

1 (collectively "Ace") from in or about October 2008. Defendant
2 AGHEDO enrolled Ace as a provider in the Medicare Program
3 ("Medicare") and Ace had Medicare provider numbers that allowed
4 it to submit claims for reimbursement to Medicare. Defendant
5 AGHEDO was responsible for all the claims that Ace submitted to
6 Medicare.

7 2. Ace's offices were located at 248 East Highland Avenue,
8 Suite 2, San Bernardino, California, within the Central District
9 of California.

10 3. Between in or about November 2006 and in or about May
11 2012, Ace submitted to Medicare claims totaling approximately
12 \$1,853,828 and received approximately \$990,806 in reimbursement
13 payments from Medicare to which it was not entitled.

14 The Medicare Program

15 4. Medicare was a federal health care benefit program,
16 affecting commerce, that provided benefits to individuals who
17 were over the age of 65 or disabled. Medicare was administered
18 by the Centers for Medicare and Medicaid Services ("CMS"), a
19 federal agency under the United States Department of Health and
20 Human Services ("HHS").

21 5. CMS contracted with private insurance companies to (a)
22 certify DME providers for participation in the Medicare program
23 and monitor their compliance with Medicare standards; (b) process
24 and pay claims; and (c) perform program safeguard functions, such
25 as identifying and reviewing suspect claims.

26 6. Medicare assigned each Medicare beneficiary a Health
27 Identification Card containing a unique identification number
28 ("HICN").

1 7. DME companies, physicians, and other health care
2 providers which provided medical services that were reimbursed by
3 Medicare were referred to as Medicare "providers."

4 8. To obtain payment from Medicare, a DME company first
5 had to apply for and obtain a provider number. By signing the
6 provider application, the DME provider agreed to abide by
7 Medicare rules and regulations, including the Anti-Kickback
8 Statute (42 U.S.C. § 1320a-7b(b)), which, among other things,
9 prohibits the payment of kickbacks or bribes for the referral of
10 Medicare beneficiaries for any item or service for which payment
11 may be made by Medicare.

12 9. If Medicare approved a provider's application, Medicare
13 assigned the provider a Medicare provider number, enabling the
14 provider (such as a DME company) to submit claims to Medicare for
15 services and supplies provided to Medicare beneficiaries.

16 10. To obtain and maintain their Medicare provider number
17 billing privileges, DME suppliers had to meet Medicare standards
18 for participation. The Medicare contractor responsible for
19 evaluating and certifying DME providers' compliance with these
20 standards was Palmetto GBA ("Palmetto").

21 11. Noridian Administrative Services ("Noridian") was the
22 Medicare contractor that processed and paid Medicare claims by
23 DME providers in Southern California.

24 12. Most Medicare providers, including Ace, submitted their
25 claims electronically pursuant to an agreement with Medicare that
26 they would submit claims that were accurate, complete, and
27 truthful.

28

1 13. Medicare paid DME providers only for DME and services
2 that were medically necessary to the treatment of a beneficiary's
3 illness or injury, were prescribed by a beneficiary's physician,
4 and were provided in accordance with Medicare regulations and
5 guidelines that governed whether a particular item or service
6 would be paid by Medicare.

7 14. To bill Medicare for DME or a service it provided to a
8 beneficiary, a DME provider was required to submit a claim (Form
9 1500) to Noridian or CIGNA. Medicare required claims to be
10 truthful, complete, and not misleading. In addition, when a
11 claim was submitted, the DME provider was required to certify
12 that the DME or services covered by the claim were medically
13 necessary.

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

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

23 B. THE OBJECT OF THE CONSPIRACY

24 17. Beginning in or about March 2007, and continuing
25 through in or about May 2012, in San Bernardino County, within
26 the Central District of California, and elsewhere, defendant
27 AGHEDO, together with marketers and others known and unknown to
28 the United States Attorney, knowingly combined, conspired, and

1 agreed to commit health care fraud, in violation of Title 18,
2 United States Code, Section 1347.

3 C. THE MANNER AND MEANS OF THE CONSPIRACY

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

6 a. Defendant AGHEDO paid marketers to recruit
7 Medicare beneficiaries for expensive, highly-specialized power
8 wheelchairs and other DME for which the beneficiaries did not
9 have a legitimate medical need. The marketers promised the
10 beneficiaries that they would receive the power wheelchairs and
11 DME for free if the beneficiaries provided the marketers with
12 their Medicare billing and personal information.

13 b. Once the marketers obtained the beneficiaries'
14 personal and Medicare information, they sold the information
15 along with fraudulent prescriptions and medical documents to
16 defendant AGHEDO, who paid the marketers illegal cash kickbacks.

17 c. Defendant AGHEDO used the beneficiary information
18 and the fraudulent prescriptions and medical documents that he
19 purchased from the marketers to submit false and fraudulent
20 claims to Medicare for power wheelchairs and other DME that was
21 not medically necessary.

22 d. In some cases, defendant AGHEDO submitted claims
23 to Medicare for power wheelchairs and other DME before he
24 actually delivered the equipment, a practice that violated
25 Medicare rules and regulations.

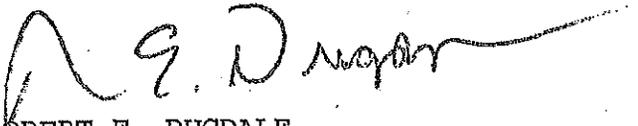
26

27

28

1 jurisdiction of this court; has been substantially diminished in
2 value; or has been commingled with other property that cannot be
3 divided without difficulty.

4
5 ANDRÉ BIROTTE JR.
United States Attorney

6 

7
8 ROBERT E. DUGDALE
Assistant United States Attorney
Chief, Criminal Division

9
10 RICHARD E. ROBINSON
Assistant United States Attorney
Chief, Major Frauds Section

11
12 CONSUELO WOODHEAD
Assistant United States Attorney
Deputy Chief, Major Frauds Section

13
14 GEJAA GOBENA
Co-Deputy Chief, Fraud Section
United States Department of Justice

15
16 BENTON CURTIS
Assistant Deputy Chief, Fraud Section
United States Department of Justice

17
18 JONATHAN T. BAUM
Trial Attorney, Fraud Section
United States Department of Justice

United States District Court
Central District of California

UNITED STATES OF AMERICA vs.

Docket No.

CR 13-00329 DDP

Defendant CLEMENT ETIM AGHEDO
Etin Aghedo; Edomwonyi Osa
Godstime; Clement Etinayagomwan
akas: Aghedo; Clement Etin Aghedo.

Social Security
No. 8 8 8 0
(Last 4 digits)

JUDGMENT AND PROBATION/COMMITMENT ORDER

In the presence of the attorney for the government, the defendant appeared in person

MONTH	DAY	YEAR
June	09	2014

COUNSEL

Emmanuel Osagie Eke, retained.

(Name of Counsel)

PLEA

GUILTY, and the court being satisfied that there is a factual basis for the plea.

**NOLO
CONTENDERE**

NOT GUILTY

FINDING

There being a finding/verdict **GUILTY**, defendant has been convicted as charged of the offense(s) of:
of
18 U.S.C. §1349; 18 U.S.C. § 982: Conspiracy to Commit Health Care Fraud; Criminal Forfeiture as charged in the Single Count Information.

**JUDGMENT
AND PROB/
COMM
ORDER**

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

Pursuant to the Sentencing Reform Act of 1984, it is the judgment of the Court that the defendant, Clement Etim Aghedo, is hereby committed on the Single Count Information to the custody of the Bureau of Prisons for a term of 24 months. Upon release from imprisonment, the defendant shall be placed on supervised release for a term of 3 years under the following terms and conditions:

1. The defendant shall comply with the rules and regulations of the United States Probation Office, General Order 05-02, and General Order 01-05, including the three special conditions delineated in General Order 01-05.
2. During the period of community supervision, the defendant shall pay the special assessment and restitution in accordance with this judgment's orders pertaining to such payment.
3. The defendant shall not be employed by, affiliated with, own or control, or otherwise participate, directly or indirectly, in the conduct of the affairs of any business that seeks or receives reimbursement or payment, either directly or indirectly, from Medi-Cal, Medicare, Medicaid, or any federal or state agency. Nor shall he be employed in a position that is related to billing Medi-Cal, Medicare, Medicaid, or any federal or state agency for payment or reimbursement.

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4. The defendant shall provide the Probation Officer with access to any and all business records, client lists and other records pertaining to the operation of any business owned or controlled, in whole or in part, by the defendant, as directed by the Probation Officer.
5. The defendant shall apply monies received from income tax refunds, lottery winnings, inheritance, judgments, and any anticipated or unexpected financial gains to the outstanding Court-ordered financial obligation.
6. The defendant shall cooperate in the collection of a DNA sample from the defendant.

The drug testing condition mandated by statute is suspended based on the Court's determination that the defendant poses a low risk of future substance abuse.

RESTITUTION: It is ordered that the defendant shall pay restitution pursuant to 18 U.S.C. § 3663 (A). Defendant shall pay restitution in the total amount of \$990,806 to victims as set forth in a separate victim list prepared by the probation office which this Court adopts and which reflects the Court's determination of the amount of restitution due to each victim. The victim list, which shall be forwarded to the fiscal section of the clerk's office, shall remain confidential to protect the privacy interests of the victims.

Restitution shall be due during the period of imprisonment, at the rate of not less than \$25 per quarter, and pursuant to the Bureau of Prisons' Inmate Financial Responsibility Program. If any amount of the restitution remains unpaid after release from custody, monthly payments of at least 10% of defendant's gross income, but not less than \$200 per month, whichever is greater, shall be made during the period of supervised release and shall begin 30 days after the commencement of supervision. Nominal restitution payments are ordered as the Court finds that the defendant's economic circumstances do not allow for either immediate or future payment of the amount ordered.

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

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

FINE: Pursuant to Guideline Section 5E1.2(a), all fines are waived as the Court finds that the defendant has established that he is unable to pay and is not likely to become able to pay any fine.

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

SENTENCING FACTORS: The sentence is based upon the factors set forth in 18 U.S.C. § 3553, including the applicable sentencing range set forth in the guidelines.

The Court **RECOMMENDS** a BOP facility as close to the Southern California vicinity as possible.

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IT IS ORDERED that the defendant shall self-surrender to the institution designated by the BOP on or before 12 noon, on August 8, 2014 and, on the absence of such designation, the defendant shall report on or before the same date and time, to the United States Marshal at 255 East Temple Street, Los Angeles, California, 90012.

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



June 9, 2014

Date

United States District Judge

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

Clerk, U.S. District Court

June 9, 2014

Filed Date

By John A. Chambers

Deputy Clerk

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

STANDARD CONDITIONS OF PROBATION AND SUPERVISED RELEASE

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

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. The defendant shall not commit another Federal, state or local crime; 2. the defendant shall not leave the judicial district without the written permission of the court or probation officer; 3. the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month; 4. the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer; 5. the defendant shall support his or her dependents and meet other family responsibilities; 6. the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons; 7. the defendant shall notify the probation officer at least 10 days prior to any change in residence or employment; 8. the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician; 9. the defendant shall not frequent places where controlled substances are illegally sold, used, distributed or administered; | <ol style="list-style-type: none"> 10. the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer; 11. the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer; 12. the defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer; 13. the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; 14. as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to conform the defendant's compliance with such notification requirement; 15. the defendant shall, upon release from any period of custody, report to the probation officer within 72 hours; 16. and, <u>for felony cases only</u>: not possess a firearm, destructive device, or any other dangerous weapon. |
|--|--|

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

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STATUTORY PROVISIONS PERTAINING TO PAYMENT AND COLLECTION OF FINANCIAL SANCTIONS

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

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

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

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

Payments shall be applied in the following order:

1. Special assessments pursuant to 18 U.S.C. §3013;
2. Restitution, in this sequence:
 - Private victims (individual and corporate),
 - Providers of compensation to private victims,
 - The United States as victim;
3. Fine;
4. Community restitution, pursuant to 18 U.S.C. §3663(c); and
5. Other penalties and costs.

SPECIAL CONDITIONS FOR PROBATION AND SUPERVISED RELEASE

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

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

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

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

RETURN

I have executed the within Judgment and Commitment as follows:

USA vs. CLEMENT ETIM AGHEDO Docket No.: CR 13-00329 DDP

Defendant delivered on _____ to _____
Defendant noted on appeal on _____
Defendant released on _____
Mandate issued on _____
Defendant's appeal determined on _____
Defendant delivered on _____ to _____
at _____

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

United States Marshal

By _____
Date Deputy Marshal

CERTIFICATE

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

Clerk, U.S. District Court

By _____
Filed Date Deputy Clerk

FOR U.S. PROBATION OFFICE USE ONLY

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

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

(Signed) _____
Defendant Date

U. S. Probation Officer/Designated Witness Date

CLOSED

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA (Western Division - Los Angeles)
CRIMINAL DOCKET FOR CASE #: 2:13-cr-00329-DDP-1**

Case title: USA v. Aghedo

Date Filed: 05/13/2013

Date Terminated: 06/09/2014

Assigned to: Judge Dean D. Pregerson

Defendant (1)**Clement Etim Aghedo***TERMINATED: 06/09/2014**also known as***Clement Etinayagomwan Aghedo***TERMINATED: 06/09/2014**also known as***Etim Aghedo***TERMINATED: 06/09/2014*represented by **Emmanuel Osagie Eke**

Emmanuel Osagie Eke and Associates

333 Brea Canyon Road Suite 212

Diamond Bar, CA 91765

909-598-5254

Fax: 909-563-5951

Email: eoosagie@aol.com**LEAD ATTORNEY****ATTORNEY TO BE NOTICED***Designation: Retained***Pending Counts**18:1349 CONSPIRACY TO COMMIT
HEALTH CARE FRAUD

(1)

Disposition

Defendant is committed to the Bureau of Prisons for 24 months on Single Count Information. Supervised release for 3 years to be served under terms and conditions of US Probation Office and General Orders 05-02 and 01-05 including the three special conditions delineated in General Order 01-05 . Pay the United States special assessment of 100.00 which is due immediately. All fines waived. Defendant shall pay restitution in the total amount of \$990,806 to victims as set forth in a separate confidential victim list. Interest on restitution is waived.

Highest Offense Level (Opening)

Felony

Terminated Counts**Disposition**

None

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Plaintiff

USA

represented by **Alexander F Porter**

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

Jonathan T Baum

AUSA - Office of the US Attorney
 Fraud Section - Criminal Division
 312 North Spring Street 12th Floor
 Los Angeles, CA 90012
 213-894-6495
 Fax: 213-894-2387
 Email: jonathan.baum@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/13/2013	<u>1</u>	INFORMATION filed as to Clement Etim Aghedo (1) count(s) 1. Offense occurred in SB. (ja) (Entered: 05/14/2013)
05/13/2013	<u>2</u>	CASE SUMMARY filed by AUSA Jonathan Baum as to Defendant Clement Etim Aghedo; defendant's Year of Birth: 1960 (ja) (Entered: 05/14/2013)
05/13/2013	<u>3</u>	EX PARTE APPLICATION to Seal Information and Related Documents Filed by Plaintiff USA as to Defendant Clement Etim Aghedo(ja) (Entered: 05/14/2013)
05/13/2013	<u>4</u>	ORDER by Judge John A. Kronstadt granting <u>3</u> Ex Parte Application to Seal Case as to Clement Etim Aghedo (1) (ja) (Entered: 05/14/2013)

05/13/2013	<u>5</u>	Government's Request for Issuance of Summons on Information Filed by Plaintiff USA as to Defendant Clement Etim Aghedo(ja) (Entered: 05/14/2013)
05/13/2013	<u>6</u>	ORDER by Judge John A. Kronstadt <u>5</u> as to Clement Etim Aghedo (1) (ja) (Entered: 05/14/2013)
05/13/2013	<u>7</u>	MEMORANDUM filed by Plaintiff USA as to Defendant Clement Etim Aghedo in regards to the following Magistrate Judges: Jacqueline Chooljian, Patrick J. Walsh, Sheri Pym, Michael Wilner, Jean Rosenbluth (ja) (Entered: 05/14/2013)
05/13/2013	<u>8</u>	MEMORANDUM filed by Plaintiff USA as to Defendant Clement Etim Aghedo. This criminal action, being filed on 5/13/13, was not pending in the U. S. Attorneys Office before the date on which Judge Michael W. Fitzgerald began receiving criminal matters. (ja) (Entered: 05/14/2013)
05/13/2013	<u>9</u>	PLEA AGREEMENT filed by Plaintiff USA as to Defendant Clement Etim Aghedo (ja) (Entered: 05/14/2013)
05/14/2013	<u>10</u>	AMENDED CASE SUMMARY filed by AUSA Jonathan Baum as to Defendant Clement Etim Aghedo; defendant's Year of Birth: 1960 (ja) (Entered: 05/14/2013)
05/14/2013	<u>11</u>	MINUTES OF INFORMATION HEARING held before Magistrate Judge Stephen J. Hillman as to Defendant Clement Etim Aghedo. Defendant states true name as charged. Attorney: Emmanuel Osagie Eke for Clement Etim Aghedo, Retained, present.Court orders bail set as: Clement Etim Aghedo (1) \$10,000 Unsecured Appearance Bond, SEE ATTACHED BOND FOR TERMS AND CONDITIONS. Defendant Ordered to report to USM for processing. Government's move to Unseal GRANTED. Court Smart: CS 5/14/13. (ja) (Entered: 05/16/2013)
05/14/2013	<u>12</u>	STATEMENT OF CONSTITUTIONAL RIGHTS filed by Defendant Clement Etim Aghedo (ja) (Entered: 05/16/2013)
05/14/2013	<u>13</u>	WAIVER OF INDICTMENT by Defendant Clement Etim Aghedo before Magistrate Judge Stephen J. Hillman (ja) (Entered: 05/16/2013)
05/14/2013	<u>14</u>	BOND AND CONDITIONS OF RELEASE filed as to Defendant Clement Etim Aghedo conditions of release: \$10,000 Unsecured Appearance Bond, SEE ATTACHED BOND FOR TERMS AND CONDITIONS approved by Magistrate Judge Stephen J. Hillman. (ja) (Entered: 05/16/2013)
05/14/2013	<u>16</u>	MINUTES OF POST-INDICTMENT ARRAIGNMENT: held before Magistrate Judge Stephen J. Hillman as to Defendant Clement Etim Aghedo (1) Count 1. Defendant arraigned, states true name: As charged. Attorney: Emmanuel Eke, Retained present. Case assigned to Judge Dean D. Pregerson. The court clerk will contact defense counsel to schedule the taking of the guilty plea, and the setting of all further proceedings. Court Smart: CS05/14/2013. (tba) (Entered: 05/17/2013)
08/29/2013	<u>17</u>	MINUTES OF IN CHAMBERS ORDER by Judge Dean D. Pregerson: as to Defendant Clement Etim Aghedo. COUNSEL ARE NOTIFIED that a

		HEARING RE: ACCEPTANCE OF AGUILTY PLEA is hereby set for September 16, 2013 at 1:30 p.m. (lc) (Entered: 08/29/2013)
09/16/2013	<u>18</u>	MINUTES OF Status Conference held before Judge Dean D. Pregerson as to Defendant Clement Etim Aghedo: Court and counsel confer as reflected on the record. The Acceptance of Guilty Plea hearing is continued to November 4, 2013, at 1:30 p.m. Defendant and Counsel are ordered to return at this date and time. Court Reporter: Maria Bustillos. (jre) (Entered: 09/16/2013)
11/04/2013	<u>19</u>	MINUTES OF IN CHAMBERS ORDER by Judge Dean D. Pregerson: as to Defendant Clement Etim Aghedo. COUNSEL ARE NOTIFIED the ACCEPTANCE OF A GUILTY PLEA is hereby continued from November 4, 2013 to November 7, 2013 at 2:00 p.m (lc) (Entered: 11/04/2013)
11/07/2013	<u>20</u>	MINUTES OF PLEA HEAROMG held before Judge Dean D. Pregerson as to Defendant Clement Etim Aghedo. Defendant enters plea of Guilty to counts 1. The Court refers the defendant to the Probation Office for the preparation of a presentence report and continues the matter to April 14, 2014 at 1:30 p.m., for sentencing. The Court vacates the court and/or jury trial date. Court Reporter: Maria Bustillos. (lc) (Entered: 11/07/2013)
11/27/2013	<u>21</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Alexander F Porter counsel for Plaintiff USA. Adding Alexander F. Porter as attorney as counsel of record for United States of America for the reason indicated in the G-123 Notice. Filed by plaintiff United States of America. (Porter, Alexander) (Entered: 11/27/2013)
03/07/2014	<u>24</u>	First STIPULATION to Continue Sentencing from April 14, 2014 to June 9, 2014 filed by Plaintiff USA as to Defendant Clement Etim Aghedo (Attachments: # <u>1</u> Proposed Order)(Porter, Alexander) (Entered: 03/07/2014)
03/10/2014	<u>25</u>	ORDER TO CONTINUE Sentencing by Judge Dean D. Pregerson as to Defendant Clement Etim Aghedo. Sentencing continued to 6/9/2014 01:30 PM. (lc) (Entered: 03/10/2014)
05/15/2014	<u>26</u>	SENTENCING MEMORANDUM filed by Plaintiff USA as to Defendant Clement Etim Aghedo (Porter, Alexander) (Entered: 05/15/2014)
05/20/2014	<u>27</u>	POSITION WITH RESPECT TO SENTENCING FACTORS filed by Defendant Clement Etim Aghedo (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16)(Eke, Emmanuel) (Entered: 05/20/2014)
06/09/2014	<u>28</u>	MINUTES OF SENTENCING Hearing held before Judge Dean D. Pregerson as to Defendant Clement Etim Aghedo(1). Count(s) 1, Defendant is committed to the Bureau of Prisons for 24 months on Single Count Information. Supervised release for 3 years to be served under terms and conditions of US Probation Office and General Orders 05-02 and 01-05 including the three special conditions delineated in General Order 01-05. Pay the United States special assessment of 100.00 which is due immediately. All fines waived. Defendant shall pay restitution in the total amount of \$990,806.00 to victims as set forth in

		a separate confidential victim list. Interest on restitution is waived. Bond exonerated upon surrender. Defendant to surrender not later than 8/8/2014. Defendant advised of right of appeal. Court Reporter: Maria Bustillos. (lc) (Entered: 06/10/2014)
06/09/2014	<u>29</u>	JUDGMENT AND COMMITMENT by Judge Dean D. Pregerson as to Defendant Clement Etim Aghedo (1), Count(s) 1, Defendant is committed to the Bureau of Prisons for 24 months on Single Count Information. Supervised release for 3 years to be served under terms and conditions of US Probation Office and General Orders 05-02 and 01-05 including the three special conditions delineated in General Order 01-05. Pay the United States special assessment of 100.00 which is due immediately. All fines waived. Defendant shall pay restitution in the total amount of \$990,806 to victims as set forth in a separate confidential victim list. Interest on restitution is waived. (lc) (Entered: 06/10/2014)
08/11/2014	<u>31</u>	VERIFICATION OF SURRENDER as to Clement Etim Aghedo: surrender date on or about 8/8/11 was verified via the Federal Bureau of Prison Website. (lc) (Entered: 08/11/2014)

PACER Service Center			
Transaction Receipt			
04/03/2018 16:58:54			
PACER Login:	Odlegal94612:2536794:0	Client Code:	AFU
Description:	Docket Report	Search Criteria:	2:13-cr-00329-DDP End date: 4/3/2018
Billable Pages:	4	Cost:	0.40



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



EDMUND G. BROWN JR.
GOVERNOR

JAN 16 2015

Clement Etim Aghedo, #64855-112
aka Edomwonyi Osa Godstime
aka Clement Etinayagomwan
U.S. Penitentiary Lompoc
3901 Klein Boulevard
Lompoc, CA 93436

**Re: Owner, Ace Medical Equipment Supply Co.
Provider Nos. DME03422F and 1760507248**

Dear Mr. Aghedo:

The Deputy Director and Chief Counsel of the State Department of Health Services (Department) has been notified by the Director, Health Care Program Exclusions, Office of Counsel to the Inspector General, Department of Health and Human Services, that you have been excluded from participation in the Medicare, Medicaid, and all Federal health care programs, effective November 20, 2014. As a provider of health care services, you were granted certain permissions to participate in the Medi-Cal program by operation of law with or without applying for enrollment. Upon your exclusion from the Medicare program, you became ineligible to participate in the Medi-Cal program. The Department's Director is required to automatically suspend these permissions in certain cases, which means that the affected individual or entity is precluded from being eligible to receive payment from the Medi-Cal program directly or indirectly. (See 42 U.S.C. § 1320a-7(d)(3)(A); Welf. & Inst. Code, § 14123, subd. (b).)

Therefore, pursuant to the authority delegated to me by the Director, of the Department, you are hereby notified that you are suspended from being able to receive payment from the Medi-Cal program for an indefinite period of time, effective November 20, 2014. Your name will be posted on the "Medi-Cal Suspended and Ineligible Provider List," available on the Internet. During the period of your suspension, no person or entity, including an employer, may submit any claims to the Medi-Cal program for items or services rendered by you. If you are currently enrolled in Medi-Cal, that enrollment will be terminated. Any involvement by you directly or indirectly (i.e., as an office manager, administrator, billing clerk processing or preparing claims for payment, salesperson for medical equipment, etc., or utilizing any other provider number or group or clinic number for services rendered by you) will result in nonpayment of the claim(s) submitted. Any person who presents or causes to be presented a claim for equipment

Clement Etim Aghedo
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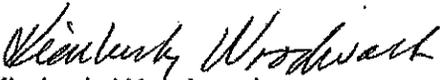
or services rendered by a person suspended from receiving Medi-Cal payment shall be subject to suspension from receiving payment, the assessment of civil money penalties, and/or criminal prosecution. (See Welf. & Inst. Code, §§ 14043.61, 14107, 14123.2; Cal. Code Regs., tit. 22, §§ 51458.1, 51484, 51485.1.) The Department will seek recoupment of any monies paid for claims presented to the Medi-Cal program for services or supplies provided by you during the duration of your suspension.

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

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

Sincerely,

Barbara B. Dayvault
Senior Attorney


Kimberly Woodward
Legal Analyst

cc: See next page.

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