

THE ANNEXED INSTRUMENT IS A
CORRECT COPY OF THE ORIGINAL
ON FILE IN MY OFFICE
ATTEST: CERTIFIED

FILED AND ENTERED
SAN FRANCISCO COUNTY
SUPERIOR COURT

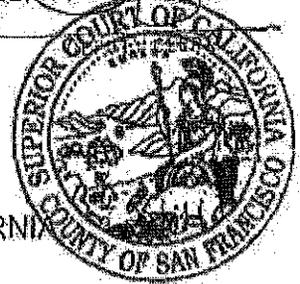
JUL 31 2018

CLERK OF THE COURT
Superior Court of California, County of San Francisco

2015 JUL 14 AM 8:35

BY: *[Signature]*
DEPUTY CLERK

CLERK OF THE COURT



George Gascón, SB#182345
District Attorney
San Francisco District Attorney's Office
850 Bryant Street, 3rd Floor
San Francisco, CA 94103
Telephone: (415) 553-1752

ATTORNEYS FOR THE PEOPLE

THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

THE PEOPLE OF THE STATE OF CALIFORNIA
Plaintiff,

v.

JOSEPH LONG
Defendant(s).

MISDEMEANOR COMPLAINT
ARREST WARRANT

CASE NUMBER:

#2486986

The Undersigned, being sworn says, on information and belief, that:

COUNT: I ✓

The said defendant, JOSEPH LONG, did in the City and County of San Francisco, State of California, between the 1st day of July, 2013 through the 31st day of August, 2014, both days inclusive, commit the crime of SEXUAL EXPLOITATION BY A PHYSICIAN, SURGEON, PSYCHOTHERAPIST, OR COUNSELOR, to wit: Violating Section 729(a) of the Business and Professions Code, in that the said defendant, being a physician, surgeon, psychotherapist, alcohol and drug abuse counselor and a person holding himself out to be a physician, surgeon, psychotherapist, and alcohol and drug abuse counselor, did engage in acts of sexual intercourse, sodomy, oral copulation and sexual contact with MARK H., who was then and there a patient and client of the defendant.

COUNT: II ✓

The said defendant, JOSEPH LONG, did in the City and County of San Francisco, State of California, between the 1st day of September, 2014 through the 30th day of September, 2014, both days inclusive, commit the crime of SEXUAL EXPLOITATION BY A PHYSICIAN, SURGEON, PSYCHOTHERAPIST, OR COUNSELOR, to wit: Violating Section 729(a) of the Business and Professions Code, in that the said defendant, being a physician, surgeon, psychotherapist, alcohol and drug abuse counselor and a person holding himself out to be a physician, surgeon, psychotherapist, and alcohol and drug abuse counselor, did engage in acts of sexual intercourse, sodomy, oral copulation and sexual contact with MARK H., who was then and there a patient and client of the defendant.

W 110011

Pursuant to Penal Code sections 1054 through 1054.7, the People request that, within fifteen (15) days, the defendant and/or his/her attorney disclose: (A) the names and addresses of persons, other than the defendant, he/she intends to call as witnesses at trial, together with any relevant written or recorded statements of those persons, or reports of the statements, of those persons including any reports or statements of experts made in connection with the case, and including the results of physical or mental examinations, scientific tests, experiments, or comparisons which the defendant intends to offer in evidence at the trial; (B) Any real evidence which the defendant intends to offer in evidence at the trial. This request is a continuing request, to cover not only all such material currently in existence, but all material which comes into existence to the conclusion of this case.

MARSY'S LAW

Information contained in the reports being distributed as discovery in this case may contain confidential information protected by Marsy's Law and the amendments to the California Constitution Section 28. Any victim(s) in any above referenced charge(s) is entitled to be free from intimidation, harassment, and abuse. It is unlawful for defendant(s), defense counsel, and any other person acting on behalf of the defendant(s) to use any information contained in the reports to locate or harass any victim(s) or the victim(s)'s family or to disclose any information that is otherwise privileged and confidential by law. Additionally, it is a misdemeanor violation of California Penal Code § 1064.2(a)(3) to disclose the address and telephone number of a victim or witness to a defendant, defendant's family member or anyone else. Note exceptions in California Penal Code § 1064.2(a)(2).

AFFIDAVIT ATTACHED HERETO AND INCORPORATED HEREIN SETS FORTH THE UNDERLYING FACTS ESTABLISHING PROBABLE CAUSE FOR THE ARREST OF THE DEFENDANT NAMED IN THIS COMPLAINT.



I state, declare, verify and certify under the penalty of perjury that the foregoing is true and correct. Executed in San Francisco, California on June 9, 2015.

 #458

SGT. NATHANIEL YUEN, #458

of
DAW-160123174

2

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO - MINUTES

People of the State of California vs JOSEPH LONG Present

SC# 000000	Assistant DA of Record ERIKA MASKAL <input type="checkbox"/> Present	Attorney of Record PATRICK VALENCIA <input checked="" type="checkbox"/> Present
---------------	--	---

<input type="checkbox"/> Interpreter Language	Clerk JODY YUEN	Judge BRUCE E. CHAN
---	--------------------	------------------------

Reporter
JOANN PRIOR #9129

Cause on Calendar for Sentence

Defendant Status: XXXX

Defendant has retained PATRICK VALENCIA, Esq.

Special appearance by SHEILA JOHNSON, DA for the Assistant DA of Record.

Count	Code	Section	Degree	MC #	Plea	Finding
001	BP	729(A)/M		02406986	NI	G
002	BP	729(A)/M		02406986	NG	DISMISS

Cause on calendar: SENTENCE.

Time is waived for sentencing.

The Court orders imposition of sentence suspended.

The probation ordered shall be served as unsupervised probation. (Court Probation).



Probation is ordered granted for a period of 3 year(s), subject to the following terms and conditions:

AS A CONDITION OF PROBATION, THE DEFENDANT SHALL SERVE A TERM IN COUNTY JAIL OF 1 day(s).

DEFENDANT IS TO RECEIVE CREDIT FOR TIME SERVED OF 1 day(s).

Defendant shall pay a restitution fine in the amount of \$150 per convicted misdemeanor count pursuant to PC 1202.4(b)(1).

Defendant shall pay a probation revocation restitution fine in the same amount as that imposed pursuant to PC 1202.4(b). This additional restitution fine shall be stayed unless the defendant's probation is revoked.

Defendant shall pay a Court Operations Assessment in the amount of \$40 per convicted count pursuant to Penal Code 1486.8.

Defendant shall pay an Immediate Critical Needs Assessment in the amount of \$30 per each convicted felony or misdemeanor count and \$35 per each convicted infraction count pursuant to GC 70373(a).

The defendant is ordered to report to the Collections Unit in Room 101, Hall of Justice, forthwith or within 48 hours of release from custody to make arrangements to pay the fine and other monetary obligations. Failure to do so may subject the defendant to a \$300 Civil Assessment.

The Court retains jurisdiction as to restitution.

The defendant is ordered to perform 500 hours of community service.

Stay away order signed and filed in open Court.

The defendant shall not threaten, molest, or have written, telephone, personal or third party contact with MARK COREY HESPEETH.

Stay at least 150 yards away from the above-named person(s) and/or place(s).

Defendant shall obey all laws.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO - MINUTES

People of the State of California vs JOSEPH LONG

Present

SC #
000000

Assistant DA of Record
ERIKA MASKAL

Present

Attorney of Record
PATRICK VALENCIA

Present

Interpreter Language

Clerk
JODY YUEN

Judge
BRUCE E. CHAN

Reporter
JOANN PRIOR #9129

Cause on Calendar for Sentence

Defendant Status: XXXX

Defendant accepts conditions of probation.

DEFENDANT IS ELIGIBLE FOR HALF-TIME CREDITS PER PENAL CODE SECTION 4019.

Bail is ordered exonerated.

The case is continued for: STATUS OF COMMUNITY SERVICE.

Defendant's appearance is waived for the next appearance.

Cause is ordered continued to 01/22/2018 at 09:00 in Department M30 for Hearing.



SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO - COMMITMENT

FILED

San Francisco County Superior Court

JUN 23 2017

CLERK OF THE COURT

BY: *[Signature]*
Deputy Clerk

People of the State of California vs. JOSEPH LONG

SC# 000000	Dept. No. S24	Judge BRUCE E. CHAN
---------------	------------------	------------------------

Counsel for the above-named defendant, PATRICK VALENCIA, present. Defendant was convicted of the following crime(s) of misdemeanor by finding of guilt

Special appearance by SHEILA JOHNSON, DA for the Assistant DA of Record.

Defendant has retained PATRICK VALENCIA, Esq.

Count	Code	Section	Degree	MC #	Plea	Finding
001	BP	729(A)/M		02486986	NL	G
002	BP	729(A)/M		02486986	NG	DISMISS

Cause on calendar: SENTENCE.

Count 001 on MO# 02486986, Principal Term.

The Court orders imposition of sentence suspended.

The probation ordered shall be served as unsupervised probation, (Court Probation).

Probation is ordered granted for a period of 3 year(s), subject to the following terms and conditions:

AS A CONDITION OF PROBATION, THE DEFENDANT SHALL SERVE A TERM IN COUNTY JAIL OF 1 day(s).

DEFENDANT IS TO RECEIVE CREDIT FOR TIME SERVED OF 1 day(s).

The defendant is ordered to report to the Collections Unit in Room 101, Hall of Justice, forthwith or within 48 hours of release from custody to make arrangements to pay the fine and other monetary obligations. Failure to do so may subject the defendant to a \$300 Civil Assessment.

The Court retains jurisdiction as to restitution.

The defendant is ordered to perform 500 hours of community service.

The defendant shall not threaten, molest, or have written, telephone, personal or third party contact with MARK COREY HESPETH.

Stay at least 150 yards away from the above-named person(s) and/or place(s).

Defendant shall obey all laws.

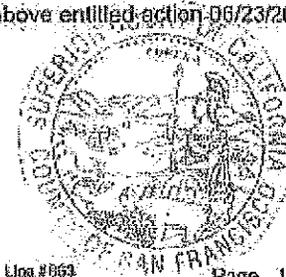
DEFENDANT IS ELIGIBLE FOR HALF-TIME CREDITS PER PENAL CODE SECTION 4019.



I hereby certify that the foregoing is a true and correct abstract of orders duly made in the above entitled action 06/23/2017 and in the minutes of the Superior Court.

T. MICHAEL YUEN, CLERK

by *[Signature]*
JODY YUEN DEPUTY CLERK



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

In the Matter of the Accusation)
Against:)

JOSEPH EVERETT LONG, M.D.)

Case No. 800-2015-011191

Physician's and Surgeon's)
Certificate No. G 87494)

Respondent)

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 7, 2017

IT IS SO ORDERED February 28, 2017

MEDICAL BOARD OF CALIFORNIA

By: 
Kimberly Kirchmeyer
Executive Director

1 KATHLEEN A. KENEALY
Acting Attorney General of California
2 JANE ZACK SIMON
Supervising Deputy Attorney General
3 KEITH C. SHAW
Deputy Attorney General
State Bar No. 227029
4 455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
5 Telephone: (415) 703-5385
Facsimile: (415) 703-5480
6 *Attorneys for Complainant*

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

11 In the Matter of the Accusation Against:

Case No. 800-2015-011191

12 **JOSEPH EVERETT LONG, M.D.**

**STIPULATION SURRENDER OF
LICENSE AND ORDER**

13 607 Farallon Avenue
Pacifica, CA 94044

14 Physician's and Surgeon's Certificate No. G
87494

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 Kathleen A. Kenealy, Acting Attorney General of the State of California, by Keith
23 C. Shaw, Deputy Attorney General.

24 2. Respondent Joseph Everett Long, M.D. is represented in this proceeding by attorney
25 John Fleer, whose address is 1850 Mt. Diablo Blvd., Ste. 120, Walnut Creek, CA 94596.

26 3. On or about June 3, 2005, the Board issued Physician's and Surgeon's Certificate No.
27 G 87494 to Joseph Everett Long, M.D. (Respondent). The Physician's and Surgeon's Certificate
28

1 was in full force and effect at all times relevant to the charges brought in Accusation No. 800-
2 2015-011191, and is in delinquent status, having expired on October 31, 2016.

3 JURISDICTION

4 4. Accusation No. 800-2015-011191 was filed before the Medical Board of California
5 ("Board"), Department of Consumer Affairs, and is currently pending against Respondent. The
6 Accusation and all other statutorily required documents were properly served on Respondent on
7 September 7, 2016. Respondent timely filed his Notice of Defense contesting the Accusation. A
8 copy of Accusation No. 800-2015-011191 is attached as exhibit A and incorporated herein by
9 reference.

10 ADVISEMENT AND WAIVERS

11 5. Respondent has carefully read, fully discussed with counsel, and understands the
12 charges and allegations in Accusation No. 800-2015-011191. Respondent has also carefully read,
13 fully discussed with counsel, and understands the effects of this Stipulated Surrender and
14 Disciplinary Order.

15 6. Respondent is fully aware of his legal rights in this matter, including the right to a
16 hearing on the charges and allegations in the Accusation; the right to confront and cross-examine
17 the witnesses against him; the right to present evidence and to testify on his own behalf; the right
18 to the issuance of subpoenas to compel the attendance of witnesses and the production of
19 documents; the right to reconsideration and court review of an adverse decision; and all other
20 rights accorded by the California Administrative Procedure Act and other applicable laws.

21 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
22 every right set forth above.

23 CULPABILITY

24 8. Respondent admits that at the hearing of this matter, Complainant would be able to
25 introduce evidence sufficient to establish a prima facie case for the allegations in Accusation No.
26 800-2015-011191, agrees that cause exists for discipline of his license, and hereby surrenders
27 Physician's and Surgeon's Certificate No. G 87494 for the Board's formal acceptance.
28

ORDER

1
2 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 87494, issued
3 to Respondent Joseph E. Long, M.D., is surrendered and accepted by the Medical Board of
4 California.

5 1. Respondent shall lose all rights and privileges as a physician and surgeon in
6 California as of the effective date of the Board's Decision and Order.

7 2. On or before the effective date of the Decision and Order, Respondent shall cause to
8 be delivered to the Board his pocket license and, if one was issued, his wall certificate.

9 3. If Respondent ever files an application for licensure or a petition for reinstatement in
10 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must
11 comply with all the laws, regulations and procedures for reinstatement of a revoked license in
12 effect at the time the petition is filed, and all of the charges and allegations contained in
13 Accusation No. 800-2015-011191 shall be deemed to be true, correct and admitted by Respondent
14 when the Board determines whether to grant or deny the petition.

15 4. If Respondent should ever apply or reapply for a new license or certification, or
16 petition for reinstatement of a license, by any other health care licensing agency in the State of
17 California, all of the charges and allegations contained in Accusation No. 800-2015-011191 shall
18 be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of
19 Issues or any other proceeding seeking to deny or restrict licensure.

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

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

ACCEPTANCE

I have carefully read the above Stipulated Surrender and Disciplinary Order and have fully discussed it with my attorney, John Fleer, Esq. I enter into it freely and voluntarily and with full knowledge of its force and effect do hereby surrender the Physician's and Surgeon's Certificate No. G 87494 for Joseph E. Long, M.D., to the Medical Board of California, for its formal acceptance. By signing this stipulation to surrender Respondent's license, I recognize that upon its formal acceptance by the Board, Respondent will lose all rights and privileges to practice as a physician and surgeon in the State of California and I also will cause to be delivered to the Board any license and wallet certificate in my possession before the effective date of the decision.

DATED: 1-29-2017


JOSEPH EVERETT LONG, M.D.
Respondent

I have read and fully discussed with Respondent Joseph Everett Long, M.D. the terms and conditions and other matters contained in the above Stipulated Surrender and Disciplinary Order. I approve its form and content.

DATED: 1-29-17


JOHN FLEER, ESQ.
Attorney for Respondent

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: 1/30/17

Respectfully submitted,

KATHLEEN A. KENEALY
Acting Attorney General of California
JANE ZACK SIMON
Supervising Deputy Attorney General



KEITH C. SHAW
Deputy Attorney General
Attorneys for Complainant

SF2016200768
41679170.doc

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

Exhibit A

Accusation No. 800-2015-011191

1 KAMALA D. HARRIS
Attorney General of California
2 JANE ZACK SIMON
Supervising Deputy Attorney General
3 KEITH C. SHAW
Deputy Attorney General
4 State Bar No. 227029
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 703-5385
6 Facsimile: (415) 703-5480
E-mail: Keith.Shaw@doj.ca.gov
7 Attorneys for Complainant

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO Section 877.2, 2016
BY [Signature] ANALYST

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

11 In the Matter of the Accusation Against:
12 **JOSEPH EVERETT LONG, M.D.**
13 607 Farallon Avenue
14 Pacifica, CA 94044
15 **Physician's and Surgeon's Certificate**
No. G 87494,
16 Respondent.

Case No. 800-2015-011191

ACCUSATION

17
18 Complainant alleges:

19 **PARTIES**

- 20 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official
21 capacity as the Executive Director of the Medical Board of California.
22 2. On or about June 3, 2005, the Medical Board issued Physician's and Surgeon's
23 Certificate Number G 87494 to Joseph Everett Long, M.D. (Respondent). The Physician's and
24 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought herein
25 and will expire on October 31, 2016, unless renewed.

26 **JURISDICTION**

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

1 4. Section 2234 of the Code, states:

2 “The board shall take action against any licensee who is charged with unprofessional
3 conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not
4 limited to, the following:

5 “(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the
6 violation of, or conspiring to violate any provision of this chapter.

7 “(b) Gross negligence.

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

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

13 “(2) When the standard of care requires a change in the diagnosis, act, or omission that
14 constitutes the negligent act described in paragraph (1), including, but not limited to, a
15 reevaluation of the diagnosis or a change in treatment, and the licensee's conduct departs from the
16 applicable standard of care, each departure constitutes a separate and distinct breach of the
17 standard of care.

18 “(d) Incompetence.

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

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

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

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

1 MEDICAL BOARD INVESTIGATION

2 7. On or about January 22, 2015, the Consumer Complaint Unit of the Medical Board of
3 California received an on-line consumer complaint report. The complaint alleged that Respondent
4 engaged in repeated sexual abuses and misconduct during office visits with the complaining
5 Patient.¹ The complainant also filed a report with the San Francisco Police Department.

6 8. Respondent was arrested on June 17, 2015 and charged with two counts of 729(a) of
7 the Code: Sexual Exploitation by a Physician.

8 9. The Medical Board of California conducted an investigation which revealed
9 Respondent had sexually abused Patient over the course of numerous office visits, as set forth in
10 more detail hereafter.

11 FIRST CAUSE FOR DISCIPLINE

12 (Unprofessional Conduct: Gross Negligence)

13 10. Respondent Joseph Everett Long, M.D. is subject to disciplinary action under section
14 2234 and 2234, subdivision (b), of the Code in that Respondent engaged in unprofessional
15 conduct and was grossly negligent in his care and treatment of Patient. The circumstances are as
16 follows:

17 11. Patient required various forms of medical treatment for a number of physical and
18 mental conditions, including HIV, cancer, back surgery and depression.

19 12. On or about June 19, 2013, Patient was referred to Respondent, a general practitioner
20 from Kaiser Hospital in San Francisco.

21 13. Soon after Patient began seeing Respondent for medical treatment, Respondent
22 started making inappropriate sexual comments towards Patient during office visits. These
23 comments included Respondent telling Patient that he was attractive and "had a nice ass."

24 14. Over the next several months, Patient notified Respondent that he had developed
25 severe pain in his legs and buttocks. Respondent began performing leg and buttocks massages of
26 Patient on a regular basis. During these massages, Respondent would make sexual comments to

27 ¹ The patient is identified only as "Patient" to protect their right to privacy. The patient's
28 identity will be revealed to Respondent in discovery.

1 Patient, including that Respondent was turned on by Patient and wanted to "lick his ass."

2 15. As the regular massage visits progressed, Respondent began massaging Patient's
3 groin and touching his penis over his underwear. In subsequent visits, Respondent then began
4 massaging Patient's penis under his underwear.

5 16. In or around September 2014, Respondent placed Patient's penis in his mouth during
6 a massage and orally copulated Patient.

7 17. During the course of the massages, Patient informed Respondent that he suffered from
8 depression and sexual dysfunction. Respondent then provided Patient with Respondent's own
9 prescription bottle of sexual dysfunction medication (Sildenafil) and instructed Patient to use it.

10 18. On or about December 24, 2014, Patient notified Respondent that he was
11 uncomfortable with the sexual nature of their relationship. Soon after, treatment of Patient was
12 terminated.

13 19. On or about April 24, 2015, Patient and the San Francisco Police Department
14 conducted a recorded pre-text telephone conversation where Respondent admitted that he "came
15 on" to Patient and "had oral sex" with him.

16 20. On or about June 8, 2015, Respondent was interviewed by the San Francisco Police
17 Department in a recorded telephone conversation where he admitted to engaging in oral
18 copulation with Patient and inappropriately touching Patient over a series of medical
19 appointments.

20 21. Respondent was charged in San Francisco County Superior Court on or about July 14,
21 2015 with two counts of 729(a) of the Code: Sexual Exploitation by a Physician.

22 22. On August 26, 2015, the San Francisco County Superior Court issued an order
23 prohibiting Respondent from the practice of medicine for the duration of the criminal proceedings
24 pursuant to Penal Code section 23.

25 **SECOND CAUSE FOR DISCIPLINE**

26 (Sexual Exploitation and Misconduct with a Patient/Violation of Ethical Principles)

27 23. The allegations of Paragraphs 10 through 22, above, are incorporated herein by
28 reference as if fully set forth.

