathy Aguilar Pierce, Dolphus Dwayne Pierce, II, Tomas  
2 Ballesteros Rios, and Chi Hong Yang as a result of Respondent's involvement with his co-  
3 conspirators in a scheme to commit insurance fraud by presenting multiple claims for payment to  
4 insurance companies for health care benefits not used by the claimants. Additionally, Respondent  
5 and his co-conspirators presented false statements for Workers' Compensation benefits. All  
6 twenty-one Counts of the Indictment charged him with insurance fraud or workers' compensation  
7 fraud in violation of Penal Code sections 182 (A)(1) (conspiracy to commit a crime), 550(A)(8)  
8 (conspiracy to knowingly present multiple claims for payment of the same health care benefit with  
9 intent to defraud), and Insurance Code section 1871.4(a)(2) (knowingly present false  
10 documentation in support of a claim for compensation under Labor Code section 3207 (workers'  
11 compensation benefits)).

12 12. On or about August 2, 2013, in Case Number BF141700G, referenced above, before  
13 the Kern County Superior Court (Hon. Thomas S. Clark), Respondent plead guilty to Count 1 of  
14 the Indictment, the violation of Penal Code section 182(A)(1), a felony; the remaining counts  
15 were dismissed in furtherance of justice. In addition to his guilty plea, Respondent entered into an  
16 agreement with the Kern County District Attorney's Office. Under the Agreement, Respondent  
17 agreed to plead guilty to Count 1 of the Indictment, the People would agree to a sentence calling  
18 for local commitment with credit for time served, in light of his confinement of 14 months of  
19 home monitoring; Respondent would be ordered to complete 1500 hours of community service  
20 and 5 years of formal probation and stipulate to the entry of an order for restitution in the amount  
21 of \$770,421.00; and Respondent would immediately surrender his license to practice medicine.  
22 Respondent further agreed to waive time for sentencing until completion of all litigation related to  
23 the activities of P&R Medical, California Consultation, Central California SportsMedicine and  
24 San Joaquin Accident and Medical or until released by the Office of the District Attorney. In  
25 consideration for the plea agreement, Respondent agreed to testify against the aforementioned  
26 entities. Respondent was released on bail.

27 13. On or about January 13, 2016, in Case Number BF141700G, referenced above, before  
28 the Kern County Superior Court (Hon. Thomas S. Clark), the court entered judgment, granting

1 probation as to Count 1, imposition of sentence was suspended and Respondent was placed on 5  
2 years formal probation; serve 1 year in county custody, less credit of 365 days for time served;  
3 make restitution in the sum of \$770,421.00, to the California Department of Insurance; complete  
4 1500 hours of community service; and pay additional fees, assessments and fines.

5 **SECOND CAUSE FOR DISCIPLINE**

6 **(Dishonest and Corrupt Acts)**

7 14. Respondent is subject to disciplinary action under section 2234, subdivision (e), of the  
8 Code in that he has engaged in dishonest and corrupt acts. The circumstances are as follows:

9 15. The facts and circumstances alleged in paragraphs 10 through 13, above, are  
10 incorporated herein as if fully set forth.

11 **THIRD CAUSE FOR DISCIPLINE**

12 **(Failure to Report Conviction)**

13 16. Respondent is subject to disciplinary action under sections 2234, subdivision (a), and  
14 section 802.1, of the Code, in that he was convicted of a crime substantially related to the  
15 qualifications, functions or duties of a physician and failed to report said conviction to the Board.  
16 The circumstances are as follows:

17 17. Respondent failed to report the filing of the indictment against him, his guilty plea to  
18 Count I of the Indictment and his sentencing as disposition of the indictment and conviction, as  
19 set for in paragraphs 10 through 13, inclusive, above (which are incorporated by reference herein  
20 as if fully set forth), in violation of section 802.1 of the Code and, thus, section 2234, subdivision  
21 (a), of the Code, which constitutes unprofessional conduct.

22 **FOURTH CAUSE FOR DISCIPLINE**

23 **(Unprofessional Conduct)**

24 18. Respondent is subject to disciplinary action under section 2234 of the Code in that he  
25 has engaged in unprofessional conduct. The circumstances are as follows:

26 19. The facts and circumstances alleged in paragraphs 10 through 17, above, are  
27 incorporated herein as if fully set forth.

28 ///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Medical Board of California issue a decision:

1. Revoking or suspending Physician's and Surgeon's Certificate Number C 38890, issued to Chi Hong Yang, M.D.;
2. Revoking, suspending or denying approval of Chi Hong Yang, M.D.'s authority to supervise physician assistants, pursuant to section 3527 of the Code;
3. Ordering Chi Hong Yang, M.D., if placed on probation, to pay the Board the costs of probation monitoring; and
4. Taking such other and further action as deemed necessary and proper.

DATED: December 29, 2016

  
KIMBERLY KIRCHMEYER  
Executive Director  
Medical Board of California  
Department of Consumer Affairs  
State of California  
*Complainant*

LA2016503792  
62201706.doc