

Board of Examiners' Meeting

November 8, 2016

Public Comment

Board of Examiners' Meeting

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Public Comment

Attachment A

Fred Voltz

Board of Examiners' November 8, 2016 Meeting—First Public Comments—Fred Voltz

There are a number of irregularities in the way Contract Item #22 has been handled. The request calls for \$214,400 of outside legal fees to mount a defense for just one former PUC employee, Carolyn Tanner, of her statements and actions while in the position of PUC General Counsel and offers no substantive documentation.

A summons was issued by the U.S. District Court on July 19, 2016. If Ms. Tanner was served on the 19th, she had until August 17th to respond, per Court's rules. The PUC and/or Ms. Tanner had adequate time to competitively shop for qualified legal counsel. They did not do so, claiming in item #2a's Contract Summary response that "due to the short timeframes for responding to the Lawsuit" they had to select the Robison law firm in Reno, none of whose attorneys list civil rights as an area of practice specialization. It took over two additional months for the PUC to issue its after-the-fact contract approval.

Absent from the Contract Summary is a disclosed projection of how many billable hours will be spent on this case between lead attorneys (of which there are three, including Ms. Tanner) junior attorneys and/or paralegals. One of the Robison attorneys listed as a lead attorney has four years' experience as a lawyer. How can a contract be prudently approved when the extent and nature of services performed are hidden? *not fully disclosed*

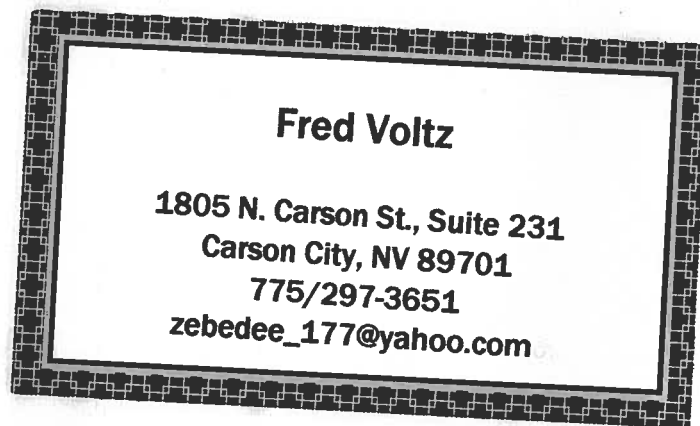
If Ms. Tanner has the PUC (really the state's ratepayers) covering her legal defense fund, why did she file a motion to dismiss the case through the Robison law firm on September 19th, asking for attorneys' fees, court costs and \$10,000 in compensatory damages paid to her personally? Such a filing infers 'double dipping,' ~~but when other people's money is being spent, there is too often an attitude of indifference.~~ *No proof*

No proof has been offered up by the Attorney General's office or the PUC that their many attorneys are sufficiently overwhelmed with other work, lack the requisite skills for representing the PUC in this matter, or that specifically identify the alleged 'conflicts.' There is even an equitable argument to be made that because of Ms. Tanner's imprudent comments against the alternative energy industry, a major part of Switch's law suit, and which she claims were a part of her free speech rights as a private citizen made on social media and newspaper websites, she should personally pay for at least part of her legal defense, particularly since she used the pseudonym "DixieRaeSparxs" in an attempt to hide her true identity.

Bottom line, this contract should not be approved today, and the PUC, as well as Ms. Tanner, need to better justify the compelling need for external legal counsel lacking subject-matter specialization and retained without competitive bidding. From all outward appearances, Ms. Tanner unilaterally selected and the non-Commissioner PUC employees tacitly approved this law firm one day after the arrival of its new Chairman.

even
A bigger issue this proposed contract highlights is whether the various attorneys at state agencies should be handling any complex litigation matters. The Governor recently cited the former

attorney general for spending \$25 million in four years on external legal counsel. If the hundreds of attorneys employed by the state are not able to handle all types of legal matters for the state, then perhaps a handful of them should be retained for oversight and the majority of cases farmed out at a volume, discount rate to external law firms. How much could be potentially saved in state lawyer salaries and benefits with such an approach? ^{How many} Someone in state government needs to look into this alternative and perform a cost comparison.



Board of Examiners' Meeting

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Attachment B

Dr. Adrian Ruiz

STATEMENT TO BOARD OF EXAMINERS

(Adrian Ruiz, DDS, November 8, 2016)

Good Morning. My name is Doctor Adrian Ruiz. I am a licensed dentist in the State of Nevada and a member of the Las Vegas Dental Association.

I am here today to talk about the Nevada State Board of Dental Examiners' lack of supervision of its private attorney, John Hunt, who has been running the Dental Board's disciplinary process for over 20 years. In my case, I was accused of overprescribing pain medication to patients when, in fact, it was a case of mistaken identity with a Physician Assistant who had my same last name. Eventually, the Nevada State Board of Pharmacy wrote me a letter of apology confirming that none of the prescriptions the Dental Board's attorney accused me of writing were written by me. Yet, I was still required to pay over \$14,000 for this case of mistaken identity because the Board Members exercised no control over its private attorney, Mr. Hunt, who coerced me into signing a Stipulation Agreement or risk losing my license.

The problem with the Dental Board members is that they are not involved in the disciplinary process. Instead, they have delegated their responsibility to non-Board members such as Mr. Hunt and Disciplinary Screening Officers, both of whom run up excessive "fees and costs" in doing their so-called "investigations." Thus, instead of communicating with Board Members, dental licensees are subjected to coercive tactics of its private attorney, John Hunt, who has no background, education, or experience in the practice of dentistry. Mr. Hunt's modus operandi is to run up a big bill then coerce dentists into signing his so-called "Stipulation Agreements," which include the payment of his "fees and costs," by telling them if they choose to exercise their right to a Hearing they will "lose their license," as he did in my case.

Hunt justifies his actions by telling the Board that he only prosecutes "bad dentists." However, in many cases where dentists have been prosecuted by Mr. Hunt there was no patient harm, no malpractice, and no bad outcome. Often such prosecution involves philosophical differences, fee disputes, and false claims that could have been better resolved through dispute resolution, which is available to attorneys but not to dental licensees. Now, over 20 dentists came together and formed the Las Vegas Dental Association to protest Mr. Hunt's activities. These dentists all have similar stories of being coerced into signing Stipulation Agreements by the Dental Board's private attorney, Mr. Hunt, upon threat of losing their license in the event they chose to exercise their due process right to a Hearing.

Recently, the Legislative Commission ordered a Performance Audit of the Dental Board. Some of the findings by the Auditor for the Legislative Counsel Bureau included:

1. Overcharging dental licensees and dental hygienists;
2. Failure to use General Accounting Principles to misrepresent 100's of 1000's of dollars paid to the board's private attorney, John Hunt, Esq.; and
3. Lying to investigators by the Board's Executive Director, Debra Schafer-Kugel.

Today, in Contract Item #34, the Dental Board is asking to raise its payment to its private attorney, John Hunt, from \$700,000 to \$1.2 million dollars. Such an increase is in direct opposition to the recommendation from the Legislative Council Bureau's Auditor for the Dental Board to reduce its payment for outside counsel to 20% or \$98,000. The reality is the Dental Board is serving as nothing more than a pass-through organization for Mr. Hunt's "fees and costs" as his investigation tactics, charges, and conduct are never questioned by the Board because they have no background, training, education, or experience in the law. Therefore, I respectfully ask that the Board of Examiners: (1) Reject the Dental Board's request to increase its contract for legal services to outside counsel; and (2) Refer the Dental Board's request for a fee increase to the Legislative Commission that ordered the Performance Audit of the Dental Board for its review.

Thank you!



Nevada State Board of Pharmacy

431 W. PLUMB LANE • RENO, NEVADA 89503
(775) 850-1440 • 1-800-984-2081 • FAX (775) 850-1444
E-mail: pharmacy@pharmacy.nv.gov • Website: bop.nv.gov

December 4, 2015

Adrian Ruiz, DDS
1680 Tangiers Drive
Henderson, Nevada 89012

Re: Nevada State Board of Pharmacy Case No. 15-044-PH-S
Data entry errors by multiple pharmacies

Dear Dr. Ruiz,

The Nevada State Board of Pharmacy has completed its investigation of the above referenced case involving pharmacy technicians entering the wrong Dr. Ruiz as the prescriber on several prescriptions in multiple pharmacies. In our imperfect electronic world today, it is obvious that these technicians, who fill hundreds of prescriptions daily under rather frantic circumstances, are working from "drop down" screens and simply chose Adrian Ruiz rather than Adriana Ruiz in all of these instances. No excuse, but that is what occurred.

Each pharmacy involved (CVS, Nellis Care, Sav-On, Walgreen's and Wal-Mart) have all been contacted and mandated to correct their errors, which has been accomplished. These corrections were then transmitted to our PMP, so your profile should now be in order.

This matter is a prime example of why each practitioner should check their own PMP profile on a regular basis. The PMP really is nothing but a data base, the data for which is transmitted to it from the pharmacies. "Garbage in and garbage out" with any such system as they say.

We have written several articles in our Board of Pharmacy Newsletter highlighting the importance of identifying the correct prescriber when filling a prescription. We will write another.

Thank you for reporting to us; it is only through such reporting that we can remedy similar issues.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry L. Pinson", with a stylized flourish at the end.

Larry L. Pinson, Pharm. D.
Executive Secretary

AFFIDAVIT OF ADRIAN RUIZ, DDS

STATE OF NEVADA)


ss.

COUNTY OF CLARK)

I, ADRIAN RUIZ, DDS, depose and testify the following is true to the best of my recollection:

1. I have personal knowledge of all matters set forth in this Affidavit.
2. On or about June 16, 2010, I appeared before the Nevada State Board of Dental Examiners ("BDE") for the first part of a formal hearing.
3. I attended the hearing in order to have an opportunity to provide an explanation for a complaint filed by a patient wherein I was falsely accused of unprofessional conduct and malpractice.
4. Prior to the part of the hearing where I was to testify, John Hunt, Esq. said to me that "if you continue to defend yourself the board will suspend your license to practice dentistry."
5. In addition, John Hunt, Esq. went on to also tell me that "if you continue with the hearing your expenses will double."
6. Mr. Hunt told me that if I wanted to avoid losing my license and increasing the costs of defending myself that I should sign the Stipulation Agreement he had drafted.
7. Mr. Hunt's Stipulation Agreement required that I pay in excess of \$44,000.00 (FORTY FOUR THOUSAND DOLLARS AND NO CENTS), which primarily including the legal fees and costs he had incurred as the BDE's private attorney and with whom he is employed as the BDE's "general counsel."
8. I told Mr. Hunt that I specifically objected to his hiring a licensed dentist, Bradley Strong, DDS, to "investigate" me as a conflict of interest since such dentist practices only one mile from my own dental practice and is in direct competition with me for patients.
9. Mr. Hunt responded by telling me that "Doctor Strong will no longer be your investigator."
10. However, in 2015, Mr. Hunt again assigned Strong to investigate me for prescriptions attributed to me that were written by a pain management medical physician who has the same last name as mine.
11. These pain medications were erroneously included on the report for the Prescription Monitoring Program under my name as an obvious mistake.
12. In spite of this being a simple matter of mistaken identity, Mr. Hunt again initiated an "investigation" and again hired my competitor, Bradley Strong, DDS, to "investigate" me.
13. Again I complained about Mr. Hunt hiring Dr. Strong as a conflict of interest but this time Mr. Hunt sent me a lengthy letter justifying his decision to do so over my objections (see letter from John Hunt, Esq. dated June 18, 2015) and to which a rebuttal was sent in reply (see letter from Adrian Ruiz, DDS dated November 16, 2015).

FURTHER AFFIANT SAYETH NAUGHT.

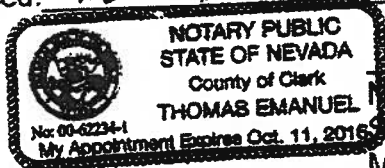


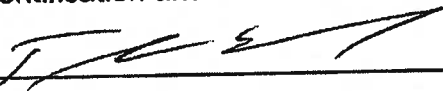
 ADRIAN RUIZ, DDS

The foregoing instrument was acknowledged by me this 30th day of NOVEMBER, 2015,

by: ADRIAN RUIZ who is/are personally known by me or who has/have

produced: NEVADA DRIVERS LICENSE as identification and who did take an oath.




 _____ (SEAL)
 Notary Public
 State of Nevada, COUNTY OF CLARK
 My Commission Expires: OCTOBER 11, 2016

AFFIDAVIT OF ADRIAN RUIZ, DDS

(STATE OF NEVADA)

ss.

COUNTY OF CLARK)

I, ADRIAN RUIZ, DDS, depose and testify the following is true to the best of my recollection:

1. I have personal knowledge of all matters set forth in this Affidavit.
2. I have reviewed a letter from the Nevada State Board of Dental Examiner ("NVBDE") attorney, John Hunt, Esq., dated December 11, 2015 regarding a patient complaint from Magdalena Castelano, which was originally filed with NVBDE on September 15, 2014.
3. On June 10, 2015, I requested "a speedy process" to resolve the patient complaint.
4. However, in Mr. Hunt's December 11th letter he states "There has been no closing on the investigation" and that the NVBDE's Disciplinary Screening Officer ("DSO"), Bradley Strong, DDS, "has expanded the scope of the investigation" to include matters not in the original patient complaint.
5. Dr. Strong recently requested a review of individuals he obtained from a "Prescription Monitoring Profile (PMP)" for which I'd previously advised the board in my letter dated June 10, 2015 that "none of the patients listed are my patients" and thus, I had not prescribed controlled substances to them.
6. I had previously objected to Dr. Strong being assigned as the DSO for my complaint not only because he practices within close proximity to my own business but because Dr. Strong was previously assigned as the DSO for a similar complaint against me in 2008 that was resolved but which Dr. Strong is now seeking to investigate again.
7. In 2008, the NVBDE alleged that I wrote controlled substances to individuals who were not my patients and Dr. Strong was assigned to be my DSO for this complaint.
8. The 2008 complaint involved mistaken identity where my name was confused with a pain management physician assistant who has my same last name and it cost me \$48,767.57 (FORTY THOUSAND EIGHT SEVEN HUNDRED SIXTY-SEVEN DOLLARS AND FIFTY-SEVEN CENTS) in legal defense costs plus \$14,250.00 (FOURTEEN THOUSAND TWO HUNDRED FIFTY DOLLARS AND NO CENTS) for a total of \$63,017.57 (SIXTY-THREE THOUSAND SEVENTEEN DOLLARS AND FIFTY-SEVEN CENTS).
9. On December 4, 2015, I received a letter from the Nevada State Board of Pharmacy ("BOP") regarding "data entry errors by multiple pharmacies" where the mistaken identity was confirmed in that my name was being repeatedly and falsely entered into the PMP instead of the physician assistant, Adriana Ruiz, PA-C, who sees patients for pain management (see Letter from BOP dated December 4, 2015).

FURTHER AFFIANT SAYETH NAUGHT.

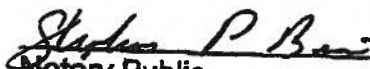


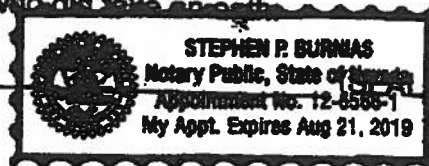
 ADRIAN RUIZ, DDS

The foregoing instrument was acknowledged by me this 30th day of DECEMBER, 2015.

by: Adrian Ruiz _____ who is/are personally known by me or who has/have

produced: Nevada ID _____ as identification and who did take an oath


 Notary Public
 State of Nevada
 My Commission Expires: Aug 21, 2019



Board of Examiners' Meeting

November 8, 2016

Public Comment

Attachment C

Tina Tsou

STATEMENT TO NEVADA BOARD OF EXAMINERS

(Tina Tsou, DDS, November 8, 2016)

Good Evening. My name is Tina Tsou. I am the secretary for the Las Vegas Dental Association.

I have received over 30 phone calls from dentists who are concerned about the ongoing coercion tactics being used by the Nevada State Board of Dental Examiner's private attorney, John Hunt. Mr. Hunt also uses intimidation tactics against dental licensees who show up at public forums to express their concerns to the Dental Board, Dental Board committees, and legislative bodies such as the Board of Examiners. Consequently, many of the dentists with whom I have spoken expressed concern about participating in the public process because Mr. Hunt's modus operandi is to defame them by slandering and libeling on the public record.

Some licensed dentists, such as Adam Persky and his wife, Scott Brooksby, a prosthodontist, and others, have already chosen to leave the State of Nevada rather than stay and work to reform the Dental Board. Several dentists with whom I have spoken that have left the state asked me not to use their names because Hunt has been known to contact dental boards in other states to which Nevada dentists have moved to prevent them from being able to practice dentistry. Other dentists are now contemplating leaving the State of Nevada because of Mr. Hunt's practice of running up unnecessarily high legal "fees and costs," conducting prolonged investigations, using coercion to force Stipulation Agreements, and preventing dental licensee from exercising their due process rights to a Hearing by threatening them with loss of license should they chose to do so.

Dental licensees are sick and tired of these unlawful practices. When they express their concerns to the Dental Board, which only exists because of the dues it receives from its licensees, they are ignored. Dental board members, who have no education, background, or experience in the law, exercise no supervisory control over its private attorney. Recently, a Performance Audit conducted by the Legislative Counsel Bureau, recommended the Dental Board "Institute an independent review process regarding complaint investigation and resolution" for its private attorney. This may be because LCB identified over 50 dental licensees who had been overcharged for "investigation fees" by its private attorney, John Hunt. Therefore, members of the Las Vegas Dental Association request that the Board of Examiners:

1. REFUSE to ratify the Dental Board's decision to increase its pay by over 70% for one outside counsel from \$700,000 to \$1.2 Million when the LCB's Auditor has recommended the Dental Board's use of such outside counsel be reduced to 20% or not more than \$98,000 if not eliminated altogether; and
2. REFER Dental Board's request to Legislative Commission for further review since it was the Legislative Commission that ordered a performance audit of the Dental Board be done by the Legislative Counsel Bureau's Audit Division.

Thank you!

Board of Examiners' Meeting

November 8, 2016

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Attachment D

Christina Navarro

Hello Good morning, my name is Christina Navarro and I've grown up in LV most my life. I stand here today w/ Dr Paleraio + the ^{LV} Dental Association growing up in LV, I have seen the bad, the ugly, and the unforgivable. Let me be the first to say Dr P is none of this. Dr Paleraio is a very kind person, full of compassion and he is very ^{generous} ~~good~~ with his heart. I say heart because he not only helps those in need but he gives his friendship with love. I have never seen a more respectable person like Dr P. be dragged through the mud like this mas has. I've met with other members of the LV Dental Association and they are amazing people as well, but I personally know Dr P. and how he treats others fairly. For over 16 months I have seen Dr P be treated like the lowest of lows over a \$300 service, something that was already resolved between Dr P. and the other party. However the Dental Board deemed it necessary to move forward with a very long and excruciatingly demeaning process and defanation of character. He (Dr P.) was treated like a liar for so long that he almost became convinced that he indeed did something wrong and his confidence has been clipped through this ordeal. Dr P and other members of the LV Dental Association have been targeted by the Dental Board for being the little guy, the minorities. They've been beaten into submission and licenses been put on the line for easy money. Energy that would've been better applied towards more alarming cases that have happened. Please be a bigger voice for people like Dr P and the members of the LV Dental Association, they need you!

Thank you for your time.

Board of Examiners' Meeting

November 8, 2016

Public Comment

Attachment E

Andrea Smith

Extorting from not only lucrative businesses but also penniless working moms

My name is Andrea Smith. I am the daughter of Scott Brooksby. I was employed as a dental assistant and persecute and prosecuted by John Hunt and the dental board in 2015. My story has already been heard and documented in public comments to the Legislative committee that oversees the NVBDE. I am not here today to tell that story. I am here today to share with you that the corruption within the DB goes far beyond mere financial means.

Boards have and were created to regulate, mediate and educate not to intimidate.

John Hunt's actions have gone beyond professional and crossed the lines to personal. Many dentists see Mr. Hunt and the Board as a Mafia. Comply, or else. Speak out against us and we'll ruin you. So they dentists comply and or stay silent. Those of us that have spoken out have lost much if not everything already and have nothing left to lose.

Today isn't about my actions in the dental field because my career there has been ended forcibly. My mother is currently suffering and being treated from and for PTSD caused from the abusive actions of John Hunt. He went after her husband, her livelihood, and when that wasn't enough, he went after her daughter. Me. He charged close to \$120K to basically one entity when he could have been judicious, practical and responsible with the board's resources and resolved and combined 3 legal actions into one. He purposely extended each case. He defiled our lives with prying fingers and investigations and he reveled in doing it.

I myself have spent thousands trying to defend myself only to continue to spend countless hundreds more in counseling fees to overcome the anxiety, anger, and emotional trauma caused by John Hunt and the Dental Board.

This will be my last appearance with regards to John Hunt and the NVDBE. I cannot continue ripping the healed scabs from my wounds to march for justice. The price of justice is just too high and I am no longer willing to sacrifice myself and my family for it.

You have performed the audit at our requests and found the gross corruption and misuse of time and funds that has run ramped within the NVDBE. Now the board is requesting further funding because they can't manage their budget and their secrecy has been exposed. You have the means to do what we cannot.

No other board on the western coast charges administrative fees to investigate a potential problem or concern. Most complaints are reviewed and handled without extensive meetings and legal proceedings. Fees are only charged if taken to court. These boards are given a budget and easily stay with it using the income from licensure fees and discretion.

The NVBDE brings in more than enough in licensure fees to fund their actions. We request that NV remove or amend the NRS 622.400 and 410 that allows for the misuse of funds and harassment of our professionals and families.

Protect our people. Protect our professionals. Protect our future. Protect our dreams.

Thank you for your time.

Andrea Brooksby Smith

Andreabrooksby2@gmail.com



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Board of Examiners' Meeting

November 8, 2016

Public Comment

Attachment F

Erin Negrete

STATEMENT TO NEVADA BOARD OF EXAMINERS

(Erin Negrete, RDH, BSDH, November 8, 2016)

Good Morning. My name is Erin Negrete. I have been licensed as a dental hygienist in the State of Nevada since 2010. In 2015, I have the unpleasant experience of having to deal with the Nevada State Board of Dental Examiners and its private attorney, John Hunt. The Dental Board does not follow the Administrative Procedure Act in NRS 233B created by the Nevada Legislature for boards to use as a guideline for their disciplinary process. Instead, the Dental Board delegates its complaints to a so-called "Dental Screening Officer."

In my case, a complaint was filed against the dentist with whom I work. Several months later I was added to the complaint filed against my supervising dentist although the original complaint failed to mention any allegations against me, such as treating periodontal conditions prior to diagnosis. Because this complaint had no validity, the Board's Dental Screening Officer, Joyce Herceg, told me "there is no possible way you can have license taken away because there was no harm or malpractice to the patient." Mr. Hunt then emailed me a Stipulation Agreement wherein he stated "the decision whether to dismiss or recommend the Dental Board take further action rests solely with the Disciplinary Screening Officer."

I refused to sign Mr. Hunt's Stipulation Agreement wherein Hunt had me admit to guilt for an act that never occurred. Ms. Herceg then threatened me by saying "if you choose not sign the stipulation and proceed to full board Mr. Hunt will ask that your license be suspended or revoked" and "your costs will increase significantly." When I chose not to attend an informal hearing regarding the matter, Ms. Herceg told me that Mr. Hunt had "heightened" the charges and punishment against me. Ms. Herceg then referred me several times to Mr. Hunt who she said was making decisions regarding my case. Both Mrs. Herceg and Mr. Hunt dismissed a letter of testimony from my supervising dentist exonerating me. Instead, Hunt requested that my license to be suspended merely because I elected not to attend his informal hearing, which is voluntary, and he launched a fishing expedition by subpoenaing records for six other patients unrelated to the original complaint and without any other patient complaints being filed.

Eventually, I was forced into signing Mr. Hunt's Stipulation Agreement because I could no longer afford to continue defending myself against false allegations, which had cost me over \$3000 in legal defense fees. My Stipulation Agreement also included an additional \$9,337 in "fees and costs" for the Dental Board's private attorney, John Hunt, who threatened me that he would raise "additional allegations" if I chose to exercise my due process right to a formal hearing in spite of there being no malpractice, bad outcome, or legitimate patient complaints for which any discipline should have been pursued. Therefore, I am requesting the Board of Examiners:

1. REFUSE to ratify the Dental Board's decision to increase its pay by over 70% for one outside counsel from \$700,000 to \$1.2 Million when the Legislative Counsel Bureau ("LCB") recommended the Board's outside counsel be reduced to 20% or \$98,000; and
2. REFER Dental Board's request to Legislative Commission for further review of the Dental Board's lack of compliance with the LCB's Performance Audit.

Thank you!

AFFIDAVIT OF ERIN WILSON, RDH

STATE OF NEVADA)

ss.

COUNTY OF CLARK)

I, ERIN WILSON, RDH, depose and testify the following is true to the best of my recollection:

1. I have personal knowledge of all matters set forth in this Affidavit.
2. I have been licensed as a dental hygienist in the State of Nevada since 2010.
3. On February 12, 2015, the Nevada State Board of Dental Examiners ("NSBDE") sent me a notice of an "investigation" against me claiming a "possible violation of NAC 631.210" whereby an 18-year-old patient claimed I was "diagnosing periodontal conditions" instead of "assessing periodontal conditions." However, the original complaint was filed against a dentist with whom I work, Thien Tang, DDS, in early 2014. I was added nearly one year later.
4. On April 13, 2015, I had a telephone conversation with my Disciplinary Screening Officer ("DSO") Joyce Herceg, RDH, who told me "there is no possible way you can have license taken away because there was no harm or malpractice to the patient."
5. On May 27, 2015, prior to having an informal hearing, the NSBDE's attorney, John Hunt, Esq., mailed to me a Stipulation Agreement.
6. On May 29, 2015, Mr. Hunt also sent me a letter wherein he stated that "the decision whether to dismiss or recommend the NSBDE take further action rests solely with the Disciplinary Screening Officer ("DSO"), Joyce Herceg, RDH."
7. On June 1, 2016, I had a follow-up phone conversation with my DSO, Ms. Herceg, who said she had instructed told by Hunt to inform me "this was the best outcome she is going to get." because my doctor signed in his stipulation that I "commenced treatment prior to examination". Ms. Herceg told me the NSBDE's attorney was "pursuing the case against me" because Dr. Tang had signed a final Stipulation Agreement that included a statement that I "commenced treatment prior to examination." My DSO then threatened me that "if you choose not sign the stipulation and proceed to full board Mr. Hunt will ask that your license be suspended or revoked" and "your costs will increase significantly."
8. I refused to sign the Stipulation Agreement as it required an admission of guilt and I categorically denied all allegations in the complaint, including, but not limited to, commencing any treatment prior a comprehensive exam, although the NSBDE later voted to allow dental hygienists to do "probing and X-rays prior to a comprehensive exam" of which I was being accused of having done. Further, Dr. Tang told me that the NSBDE's attorney had removed the statement about me in his second Stipulation Agreement, but then put it back in the final Stipulation Agreement he signed without his knowledge.
9. On June 11, 2015, Thien Tang DDS, wrote and signed a testimonial letter to NSBDE in my behalf wherein he stated: "I adamantly refute that I allowed my hygienist, Erin Wilson, or any of my hygienists to commence treatment prior to my diagnosis." Nevertheless, Ms. Herceg said Dr. Tang's letter "did not matter" since he'd already signed a Stipulation Agreement stating

otherwise but claimed afterwards to having been "coerced" by Mr. Hunt to sign such agreement.

10. On October 29, 2016, during another phone call with my DSO, she told me that my charges and punishment were "heightened" simply because I did not attend the informal hearing, which I was not required to attend because it is "voluntary," and that I needed to speak with Hunt and not her in spite of the fact that the DSO is the one who had been delegated the duty and responsibility for making decisions regarding my case. As a result, the NSBDE attorney added "suspension" to my second Stipulation Agreement and my DSO told me it was because I did not go to the informal hearing.

11. On November 20, 2015, the NSBDE sent a Subpoena Duces Tecum for six other patient records unrelated to the original complaint and without any other patient complaint having been filed.

12. On January 15, 2016, I signed a Stipulation Agreement because I could no longer afford to continue defending myself against the NSBDE's false allegations, which had cost me over \$3000.000 (THREE THOUSAND DOLLARS AND NO CENTS) in legal defense fees, and thus, I was unable to continue defending myself in a formal hearing before the NSBDE due to lack of funds, and not because of any bad outcome, malpractice, or wrongdoing although the Stipulation Agreement required an admission of guilt in order to put an end to the NSBDE attorney's "investigation" and increasing "fees and costs."

13. My Stipulation Agreement included \$9,337.00 (NINE THOUSAND THREE HUNDRED THRITY-SEVEN DOLLARS AND NO CENTS) in "fees and costs" for NSBDE's private attorney Hunt, who threatened me with "additional allegations" he would raise if I chose to proceed to a formal hearing, although he neither shared with me nor my attorney what those "additional allegations" might be.

14. On multiple occasions, I requested NSBDE provide me with a detailed breakdown of the "fees and costs" for my "investigation", but as of the date of this affidavit I have yet to receive them in violation of NRS 239.010(3).

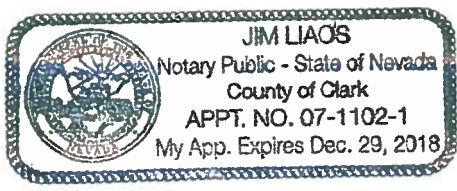
FURTHER AFFIANT SAYETH NAUGHT.

Erin Wilson
ERIN WILSON

The foregoing instrument was acknowledged by me this 4th day of FEBRUARY, 2016.

by: ERIN WILSON who is/are personally known by me or who has/have

produced: NV.DL# as identification and who did take an oath.



Jim Liao (SEAL)
Notary Public
State of Nevada
My Commission Expires: 12/29/2018

Board of Examiners' Meeting

November 8, 2016

Public Comment

Attachment G

Dr. Erika Smith

STATEMENT TO NEVADA BOARD OF EXAMINERS

(Erika Smith, DDS, November 8, 2016)

Good Morning. My name is Doctor Erika Smith. I am a Nevada dentist and member of the Las Vegas Dental Association. My comments are directed to item #34 on your Contract Agenda where legal services for the Nevada State Board of Dental Examiners is to be discussed.

We are experiencing a serious problem with the Nevada State Board of Dental Examiners. Instead of the Dental Board being involved with the disciplinary process it has delegated its responsibilities to its private attorney, John Hunt, and executive director, Debra Shaffer, neither of whom were appointed by the Governor and both of whom are employees making \$270,000 and \$160,000, respectively. In my case, I practiced in the underserved area of Pahrump, Nevada. Unfortunately, simple disputes over patient fees turned into over \$20,000 in "legal fees and costs" for the Board's private attorney, John Hunt. I was coerced into signing a Stipulation Agreement to avoid more "fees and costs" that I was already unable to pay.

Recently, when I made a request for the Board to grant me an extension for 60 days to pay the balance I owe of \$1,990 for Mr. Hunt's "fee and costs." This request was made after I was forced into closing my business in Pahrump. I'm now in transition seeking employment in Las Vegas. Despite my indigent circumstances, the Dental Board denied my request. This means that, although I've complied with all other aspects of the Stipulation Agreement, the Board will suspend my license because I haven't finished paying everything Mr. Hunt charged me for his "fees and costs." In disciplinary matters, the Dental Board functions without common sense and fairness with its licensees because it does whatever its private attorney Hunt instructs it to do. However, the denial of a request to hold in abeyance monies owed until one is employed to pay one's debt is just one example of how the Dental Board functions in a punitive and not a rehabilitative manner.

A recent Performance Audit conducted by the Legislative Counsel Bureau ("LCB") identified over 50 dental licensees who had been overcharged for "investigation fees" by its private attorney, John Hunt, including myself. It should be noted that the LCB only reviewed the past couple of years although Mr. Hunt has been using his same unlawful tactics and practices for over 20 years. As of this date, the Dental Board still has no supervision or accountability in place for its private attorney who uses the Board as a pass-through entity for his "investigation costs."

Therefore, I am requesting the Board of Examiners:

1. REFUSE to ratify the Dental Board's decision to increase its pay by over 70% for one outside counsel from \$700,000 to \$1.2 Million when the LCB's Auditor has recommended the Dental Board's use of such outside counsel be reduced to 20% or not more than \$98,000 if not eliminated altogether; and
2. REFER Dental Board's request to Legislative Commission for further review since it was the Legislative Commission that ordered a performance audit of the Dental Board be done by the Legislative Counsel Bureau's Audit Division.

Thank you for your service to our state and taking the time to listen to us today!

dan royai

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Dr. erika

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Notes

Fwd: Dr. Erika Smith suspension Monday, November 7, 2016 9:43 AM S

From: "Dr. erika Smith" <erikajdds@yahoo.com>

To: [Redacted]

Full Headers Printable View

Sent from my iPhone

Begin forwarded message:

From: "Dr. erika Smith" <erikajdds@yahoo.com>
Date: October 26, 2016 at 9:40:16 AM PDT
To: <dashafer@nsbde.nv.gov>
Subject: Dr. Erika Smith suspension
Reply-To: "Dr. erika Smith" <erikajdds@yahoo.com>

To Whom It May Concern:

I am requesting the lifting of my suspension for 60 day extension because I have a company that wants to hire me. It would put me in a position to pay my fine and reinstatement fee in the amount of \$1990. I would appreciate your favorable consideration in this matter.

Dr. Erika J. Smith

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Nevada State Board of Dental Examiners



6010 S. Rainbow Boulevard, Building A, Suite 1 • Las Vegas, Nevada 89118 • (702) 486-7044 • (800) DDS-EXAM • Fax (702) 486-7046

October 11, 2016

Erika Smith, DDS
2550 E Desert Inn Road, #248
Las Vegas, NV 89121

Dear Dr. Smith,

On October 11, 2016, you appeared before the State Board of Examiners and under "Public Comment" of their Board's Agenda you read into the record the attached correspondence. Please be advised, the Board is reaching out to you directly in lieu of your legal counsel Berna Rhodes-Ford, Esquire since receiving the attorney-client termination letter on October 5, 2016.

The Board is responding to your inquiry into the budgeted legal expenses for FY17 and other matters set forth in the attached document. The Board provides the following information which is consistent with the request of Ms. Tina Tsou, Secretary with the Las Vegas Dental Association (*this entity is not connected or affiliated with the Nevada Dental Association or their respective societies which are recognized entities by the American Dental Association*) regarding similar matters. The response from the Board was sent via e-mail to Ms. Tsou on September 26, 2016 since the Board was unable to mail said response to the Las Vegas Dental Association directly because there are no addresses, business license(s) or registration with the Nevada Secretary of State for this entity doing business.

Respectfully, the Board provides the following information.

1). A breakdown of where the \$270,000.00 dollars under "legal expenses" budgeted for FY 2017 is being allocated?

The allocation is for legal expenses noted to include, Mr. Hunt, Mr. Drizin and the Attorney General's office is based on the annual terms of each contract and the Memorandum of Understanding with the Attorney General's office.

Mr. Hunt's contract is for \$175,000.00 annually and Mr. Drizin's contract is for \$87,500.00 annually. In addition, the Board has a Memorandum of Understanding with the Office of the Attorney General for a minimum amount of thirty six (36) hours at the rate of \$154.36 per hour for a budgeted amount of \$5,556.96 for FY 17. The total contracted legal amounts are approximately \$268,057.00. This is consistent with the budget amount of \$270,000.00. Since the Board has contracts in place for a total of \$268,057.00 at a minimum the Board has allocate those amounts.

As with any budget the Board makes every effort to be mindful of the budget limits but realizes when budgeting for investigative and disciplinary matters, you may have unforeseen expenses.

2). An explanation as to why the Board has chosen to continue excessive expenditures for outside counsel when the LCB audit recommended that the use of such counsel should or could be reduced to 20%?

Respectfully, the Legislative Auditors made a recommendation to the Board requesting the Board merit employing in-house counsel vs. contracting with outside counsel. The Auditors believed having in-house counsel may bring a cost savings to the Board in the amount of approximately \$100,000.00 per year. The Budget and Finance Committee was provided the regular pay and benefits for three Boards that employ in-house counsel. Attorneys that are independent contractors are under contract with the Board but are not considered employees and therefore are not eligible for benefits with the State of Nevada.

The three Boards are the Nevada State Board of Medical Examiners, the Nevada State Board of Pharmacy and the Nevada State Board of Nursing. The figures below are for FY 2015. This information was obtained through transparentnv.gov.

	Regular Pay	Total Benefits	Total of Both Columns
Nevada Board of Pharmacy*			
General Counsel (Full-time)	\$125,340.12	\$49,207.68	\$174,548.40
Administrative Assistant (Full-time)	\$36,982.32	\$17,036.52	\$54,018.84
Total Regular Pay & Benefits paid (2015)	\$162,322.44	\$66,244.20	\$228,566.64
Nevada State Board of Medical Examiners*			
General Counsel (Full-time)	\$96,732.94	38,834.25	\$135,567.19

General Counsel (Part-time)	\$48,031.50	\$13,633.14	\$61,664.64
Legal Assistant (Full-time)	\$44,658.39	\$22,740.62	\$67,399.01
Total Regular Pay & Benefits paid (2015)	\$189,422.83	\$75,208.71	\$264,630.94
Nevada State Board of Nursing**			
General Counsel (Fulltime)	\$122,406.00	\$33,371.06	\$145,515.00
Receptionist (Fulltime)	\$23,109.00	\$5,236.98	\$38,608.04
Total Regular Pay & Benefits paid (2015)	\$145,515.00	\$38,608.04	\$184,123.04

**Please note since FY 2016 the Nevada Board of Nursing has acquired another full-time attorney which the regular pay and total benefits are not included in the amount referenced above.

Based upon the amounts for FY 2015 referenced above and the amount paid to Mr. Hunt's law firm for FY 2015 in the amount of approximately \$280,000.00 you can see to receive the same legal representation as the Board currently has and in comparison with the three Boards identified above there may not be a cost savings of \$100,000.00 yearly. In addition, the Budget & Finance Committee considered additional costs the Board would incur with having in-house counsel employed by the Board as oppose to contracting with an independent counsel. Those costs include, but are not limited to, workers compensation, employment tax, on-line law library costs, and possible office relocation or expansion.


The Board will be collecting more information and considering all costs associated with employing in-house counsel vs. independent contracted legal counsel during FY 2017. The Board has a fiduciary responsibility to ensure all costs are taken into consideration when making this decision.

As for the stipulation agreement noted in the public comment document in where, it is alleged a licensee recently spent "*over \$10,000.00 dollars in legal "fees and costs" involving a fees dispute of \$300.00 that had nothing to do with the practice of dentistry and took over 16 months to resolve*", the Board cannot provide a response without the identity of the licensee and the details surrounding the action taken by the Board.

Lastly, the Board is providing a copy of this correspondence and other relative materials to the State Board of Examiners in accordance with NRS 631.368.

I hope this information is helpful. Should you have additional questions, please do not hesitate to contact me at (702) 486-7044.

Sincerely,


Debra Shaffer-Kugel, Executive Director
Nevada State Board of Dental Examiners

Cc. File

State Board of Examiners

STATEMENT TO NEVADA STATE BOARD OF DENTAL EXAMINERS

(Erika Smith, DDS, September 23, 2016)

Good Morning. My name is Erika Smith. I am a member of the Las Vegas Dental Society. On August 18, 2016, the Budget and Finance Committee for the Nevada State Board of Dental Examiners made a decision to increase the Board's budget for legal expenses in its fiscal year 2016-2017. During this Board's Committee meeting on August 18th, an attachment to its Agenda was provided wherein the Board listed in its 2016-2017 financial budget "legal expenses" in the amount of \$270,000 with the explanation "Includes Hunt, Drizin, and AG." However, the Dental Board paid its outside counsel, John Hunt, alone \$278,000 in 2015. Thus, these figures make no sense and are in direct conflict with the LCB Audit recommendation to reduce the use of outside counsel to 20%.

The Dental Board has been recommended to reduce the use of its outside counsel because such excessive use has caused the Dental Board's legal "fees and costs" to spiral out of control. For example, one dentist recently expended over \$10,000 in legal "fees and costs" involving a fee dispute over \$300 that had nothing to do with the practice of dentistry and it took the Dental Board over 16 months to resolve it. A simple fee dispute case such as this could easily have been resolved by having a volunteer mediator make a phone call. Another dentist has expended over \$160,000 just in legal defense fees against the Dental Board in the past 8 years and many, if not all, of these cases could've been handled with dispute resolution since none of these cases involved a bad outcome or malpractice but instead involved philosophical differences, copay complaints, and mistaken identity. However, dispute resolution, which is available to attorneys at no cost to them or their clients, is not available for dentists and their patients.

Therefore, on behalf of Las Vegas Dental Society, I am requesting the Board of Examiners:

1. REFUSE to ratify the Dental Board's decision pay its outside counsel \$270,000 for its 2016-2017 fiscal year;
2. REFER Dental Board's request to Legislative Commission for further review since it was the Legislative Commission that ordered a performance audit of the Dental Board be done by the Legislative Counsel Bureau's Audit Division;
3. REQUIRE the Dental Board to provide a breakdown of where the \$270,000 in "legal expenses" budgeted for its 2016-2017 fiscal year is being allocated; and
4. REQUEST the Dental Board provide the public with an explanation as to why the Dental Board has chosen to continue its excessive expenditure for outside counsel when the Legislative Counsel Bureau's Auditor has recommended the Dental Board's use of outside counsel should be reduced to 20% or not more than \$54,000.

Thank you!

(C) 702-557-1491
erikajddseyahoo.com

ORIGINAL

STATE OF NEVADA
BEFORE THE BOARD OF DENTAL EXAMINERS

NEVADA STATE BOARD OF DENTAL
EXAMINERS,

Case No. 74127-02832

Complainant,

vs.

ERIKA J. SMITH, DDS,

Respondent.

CORRECTIVE ACTION
NON-DISCIPLINARY
STIPULATION AGREEMENT

IT IS HEREBY STIPULATED AND AGREED by and between ERIKA J. SMITH, DDS ("Respondent" or "Dr. Smith"), by and through her attorney, BERNA L. RHODES-FORD, ESQ. of the law firm RHODES-FORD & ASSOCIATES, P.C., the NEVADA STATE BOARD OF DENTAL EXAMINERS (the "Board"), by and through BRADLEY ROBERTS, DDS, Disciplinary Screening Officer ("DSO"), and the Board's legal counsel, JOHN A. HUNT, ESQ., of the law firm MORRIS, POLICH & PURDY, LLP as follows via this *Corrective Action Non-Disciplinary Stipulation Agreement* ("Stipulation Agreement" or "Stipulation"):

JULY 18, 2012, CORRECTIVE ACTION STIPULATION AGREEMENT

1. On May 11, 2012, Respondent entered into a *Corrective Action Stipulation Agreement* with the Board in case no. 11-02285 which was approved by the Board on July 18, 2012, which, in pertinent part, provides:

1. On June 6, 2011, the Board notified Respondent of a verified complaint received from Sunshine Flores on behalf of Minor, Shawn Wainwright. On June 20, 2011, the Board received an answer to the complaint filed on behalf of the Respondent by Andras F. Babero, Esq.

2. Based upon the limited investigation conducted to date, Disciplinary Screening Officer, Bradley Roberts, DDS, applying the administrative burden of proof of substantial evidence as set forth in *State, Emp. Security v. Hilton Hotels*, 102 Nev. 606, 608, 729

ED

Respondent's initials

blj

Respondent's attorney's initials

1 P.2d 497, 498 (1986); and see *Minton v. Board of Medical Examiners*, 110 Nev. 1060,
2 881 P. 2d 1339 (1994), see also NRS 233B.135(3)(e), but not for any other purpose,
3 including any other subsequent civil action, finds there is substantial evidence that
4 Respondent failed to maintain proper records of pediatric patient Shawn Wainwright in
5 violation of NAC 631.230(1)(c).

6 3. Applying the administrative burden of proof of substantial evidence as set forth
7 in *State, Emp. Security v. Hilton Hotels*, 102 Nev. 606, 608, 729 P.2d 497, 498 (1986);
8 and see *Minton v. Board of Medical Examiners*, 110 Nev. 1060, 881 P. 2d 1339 (1994),
9 see also NRS 233B.135(3)(e), Respondent without admitting to the opinion of the
10 Disciplinary Screening Officer contained in paragraph 2, acknowledges for settlement
11 purposes only, if this matter were to proceed to a full board hearing, substantial evidence
12 exists that Respondent failed to maintain proper records of pediatric patient Shawn
13 Wainwright in violation of NAC 631.230(1)(c).

14 Id., at 1:20 to 2:12 (emphasis in original).

15 PATIENT, SHERRY WEST

16 2. Via a *Notice of Complaint & Request for Records* dated September 9, 2014, the Board
17 notified Respondent of a verified complaint received from Sherry West. Via letter dated
18 September 20, 201[4], Respondent's attorney was advised that his request for an extension to file
19 an answer to Ms. West's verified complaint was granted to and including October 10, 2014. On
20 October 10, 2014, the Board received a written response (w/enclosures) dated October 10, 2014,
21 from Respondent's attorney in response to Ms. West's verified complaint, a copy of which was
22 provided to Ms. West on October 22, 2014. On November 13, 2014, the Board received dental
23 records from Dr. Steven DeLisle regarding Ms. West, pursuant to the DSO's request, copies of
24 which were provided to Ms. West and Respondent on November 14, 2014. On or about
25 November 25, 2014, the Board received a copy of the daily schedules from Dr. Smith for the
26 period April 1, 2014, to May 30, 2014, pursuant to the DSO's request, copies of which were
27 provided to Respondent and her attorney.

28 3. Based upon the limited investigation conducted to date, DSO, Bradley Roberts, DDS,
believes for this matter and not for any other purpose, including any subsequent civil action,
Respondent violated NAC 631.230(1)(c) with respect to treatment rendered to patient, Sherry

1 West:

2 A. Respondent's delivery of four (4) quadrants of scaling and root planing was
3 unacceptable. Respondent completed (4) quadrants of scaling and root planing in just
4 over one (1) hour. Respondent's daily schedule indicates the patient was only scheduled
5 for one (1) hour to complete four (4) quadrants of scaling and root planing.
6 Respondent's daily schedule also indicates Respondent scheduled several other
7 procedures immediately after treating this patient.

8 B. Respondent prepared Teeth #7, 8, 9, and 10 for porcelain fused to metal crowns
9 during a scheduled one (1) hour appointment. At the end on the one (1) hour appointment
10 Respondent commenced treatment on the next patient. At the next (1) hour appointment
11 Respondent permanently cemented crowns on Teeth # 7, 8, 9, and 10. The next day the
12 crown for tooth #10 came loose while the patient was eating and the crown was
13 swallowed. Respondent took a new impression to replace the swallowed crown for tooth
14 #10 and while doing so the other three (3) permanently cemented crowns detached in the
15 impression for the new crown for tooth #10. Those three (3) crowns, Teeth #7, 8, and 9
16 were again cemented permanently by Respondent. Respondent refused to deliver the
17 replacement crown for Tooth #10 because Respondent wanted payment prior to
18 completing treatment. Respondent's crowns placed on Teeth #7, 8, and 9 were ill-fitting
19 due to open and short margins as observed by the DSO and recorded in the notes of the
20 subsequent treating dentist.

21 PATIENT, TIMOTHY CARLO

22 4. Via a *Notice of Complaint & Request for Records* dated May 5, 2014, the Board notified
23 Respondent of a verified complaint received from Timothy Carlo. On June 17, 2014, the Board
24 sent Respondent a letter regarding not having received a response regarding Mr. Carlo's verified
25 complaint. On July 18, 2014, the Board received a written response (w/enclosures) dated July 17,
26 2014, from Respondent's attorney in response to Mr. Carlo's verified complaint, a copy of which
27 was provided to Mr. Carlo on August 11, 2014. On November 21, 2014, the Board received
28 Respondent's account ledgers and EOBs regarding Mr. Carlo, pursuant to the DSO's request,
copies of which were provided to Mr. Carlo, Respondent, and Respondent's attorney on
November 25, 2014. On or February 20, 2015, the Board received dental records regarding Mr.
Carlo from Dr. Arin Louisignont, pursuant to the DSO's request, copies of which were provided
to Mr. Carlo, Respondent, and Respondent's attorney on February 25, 2015. On or February 23,

Respondent's attorney's initials

1 2015, the Board received dental records regarding Mr. Carlo from Dr. David Fife, pursuant to the
2 DSO's request, copies of which were provided to Mr. Carlo, Respondent, and Respondent's
3 attorney on February 25, 2015.

4
5 5. Based upon the limited investigation conducted to date, DSO, Bradley Roberts, DDS,
6 believes for this matter and not for any other purpose, including any subsequent civil action,
7 Respondent violated NAC 631.230(1)(c) with respect to treatment rendered to patient, Timothy
8 Carlo:

9 A. Respondent's build-ups performed on Teeth #13, 14 and 18 were unacceptable.
10 Respondent left decay under the buildups performed on Teeth #13, 14 and 18. The
11 remaining decay is noted by the subsequent treating dentist.

12 B. Respondent's failed to take periapical radiographs of the teeth that were prepared.
13 Without such radiographs, Respondent could not know if the teeth in question had any
14 periapical pathology that would indicate the need for endontic therapy.

15 C. After placing temporary crowns on Teeth #13 and 14 the patient complained of
16 discomfort and sensitivity. Despite knowing of the patient's complaint, Respondent
17 failed to take periapical radiographs to determine if Teeth #13, and 14 may require
18 endodontic treatment.

19 PATIENT, TIMOTHY WIGCHERS

20 6. Via a *Notice of Complaint & Request for Records* dated October 10, 2014, the Board
21 notified Respondent of a verified complaint received from Timothy Wigchers. Via letter dated
22 October 23, 2014, Respondent's attorney was advised that his request for an extension to file an
23 answer to Mr. Wigchers' verified complaint was granted to and including November 7, 2014. On
24 November 14, 2014, the Board received a written response (w/enclosures) dated November 14,
25 2014; from Respondent's attorney in response to Mr. Wigchers' verified complaint, a copy of
26 which was provided to Mr. Wigchers on December 2, 2014. On or February 19, 2015, the Board
27 received dental records regarding Mr. Wigchers from Dr. Kevin Deuk, pursuant to the DSO's
28 request, copies of which were provided to Mr. Wigchers, Respondent, and Respondent's attorney
on February 25, 2015.



Respondent's initials



Respondent's attorney's initials

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7. Based upon the limited investigation conducted to date, DSO, Bradley Roberts, DDS, believes for this matter and not for any other purpose, including any subsequent civil action, Respondent violated NAC 631.230(1)(c) with respect to treatment rendered to patient, Timothy Wigchers:


A. Respondent failure to complete treatment because of the patient's financial inability was unacceptable.

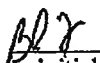
B. Respondent record keeping for this patient was unacceptable. The patient's record indicates charges for crowns already completed. The patient's record reflect charges for treatment on dates when the patient was not even in the office. The patient's records failed to indicate the payments made by the patient. Respondent's records for this patient do not memorialize any of the conversations with patient regarding insurance problems.

8. Respondent, without admitting to the opinions of the DSO, Bradley Roberts, DDS, contained in Paragraph 3 (re: Patient, Sherry West), Paragraph 5 (re: Patient Timothy Carlo), Paragraph 7 (re: Patient, Timothy Wigchers) acknowledges for this matter and not for any other purpose, including any subsequent civil action, if this matter were to proceed to a full board hearing, a sufficient quantity and/or quality of evidence could be proffered sufficient to meet a preponderance of the evidence standard of proof demonstrating Respondent violated the regulatory provisions noted above in Paragraph 3 (re: Patient, Sherry West), Paragraph 5 (re: Patient Timothy Carlo), and Paragraph 7 (re: Patient, Timothy Wigchers).

9. Based upon the limited investigation conducted to date, the findings of the Disciplinary Screening Officer, and the acknowledgements by Respondent contained in Paragraph 8 above, the parties have agreed to resolve the pending investigations pursuant to the following non-disciplinary corrective terms and conditions:

A. Respondent's dental practice shall be monitored for a period of twelve (12) months from the adoption of this Stipulation ("monitoring period"). During the monitoring period, Respondent shall allow either the Executive Director of the Board and/or the agent appointed by the Executive Director of the Board to inspect Respondent's records during


Respondent's initials


Respondent's attorney's initials

1 normal business hours to insure compliance of this Stipulation. During the monitoring
2 period, Respondent's practice shall be monitored regarding scaling, root planning,
3 crowns, record keeping, and billing practices. Such monitoring shall include, but will not
4 be limited to, personally observing the treatment rendered to patients receiving scaling,
5 root planning, and crowns and regarding the office's record keeping, and billing
6 practices. Respondent further acknowledges the Disciplinary Screening Officer and or an
7 agent appointed by the Executive Director may contact patients regarding scaling, root
8 planning, crowns, record keeping, and billing practices.

9 B. In the event Respondent no longer practices dentistry in the State of Nevada prior to
10 completion of the above-referenced monitoring period, the monitoring period shall be
11 tolled. In the event the monitoring period is tolled because Respondent does not practice
12 in the State of Nevada and the terms and conditions of this Stipulation Agreement are not
13 satisfied (i.e., including completion of the monitoring period) within two (2) years from
14 the adoption of this Stipulation Agreement by the Board, Respondent agrees her license
15 to practice dentistry in Nevada will be deemed voluntarily surrendered with disciplinary
16 action. Thereafter, the Board's Executive Director without any further action or hearing
17 by the Board shall issue an Order of Voluntary Surrender with disciplinary action and
18 report same to the National Practitioners Data Bank.

19 C. Respondent further agrees during the above-referenced monitoring period wherein
20 Respondent is practicing dentistry in the State of Nevada, Respondent shall maintain a
21 daily log containing the following information for patients receiving scaling, root
22 planning, and crowns:

- 23 1. Name of patient
- 24 2. Date treatment commenced
- 25 3. Explanation of treatment
- 26 4. Pre and Post radiographs

27 The daily log shall be made available during normal business hours without notice. In
28 addition, during the above-referenced monitoring period, Respondent shall mail to the
Board no later than the fifth (5th) day of the month a copy of the daily log(s) for the
preceding calendar month (for example: by May 5, Respondent shall mail to the Board a
copy of daily log(s) for the month of April) (hereinafter "monthly log mailing
requirement"). Respondent acknowledges failure to comply with the monthly log mailing
requirement shall be an admission of unprofessional conduct. In addition, failure to
maintain and/or provide the daily log upon request by an agent of the Board shall be an
admission of unprofessional conduct. Upon receipt of substantial evidence that
Respondent has either failed to comply with the monthly log mailing requirement, failed
to maintain or has refused to provide the daily log upon request by an agent assigned by
the Executive Director, or Respondent has refused to provide copies of patient records
requested by the agent assigned by the Executive Director, Respondent agrees her license
to practice dentistry in the State of Nevada shall be automatically suspended without any



1 further action of the Board other than the issuance of an Order of Suspension by the
2 Executive Director. Thereafter, Respondent may request, in writing, a hearing before the
3 Board to reinstate Respondent's license. However, prior to a full Board hearing,
4 Respondent waives any right to seek judicial review, including injunctive relief from any
5 court of competent jurisdiction, including a Nevada Federal District Court or Nevada
6 State District Court to reinstate her privilege to practice dentistry in the State of Nevada
7 pending a final Board hearing. Respondent shall also be responsible for any costs or
8 attorney's fees incurred in the event the Board has to seek injunctive relief to prevent
9 Respondent from practicing dentistry during the period Respondent's license is
10 automatically suspended.

11 D. In addition to completing the required continuing education, Respondent shall obtain an
12 additional forty (30) hours of supplemental education as follows:

- 13 1. Ten (10) hours re: scaling and root planning
- 14 2. Ten (10) hours re: crowns
- 15 3. Ten (10) hours re: record keeping and billing practices.

16 Information, documents, and/or description for the above-referenced supplemental
17 education must be submitted in writing to the Executive Director of the Board for
18 approval prior to attendance. Upon the receipt of the written request to attend the
19 supplemental education, the Executive Director of the Board shall notify Respondent in
20 writing whether the requested supplemental education is approved for attendance.
21 Respondent agrees fifty percent (50%) of the supplemental education in each category
22 shall be completed through attendance at live lecture and/or hands on clinical
23 demonstration and the remaining fifty percent (50%) of the supplemental education in
24 each category may be completed through online/home study courses. The cost associated
25 with this supplemental education shall be paid by Respondent. All of the supplemental
26 education must be completed within nine (9) months of the adoption of this Stipulation
27 by the Board. In the event Respondent fails to complete the supplemental education set
28 forth in paragraph 9.D. within nine (9) months of adoption of this Stipulation by the
Board, Respondent agrees her license to practice dentistry in the State of Nevada may be
automatically suspended by the Board's Executive Director without any further action of
the Board other than the issuance of an Order of Suspension by the Executive Director.
Upon Respondent submitting written proof of the completion of the supplemental
education and paying the reinstatement fee pursuant to NRS 631.345, Respondent's
license to practice dentistry in the State of Nevada will automatically be reinstated by the
Executive Director of the Board, assuming there are no other violations of any of the
provisions contained in this Stipulation. Respondent agrees to waive any right to seek
injunctive relief from any Federal or State of Nevada District Court to prevent the
automatic suspension of Respondent's license to practice dentistry in the State of Nevada
due to Respondent's failure to comply with Paragraph 9.D. Respondent shall also be
responsible for any costs or attorney's fees incurred in the event the Board has to seek
injunctive relief to prevent Respondent from practicing dentistry during the period

1 Respondent's license is automatically suspended.

2 E. Respondent agrees within ninety (90) days of adoption of this Stipulation Agreement by the
3 Board, Respondent shall reimburse the Board for the cost of the investigations and cost
4 associated in enforcing the terms and conditions of probation in the amount of this Six
5 Thousand Six Hundred Forty-Two and xx/100 Dollars (\$6,642.00). Payment shall be made
6 payable to the Nevada State Board of Dental Examiners and mailed directly to 6010 S.
7 Rainbow Blvd., Suite A1, Las Vegas, Nevada 89118.

8 F. Respondent agrees to reimburse Patient, Sherry West, in the amount of One Thousand Four
9 Hundred Thirty-Two and xx/100 Dollars (\$1,432.00). Relative to Ms. West. Respondent
10 shall also waive any balance, if any, and withdraw any and all collection efforts, if any such
11 efforts have been initiated regarding Ms. West. Payment of the \$1,432.00 shall be made with
12 thirty (30) days of the Board adopting this Stipulation. Respondent shall deliver/mail to the
13 Board (6010 S. Rainbow Blvd., Suite A1, Las Vegas, Nevada 89118) check made payable to
14 Sherry West.

15 G. Respondent represents she has to reimburse the patients' insurance provider(s) any monetary
16 benefit(s) Respondent has received. Relative to matters regarding Mr. Carlo, Respondent
17 shall also waive any balance, if any, and withdraw any and all collection efforts, if any such
18 efforts have been initiated regarding Mr. Carlo.

19 H. Respondent agrees to reimburse Patient, Timothy Wigchers, in the amount of Four Hundred
20 Thirty-Three and xx/100 Dollars (\$433.00). Relative to matters addressed above regarding
21 Mr. Wigchers. Respondent shall also waive any balance, if any, and withdraw any and all
22 collection efforts, if any such efforts have been initiated regarding Mr. Wigchers. Payment of
23 the \$433.00 shall be made with thirty (30) days of the Board adopting this Stipulation.
24 Respondent shall deliver/mail to the Board (6010 S. Rainbow Blvd., Suite A1, Las Vegas,
25 Nevada 89118) check made payable to Timothy Wigchers.

26 I. In the event Respondent defaults (which includes failure to timely pay) any of the payments
27 set forth in Paragraph 9 and any of its subparts, Respondent agrees her license to practice
28 dentistry in the State of Nevada may be automatically be suspended without any further
action of the Board other than issuance of an Order of Suspension by the Board's Executive
Director. Subsequent to the issuance of the Order of Suspension, Respondent agrees to pay a
liquidated damage amount of Twenty Five and xx/100 Dollars (\$25.00) for each day
Respondent is in default on the payment(s) of any of the amounts set forth in Paragraph 9.
Upon curing the default of the applicable defaulted payment contained in Paragraph 9 and
paying the remaining balance in full of any defaulted provision, paying the liquidated
damages and payment of the license reinstatement fee, Respondent's license to practice
dentistry in the State of Nevada will automatically be reinstated by the Board's Executor
Director, assuming there are no other violations by Respondent of any of the provisions
contained in this Stipulation Agreement. Respondent shall also be responsible for any costs
or attorney's fees incurred in the event the Board has to seek injunctive relief to prevent

1 Respondent from practicing dentistry during the period in which her license is suspended.
2 Respondent agrees to waive any right to seek injunctive relief from any court of competent
3 jurisdiction, including a Nevada Federal District Court or a Nevada State District Court to
4 reinstate her license prior to curing any default on the amounts due and owing as addressed
5 above.

6 J. Respondent agrees to retake the jurisprudence test as required by NRS 631.240(2) on the
7 contents and interpretation of NRS 631 and the regulations of the Board. Respondent shall
8 have ninety (90) days, commencing upon adoption of this Stipulation by the Board, to
9 complete the jurisprudence test. Respondent, upon adoption of this Stipulation shall receive a
10 username and password to enable Respondent to access the online Jurisprudence
11 Examination. In the event Respondent fails to successfully complete the jurisprudence test
12 within ninety (90) days of adoption of this Stipulation, Respondent agrees his license to
13 practice dentistry in the State of Nevada shall be automatically suspended without any further
14 action of the Board other than issuance of an order by the Executive Director. Upon
15 successful completion of the jurisprudence test, Respondent's license to practice dentistry in
16 the State of Nevada will be automatically reinstated, assuming all other provisions of this
17 Stipulation are in compliance. Respondent agrees to waive any right to seek injunctive relief
18 from any Federal or State of Nevada District Court to prevent the automatic suspension of
19 Respondent's license to practice dentistry in the State of Nevada due to Respondent's failure
20 to comply with Paragraph 9.J. Respondent shall also be responsible for any costs or
21 attorney's fees incurred in the event the Board seeks injunctive relief to prevent Respondent
22 from practicing dentistry during the period Respondent's license is automatically suspended.

23 K. In the event Respondent fails to cure any defaulted payments within forty-five (45) days of
24 the default, Respondent agrees the amount may be reduced to judgment.

25 L. Respondent waives any right to have any amount(s) owed pursuant to this Stipulation
26 discharged in bankruptcy.

27 M. Respondent is contemplating not actively practicing dentistry in the State of Nevada. It is
28 agreed that prior to the completion of the monitoring period referenced above, Respondent
may voluntarily surrender her license to practice dentistry in the State of Nevada, pursuant to
NAC 631.160 and the Board shall be required to accept Respondent's voluntary surrender
pursuant to NAC 631.160 if, and only if, Respondent has successfully and timely completed
the terms and conditions of this Stipulation referenced in Paragraphs 9.D, 9.E., 9.F., 9.G.,
9.H., and 9.J. and, if and only if, there are no new verified complaints submitted to the Board
subsequent to the adoption of the Stipulation by the Board. In the event Respondent
surrenders her license voluntarily pursuant to the terms and conditions of this Paragraph,
such surrender shall be deemed non disciplinary and will not be reported to the National
Practitioners Data Bank.

CONSENT

10. Respondent has read all of the provisions contained in this Stipulation Agreement and

ED

blg
Respondent's attorney's initials

1 agrees with them in their entirety.

2
3 11. Respondent is aware by entering into this Stipulation Agreement she is waiving certain
4 valuable due process rights contained in, but not limited to, NRS 631, NAC 631, NRS 233B and
5 NAC 233B.

6 12. Respondent expressly waives any right to challenge the Board for bias in deciding
7 whether or not to adopt this Stipulation Agreement in the event this matter was to proceed to a
8 full Board hearing.

9
10 13. Respondent and the Board agree any statements and/or documentation made or
11 considered by the Board during any properly noticed open meeting to determine whether to
12 adopt or reject this Stipulation Agreement are privileged settlement negotiations and, therefore,
13 such statements or documentation may not be used in any subsequent Board hearing or judicial
14 review, whether or not judicial review is sought in either the State or Federal District Court.

15 14. Respondent acknowledges she has read this Stipulation Agreement. Respondent
16 acknowledges she has been advised he has the right to have this matter reviewed by independent
17 counsel and she has had ample opportunity to seek independent counsel. Respondent has been
18 specifically informed she should seek independent counsel and advice of independent counsel
19 would be in Respondent's best interest. Having been advised of his right to independent counsel,
20 as well as having the opportunity to seek independent counsel, Respondent has retained BERNA
21 L. RHODES-FORD, ESQ. of the law firm RHODES-FORD & ASSOCIATES, P.C., as her
22 attorney and has reviewed this Stipulation with her attorney. Respondent specifically
23 acknowledges she understands this Stipulation's terms and terms and conditions and agrees with
24 the same.

25 15. Respondent acknowledges she is consenting to this Stipulation Agreement voluntarily,
26 without coercion or duress and in the exercise of her own free will.
27

1 16. Respondent acknowledges no other promises in reference to the provisions contained in
2 this Stipulation Agreement have been made by any agent, employee, counsel or any person
3 affiliated with the Nevada State Board of Dental Examiners.

4
5 17. Respondent acknowledges the provisions in this Stipulation Agreement contain the entire
6 agreement between Respondent and the Board and the provisions of this Stipulation Agreement
7 can only be modified, in writing, with Board approval.

8 18. Respondent agrees in the event the Board adopts this Stipulation Agreement, she hereby
9 waives any and all rights to seek judicial review or otherwise to challenge or contest the validity
10 of the provisions contained herein.

11
12 19. Respondent and the Board agree none of the parties shall be deemed the drafter of this
13 Stipulation Agreement. In the event this Stipulation Agreement is construed by a court of law or
14 equity, such court shall not construe it or any provision hereof against any party as the drafter.
15 The parties hereby acknowledge all parties have contributed substantially and materially to the
16 preparation of this Stipulation Agreement.

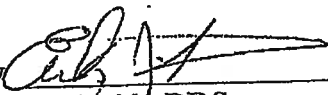
17 20. Respondent specifically acknowledges by her signature herein and by her initials at the
18 bottom of each page of this Stipulation Agreement, she has read and understands its terms and
19 acknowledges she has signed and initialed of her own free will and without undue influence,
20 coercion, duress, or intimidation.

21
22 21. Respondent acknowledges in consideration of execution of this Stipulation Agreement,
23 Respondent hereby releases, remises, and forever discharges the State of Nevada, the Board, and
24 each of their members, agents, employees and legal counsel in their individual and representative
25 capacities, from any and all manner of actions, causes of action, suits, debts, judgments,
26 executions, claims, and demands whatsoever, known and unknown, in law or equity, that
27 Respondent ever had, now has, may have, or claim to have against any or all of the persons or
28 entities named in this section, arising out the complaint(s) of the above-referenced Patient(s).

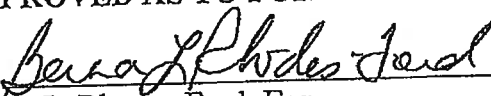
1 22. Respondent acknowledges in the event the Board adopts this Stipulation Agreement, it
2 may be considered in any future Board proceeding(s) or judicial review, whether such judicial
3 review is performed by either the State or Federal District Court(s).

4
5 23. This Stipulation Agreement will be considered by the Board in an open meeting. It is
6 understood and stipulated the Board is free to accept or reject this Stipulation Agreement and if it
7 is rejected by the Board, the Board may take other and/or further action as allowed by statute,
8 regulation, and/or appropriate authority. This Stipulation Agreement will only become effective
9 when the Board has approved the same in an open meeting. Should the Board adopt this
10 Disciplinary Stipulation Agreement, such adoption shall be considered a final disposition of a
11 contested case and will become a public record and is not reportable to the National Practitioner
12 Data Bank.

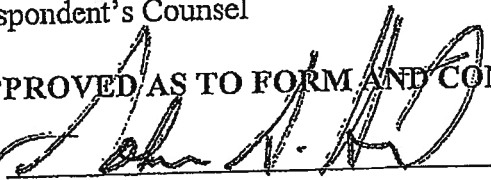
12 DATED this 14 day of August, 2015.

14 By 
15 Erika J. Smith, DDS
16 Respondent

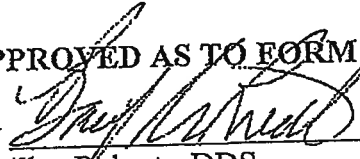
17 APPROVED AS TO FORM AND CONTENT

18 By  this 14th day of August, 2015.
19 Berna L. Rhodes-Ford, Esq.
20 Rhodes-Ford & Associates, P.C.
21 Respondent's Counsel

22 APPROVED AS TO FORM AND CONTENT

22 By  this 14 day of August, 2015.
23 John A. Hunt, Esq.
24 Morris Polich & Purdy, LLP
25 Board Counsel

26 APPROVED AS TO FORM AND CONTENT

26 By  this 14 day of August, 2015.
27 Bradley Roberts, DDS
28 Disciplinary Screening Officer

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BOARD ACTION

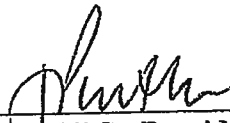
This *Corrective Action Non-Disciplinary Stipulation Agreement* in the matter captioned as Nevada State Board of Dental Examiners vs. Erika J. Smith, DDS, case no. 74127-02832 was

(check appropriate action):

Approved X Disapproved _____

by a vote of the Nevada State Board of Dental Examiners at a properly noticed meeting

DATED this 18 day of September, 2015.

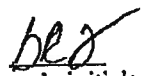


Timothy T. Pinther, DDS - President
NEVADA STATE BOARD OF DENTAL EXAMINERS

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Respondent's initials



Respondent's attorney's initials

BEFORE THE NEVADA STATE BOARD OF DENTAL EXAMINERS

IN REGARDS TO THE MATTER OF:)
)
Request from Erika Smith, DDS to Amend)
Paragraph 9(E) of the Corrective Action)
Non Disciplinary Stipulation Agreement)
Approved by the Board on September)
18, 2015 regarding reimbursement of)
Investigation costs and a request for)
Installment payments)

Case Number: 74127-02832

On November 20, 2015 pursuant to agenda item 5(e) at a properly noticed meeting held at the Nevada State Board of Dental Examiners ("Board") office located at 6010 S Rainbow Boulevard, Suite A-1, Las Vegas, Nevada 89118 the "Board" consider the following.

BOARD MEMBER PARTICIPATION:

Dr. Jade A Miller	Present
Dr. Gregory Pisani	Excused
Dr. Jason Champagne	Present
Dr. Timothy Pinther	Present
Dr. James G Kinard	Present
Dr. Ali Shahrestani	Present
Dr. Byron Blasco	Present
Ms. Caryn Solie	Present
Mrs. Leslea Villigan	Present
Mrs. Theresa Guillen	Present
Mrs. Lisa Wark	Excused

I.
BACKGROUND

- 1). On September 18, 2015, Erika Smith, DDS entered into a Corrective Action Non Disciplinary Stipulation Agreement which was approved by the Board.
- 2). Pursuant to Paragraph 9(E), Dr Smith agreed to reimburse the Board in the amount of Six Thousand Six Hundred Forty Two (\$6,642.00) Dollars within ninety (90) days from the adoption of the agreement.
- 3). On November 20, 2015, noticed as Agenda Item 5(e), the Board considered the request of Erika Smith, DDS to amend the Corrective Action Non Disciplinary Stipulation Agreement with the Board regarding the reimbursement of investigation costs and accept an installment payment plan.

II.
DISCUSSION

Board Counsel advised the Board Dr Smith is requesting to amend Paragraph 9(E) of the corrective action non disciplinary stipulation agreement regarding reimbursement of investigation costs. Dr Smith is requesting an installment payment plan. Board Counsel advised the Board Members Dr Smith has reimbursed the patients identified in the corrective action non disciplinary stipulation and is currently in compliance.

III.
CONCLUSION

After considering and discussing public comment pursuant to the authority set forth in NRS 631.190 and NRS 233B.120, a motion was made by Board Member Blasco that the Board grant Dr Smith's request to amend Paragraph 9(E) and implement an installment payment plan with the first payment in the amount of \$830.25 due on or before January 1, 2016 and on the first day of each consecutive month thereafter deliver payment to the Board in the amount of \$830.25. Listed is the following payment schedule:

January 1, 2016	\$830.25
February 1, 2016	\$830.25
March 1, 2016	\$830.25
April 1, 2016	\$830.25
May 1, 2016	\$830.25
June 1, 2016	\$830.25
July 1, 2016	\$830.25
August 1, 2016	\$830.25
September 1, 2016	\$830.25

The motion was seconded by Board Member Guillen. No discussion:

III

Dr. Pinther called for the motion:

Dr. Jade A Miller	yes
Dr. Gregory Pisani	excused
Dr. Jason Champagne	yes
Dr. Timothy Pinther	yes
Dr. James G Kinard	yes
Dr. Ali Shahrestani	yes
Dr. Byron Blasco	yes
Ms. Caryn Solie	yes
Mrs. Leslea Villigan	yes
Mrs. Theresa Guillen	yes
Mrs. Lisa Wark	excused

The motion was passed unanimously that the Board grant Dr Smith's request to amend Paragraph 9(E) and implement an installment payment plan. All other provisions of the corrective action non disciplinary stipulation agreement dated September 18, 2015 shall remain in full force and effect.



TIMOTHY PINTHER, DDS, PRESIDENT
Nevada State Board of Dental Examiners

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STATE OF NEVADA
BEFORE THE BOARD OF DENTAL EXAMINERS

NEVADA STATE BOARD OF DENTAL
EXAMINERS,

Complainant,

vs.

ERIKA SMITH, DDS

Respondent.

Case No. 11-0228, 5

CORRECTIVE ACTION
STIPULATION AGREEMENT

IT IS HEREBY STIPULATED AND AGREED by and between ERIKA SMITH, DDS (hereafter "Respondent") represented by LINDA RURANGIRWA of the law firm of BONNE BRIDGES MUELLER O'KEEFE & NICHOLS and the NEVADA STATE BOARD OF DENTAL EXAMINERS (hereafter "Board"), by and through BRADLEY ROBERTS, DDS, Disciplinary Screening Officer, and the Board's legal counsel, JOHN A. HUNT, ESQ., of the law firm of RALEIGH & HUNT, P.C. as follows:

1. On June 6, 2011, the Board notified Respondent of a verified complaint received from Sunshine Flores on behalf of Minor, Shawn Wainwright. On June 20, 2011, the Board received an answer to the complaint filed on behalf of the Respondent by Andras F. Babero, Esq.
2. Based upon the limited investigation conducted to date, Disciplinary Screening Officer, Bradley Roberts; DDS, applying the administrative burden of proof of substantial evidence as set


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1 forth in *State, Emp. Security v. Hilton Hotels*, 102 Nev. 606, 608, 729 P.2d 497, 498 (1986); and
2 see *Minton v. Board of Medical Examiners*, 110 Nev. 1060, 881 P. 2d 1339 (1994), see also NRS
3 233B.135(3)(e), but not for any other purpose, including any other subsequent civil action, finds
4 there is substantial evidence that Respondent failed to maintain proper records of pediatric
5 patient Shawn Wainwright in violation of NAC 631.230(1)(c).

6 3. Applying the administrative burden of proof of substantial evidence as set forth in *State,*
7 *Emp. Security v. Hilton Hotels*, 102 Nev. 606, 608, 729 P.2d 497, 498 (1986); and see *Minton v.*
8 *Board of Medical Examiners*, 110 Nev. 1060, 881 P. 2d 1339 (1994), see also NRS
9 233B.135(3)(e), Respondent without admitting to the opinion of the Disciplinary Screening
10 Officer contained in paragraph 2, acknowledges for settlement purposes only, if this matter were
11 to proceed to a full board hearing, substantial evidence exists that Respondent failed to maintain
12 proper records of pediatric patient Shawn Wainwright in violation of NAC 631.230(1)(c).

13 4. Based upon the limited investigation conducted to date, the findings of the Disciplinary
14 Screening Officer, Bradley Roberts, DDS, and the acknowledgment contained in Paragraph 3,
15 the parties have agreed to resolve all issues contained in the pending investigation pursuant to the
16 following corrective terms and conditions:

- 17
- 18 a. Respondent's dental practice shall be monitored for a period of twelve (12) months
19 from the adoption of this *Corrective Action Stipulation Agreement* (hereinafter
20 "Agreement" or "Stipulation Agreement") to insure compliance by Respondent
21 subsequent to the execution and adoption of this Stipulation Agreement by the Board.
22 During the twelve (12) month monitoring period, Respondent shall allow either the
23 Executive Director of the Board and/or an agent appointed by the Executive Director
24 of the Board to inspect Respondent's records during normal business hours without
25 notice and be provided copies of the billing and records for pediatric patients under
26 the age of five (5). During the monitoring period the agent assigned by the Executive
27 Director duties shall include, but not be limit to having unrestricted access to observe

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1 Respondent performing pediatric dentistry on children under the age of five (5) being
2 performed by Respondent.. During the monitoring period the agent assigned by the
3 Executive Director duties shall also include, but will not be limited to contacting and
4 possibly examining pediatric patients under the age of five (5) who have received
5 treatment(s) from Respondent.

6 b. In the event Respondent no longer practices dentistry in the State of Nevada prior to
7 completion of the monitoring period, the monitoring period shall be tolled. In the
8 event the monitoring period is tolled because Respondent does not practice in the
9 State of Nevada and the terms and conditions of this Stipulation are not satisfied
10 within twenty-four (24) months of adoption of this Stipulation by the Board,
11 Respondent agrees her license to practice dentistry in Nevada will be deemed
12 voluntarily surrendered with disciplinary action. Thereafter the Board's Executive
13 Director without any further action or hearing by the Board shall issue an Order of
14 Voluntary Surrender with disciplinary action and report same to the National
15 Practitioners Data Bank.

16 c. During the twelve (12) month monitoring period wherein Respondent is practicing
17 dentistry in the State of Nevada, Respondent shall maintain the attached daily log
18 containing the following information for any pediatric patient(s) under the age of five
19 (5) who receive treatment(s) from Respondent:

- 20 a) Name of patient
21 b) Date treatment commenced
22 c) Explanation of treatment
23 d) Amount anesthetic and/or sedation administered during each treatment.

24 The daily log shall be made available during normal business hours without notice.
25 Failure to maintain and/or provide the daily log upon request by an agent of the Board
26

1 shall be an admission of unprofessional conduct. Upon receipt of substantial
2 evidence that Respondent has either failed to maintain or has refused to provide the
3 daily log upon requested by an agent assigned by the Executive Director; or
4 Respondent has refuse to allow the agent assigned by the Executive Director to
5 observe Respondent rendering treatments to pediatric patients under the age of five
6 (5); or Respondent has refused to provide copies of patient records requested by the
7 agent assigned by the Executive Director, Respondent agrees her license to practice
8 dentistry in the State of Nevada shall be automatically suspended without any further
9 action of the Board other than the issuance of an Order of Suspension by the
10 Executive Director. Thereafter, Respondent may request, in writing, a hearing before
11 the Board to reinstate Respondents' license. However, prior to the full Board hearing,
12 Respondent waives any right seek judicial review, including injunctive relief from
13 either the Nevada Federal District Court or the Nevada State District Court to
14 reinstate her privilege to practice dentistry in the State of Nevada pending a final
15 Board hearing. Respondent shall also be responsible for any costs or attorney's fees
16 incurred in the event the Board has to seek injunctive relief to prevent Respondent
17 from practicing dentistry during the period Respondent's license is automatically
18 suspended.

18 d. In addition to completing the required continuing education, Respondent shall
19 obtain an additional eighteen (18) hours of supplemental education based upon the
20 following hours:

- 21 i. Six (6) hours related to Pediatric Diagnosis & Treatment
22 Planning;
- 23 ii. Six (6) hours relations to Pediatric anesthesia and/or
24 sedation; and
- 25 iii. Six (6) hours related to Record Keeping; and

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1 The supplemental education must be submitted in writing to the Executive Director of
2 the Board for approval prior to attendance. Upon the receipt of the written request to
3 attend the supplemental education the Executive Director of the Board shall notify
4 Respondent in writing whether the requested supplemental education is approved for
5 attendance. Respondent agrees seventy (70%) percent of the supplemental education
6 in each category shall be completed through attendance at live lecture and/or hands
7 on clinical demonstration, which includes in-office education/training in record
8 keeping and billing practices. The remaining thirty (30%) percent of the
9 supplemental education in each category may be completed through online/home
10 study courses. The cost associated with this supplemental education shall be paid by
11 Respondent. All of the supplemental education must be completed within twelve (12)
12 months of the adoption of this Stipulation by the Board. In the event Respondent fails
13 to complete the supplemental education set forth in paragraph 4(d), within twelve
14 (12) months of adoption of this Stipulation by the Board, Respondent agrees her
15 license to practice dentistry in the State of Nevada may be automatically suspended
16 by the Board's Executive Director without any further action of the Board other than
17 the issuance of an Order of Suspension by the Executive Director. Upon Respondent
18 submitting written proof of the completion of the supplemental education and paying
19 the reinstatement fee, Respondent's license to practice dentistry in the State of
20 Nevada will automatically be reinstated by the Executive Director of the Board,
21 assuming there are no other violations of any of the provisions contained in this
22 Stipulation. Respondent agrees to waive any right to seek injunctive relief from any
23 Federal or State of Nevada District Court to prevent the automatic suspension of
24 Respondent's license to practice dentistry in the State of Nevada due to Respondent's
25 failure to comply with Paragraph 4(d). Respondent shall also be responsible for any
26 costs or attorney's fees incurred in the event the Board has to seek injunctive relief to
27 prevent Respondent from practicing dentistry during the period Respondent's license
28 is automatically suspended.

1
2 e. Respondent agrees to reimburse the "Board" for the cost of the investigation and
3 the monitoring of this Stipulation Agreement in the amount of One-Thousand Two-
4 Hundred (\$1,200.00) dollars within ninety (90) days of the adoption of this
5 Stipulation Agreement.

6 f. In the event Respondent defaults on any of the payments set forth in Paragraphs
7 4(e), Respondent agrees her license to practice dentistry in the State of Nevada may
8 be automatically be suspended without any further action of the Board, other than
9 issuance of an Order of Suspension by the Executive Director. Subsequent to the
10 issuance of the Order of Suspension, Respondent agrees to pay a liquidated damage
11 amount of Twenty-Five (\$25.00) dollars for each day Respondent is in default on the
12 payment as set forth in Paragraph 4(e). Upon curing the default of the applicable
13 defaulted paragraph 4(e), and paying the reinstatement fee, Respondent's license to
14 practice dentistry in the State of Nevada will automatically be reinstated by the
15 Executive Director of the Board, assuming there are no other violations of any of the
16 provisions contained in this Stipulation. Respondent shall also be responsible for any
17 costs or attorney's fees incurred in the event the Board has to seek injunctive relief to
18 prevent Respondent from practicing dentistry during the period in which her license is
19 suspended. Respondent agrees to waive any right to seek injunctive relief from either
20 the Nevada Federal District Court or the Nevada State District Court to reinstate her
21 license prior to curing any default on the amounts due and owing.

22 g. In the event Respondent fails to cure any defaults in payment within forty-five
23 (45) days of the default, Respondent agrees the amount may be reduced to judgment.

24 h. Respondent waives any right to have the amount owed pursuant to Paragraphs
25 4(e) discharged in bankruptcy.
26

1
2 CONSENT
3

4 5. Respondent has read all of the provisions contained in this Stipulation Agreement and
5 agrees with them in their entirety.
6

7 6. Respondent is aware by entering into this Stipulation Agreement, she is waiving certain
8 valuable due process rights contained in, but not limited to, NRS 631, NAC 631, NRS 233B and
9 NAC 233B.

10 7. Respondent expressly waives any right to challenge the Board for bias in deciding
11 whether or not to adopt this Stipulation Agreement in the event this matter was to proceed to a
12 full Board hearing.
13

14 8. Respondent and the Board agree any statements and/or documentation made or
15 considered by the Board during any properly noticed open meeting to determine whether to
16 adopt or reject this Stipulation Agreement are privileged settlement negotiations and therefore
17 such statements or documentation may not be used in any subsequent Board hearing or judicial
18 review, whether or not judicial review is sought in either the State or Federal District Court.
19

20 9. Respondent has reviewed this Stipulation with her attorney, Linda Rurangirwa, Esq., who
21 has explained each and every provision contained in this Stipulation to the Respondent.

22 10. Respondent acknowledges she is consenting to this Stipulation Agreement voluntarily,
23 without coercion or duress and in the exercise of her own free will.
24

25 11. Respondent acknowledges no other promises in reference to the provisions contained in
26 this Stipulation Agreement have been made by any agent, employee, counsel or any person
27

1
2 affiliated with the Nevada State Board of Dental Examiners.

3
4 12. Respondent acknowledges the provisions in this Stipulation Agreement contain the entire
5 agreement between Respondent and the Board and the provisions of this Stipulation can only be
6 modified, in writing, with Board approval.

7
8 13. Respondent agrees in the event the Board adopts this Stipulation Agreement she hereby
9 waives any and all rights to seek judicial review or otherwise to challenge or contest the validity
10 of the provisions contained in the Stipulation.

11 14. Respondent and the Board agree none of the parties shall be deemed the drafter of this
12 Stipulation Agreement. In the event this Stipulation Agreement is construed by a court of law or
13 equity, such court shall not construe this Stipulation Agreement or any provision hereof against
14 any party as the drafter of the Stipulation Agreement. The parties hereby acknowledge all parties
15 have contributed substantially and materially to the preparation of this Stipulation Agreement.

16
17 15. Respondent specifically acknowledges by her signature herein and by her initials at the
18 bottom of each page of this Stipulation Agreement, she has read and understands its terms and
19 acknowledges she has signed and initialed of her own free will and without undue influence,
20 coercion, duress, or intimidation.

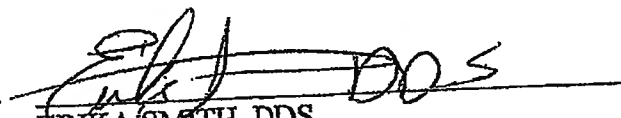
21 16. Respondent acknowledges in consideration of execution of this adopted Stipulation
22 Agreement, Respondent hereby releases, remises, and forever discharges the State of Nevada, the
23 Board, and each of their members, agents, employees and legal counsel in their individual and
24 representative capacities, from any and all manner of actions, causes of action, suits, debts,
25 judgments, executions, claims, and demands whatsoever, known and unknown, in law or equity,
26 that Respondent ever had, now has, may have, or claim to have against any or all of the persons
27 or entities named in this section, arising out the complaint of Sunshine Flores on behalf of Minor,
28 Shawn Wainwright.

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17. Respondent acknowledges in the event the Board adopts this Stipulation Agreement, this Stipulation may be considered in any future Board proceeding(s) or judicial review, whether such judicial review is performed by either the State or Federal District Court(s).

18. This Stipulation Agreement will be considered by the Board in an open meeting. It is understood and stipulated the Board is free to accept or reject the Stipulation Agreement and, if the Stipulation Agreement is rejected by the Board, further disciplinary action may be implemented. This Stipulation Agreement will only become effective when the Board has approved the same in an open meeting. Should the Board adopt this Stipulation Agreement, such adoption shall be considered a final disposition of a contested case and will become a public record. This corrective action is based on the provisions contained in this *Corrective Action Stipulation Agreement* and shall NOT be reportable to the National Practitioners Data Bank.

DATED this 11th day of May, 2012.


ERIKA SMITH, DDS
Respondent

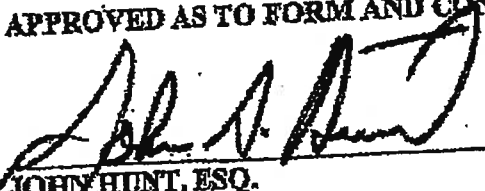
APPROVED AS TO FORM AND CONTENT


LINDA RURANGIRWA
Bonne Bridges Mueller O'Keefe & Nichols
Counsel for Respondent



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APPROVED AS TO FORM AND CONTENT



JOHN HUNT, ESQ.
Raleigh & Hunt, P.C.
Board Counsel

APPROVED AS TO FORM AND CONTENT



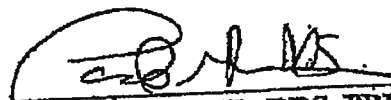
Bradley Roberts, DDS, DSO
Disciplinary Screening Officer

This foregoing Stipulation Agreement was:

Approved X Disapproved _____

by a vote of the Nevada State Board of Dental Examiners at a properly noticed meeting.

DATED this 18 day of July, 2012.



WADE A. MILLER, DDS, PRESIDENT
NEVADA STATE BOARD OF DENTAL EXAMINERS

Board of Examiners' Meeting

November 8, 2016

Public Comment

Attachment H

Felipe Paleracio

STATEMENT TO NEVADA BOARD OF EXAMINERS

(Felipe Paleracio, DDS, November 8, 2016)

Good Morning. My name is Felipe Paleracio. I am a licensed dentist in Nevada. When a patient complained to the Nevada State Board of Dental Examiner over a fee dispute of \$300.00 I was subjected to 16 months of investigation by the Dental's Board's private attorney John Hunt that cost me \$15,000 in "legal fees and costs." Fee dispute complaints against attorney are referred to dispute resolution that costs the attorneys and their clients nothing for the mediation or arbitration. Such an option is not available to dentists or any other healthcare practitioners in the State of Nevada.

Personally, I feel my due process rights were violated, I was discriminated against by Board's use of a Dental Screening Officer, Bradley Roberts, who is not a member of the Board, and relentlessly prosecuted by Mr. Hunt and the Board's Executive Director, Debra Schaffer over a frivolous matter that could've been resolved with a phone call to the patient.

Currently, there are other more serious cases the Board selectively chooses to ignore. For example, one dentist reimbursed a patient over \$30,000 but there is no record of discipline, although the check was given to the Board to give to the patient. The patient was told by Mr. Hunt there would likely be no discipline in his case because it was his "first offense." In another case, a 15 year-old patient died in the chair from being treated by a dentist, who is also a member of the Dental Board, receiving a tooth extraction and there has been no discipline or investigation. In fact, Mr. Hunt charged another dentist for doing something similar in a case where there was no bad outcome with malpractice and unprofessional conduct pursuant to NRS 631.3475 and NAC 631 .230(1)(c), respectively.

During your previous session on October 11 2016, I had a member of my staff submit a written statement on my behalf. In response, the Board's Executive Director, Debra Schaffer sent a letter to me and my legal counsel with a copy of the so-called "Stipulation Agreement" I was coerced into signing to stop the financial harassment over a simple fee dispute. Ms. Schaffer and Mr. Hunt use these libelous tactics to defame the characters of those who come to these meetings to share their concerns with this honorable committee. Shaffer and Hunt use these same tactics against dental licensees who show up to share their concerns with the Dental Board to discredit those who complain about them.

Therefore, I am requesting that the Board of Examiners:

1. REFUSE to ratify the Dental Board's decision to increase its pay by over 70% for one outside counsel from \$700,000 to \$1.2 Million when the LCB's Auditor has recommended the Dental Board's use of such outside counsel be reduced to 20% or not more than \$98,000; and
2. REFER Dental Board's request to Legislative Commission for further review since it was the Legislative Commission that ordered a performance audit of the Dental Board be done by the Legislative Counsel Bureau's Audit Division. Thank You!

November 10,2016

To The Honorable Governor Brian Sandoval
555 East Washington Avenue Suite 5100
Las Vegas, Nevada 89101

Dear Sir:

As per your request, I have attached the letter from Debra Schafer through my legal counsel, Ian Houston with an attached stipulation agreement as a result of providing a written statement during October 11th session.

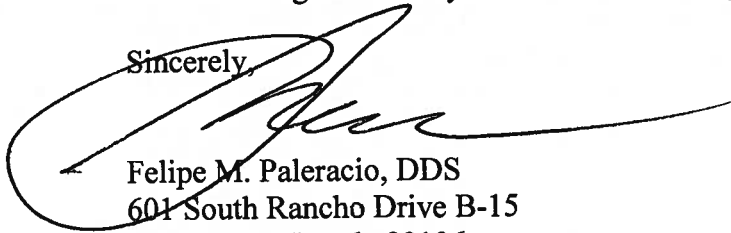
I strongly believed that Debra Schaffer does not need to send the stipulation agreement as it has been sent to me and my legal counsel previously.

I strongly believed that her letter is an act of harassment, intimidation, and a violation of my freedom of speech. So that I am prevented from appearing in the session or speaking about our condition.

We live in constant fear of a potential entrapment scheme by Debra Schaefer and John Hunt .We fear of losing our dental license and our livelihood because we are speaking about our plight.

I am forever grateful for your kind attention regarding this matter.

Sincerely,



Felipe M. Paleracio, DDS
601 South Rancho Drive B-15
Las Vegas, Nevada 89106
Tel: (702) 882-9205

Attached :
Response letter from Debra and Stipulation Agreement

STATEMENT TO NEVADA BOARD OF EXAMINERS

(Felipe Paleracio, DDS, November 8, 2016)

Good Morning. My name is Felipe Paleracio. I am a licensed dentist in Nevada. When a patient complained to the Nevada State Board of Dental Examiner over a fee dispute of \$300.00 I was subjected to 16 months of investigation by the Dental's Board's private attorney John Hunt that cost me \$15,000 in "legal fees and costs." Fee dispute complaints against attorney are referred to dispute resolution that costs the attorneys and their clients nothing for the mediation or arbitration. Such an option is not available to dentists or any other healthcare practitioners in the State of Nevada.

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During your previous session on October 11 2016, I had a member of my staff submit a written statement on my behalf. In response, the Board's Executive Director, Debra Schaffer sent a letter to me and my legal counsel with a copy of the so-called "Stipulation Agreement" I was coerced into signing to stop the financial harassment over a simple fee dispute. Ms. Schaffer and Mr. Hunt use these libelous tactics to defame the characters of those who come to these meetings to share their concerns with this honorable committee. Shaffer and Hunt use these same tactics against dental licensees who show up to share their concerns with the Dental Board to discredit those who complain about them.

Therefore, I am requesting that the Board of Examiners:

1. REFUSE to ratify the Dental Board's decision to increase its pay by over 70% for one outside counsel from \$700,000 to \$1.2 Million when the LCB's Auditor has recommended the Dental Board's use of such outside counsel be reduced to 20% or not more than \$98,000; and
2. REFER Dental Board's request to Legislative Commission for further review since it was the Legislative Commission that ordered a performance audit of the Dental Board be done by the Legislative Counsel Bureau's Audit Division. Thank You!

Ian M. Houston <lhouston@hpslaw.com>
to Tamie, me, Ken, Audrey

Oct 17

Good Afternoon Dr. Paleracio,

Please see the attached correspondence from the Dental Board regarding your recent public comment. When you have a moment, please call me to discuss.

Thank you,

ian

Ian M. Houston, Esq.

HPS | Hall Prangle and Schoonveld LLC
1160 N. Town Center Dr., Suite 200
Las Vegas, NV 89144
[702.889.6400](tel:702.889.6400) (general)
[702.212.1446](tel:702.212.1446) (direct)
[702.384.6025](tel:702.384.6025) (fax)

Legal Assistant: Audrey Stephanski
Direct Dial: [702.212.1447](tel:702.212.1447)
astephanski@hpslaw.com

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From: Ian M. Houston
Sent: Friday, July 15, 2016 7:10 PM
To: 'Philip Paleracio,DDS'
Cc: Ken Webster; Audrey Stephanski
Subject: RE: Dental Board Update



10.11.16 NSBDE; ...

ny nj <paleracidds@gmail.com>
to ian

Oct 17

Dear Atty.Houston,

Nevada State Board of Dental Examiners



6010 S. Rainbow Boulevard, Building A, Suite 1 • Las Vegas, Nevada 89118 • (702) 486-7044 • (800) DDS-EXAM • Fax (702) 486-7046

October 11, 2016

RECEIVED

Ian Houston Esquire

HPS

1160 North Town Center Drive, Ste 200

Las Vegas, NV 89144

OCT 17 2016

HALL PRANGLE
& SCHOONVELD

Dear Mr. Houston:

On October 11, 2016, your client Felipe Paleracio, DDS submitted the attached public comment document to the State Board of Examiners. Since our records indicate your legal counsel to Dr Paleracio the Board is submitting the attached response to you to be forwarded to your client.

The Board is responding to Dr. Paleracio's inquiry into the budgeted legal expenses for FY17 and other matters set forth in the attached document. The Board provides the following information which is consistent with the request of Ms. Tina Tsou, Secretary with the Las Vegas Dental Association (*this entity is not connected or affiliated with the Nevada Dental Association or their respective societies which are recognized entities by the American Dental Association*) regarding similar matters. The response from the Board was sent via e-mail to Ms. Tsou on September 26, 2016 since the Board was unable to mail said response to the Las Vegas Dental Association directly because there are no addresses, business license(s) or registration with the Nevada Secretary of State for this entity doing business.

Respectfully, the Board provides the following information:

1). A breakdown of where the \$270,000.00 dollars under "legal expenses" budgeted for FY 2017 is being allocated?

The allocation is for legal expenses noted to include, Mr. Hunt, Mr. Drizin and the Attorney Generals' office is based on the annual terms of each contract and the Memorandum of Understanding with the Attorney General's office.

Mr. Hunt's contract is for \$175,000.00 annually and Mr. Drizin's contract is for \$87,500.00 annually. In addition, the Board has a Memorandum of Understanding with the Office of the Attorney General for a minimum amount of \$5,557.00 per year. The total contracted legal amounts are approximately \$268,057.00. This is consistent with the budget amount of \$270,000.00. Since the Board has contracts in place for a total of \$268,057.00 at a minimum the Board has allocate those amounts.

As with any budget the Board makes every effort to be mindful of the budget limits but realizes when budgeting for investigative and disciplinary matters, you may have unforeseen expenses.

2). An explanation as to why the Board has chosen to continue excessive expenditures for outside counsel when the LCB audit recommended that the use of such counsel should or could be reduced to 20%?

Respectfully, the Legislative Auditors made a recommendation to the Board requesting the Board merit employing in-house counsel vs. contracting with outside counsel. The Auditors believed having in-house counsel may bring a cost savings to the Board in the amount of approximately \$100,000.00 per year. The Budget and Finance Committee was provided the regular pay and benefits for three Boards that employ in-house counsel. Attorneys that are independent contractors are under contract with the Board but are not considered employees and therefore are not eligible for benefits with the State of Nevada.

The three Boards are the Nevada State Board of Medical Examiners, the Nevada State Board of Pharmacy and the Nevada State Board of Nursing. The figures below are for FY 2015. This information was obtained through transparentnv.gov

	Regular Pay	Total Benefits	Total of Both Columns
Nevada Board of Pharmacy*			
General Counsel (Full-time)	\$125,340.12	\$49,207.68	\$174,548.40
Administrative Assistant (Full-time)	\$36,982.32	\$17,036.52	\$54,018.84
Total Regular Pay & Benefits paid (2015)	\$162,322.44	\$66,244.20	\$228,566.64
Nevada State Board of Medical Examiners*			
General Counsel (Full-time)	\$96,732.94	38,834.25	\$135,567.19
General Counsel (Part-time)	\$48,031.50	\$13,633.14	\$61,664.64

Legal Assistant (Full-time)	\$44,658.39	\$22,740.62	\$67,399.01
Total Regular Pay & Benefits paid (2015)	\$189,422.83	\$75,208.71	\$264,630.94
Nevada State Board of Nursing**			
General Counsel (Fulltime)	\$122,406.00	\$33,371.06	\$145,515.00
Receptionist (Fulltime)	\$23,109.00	\$5,236.98	\$38,608.04
Total Regular Pay & Benefits paid (2015)	\$145,515.00	\$38,608.04	\$184,123.04

**Please note since FY 2016 the Nevada Board of Nursing has acquired another full-time attorney which the regular pay and total benefits are not included in the amount referenced above

Based upon the amounts for FY 2015 referenced above and the amount paid to Mr. Hunt's law firm for FY 2015 in the amount of approximately \$280,000.00 you can see to receive the same legal representation as the Board currently has and in comparison with the three Boards identified above there may not be a cost savings of \$100,000.00 yearly. In addition, the Budget & Finance Committee considered additional costs the Board would incur with having in-house counsel employed by the Board as oppose to contracting with an independent counsel. Those costs include, but are not limited to, workers compensation, employment tax, on-line law library costs, and possible office relocation or expansion.

The Board will be collecting more information and considering all costs associated with employing in-house counsel vs. independent contracted legal counsel during FY 2017. The Board has a fiduciary responsibility to ensure all costs are taken into consideration when making this decision.

As for the stipulation agreement noted in the public comment document in where, it is alleged a licensee recently spent *"over \$10,000.00 dollars in legal "fees and costs" involving a fees dispute of \$300.00 that had nothing to do with the practice of dentistry and took over 16 months to resolve"*, the Board cannot provide a response without the identity of the licensee and the details surrounding the action taken by the Board.

Lastly, the Board is providing a copy of this correspondence and other relative materials to the State Board of Examiners in accordance with NRS 631.368.

I hope this information is helpful. Should you have additional questions, please contact John Hunt, Esquire, Board Legal Counsel at (702) 862-8300.

Sincerely,

Debra Shaffer-Kugel, Executive Director
Nevada State Board of Dental Examiners

Cc: File

State Board of Examiners

(702) 581-2957

STATEMENT TO NEVADA STATE BOARD OF DENTAL EXAMINERS

(Felipe Paleracio, DDS, October 11, 2016)

~~(702) 581-2987~~

Good Morning. My name is Christina Navarro. I am a staff member for Felipe Paleracio, a Nevada dentist and member of the Las Vegas Dental Association. He could not be here today and asked for me to read public comments in his behalf. Dr. Paleracio's comments are directed to item #27 on your Contract Agenda where legal services for the Nevada State Board of Dental Examiners is to be discussed. On August 18, 2016, the Budget and Finance Committee for the Nevada State Board of Dental Examiners made a decision to increase the Board's budget for legal expenses. During this Board's Committee meeting on August 18th, an attachment to its Agenda was provided wherein the Board listed in its 2016-2017 financial budget "legal expenses" in the amount of \$270,000 with the explanation "Includes Hunt, Drizin, and AG." Yet, the contract increase being proposed here today would increase the Board's commitment to only one outside counsel, John Hunt, and his firm of Morris, Polich, and Purdy, from \$700,000 to \$1.2 Million. Thus, these figures not only make no sense they are in direct conflict with the recommendation for the Legislative Counsel Bureau ("LCB") that the Board reduce its use of outside counsel to 20%.

The LCB recommended the Dental Board reduce the use of its outside counsel because such excessive use has caused the Dental Board's legal "fees and costs" to spiral out of control. For example, one dentist recently expended over \$10,000 in legal "fees and costs" involving a fee dispute over \$300 that had nothing to do with the practice of dentistry and it took the Dental Board over 16 months to resolve it. A simple fee dispute case such as this could easily have been resolved by having a volunteer mediator make a phone call. Another dentist has expended over \$160,000 just in legal defense fees against the Dental Board in the past eight years and many, if not all, of his cases could've been handled with dispute resolution since none of these cases involved a bad outcome or malpractice. Instead, they involved philosophical differences, copay complaints, and mistaken identity. However, dispute resolution, which is available to attorneys at no cost to them or their clients, is not available for dentists and their patients.

Therefore, on behalf of Dr. Paleracio and the Las Vegas Dental Association, I am requesting that the Board of Examiners:

1. REFUSE to ratify the Dental Board's decision to increase its pay by over 70% for one outside counsel from \$700,000 to \$1.2 Million;
2. REFER Dental Board's request to Legislative Commission for further review since it was the Legislative Commission that ordered a performance audit of the Dental Board be done by the Legislative Counsel Bureau's Audit Division;
3. REQUIRE the Dental Board to provide a breakdown of where its "legal expenses" budgeted for its 2016-2017 fiscal year are being allocated; and
4. REQUEST the Dental Board provide the public with an explanation as to why the Dental Board has chosen to continue its excessive expenditure for one outside counsel when the LCB's Auditor has recommended the Dental Board's use of such outside counsel be reduced to 20% or nor more than \$98,000 for a four-year cycle.

ORIGINAL

STATE OF NEVADA
BEFORE THE BOARD OF DENTAL EXAMINERS

NEVADA STATE BOARD OF DENTAL
EXAMINERS,

Case No. 74127-02878

Complainant,

vs.

FELIPE PALERACIO, DDS,

Respondent.

**CORRECTIVE ACTION PLAN
NON-DISCIPLINARY
AGREEMENT**

IT IS HEREBY STIPULATED AND AGREED by and between FELIPE PALERACIO, DDS ("Respondent" or "Dr. Paleracio") and his attorney, IAN HOUSTON, ESQ. of the law firm HALL PRANGLE & SCHOONVELD, LLC, the NEVADA STATE BOARD OF DENTAL EXAMINERS (the "Board"), by and through BRADLEY ROBERTS, DDS, Disciplinary Screening Officer ("DSO"), and the Board's legal counsel, JOHN A. HUNT, ESQ., of the law firm MORRIS, POLICH & PURDY, LLP as follows via this *Corrective Action Non-Disciplinary Stipulation Agreement* ("Stipulation Agreement" or "Stipulation"):

1. Via a *Notice of Complaint & Request for Records* dated December 16, 2014, the Board notified Respondent of the verified complaint of patient, Leeru Kim. On December 30, 2014, the Board received Respondent's written response (with enclosures) dated December 19, 2014, to the verified complaint of Leeru Kim, a copy of which was provided to Leeru Kim on January 2, 2015. On January 14, 2015, the Board's Executive Director, on behalf of the DSO, Dr. Roberts, forwarded Respondent correspondence requesting copies of Respondent's daily schedules for the period of September 1, 2014, through September 30, 2014. On January 21, 2015, the Board received copies of Respondent's daily schedules for the period of September 1, 2014, through September 30, 2014. On or about April 6, 2015, Respondent's attorney provided documents

1 identified as responsive to a Subpoena Duces Tecum (from Case No. 02810) dated February 18,
2 2015, which commanded production of the following:

3
4 1. Any and all records regarding patients who have received *scaling and/or root*
5 *planing*, from June 2014 up through and including December 2014, including,
6 but not limited to, billing records, laboratory work orders, prescription slips,
7 insurance records (including any correspondence or billing submitted to an
8 insurance provider), health history, charts notes, informed consents, daily patient
9 schedules for the dates of treatment, day sheets, radiographs, treatment plans and
10 patient logs; and

11
12 Id. (Emphasis in original.) Pursuant to Respondent's attorney's February 18, 2015, letter
13 accompanying the production of documents, it was noted that the documents identified as
14 responsive were date stamped.

15
16 2. Based upon the limited investigation conducted to date, DSO, Bradley Roberts, DDS,
17 believes for this matter and not for any other purpose, including any subsequent civil action,
18 Respondent on more than one occasion in violation of NAC 631.230(1)(c) performed root
19 planing and/or scaling which included taking radiographs and the completion of a periodontal
20 charting in an amount of time that it unacceptable to properly complete the root planing and/or
21 scaling performed by the Respondent in a single visit.

22
23 3. Respondent, without agreeing or admitting to the opinions of the DSO, Bradley Roberts,
24 DDS, contained in Paragraph 2 acknowledges that based on the current information available to
25 the Disciplinary Screening Officer for this matter and not for any other purpose, including any
26 subsequent civil action, if this matter were to proceed to a full board hearing, a sufficient
27 quantity and/or quality of evidence could be proffered sufficient to meet a preponderance of the
28 evidence standard of proof demonstrating Respondent may have violated the regulatory
provision(s) noted above in Paragraph 2.

4. Based upon the limited investigation conducted to date, the opinions of the Disciplinary

1 Screening Officer, and the acknowledgements by Respondent contained in Paragraph 3 above,
2 the parties have agreed to resolve the pending investigations pursuant to the following corrective
3 action non-disciplinary terms and conditions:
4

5 A. Respondent's dental practice shall be monitored for a period of twelve (12)
6 months from the adoption of this Stipulation ("monitoring period"). During the
7 monitoring period, Respondent shall allow either the Executive Director of the Board
8 and/or the agent appointed by the Executive Director of the Board to inspect
9 Respondent's records during normal business hours to insure compliance of this
10 Stipulation. During the monitoring period, Respondent's practice shall be monitored
11 regarding diagnosis/treatment relative to root planing and scaling, record keeping and
12 charting regarding same, as well as regarding the office's record keeping and billing
13 practices. Such monitoring shall include, but will not be limited to, personally observing
14 the treatment rendered to patients receiving diagnosis/treatment relative to root planing
15 and scaling, record keeping and charting regarding same, as well as regarding the office's
16 record keeping and billing practices. Respondent further acknowledges the Disciplinary
17 Screening Officer and or an agent appointed by the Executive Director may contact
18 patients regarding diagnosis/treatment relative to root planing and scaling, record keeping
19 and charting regarding same, as well as regarding the office's record keeping and billing
20 practices. Respondent should be assessed all fees and cost associated with supervising
21 and monitoring Respondent during the probationary period (see below). Further during
22 the monitoring period, Respondent shall record the start and finish times of all root
23 planing and scaling treatments in the patient's record, both of which must be initialed by
24 the patient and the dentist and/or hygienist who perform the root planing and scaling
25 treatment(s).
26

27 B. In the event Respondent no longer practices dentistry in the State of Nevada prior
28 to completion of the above-referenced monitoring period, the monitoring period shall be
tollled. For purposes of the tolling of the monitoring period, reference to the "monitoring
period" shall also include all terms and conditions noted in Paragraphs 4.A. and 4.C. (so
there is no misunderstanding, should the monitoring period be tollled, it then also means
the terms and conditions of Paragraphs 4.A. and 4.C. are also tollled). In the event the
monitoring period is tollled because Respondent does not practice in the State of Nevada
and the terms and conditions of this Stipulation Agreement are not satisfied (i.e.,
including completion of the monitoring period) within two (2) years from the adoption of
this Stipulation Agreement by the Board, Respondent agrees his license to practice
dentistry in Nevada will be deemed voluntarily surrendered with disciplinary action.
Thereafter the Board's Executive Director, without any further action or hearing by the
Board, shall issue an Order of Voluntary Surrender with disciplinary action and report
same to the National Practitioners Data Bank.

1 C. During the above-referenced monitoring period wherein Respondent is practicing
2 dentistry in the State of Nevada, Respondent shall maintain a daily log containing the
3 following information for any patient(s) who receive root planing and scaling at
Respondent's dental practice:

- 4 1. Name of patient
5 2. Date treatment commenced
6 3. Explanation of treatment
7 4. Date, name of individual who provides the dental hygiene services

8 The daily logs shall be maintained at Respondent dental office and made available during
9 normal business hours without notice. Failure to maintain and/or provide the daily log(s)
10 upon request by an agent of the Board shall be an admission of unprofessional conduct.
11 Upon receipt of substantial evidence that Respondent has either failed to maintain or has
12 refused to provide the daily log(s) upon request by an agent assigned by the Executive
13 Director, or Respondent has refused to provide copies of patient records requested by the
14 agent assigned by the Executive Director, Respondent agrees his license to practice
15 dentistry in the State of Nevada shall be automatically suspended without any further
16 action of the Board other than the issuance of an Order of Suspension by the Executive
17 Director. Thereafter, Respondent may request, in writing, a hearing before the Board to
18 reinstate Respondent's license. However, prior to a full Board hearing, Respondent
19 waives any right to seek judicial review, including injunctive relief from any court of
20 competent jurisdiction, including a Nevada Federal District Court or Nevada State
21 District Court to reinstate his privilege to practice dentistry in the State of Nevada
22 pending a final Board hearing. Respondent shall also be responsible for any costs or
23 attorney's fees incurred in the event the Board has to seek injunctive relief to prevent
24 Respondent from practicing dentistry during the period Respondent's license is
25 automatically suspended.

26 D. In addition to completing the required continuing education, Respondent shall
27 obtain an additional sixteen (16) hours of supplemental education as follows:

- 28 1. Four (4) hours re: ethics
2. Twelve (12) hours re: periodontal diagnosis and treatment

Information, documents, and/or description for the above-referenced supplemental
education must be submitted in writing to the Executive Director of the Board for
approval prior to attendance. Upon the receipt of the written request to attend the
supplemental education, the Executive Director of the Board shall notify Respondent in
writing whether the requested supplemental education is approved for attendance.
Respondent agrees fifty percent (50%) of the supplemental education in each category
shall be completed through attendance at live lecture and/or hands on clinical
demonstration and the remaining fifty percent (50%) of the supplemental education in
each category may be completed through online/home study courses. The cost associated

1 with this supplemental education shall be paid by Respondent. All of the supplemental
2 education must be completed within six (6) months of the adoption of this Stipulation by
3 the Board. In the event Respondent fails to complete the supplemental education set forth
4 in Paragraph 4.D. within six (6) months of adoption of this Stipulation by the Board,
5 Respondent agrees his license to practice dentistry in the State of Nevada may be
6 automatically suspended by the Board's Executive Director without any further action of
7 the Board other than the issuance of an Order of Suspension by the Executive Director.
8 Upon Respondent submitting written proof of the completion of the supplemental
9 education and paying the reinstatement fee pursuant to NRS 631.345, Respondent's
10 license to practice dentistry in the State of Nevada will automatically be reinstated by the
11 Executive Director of the Board, assuming there are no other violations of any of the
12 provisions contained in this Stipulation. Respondent agrees to waive any right to seek
13 injunctive relief from any Federal or State of Nevada District Court to prevent the
14 automatic suspension of Respondent's license to practice dentistry in the State of Nevada
15 due to Respondent's failure to comply with Paragraph 4.D. Respondent shall also be
16 responsible for any costs or attorney's fees incurred in the event the Board has to seek
17 injunctive relief to prevent Respondent from practicing dentistry during the period
18 Respondent's license is automatically suspended.

13 E. Respondent agrees he shall retake the jurisprudence test as required by NRS
14 631.240(2) on the contents and interpretation of NRS 631 and the regulations of the
15 Board. Respondent upon adoption of this Stipulation shall receive a user/name and
16 password to enable Respondent to access the online Jurisprudence Examination. In the
17 event Respondent fails to successfully complete the jurisprudence test within ninety (90)
18 days of the date of adoption of this Stipulation by the Board, Respondent agrees his
19 license to practice dentistry in the State of Nevada shall be automatically suspended
20 without any further action of the Board other than issuance of an order by the Executive
21 Director. Upon successful completion of the jurisprudence test, Respondent's license to
22 practice dentistry in the State of Nevada will be automatically reinstated, assuming all
23 other provisions of this Stipulation are in compliance. Respondent agrees to waive any
24 right to seek injunctive relief from any Federal or State of Nevada District Court to
25 prevent the automatic suspension of Respondent's license to practice dentistry in the
26 State of Nevada due to Respondent's failure to comply with Paragraph 4.E. Respondent
27 shall also be responsible for any costs or attorney's fees incurred in the event the Board
28 seeks injunctive relief to prevent Respondent from practicing dentistry during the period
Respondent's license is automatically suspended.

24 F. Respondent agrees that within one hundred & eighty (180) days of adoption of
25 this Stipulation Agreement by the Board, Respondent shall reimburse the Board for the
26 cost of the investigation as of April 8, 2016, in the negotiated amount of Five Thousand,
27 Three Hundred & Sixty-two and xx/100 Dollars (\$5,362.00), not including any cost that
28 may be incurred due to monitoring during the monitoring period of this Stipulation
Agreement (see below regarding same). Payment shall be made payable to the Nevada
State Board of Dental Examiners and mailed directly to 6010 S. Rainbow Blvd., Suite


Respondent's initials


Respondent's attorney's initials

1 A1, Las Vegas, Nevada 89118.

2 G. The parties acknowledge and agree prior to the execution of this agreement,
3 Respondent has reimbursed the patient for any funds expended or covered by insurance
4 for this patient. Respondent also has agreed to waive any balance, if any, and withdraw
5 any and all collection efforts, if any such efforts have been initiated regarding patient
6 Leeru Kim.

7 H. During the monitoring period, Respondent shall be responsible for all costs
8 incurred during the monitoring period relative to said monitoring activities. Said costs
9 shall not exceed fifty (\$50.00) dollars per hour. Respondent shall reimburse the Board
10 within thirty (30) days of written request for reimbursement of the same.

11 I. In the event Respondent defaults (which includes failure to timely pay) any of the
12 payments set forth in Paragraph 4 and any of its subparts, Respondent agrees his license
13 to practice dentistry in the State of Nevada may be automatically be suspended without
14 any further action of the Board other than issuance of an Order of Suspension by the
15 Board's Executive Director. Subsequent to the issuance of the Order of Suspension,
16 Respondent agrees to pay a liquidated damage amount of Twenty Five and xx/100
17 Dollars (\$25.00) for each day Respondent is in default on the payment(s) of any of the
18 amounts set forth in Paragraph 4. Upon curing the default of the applicable defaulted
19 payment contained in Paragraph 4 and paying the reinstatement fee, Respondent's
20 license to practice dentistry in the State of Nevada will automatically be reinstated by the
21 Board's Executor Director, assuming there are no other violations by Respondent of any
22 of the provisions contained in this Stipulation Agreement. Respondent shall also be
23 responsible for any costs or attorney's fees incurred in the event the Board has to seek
24 injunctive relief to prevent Respondent from practicing dentistry during the period in
25 which his license is suspended. Respondent agrees to waive any right to seek injunctive
26 relief from any court of competent jurisdiction, including a Nevada Federal District Court
27 or a Nevada State District Court to reinstate his license prior to curing any default on the
28 amounts due and owing as addressed above.

J. In the event Respondent fails to cure any defaulted payments within forty-five
(45) days of the default, Respondent agrees the amount may be reduced to judgment.

K. Respondent waives any right to have any amount(s) owed pursuant to this
Stipulation discharged in bankruptcy.

CONSENT

5. Respondent has read all of the provisions contained in this Stipulation Agreement and
agrees with them in their entirety. Respondent recognizes and agrees this Stipulation Agreement
is the result of voluntary settlement negotiations which involved give and take, and the final

1 agreement (i.e, this Stipulation Agreement) is a voluntary compromise.

2
3 6. Respondent is aware by entering into this Stipulation Agreement he is waiving certain
4 valuable due process rights contained in, but not limited to, NRS 631, NAC 631, NRS 233B and
5 NAC 233B.

6
7 7. Respondent expressly waives any right to challenge the Board for bias in deciding
8 whether or not to adopt this Stipulation Agreement in the event this matter was to proceed to a
9 full Board hearing.

10 8. Respondent and the Board agree any statements and/or documentation made or
11 considered by the Board during any properly noticed open meeting to determine whether to
12 adopt or reject this Stipulation Agreement are privileged settlement negotiations and therefore
13 such statements or documentation may not be used in any subsequent Board hearing or judicial
14 review, whether or not judicial review is sought in either the State or Federal District Court.

15
16 9. Respondent has reviewed the Stipulation Agreement with his attorney, IAN HOUSTON,
17 ESQ. of the law firm HALL PRANGEL & SCHOONVELD, LLC who has explained each and
18 every provision contained in this Stipulation Agreement to the Respondent.

19
20 10. Respondent acknowledges he is consenting to this Stipulation Agreement voluntarily,
21 without coercion or duress and in the exercise of his own free will.

22
23 11. Respondent acknowledges no other promises in reference to the provisions contained in
24 this Stipulation Agreement have been made by any agent, employee, counsel or any person
25 affiliated with the Nevada State Board of Dental Examiners.

26
27 12. Respondent acknowledges the provisions in this Stipulation Agreement contain the entire
28 agreement between Respondent and the Board and the provisions of this Stipulation Agreement


Respondent's initials


Respondent's attorney's initials

1 can only be modified, in writing, with Board approval.

2
3 13. Respondent agrees in the event the Board adopts this Stipulation Agreement, he hereby
4 waives any and all rights to seek judicial review or otherwise to challenge or contest the validity
5 of the provisions contained herein.

6
7 14. Respondent and the Board agree none of the parties shall be deemed the drafter of this
8 Stipulation Agreement. In the event this Stipulation Agreement is construed by a court of law or
9 equity, such court shall not construe it or any provision hereof against any party as the drafter.
10 The parties hereby acknowledge all parties have contributed substantially and materially to the
11 preparation of this Stipulation Agreement.

12 15. Respondent specifically acknowledges by his signature herein and by his initials at the
13 bottom of each page of this Stipulation Agreement, he has read and understands its terms and
14 acknowledges he has signed and initialed of his own free will and without undue influence,
15 coercion, duress, or intimidation.

16
17 16. Respondent acknowledges in consideration of execution of this Stipulation Agreement,
18 Respondent hereby releases, remises, and forever discharges the State of Nevada, the Board, and
19 each of their members, agents, employees and legal counsel in their individual and representative
20 capacities, from any and all manner of actions, causes of action, suits, debts, judgments,
21 executions, claims, and demands whatsoever, known and unknown, in law or equity, that
22 Respondent ever had, now has, may have, or claim to have against any or all of the persons or
23 entities named in this section, arising out the authorized investigative complaint(s) and/or of the
24 above-referenced Patient(s), and/or arising out of the investigation of the matter(s) and/or the
25 preparation and process of drafting this Stipulation.

26 17. Respondent acknowledges in the event the Board adopts this Stipulation Agreement, it
27 may be considered in any future Board proceeding(s) or judicial review, whether such judicial
28 review is performed by either the State or Federal District Court(s).

1 18. This Stipulation Agreement will be considered by the Board in an open meeting. It is
2 understood and stipulated the Board is free to accept or reject this Stipulation Agreement and if it
3 is rejected by the Board, the Board may take other and/or further action as allowed by statute,
4 regulation, and/or appropriate authority. This Stipulation Agreement will only become effective
5 when the Board has approved the same in an open meeting. Should the Board adopt this
6 Disciplinary Stipulation Agreement, such adoption shall be considered a final disposition of a
7 contested case and will become a public record and is not reportable to the National Practitioner
8 Data Bank.

9 DATED this 8th day of April, 2016.

10 By [Signature]
11 Felipe Paleracio, DDS
12 Respondent

13 APPROVED AS TO FORM AND CONTENT

14 By [Signature] this 8th day of April, 2016.
15 Ian Houston, Esq.
16 Hall Prangle & Schoonveld, LLC
17 Respondent's attorney

18 APPROVED AS TO FORM AND CONTENT

19 By [Signature] this 8 day of April, 2016.
20 Bradley Roberts, DDS
21 Disciplinary Screening Officer

22
23 APPROVED AS TO FORM AND CONTENT

24 By [Signature] this 8 day of April, 2016.
25 John A. Hunt, Esq.
26 Morris Polich & Purdy, LLP
27 Board Counsel

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BOARD ACTION

This *Corrective Action Non-Disciplinary Stipulation Agreement* in the matter captioned
as Nevada State Board of Dental Examiners vs. Felipe Paleracio, DDS; case no. 74127-02878
was (check appropriate action):

Approved X

Disapproved _____


by a vote of the Nevada State Board of Dental Examiners at a properly noticed meeting

DATED this 20 day of May, 2016.



Timothy T. Pinther, DDS - President
NEVADA STATE BOARD OF DENTAL EXAMINERS

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Respondent's initials


Respondent's attorney's initials

Board of Examiners' Meeting

November 8, 2016

Public Comment

Attachment I

Christina Pham

Statement to Board of Examiners

(Christian Pham, DMD, November 8, 2016)

Good Morning. My name is Dr. Christian Pham. I am a licensed dentist in the State of Nevada and a member of the Las Vegas Dental Association.

I am here to talk about the Nevada State of Board of Dental Examiners disciplinary process. This process does not have an independent review committee to provide an unbiased review of a dental dispute case. Currently, the process involved an assigned screening officer who is then counsel by the Dental Board private attorney, in this case, Mr. John Hunt. The whole process is very costly to the dentist and the dental board. In my case, it cost me over \$20,000. I signed a stipulation agreement at the informal hearing knowing that it would have cost me 3 to 5 times more and with the threat of losing my license if I want to go to a formal hearing for the board members to review my case, and I know I would not have a fair hearing away because there is no independent review committee. I know of many dentists practicing in fear of the Dental Board and of its private legal counsel, Mr. John Hunt, that they would not even speak up for change because they fear of retribution, and what that would mean for their family and children that depend on their earning for a decent life.

There has to be fairer and less costly process. The Southern Nevada Dental Association uses arbitration to try to settle a dispute first before going to the level of a costly legal counsel. The attorneys use dispute resolution. Why can't the dental board adopt these methods for their process? This would greatly reduce their cost on public fund that is supported through dental license fee. The dental board has to be more prudent in their spending of public fund and concentrate on adopting an independent review committee for a fairer process. The Legislative Council Bureau's Auditor for the Dental Board recommended for a drastic reduction in the use of outside private counsel, NOT an increase. Therefore, I beg the Board of Examiners to reject the Dental Board request for an increase in funding for outside private legal counsel.

Thank you!

Board of Examiners' Meeting

November 8, 2016

Public Comment

Attachment J

Nahid Mohammadi

STATEMENT TO NEVADA BOARD OF EXAMINERS

(Nahid Mohammadi, DDS, November 8, 2016)

Good Morning. My name is Doctor Nahid Mohammadi. I am a Nevada dentist and member of the Las Vegas Dental Association. My comments are directed to item #34 on your Contract Agenda where legal services for the Nevada State Board of Dental Examiners is to be discussed.

I had a simple fee dispute with a patient in whom I place four small fillings. The Board's private attorney, John Hunt, turned this patient complaint over payment of a bill into \$8,000 in for his "investigation fees and costs." I am a small business owner who happens to practice dentistry for a living and a single mother with a 12-year-old daughter to support. I can't afford these kinds of extortions from the Nevada Dental Board's private attorney, John Hunt, who runs up big bills then threatens me with the loss of my license if I choose to dispute his Stipulation Agreement, where I am coerced into admitting I am a "bad dentist" for things that did not occur, and refuse to pay his exorbitant "fees and costs."

In my case, the complaint was frivolous and involved no bad outcome or malpractice. It could've and should've been resolved by a Board Member or lay person volunteer making a phone call to the patient. Such fee dispute complaints against attorneys are referred to dispute resolution that costs the attorneys and their clients nothing for the mediation or arbitration conducted by volunteers. However, this option is not available to dentists or any other healthcare practitioners in the State of Nevada.

Instead, we get stuck with investigations by Dental Screening Officers and the Board's private attorney that do not follow the Administrative Procedure Act in NRS 233B. Moreover, bills such as mine are commonplace for dental licensees because the Dental Board is negligent in exercising supervision over its private attorney for his so-called "investigations" and excessive "fees and costs." A recent Performance Audit conducted by the Legislative Counsel Bureau ("LCB") identified over 50 dental licensees who had been overcharged for "investigation fees" by its private attorney, John Hunt, over the past couple of years. The LCB also recommended the Dental Board "Institute an independent review process regarding complaint investigation and resolution" for its private attorney. The Dental Board has yet to put in place any checks and balances for making its private attorney accountable to it and the public for his unlawful activities.

Therefore, I am requesting the Board of Examiners:

1. REFUSE to ratify the Dental Board's decision to increase its pay by over 70% for one outside counsel from \$700,000 to \$1.2 Million when the LCB's Auditor has recommended the Dental Board's use of such outside counsel be reduced to 20% or not more than \$98,000 if not eliminated altogether; and
2. REFER Dental Board's request to Legislative Commission for further review since it was the Legislative Commission that ordered a performance audit of the Dental Board be done by the Legislative Counsel Bureau's Audit Division.

Thank you!

Board of Examiners' Meeting

November 8, 2016

Public Comment

Attachment K

Catrina Peters

Nevada Department of Agriculture

Product Information



Frozen Pizza and Burritos

MCI FOODS

Whole Grain Bean and Cheese Burrito

Processing cost per unit:	\$0.42
Value of USDA Foods per unit: <i>(cheddar cheese and pinto beans)</i>	+ \$0.08
Total unit cost:	\$0.50

Estimated total units per year:	3,086,400
Estimated total cost per year:	\$1,543,200

Turkey Sausage Breakfast Burrito

Processing cost per unit:	\$0.34
Value of USDA Foods per unit: <i>(cheddar cheese)</i>	+ \$0.04
Total unit cost:	\$0.38

Estimated total units per year:	389,400
Estimated total cost per year:	\$132,396

Nardone Pizza

Whole Wheat Cheese Pizza, Bulk

Processing cost per unit:	\$0.23
Value of USDA Foods per unit: <i>(mozzarella cheese)</i>	+ \$0.23
Total unit cost:	\$0.46

Estimated total units per year:	1,012,440
Estimated total cost per year:	\$469,862.40

Whole Wheat Cheese Pizza, IW

Processing cost per unit:	\$0.29
Value of USDA Foods per unit: <i>(mozzarella cheese)</i>	+ \$0.23
Total unit cost:	\$0.52

Estimated total units per year:	276,768
Estimated total cost per year:	\$143,919.36

Whole Wheat Pork Pepperoni Pizza, IW

Processing cost per unit:	\$0.37
Value of USDA Foods per unit: <i>(mozzarella cheese)</i>	+ \$0.17
Total unit cost:	\$0.54

Estimated total units per year:	240,000
Estimated total cost per year:	\$129,600

Whole Wheat Turkey Pepperoni Pizza, IW

Processing cost per unit:	\$0.29
Value of USDA Foods per unit: <i>(mozzarella cheese)</i>	+ \$0.17
Total unit cost:	\$0.46

Estimated total units per year:	1,091,904
Estimated total cost per year:	\$502,275.84

** Per case fee charged in addition to processing fee, \$1.50 for items delivered directly from the processor, \$2.50 for items delivered by the NDA from NDA warehouse.

Group 1—Cheese Pizza

Food item #1: Whole Grain Cheese Pizza, Rectangle or Round, Bulk Pack

Nutrition Specifications:

- Calorie range 280-400
- Saturated fat cannot exceed 6.25 gm
- Sodium cannot exceed 600 mg
- Portion size must not be less than (by weight) 4.0 oz.
- Meat Equivalent, must provide at least 2
- Grain Equivalent, must provide at least 2
- Must meet whole grain rich criteria
- USDA Foods Item Used: 110244-Cheese Mozz LM PT Skim Unfrz Proc Pk
- Historical Usage: 62,500 lbs.

Other product specifications: Must be bulk packed. Must use regular mozzarella, whole grain rich crust. Must be rectangle or round shaped. Product shall be fully cooked. Cooking temperatures to comply with Food Safety and Inspection Service (FSIS) requirements. The cooked Product shall be chilled and individually frozen, then packed in shipping containers. Can only contain less than 2% non-creditable grains.

Finished product shall be free of any trans-fat other than those that are naturally occurring.

Food item #2: Whole Grain Cheese Pizza, Rectangle or Round, Individually Wrapped

Nutrition Specifications:

- Calorie range 280-400
- Saturated fat cannot exceed 6.25 gm
- Sodium cannot exceed 600 mg
- Portion size must not be less than (by weight) 4.0 oz.
- Meat Equivalent, must provide at least 2
- Grain Equivalent, must provide at least 2
- Must meet whole grain rich criteria
- USDA Foods Item Used: 110244-Cheese Mozz LM PT Skim Unfrz Proc Pk
- Historical Usage: 62,500 lbs.

Other product specifications: Must be individually wrapped in ovenable film. Must use regular mozzarella, whole grain rich crust. Must be rectangle or round shaped. Product shall be fully cooked. Cooking temperatures to comply with Food Safety and Inspection Service (FSIS) requirements. The cooked Product shall be chilled and individually frozen, then packed in shipping containers. Can only contain less than 2% non-creditable grains.

Finished product shall be free of any trans-fat other than those that are naturally occurring.

Group 2—Pepperoni Pizza

Food item #1: Whole Grain Pepperoni Pizza, Rectangle or Round, Bulk packed

Nutrition Specifications:

- Calorie range 290-400
- Saturated fat cannot exceed 7 gm
- Sodium cannot exceed 700 mg
- Portion size must not be less than (by weight) 4.0 oz.
- Meat Equivalent, must provide at least 2
- Grain Equivalent, must provide at least 2

vegetarian, no meat products or lard can be added. Beans are to have a seasoned flavor profile. Cheese can be of cheddar or Monterey jack flavor and visual appearance.

Finished product shall be free of any trans-fat other than those that are naturally occurring.

Food item #2: Whole Grain Cheese, Egg, & Turkey Breakfast Burrito, Individually Wrapped

Nutrition Specifications:

- Calorie range 200-350
- Saturated fat cannot exceed 6 gm
- Sodium cannot exceed 580 mg
- Portion size must not be less than (by weight) 2.5 oz.
- Meat Equivalent, must provide at least 1
- Grain Equivalent, must provide at least 1
- Must meet whole grain rich criteria
- USDA Foods Item Used: 110254-Cheese Ched Yel Block- 40 lb.
- Historical Usage: 8,549 lbs.

Other product specifications: Must be individually wrapped in ovenable film. Product shall be fully cooked. Cooking temperatures to comply with Food Safety and Inspection Service (FSIS) requirements. The cooked Product shall be chilled and individually frozen, then packed in shipping containers. Turkey sausage should have a breakfast sausage flavor profile. Cheese can be of cheddar or Monterey jack flavor and visual appearance. Cannot contain any pork products.

Finished product shall be free of any trans-fat other than those that are naturally occurring.



Product Specification and Nutritional Information

Current Revision Date: 8/26/2014 Replaces Spec Dated 6/7/2013



Stock Code		Product Name							
97576		Bean & Cheese Burritos							
Individually Wrapped									
Net Wt. (oz)	Case Pack	Case Net Wt. (Lbs)	UPC/GTIN	Ship Wt. (Lbs)	Case Cube	Case Dimensions (in)	Pallet Count	Tie/High	
5.200	96	31.20	10006574975765	33.97	1.140	19.250 L 14.625 W 7.000 H	48	6 x 8	
Child Nutrition (CN) Meal Pattern Contributions¹				CN # 081011	CN Date 06-12	CN Expiration Date 6/25/2017			
Each 5.200 oz. portion provides*:		Meat/Meat Alternate. (oz)	Equivalent Grains (oz)	Legume veg (cup)	Red/Orange veg (cup)	Dark Green veg (cup)	Starchy veg (cup)	Other veg (cup)	
A		2.00	2.00						
--- OR ---									
B		2.00	2.00						

* - use the crediting in row A or row B, but not both. (based on the dual meat alternate/vegetable crediting for legumes.)

1 - if there is a CN number and CN date listed, the item is CN labeled.

Ingredient Statement

Ingredients: Filling: Water, Pinto Beans, Cheddar Cheese (Pasteurized Milk, Cheese Culture, Salt, Enzymes, May contain Annatto Color), Textured Vegetable Protein Product [Soy Flour, Caramel Color, Zinc Oxide, Ferrous Sulfate, Niacinamide, Calcium Pantothenate, Pyridoxine Hydrochloride (B6), Riboflavin (B2), Thiamine Mononitrate (B1), Vitamin A Palmitate, and Vitamin B12], Salt, Flavorings, Modified Food Starch (Refined From Corn).

Whole Wheat Flour Tortilla, Soy Flour Enriched (Wheat Flours [Whole Wheat Flour, Enriched Bleached Flour (Wheat Flour, Niacin, Reduced Iron, Thiamine Mononitrate, Riboflavin, Folic Acid)]), Water, Soy Flour, Soybean Oil, Potato Starch, Pea Fiber, Distilled Monoglyceride, Wheat Gluten, Glycerine, Salt, Baking Powder (Corn Starch, Sodium Bicarbonate, Sodium Aluminum Sulfate, Monocalcium Phosphate).

Allergen Statement Contains WHEAT, SOY, MILK

BID Specification

Burrito -Frozen Bean & Cheese. Each 5.20 oz burrito provides 2 OZ Meat Alternate and 2 OZ EQV Grain towards the NSLP, Whole Grain Rich Tortilla. CN labeled. Preparation instruction printed on outside of case. Burrito is individually wrapped ovenable film containing high impact graphics that can be recycled. 96 count. No more than 480 mg Sodium, Less than 12% Calories from Saturated fat, 0 Trans Fat. No less than 290 Kcal. Hand held, Fully Cooked. Heat & Serve.-Vegetarian Los Cabos Brand 97576

Nutritional Information

Serving Size 5.200 oz. (147.42 g)
 Servings Per Package: 1
 Calories (Kcal) 291.1100
 Calories from Fat 74.6100
 Protein (g) 15.6000
 Carbohydrates (g) 40.9500
 Sugars (g) 1.3300
 Tot. Dietary Fiber (g) 7.9600
 Ash (g) 1.6100

% Calories from Fat 25.63%
 % Calories from Sat Fat 11.19%

Fats

Total Fat (g) 8.2900
 Saturated Fat (g) 3.6200
 Trans Fat (g)* 0.0100
 Cholesterol (mg) 15.3300
 Water (g) 76.0700

Basis of Analysis: as Cooked.

Fat Change +/- 0% Moisture Change +/- 0%
Data Source: USDA Handbook 8

Vitamins **%DV** **Minerals** **%DV**

Vitamin A (RE) 0.00 6% Iron (mg) 3.33 20%
 Vitamin A (IU) 295.24 Sodium (mg) 478.94
 Vitamin C (mg) 1.54 2% Calcium (mg) 171.00 15%

*-Trans Fats naturally occurring

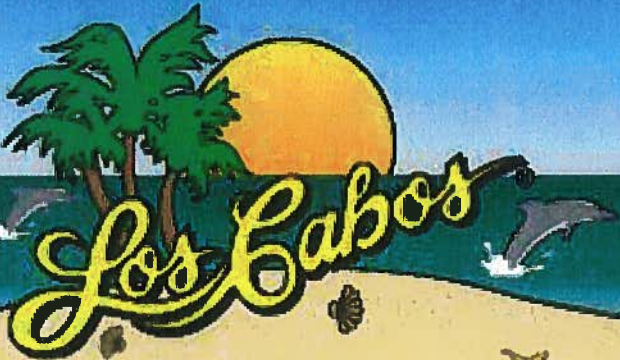
Heating Instructions

Heating Instructions: Place burritos on a sheet pan with seam of wrapper facing down. Heat to an internal temperature of 160 deg. F. Caution: Do not over heat. Heating above 165 deg. F. may cause filling leakage. Heating times may vary due to variation in equipment used. Convection Oven: Preheat Oven to 300 deg. F. Frozen: Heat for 19-21 min. Refrigerated: Heat for 11-13 min. Conventional Oven: Preheat Oven to 300 deg. F. Frozen: Heat for 24-28 min. Refrigerated: Heat for 13-15 min. Microwave: Frozen: Heat on High for 50 seconds. Let rest for 15 seconds. Heat for another 30 seconds. Let rest for 1 min. before consuming. Thawed: Heat for 45 seconds. Let rest for 15 seconds. Heat for another 15 seconds. Let rest for 1 min. before consuming. Do not Fry.

For Additional Information, visit our website at www.mcifoods.com or contact:

M.C.I. FOODS, INC. 13013 Molette St., Santa Fe Springs, CA 90670 562-977-4000 or 800-704-4661

BEAN & CHEESE
BURRITO



KEEP FROZEN

NET WT. 5.20 OZ. (147g)

INSPECTED BY THE
U.S. DEPT. OF AGRICULTURE
IN ACCORDANCE WITH
FIS REQUIREMENTS

Secondary



Product Specification and Nutritional Information

Current Revision Date: 7/1/2015 Replaces Spec Dated 5/19/2015



Stock Code		Product Name							
98337		Cheese, Egg, & Cooked Sausage Crumbles (Made with Turkey) Breakfast Burrito							
Individually Wrapped									
Net Wt. (oz)	Case Pack	Case Net Wt. (Lbs)	UPC/GTIN	Ship Wt. (Lbs)	Case Cube	Case Dimensions (In)	Pallet Count	Tie/High	
3.200	120	24.00	10006574983371	26.77	1.140	19.250 L 14.625 W 7.000 H	48	6 X 8	
Child Nutrition (CN) Meal Pattern Contributions ¹ CN # 092539 CN Date 04-15 CN Expiration Date 4/27/2020									
Each 3.200 oz. portion provides*:		Meat/Meat Alternate. (oz)	Equivalent Grains (oz)	Legume veg (cup)	Red/Orange veg (cup)	Dark Green veg (cup)	Starchy veg (cup)	Other veg (cup)	
A		1.00	1.50						
--- OR ---									
B		1.00	1.50						

* - use the crediting in row A or row B, but not both. (based on the dual meat alternate/vegetable crediting for legumes.)

1 - If there is a CN number and CN date listed, the item is CN labeled.

Ingredient Statement

Ingredients: Filling: Reduced Sodium, Reduced Fat Pasteurized Process American Cheese: Cultured pasteurized milk and skim milk, *whey protein concentrate, potassium citrate, contains less than 2% of salt, sodium citrate, lactic acid, sorbic acid (preservative), natural flavor, *xanthan gum, *locust bean gum, *guar gum, apo-carotenal and beta carotene (color), *vitamin A palmitate, enzymes, soy lecithin and soybean oil blend. (*Not found in regular pasteurized process American cheese.), Water, Pre-Cooked Scrambled Eggs (Whole Eggs, Skim Milk, Soybean Oil, Corn Starch, Salt, Xanthan Gum, Citric Acid), Cooked Sausage Crumbles (made with turkey) [Ground Turkey Thigh Meat, Mechanically Separated Turkey, Water, Soy Protein Concentrate, Salt, Spices, Dextrose, Flavoring, Sugar, Disodium Inosinate and Disodium Guanylate], Contains 2% or less of: Spices, Red Sauce Seasoning (Modified Corn Starch, Paprika, Spices, Onion & Garlic Powder, Tomato, Dextrose, Sugar, Autolyzed Yeast Extract, Caramel Color, Extractive of Paprika, Guar Gum, Citric Acid, Malic Acid, Xanthan Gum, Ascorbic Acid, Disodium Inosinate & Guanylate, less than 2% Silicon Dioxide to Prevent Caking), Sausage Seasoning (Salt, Spices, Sugar, *natural Flavor), Modified Food Starch (Refined From Corn), and Vinegar.

hole Wheat Tortilla: Water, Whole Wheat Flour, Enriched Wheat Flour (Wheat Flour, Niacin, Reduced Iron, Thiamine Mononitrate, Riboflavin, and Folic Acid), Soybean Oil, salt, Guar Gum, and Baking Powder (Sodium Acid Pyrophosphate, Sodium Bicarbonate, Corn Starch, and Monocalcium Phosphate).

Allergen Statement Contains WHEAT, MILK, SOY & EGG.

BID Specification

Burrito-Frozen- Cheese, Egg, & Cooked Sausage Crumbles (Made with Turkey) Breakfast Burrito. No beans. Each 3.20 oz. burrito provides 1.00 OZ Meat/Meat Alternate and 1.50 OZ Grain EQV towards the SBP. Whole Grain Rich Tortilla. Preparation instruction printed on outside of case. Burrito is individually wrapped overable film containing high impact graphics that can be recycled. 120 count. No more than 400 mg Sodium, Less than 12.00% calories from saturated fat, 0 Trans Fat added, No less than 200 Kcal. Hand held-Fully cooked Los Cabos Brand 98337

Nutritional Information

Serving Size 3.200 oz. (90.72 g)
 Servings Per Package: 1
 Calories (Kcal) 205.6400
 Calories from Fat 70.2000
 Protein (g) 8.4100
 Carbohydrates (g) 25.7800
 Sugars (g) 1.3600
 Tot. Dietary Fiber (g) 2.2900
 Ash (g) 0.6600

% Calories from Fat 34.14%
 % Calories from Sat Fat 11.12%

Fats
 Total Fat (g) 7.8000
 Saturated Fat (g) 2.5400
 Trans Fat (g)* 0.0000
 Cholesterol (mg) 53.1700
 Water (g) 26.5800

Basis of Analysis: as Cooked.

Fat Change +/- 0% Moisture Change +/- 0%
 Data Source: USDA Handbook 8

Vitamins %DV Minerals %DV
 Vitamin A (RE) 0.00 6% Iron (mg) 0.92 6%
 Vitamin A (IU) 336.60 Sodium (mg) 400.00
 Vitamin C (mg) 2.43 4% Calcium (mg) 127.37 15%
 Potassium (mg) 69.32

*-Trans Fats naturally occurring

Heating Instructions

Heating Instructions: Place wrap on a sheet pan with seam of wrapper facing down. Heat to an internal temperature of 160 deg. F. Caution: Do not over heat. Heating above 165 deg. F. may cause filling leakage. Heating times may vary due to variation in equipment used. Convection Oven: Preheat Oven to 300 deg. F. Frozen: Bake 16-18 min. Refrigerated: 13-15. Conventional Oven: Preheat Oven to 300 deg. F. Frozen: Bake for 18-20 min. Refrigerated: Cook or 15-17 min. Microwave: Frozen: Heat for 50 secs. Refrigerated: Heat for 30 secs.

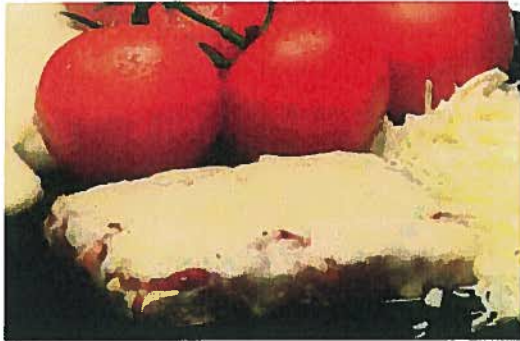
For Additional Information, visit our website at www.mcifoods.com or contact:

M.C.I. FOODS, INC. 13013 Molette St., Santa Fe Springs, CA 90670 562-977-4000 or 800-704-4661

92

4x6 Whole Wheat Cheese Pizza

96WW2 4x6



Pack Size: 96/5.00oz. portions per case

Child Nutrition Information:

088112 - One 5.00oz. 4x6 Whole Wheat Cheese Pizza Provides 2.00oz. Equivalent Meat Alternate, 2.00oz. Equivalent Grains, and 1/8 Cup Red/Orange Vegetable for the Child Nutrition Meal Pattern Requirements.

Ingredients:

CHEESE: Low Moisture-Part Skim Mozzarella Cheese (Pasteurized Part Skim Milk, Cultures, Salt, Enzymes). **CRUST:** Water, Whole Wheat Flour, Enriched Flour (Malted Barley Flour, Niacin, Reduced Iron, Thiamine Mononitrate, Riboflavin, Folic Acid), Vital Wheat Gluten, Contains 2% or less of: Sugar, Soybean Oil, Yeast, Salt. **SAUCE:** Tomatoes (Water, Tomato Paste), Contains 1% or Less of Onion, Salt, Spices, Garlic Powder, Soybean Oil, Xanthan Gum.

Allergens: Wheat and Milk.

May Contain Soy.

Nardone Bros. is a peanut and tree nut-free facility.

Cooking Instructions:

For a crispy crust: Preheat oven to 325 F. Place pizza directly on center oven rack. Cook for 7 to 10 minutes or until cheese is melted and crust edges are golden brown.

For a softer crust: Preheat oven to 325 F. Place pizza on a baking sheet. Cook for 8 to 11 minutes or until cheese is melted and crust edges are golden brown.

1 piece/serving	g	% DV
Serving Size	142g	
Calories	310	
Calories from Fat	110	
Total Fat	12	18
Saturated Fat	6	31
Trans Fat	0	
Cholesterol	30	10
Sodium	360	15
Carbohydrate	30	10
Fiber	3	13
Sugar	6	
Protein	22	
Vitamin A		10
Vitamin C		15
Calcium		45
Iron		15

Shipping Info:

Net Weight: 30.00 lbs.
 Gross Weight: 32.00 lbs.
 Pieces/case: 96
 UPC: 8554112088
 GTIN: 00085541120882
 Dimensions: 17 1/2 x 12 3/4 x 11 1/4
 Cube: 1.43
 Ti/Hi: 8/6
 Shelf Life: 180 days frozen
 Country of Origin: 100% U.S.



420 New Commerce Blvd. • Wilkes-Barre, PA 18706
 1-800-823-5320

All product information is believed to be truthful and accurate.

Last Updated: 8/18/2016

Sarah Walsh

4x6 Whole Wheat Turkey Pepperoni Pizza

96WWTP 4x6



Pack Size: 96/5.00oz. portions per case

Child Nutrition Information:

088433 - One 5.00oz. 4x6 Whole Wheat Pepperoni Pizza Provides 2.00oz. Equivalent Meat/Meat Alternate, 2.00oz. Equivalent Grains, and 1/8 Cup Red/Orange Vegetable for the Child Nutrition Meal Pattern Requirements.

Ingredients:

CRUST: Water, Whole Wheat Flour, Enriched Flour (Malted Barley Flour, Niacin, Reduced Iron, Thiamine Mononitrate, Riboflavin, Folic Acid), Vital Wheat Gluten, Contains 2% or less of: Sugar, Soybean Oil, Yeast, Salt. CHEESE: Low Moisture-Part Skim Mozzarella Cheese (Pasteurized Part Skim Milk, Cultures, Salt, Enzymes). SAUCE: Tomatoes (Water, Tomato Paste), Contains 1% or Less of Onion, Salt, Spices, Garlic Powder, Soybean Oil, Xanthan Gum. TURKEY PEPPERONI: Dark Turkey, Salt, Contains 2% or Less of Mustard Powder, Dextrose, Spices, Water, Natural Smoke Flavoring, Oleoresin of Paprika, Lactic Acid Starter Culture, Garlic Powder, Sodium Nitrite, BHA, BHT, Citric Acid.

Allergens: Wheat and Milk.

May Contain Soy.

Nardone Bros. is a peanut and tree nut-free facility.

Cooking Instructions:

For a crispy crust: Preheat oven to 325 F. Place pizza directly on center oven rack. Cook for 7 to 10 minutes or until cheese is melted and crust edges are golden brown.

For a softer crust: Preheat oven to 325 F. Place pizza on a baking sheet. Cook for 8 to 11 minutes or until cheese is melted and crust edges are golden brown.

1 piece/serving	g	% DV
Serving Size	142g	
Calories	310	
Calories from Fat	100	
Total Fat	11	17
Saturated Fat	6	28
Trans Fat	0	
Cholesterol	35	12
Sodium	470	20
Carbohydrate	30	10
Fiber	3	13
Sugar	6	
Protein	23	
Vitamin A		8
Vitamin C		15
Calcium		35
Iron		15

Shipping Info:

Net Weight: 30.00 lbs.
 Gross Weight: 32.00 lbs.
 Pieces/case: 96
 UPC: 8554113020
 GTIN: 0008554113020
 Dimensions: 17 1/2 x 12 3/4 x 11 1/4
 Cube: 1.43
 Ti/Hi: 8/6
 Shelf Life: 180 days frozen
 Country of Origin: 100% U.S.



420 New Commerce Blvd. • Wilkes-Barre, PA 18706
 1-800-823-5320

All product information is believed to be truthful and accurate.

Last Updated: 8/26/2016

Sarah Walsh

3x5 Whole Wheat Pepperoni Pizza, IW M80WMP2



Pack Size: 80/4.85oz. portions per case; individually wrapped in mylar wrapping

Child Nutrition Information:

094597 - One 4.85oz. 3x5 Whole Wheat Pepperoni Pizza Provides 2.00oz. Equivalent Meat/Meat Alternate, 2.00oz. Equivalent Grains, and 1/8 Cup Red/Orange Vegetable for the Child Nutrition Meal Pattern Requirements.

Ingredients:

CRUST: Water, Whole Wheat Flour, Enriched Flour (Malted Barley Flour, Niacin, Reduced Iron, Thiamine Mononitrate, Riboflavin, Folic Acid), Vital Wheat Gluten, Contains 2% or less of: Sugar, Soybean Oil, Yeast, Salt. CHEESE: Low Moisture-Part Skim Mozzarella Cheese (Pasteurized Part Skim Milk, Cultures, Salt, Enzymes). SAUCE: Tomatoes (Water, Tomato Paste), Contains 1% or Less of Onion, Salt, Spices, Garlic Powder, Soybean Oil, Xanthan Gum. PEPPERONI: Pork, Beef, Salt, Contains 2% or less of Dextrose, Flavorings, Lactic Acid Starter Culture, Oleoresin of Paprika, Sodium Nitrite, BHA, BHT, Citric Acid.

Allergens: Wheat and Milk.

May Contain Soy.

Nardone Bros. is a peanut and tree nut-free facility.

Cooking Instructions:

For a crispy crust: Preheat oven to 325 F. Place pizza directly on center oven rack. Cook for 7 to 10 minutes or until cheese is melted and crust edges are golden brown.

For a softer crust: Preheat oven to 325 F. Place pizza on a baking sheet. Cook for 8 to 11 minutes or until cheese is melted and crust edges are golden brown.

1 piece/serving	g	% DV
Serving Size	137g	
Calories	340	
Calories from Fat	140	
Total Fat	16	24
Saturated Fat	7	34
Trans Fat	0	
Cholesterol	40	13
Sodium	600	25
Carbohydrate	28	9
Fiber	3	11
Sugar	3	
Protein	22	
Vitamin A		8
Vitamin C		10
Calcium		35
Iron		10

Shipping Info:

Net Weight: 24.25 lbs.
 Gross Weight: 26.25 lbs.
 Pieces/case: 80
 UPC: 8554113316
 GTIN: 00085541133165
 Dimensions: 17 3/4 x 10 3/4 x 9 3/4
 Cube: 1.08
 Ti/Hi: 9/7
 Shelf Life: 180 days frozen
 Country of Origin: 100% U.S.



420 New Commerce Blvd. • Wilkes-Barre, PA 18706
 1-800-823-5320

All product information is believed to be truthful and accurate.

Last Updated: 4/6/2016

Sarah Walsh

4x6 Whole Wheat Cheese Pizza, IW M96WW2 4x6



Pack Size: 96/5.00oz. portions per case; each portion individually wrapped in ovenable Mylar wrap

Child Nutrition Information:

088893 - One 5.00oz. 4x6 Whole Wheat Cheese Pizza Provides 2.00oz. Equivalent Meat Alternate, 2.00oz. Equivalent Grains, and 1/8 Cup Red/Orange Vegetable for the Child Nutrition Meal Pattern Requirements.

Ingredients:

CHEESE: Low Moisture-Part Skim Mozzarella Cheese (Pasteurized Part Skim Milk, Cultures, Salt, Enzymes). **CRUST:** Water, Whole Wheat Flour, Enriched Flour (Malted Barley Flour, Niacin, Reduced Iron, Thiamine Mononitrate, Riboflavin, Folic Acid), Vital Wheat Gluten, Contains 2% or less of: Sugar, Soybean Oil, Yeast, Salt. **SAUCE:** Tomatoes (Water, Tomato Paste [Not Less Than 31% Soluble Solids]), Contains 1% or Less of Onion, Salt, Spices, Garlic Powder, Soybean Oil, Xanthan Gum.

Allergens; Wheat and Milk.

Nardone Bros. is a peanut and tree nut-free facility.

Cooking Instructions:

Preheat oven to 325 F. Place wrapped pizza on a baking sheet or pan liner paper. Cook pizza in ovenable wrapper for 12-16 minutes or until cheese is melted. Let pizza sit in wrapper for 1 minute before opening and removing pizza.

1 piece/serving	g	% DV
Serving Size	142g	
Calories	310	
Calories from Fat	110	
Total Fat	12	18
Saturated Fat	6	31
Trans Fat	0	
Cholesterol	30	10
Sodium	360	15
Carbohydrate	30	10
Fiber	3	13
Sugar	6	
Protein	22	
Vitamin A		10
Vitamin C		15
Calcium		45
Iron		15

Shipping Info:

Net Weight: 30.00 lbs.
 Gross Weight: 32.00 lbs.
 Pieces/case: 96
 UPC: 8554113061
 Dimensions: 17 1/2 x 12 3/4 x 11 1/4
 Cube: 1.43
 Ti/Hi: 8/6
 Shelf Life: 180 days frozen
 Country of Origin: 100% U.S.



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All product information is believed to be truthful and accurate.

Last Updated: 9/23/2014

Cheryl Stameel

Board of Examiners' Meeting

November 8, 2016

Additional Information and Statements

Provided by the Public

STATEMENT TO NEVADA BOARD OF EXAMINERS

(Dill Young, DDS, November 8, 2016)

Good Evening. My name is Dill Young. I am a licensed dentist in the State of Nevada and a member of the Las Vegas Dental Association. My comments are directed to item #34 on your Contract Agenda for the Nevada State Board of Dental Examiners.

I, too, have been a victim of the Nevada State Dental Board of Examiners' private attorney, John Hunt, who ran up large bills against me for his so-called "investigations" and "fees and costs" and then coerced me into signing a Stipulation Agreement upon threat of losing my license if I chose to exercise my due process right to a Formal Hearing. Recently, a Performance Audit conducted by the Legislative Counsel Bureau ("LCB") identified over 50 dental licensees who had been overcharged in the past two years for "investigation fees" by this Board's private attorney, which included myself. However, these same unlawful tactics and practices of overcharging licenses has been ongoing for 25 years. Thus, if the audit had been extended back to the beginning it's possible that over 600 dentists could have been identified as having been overcharged for a disciplinary process that is not in compliance with the Administrative Procedure Act in NRS 233B.

Therefore, I am requesting the Board of Examiners:

1. REFUSE to ratify the Dental Board's request to increase pay for its outside counsel from \$700,000 to \$1.2 Million when the LCB's Auditor has recommended the Dental Board its use of such outside counsel to 20% or not more than \$98,000;
2. REFER the Dental Board's request to Legislative Commission for further review; and
3. RECOMMEND the Legislature establish a centralized Medical Licensing Bureau for the healthcare boards in Nevada to supervise the complaint process, eliminate excessive "fees and costs," provide dispute resolution, and protect due process rights.

Thank you!

STATEMENT TO BOARD OF EXAMINERS

NOVEMBER 8TH, 2016

Dr Scott Booksby, DDS

Mr. Hunt and the board would have you believe that Mr. Hunt is indispensable to the dental board. If the purpose of the board is to extort money from dentists and to ruin people's professional lives simply because they had an adverse outcome, then yes they should give him a raise. They should also prepare themselves for a legal battle over violation of US antitrust laws since they are in violation of the US Supreme court ruling.

If on the other hand, they decide to conduct business like all of the other dental boards in the Western United States where there is no charge against the dentists if an investigation is conducted. Then not only is there no need for Mr. Hunt, but the public and the dentists would all be better protected.

My license was revoked by this same board because my dental assistant occasionally used an ultrasonic scaler. Mr. Hunt claimed that because my dental assistant used an instrument that a dental hygienist might also use, that she was holding herself out as a dental hygienist and that I was guilty of aiding and abetting the illegal practice of dental hygiene without a license. The board knows that the only device that is specifically prohibited is a rotary cutting instrument, a drill. The board allowed him to misrepresent its legal position in court against my dental assistant and then used that ruling to take away my license.

In most states you must kill or maim someone to lose your license. I have done none of these things and the board did not even have a written complaint against me. It had an anonymous call from a prior employee that pretended to be upset and lied that she had been told that my assistant was a hygienist. The board knows that the law requires them to be judicious in following up on anonymous complaints simply to prevent this type of abuse.

Knowing that the Dental Board wanted me to leave the state because I was one of the most vocal opponents to the abuse of the state's dentists, I attempted to voluntarily surrender my license on May 5, 2016. This the Nevada Board refused to do, knowing that if they revoked my license, it would be almost impossible for me to ever practice dentistry again in any state because all dental boards and professionals believe that the boards all act honorably. On September 6, 2016, the Washington State Dental Board acting solely upon the action of the Nevada Dental Board suspended my license to practice dentistry.

I am now in a situation where I can not longer support my family as I was trained to do and not a soul has been injured while under my care.

The Audit conducted by the Nevada Legislative Sunset committee found the Nevada Dental Board, Mr. Hunt and the Executive director, Ms. Kugel Shaffer in violation of 14 different areas. I respectfully submit that the current Dental Board be dismissed due to Negligence. The attorney for the board should be fired and Mr. Hunt should be disbarred. The Executive Director, Ms. Kugel Shaffer should be fired for lying to the investigators.

A separate Health Care licencing commission should be created that would oversee all medical and dental licensees. Nevada Law should be changed to coincide with all of the surrounding states so that no investigative costs or attorney's fees may be charged to licensees. Repeal NRS

At the April hearing of the Nevada Sunset Committee a member of the AG's office did a presentation on the US Supreme Court Ruling against the North Carolina Board of Dental Examiners.

During that presentation he pointed out that Medical and Dental Boards are given special leeway because there is the assumption that the technical nature of the business requires special knowledge not held by others outside of the profession. When a board defers its duties to an attorney or some other entity it violates the very nature of function of that board and subjects it to the antitrust laws that would otherwise not apply.

The Nevada Dental Board has, as a group, deferred the actual operation of the board and its activities to Mr. John Hunt. In its meetings he determines who is allowed to speak in the public comments sections. He is the one that tells the board what they must do and how they must deal with measures. He is the one that trains new board members and DSO's. For twenty five or more years he has controlled the operation of the board and its policies.

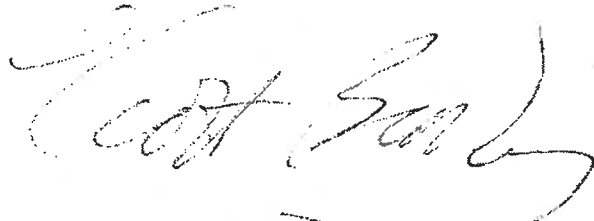
I have been to meetings where Mr. Hunt explained to the board that a dentist had violated the standard of care by not using a CT scan and guided surgery to place an implant which later failed. The board voted to accept that stipulation when each of them should know that that is not the standard of care. Neither are required for placement of an implant in the Nevada Dental Community.

In another case he indicated that they should approve a stipulation against a hygienist because she completed root planing and placing of Arestin, an antibiotic, in a given period of time in violation of the standard of care. Once again they approved this stipulation which the hygienist had vigorously fought until she was forced to either sign or risk losing her license and paying \$40,000 in Mr. Hunt's attorney's fees. These doctors and hygienists should know that there is no standard of care as to how long any procedure should be. It is totally dependant upon the clinical presentation at that time.

This same Nevada Dental board sat in judgement of me in May of 2015. The Dental Board accused me of using a poisonous gas, Ozone, in violation of state law. This same board had approved me to teach a two hour CE course on the use of Ozone in Dentistry two year before. I pointed out that the Academy of General Dentistry, a national organization of dentists, had a continuing education code for Ozone in Dentistry. During the hearing I produced an expert witness, Dr. William Domb, that had been teaching courses on Ozone in Dentistry for years. The Dental Board refused to acknowledge Dr. Domb as an expert. The Dental Board did acknowledge their Dental Screening Officer, Dr. Braun, as an expert witness in Ozone even though he admitted before this same board that he had never seen it used, had never attended a course on the use of Ozone in Dentistry and had only read three articles that Mr. Hunt had given him. Dr. Braun testified that these articles proved that Ozone was dangerous when in fact they pointed out the benefits of using Ozone in medicine and dentistry. Here Dr. Braun deferred to Mr. Hunt who billed six hours for Mr. Hunt's investigation into the literature about Ozone and dentistry instead of doing the investigation himself. Dr. Braun was the one that was trained to read the literature, not Mr. Hunt, an attorney.

622.400, 410.

I respectfully request that the revocation of my dental license be rescinded and that my license be reinstated. All actions against dental professionals for the last five years should be independently reviewed and the monies that I and all other dentists have had to pay to the board and its attorney be refunded with interest.



L. SCOTT BROOKSBY DDS
2022 TAYLOR CUTOFF RD
SEQUIM, WA 98382
702-274-6700

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L Scott Brooksby
2022 Taylor Cutler Rd
Sepulim WA 98382
702-274-9005

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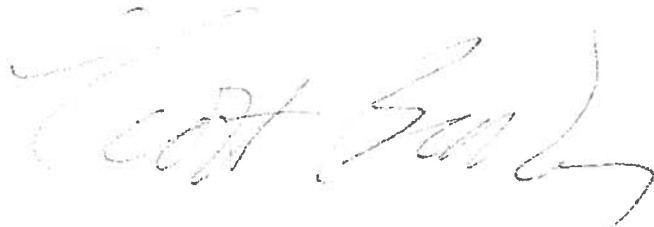
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622.400, 410.

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622.400, 410.

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LI SCOTT BROOKSBY DDS
2022 TAYLOR CUTOFF RD
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702-274-6700

1 Lyle Scott Brooksby DDS
2 2022 Taylor Cutoff Rd.
3 Sequim, WA 98382
4 702-274-6700
5 email: brooksby1@gmail.com

6 WASHINGTON STATE DEPARTMENT OF HEALTH
7 OLYMPIA, WASHINGTON

8 WASHINGTON STATE DENTAL BOARD

9 Plaintiff,

Case No.
M2016-860

10 vs

11 L. SCOTT BROOKSBY, DDS

12 Defendants

13 Defendants response to Washington Dental Board License suspension.

- 14 1. Every professional expects that if a matter is to be heard before a state board that all
15 evidence presented will be examined and evaluated impartially.
- 16 2. I am a prosthodontist and often receive referrals from general dentists when the case is
17 beyond their ability to treat.
- 18 3. These patients often have needs and demands that are very difficult to address and there is
19 no way to guarantee a positive outcome.
- 20 4. In 1999 I had three cases that had less than optimal outcomes. Each of these were
21 because the patient did not follow the instructions given.
- 22 5. Each of these filed a complaint with the Southern Nevada Dental Association peer review
23 committee.
- 24 6. The committee had a general dentist review each of the cases and he was under the
25 impression that a prosthodontist only did crowns, bridges and dentures and that it was out
26 of the scope of care of a prosthodontist to do comprehensive dentistry.
- 27 7. The committee forwarded the cases to the Nevada Dental Board of Examiners.
- 28 8. I provided affidavits from several prosthodontic program directors indicating that we

1 were trained to provide comprehensive dental care because that is the nature of treating a
2 difficult case.

3 9. When we went to the board's informal hearing we found that they already had a
4 stipulation ready for me to sign that included several items that we had not even been
5 informed were being considered and that completely ignored all of our defense.

6 10. We were told that if I did not sign the stipulation that they would take it to the entire
7 dental board and that I would lose my license to practice dentistry. I was told that this
8 was a confidential agreement and that no one would ever know what was agreed to.

9 11. The attorney suggested that if I went to the full board and lost my case that it would cost
10 me almost \$40,000 and that I would still have to pay my attorneys.

11 12. Deciding to keep my ability to practice and support my family, I signed the agreement and
12 surrendered my specialty license because I could still practice as I had been under a
13 general dental license. The stipulation had numerous things included that I did not agree
14 with, but I could not afford to not be able to support my family. I felt trapped.

15 13. The document was immediately posted on the Board's website and was not confidential
16 as the board's attorney had assured us would be the case.

17 14. In 2010 I went back to the board with letter from Dr. Gordon Christensen, a world
18 renowned prosthodontist that supported my original contention that a prosthodontist
19 could practice comprehensive dentistry. I was able to get my specialty license back with
20 no restrictions.

21 15. At that meeting I felt that perhaps a dentist could prevail and present their case before the
22 board and be heard.

23 16. I began working as an expert witness for a number of attorneys that had dentists that had
24 complaints from the dental board. In those cases where the dentist was a problem I
25 agreed that a stipulation was their best way out of the problem.

26 17. For those cases where the dentist had given the options with the benefits and risks
27 completely explained to the patients where the patient then chose a less desirable course
28 of action I provided testimony that they had acted within the standard of care and

1 explained why.

2 18. In each of those cases when the dentist arrived at the informal hearing they were surprised
3 to find that the attorney for the board had several additional charges for which the dentist
4 had never been given notice as required by state law.

5 19. Each dentist complained that they were give a stipulation that had been composed prior to
6 the hearing of their evidence and were told that it would be confidential and that if they
7 did not sign that they would be taken before the full board and would risk losing their
8 license and having to pay mor e than \$40,000 in investigative costs and attorney's fees
9 charged by the board. They felt coerced into signing the stipulations even though they
10 had done nothing wrong. Their attorneys seemed to accept this as the normal course of
11 business.

12 20. In 2012 a group of us established the Las Vegas Dental Association with the intent to
13 provide peer review, continuing education and help in dealing with complaints before the
14 board.

15 21. We invited a member of the Dental Board, Dr. Gordon Kinard, to visit with our members
16 and help us understand how to deal with the board.

17 22. As a result of our meeting with Dr. Kinard, we encouraged our members to not fight
18 against providing evidence and to cooperate with the board as much as possible.

19 23. We found that the same things were happening when members and others would have an
20 adverse outcome with a patient, if it went to the board, even if they had done everything
21 right, they were usually charged with multiple complaints that were not disclosed until
22 they got to the hearing.

23 24. These dentists found that not only were they being charged with things not even in the
24 law, but it was being reported to the National Practitioners Data Bank. This made it so
25 that if they wanted to practice in other states or participate in insurance plans that they
26 were not able to do so.

27 25. We decided that the best way to proceed was to approach the Nevada State Legislature to
28 change the way the hearing and investigations were handled.

- 1 26. In 2014 a patient of mine complained to the board that a filling had fallen out and that I
2 was in collusion with the Mayor of Las Vegas, Oscar Goodman, and her stalker. One
3 would expect that when you read the records and found that I had offered to pay her
4 transportation costs to my office so that I could fix the restoration that it would go away.
- 5 27. Four months later a dentist investigating for the board contacted me. He met me at my
6 office and we reviewed the records and my attempts to satisfy the patient. I also
7 explained that the decay had been very close to the nerve and that we had used an indirect
8 pulp cap. I was concerned that without immediate treatment she would end up with a
9 dental abscess.
- 10 28. A couple of months later the dentist called and indicated that the filling was missing and
11 that there was recurrent decay.
- 12 29. I told him that after this amount of time with a tooth that had had an indirect pulp cap that
13 this was to be expected, but that I would gladly pay for him to restore the tooth. He
14 indicated that would be a conflict of interest.
- 15 30. He suggested that I pay \$700 in investigative costs and sign a stipulation that I had not
16 treated the patient appropriately.
- 17 31. I declined because I had done nothing wrong.
- 18 32. Several months later I was notified that I had to attend a hearing with the board. I
19 provided the documentation, but told them that I had no desire to meet with them because
20 of their history of ignoring the defense arguments. They told me that I had to appear or
21 be cited for contempt.
- 22 33. I appeared and after talking briefly about the case, they began bringing up other charges
23 that we had not received prior to the hearing in accordance with state law.
- 24 34. They accused me of advertizing that I was able to help the patient sleep without having a
25 conscious sedation permit. I explained that I had learned to do hypnosis during the time
26 that I was in dental school and that I used suggestion and relaxation to help them with
27 their dental visit. I was told that this was illegal.
- 28 35. They accused me of false advertizing because I had MACP, Member of the American

1 College of Prosthodontists, after my name. I explained that I was a member of the ACP
2 and that this was not false advertizing. They indicated that the ADA did not allow a
3 member to post anything other than actual degrees after their name. I pointed out that I
4 was not a member of the ADA and therefore not bound by their code.

5 36. I was accused of illegally using Ozone gas on my patients and that it could poison my
6 patients. I pointed out that I was approved by the Nevada Board of Dental Examiners to
7 provide continuing education on the use of Ozone in Dentistry. I also pointed out that the
8 Academy of General Dentistry had a continuing education code for the use of Ozone in
9 dentistry and that as with many things that we use in dentistry that can cause problems, it
10 can be used by a trained professional and allowed us to get a therapeutic effect.

11 37. The Board attorney insisted that I sign a stipulation and pay \$10,000 in his investigative
12 costs. I declined because I had done nothing wrong.

13 38. In April of 2015 I was advised that the Board would be conducting a full hearing about
14 the complaints discussed in January at their informal hearing.

15 39. In March of 2016 the Board received a telephone complaint from a former dental assistant
16 of mine (terminated as a result of using profanity { F bombs }) posing as a disgruntled
17 patient accusing me of using dental assistants as dental hygienists and that my assistant
18 had told her husband that she was a dental hygienist.

19 40. In March and April the board sent in an undercover patient and videotaped the two office
20 visits.

21 41. The private investigators provided their videos to the attorney for the Board and claimed
22 that my assistant had told them that she was a hygienist. They provided me and the full
23 board a video of the actual treatment that had been digitally altered to remove the audio
24 portion. Because of the alteration it was impossible to probe that at no time did anyone
25 ever state that my dental assistant was a hygienist in my office.

26 42. They took this information and got a Court issued temporary restraining order against my
27 assistant on May 12, 2016, claiming that they did not have time to bring this before the
28 full Board for a hearing and that they wanted to protect the public. The order was issued

1 to the attorney for the board.

2 43. Nevada law allows the Board to give notice 10 days prior to a hearing of anything that the
3 board wants to investigate. The attorney for the board had ample time to add this
4 complaint to the one that was before the Board for their May 22 hearing where it would
5 have been handled in the most expeditious manner possible. He received the report from
6 the private investigators on April 25, 2015.

7 44. At the May 22 Board meeting the attorney applied for, and received permission to
8 investigate my dental assistant. This permission was required before any investigation
9 could be performed, but was obtained, instead after the investigation and the issuance of
10 the temporary restraining order. This was once again a violation of Nevada state law.

11 45. On the afternoon of May 22, 2015 the board conducted a hearing against me for the
12 matters discussed previously.

13 46. I provided an expert witness on the use of Ozone in dentistry that had a large number of
14 hours of lectures and investigation into the use of Ozone in dentistry. The board refused
15 to allow him to be considered an expert witness.

16 47. They provided a prosthodontist that had read three articles and never attended a single
17 continuing education course on the use of Ozone in Dentistry and had him acknowledged
18 by the Board as an expert witness.

19 48. This same prosthodontist was the only witness against me and he had the ability to use
20 hypnosis, but said that he did not use it.

21 49. I pointed out that I had not used deep hypnosis since 1993, but that I did use a soothing
22 voice and suggestions to help my patients relax and enjoy their visits. Many did go to
23 sleep with this.

24 50. During the intermission the attorney for the Board asked which of my daughters was my
25 dental hygienist. I told him that I had a daughter that was a dental assistant, but that she
26 was not a hygienist.

27 51. The Tuesday after the hearing he served my daughter/dental assistant with the temporary
28 restraining order.

- 1 52. In June of 2015 they served me with the complaint of using an unlicensed dental
2 hygienist and for using LimeAway to clean dentures.
- 3 53. My assistant hired an attorney that charged over \$4,600 to tell us to settle and pay the
4 board \$30,000. I asked what the determination was of the hearing and they told us that it
5 would take 90 days to find out.
- 6 54. I was sure that this was an attempt to get me to sign a stipulation that would overturn the
7 Board's findings if I had actually prevailed in the Board hearing.
- 8 55. In August we received notice from the Board that they had found against me in all but one
9 of the charges and that I had to pay \$39,000.
- 10 56. In August of 2015 the attorney my assistant had hired withdrew because he did not feel he
11 could defend her vigorously.
- 12 57. In September of 2015 I self reported to the Washington State Dental Assurance
13 Commission the findings of the May 22 hearing as well as the complaints that had been
14 filed against me and my assistant.
- 15 58. In September of 2015 my assistant and I went to court about the restraining order. Even
16 though they listed Doe corporations 1-10, of which I would be one of those because she
17 only worked for me. We did not have an attorney. My assistant was really sick with the
18 flu and they indicated that I might be called as a witness and so I could not stay and help
19 my assistant.
- 20 59. My assistant was accused of illegally using a cavitron on patients. She admitted that she
21 had used an ultrasonic instrument on some patients and that it was not against the law.
22 The law only prohibits a dental assistant from using a rotary cutting instrument.
- 23 60. The judge asked her if she objected to a permanent restraining order against her using a
24 cavitron. She indicated that she did not, because she had not violated the law..
- 25 61. The attorney for the Board persuaded the judge to award him \$27,000 in attorney's fees
26 for that one afternoon in court.
- 27 62. We went to the dental board to have the fees removed and the attorney for the board
28 indicated that she was guilty of using a cavitron in violation of the dental practice act.

1 One of the hygienists for the Board indicated that there is nothing in the law that prohibits
2 the assistants from using a cavitron. The attorney indicated that the judge had ruled that
3 she could not and that it was illegal for her to use it. The Board sided with the attorney
4 and did not reduce the fees as we had requested.

5 63. We began working vigorously with the Nevada State Legislature to change the law so that
6 the attorney for the Board, a private attorney, could not use his position with the Board to
7 charge 'inflated investigative fees' to increase business for his practice.

8 64. We were able to get the Nevada Sunset Committee to conduct an investigation into the
9 Nevada Dental Board.

10 65. In their July report they found that the Board had 14 different violations.

11 66. When we went before the Health Care Committee for the Nevada Legislature, we made
12 our comments during the public comments period. We addressed the issues, but the
13 attorney for the Board came and spent his time specifically attacking me personally. The
14 committee was concerned that his comments were personal attacks and that this was not
15 the forum.

16 67. I went with numerous others to make comments and complaints during the public
17 comments section of the Dental Board meeting, but the Board attorney would not let us
18 make comments because we had cases pending before the Board. In every instance the
19 Board did what ever the attorney suggested.

20 68. In many of these meetings the Board voted to approve stipulations against dentists. In
21 one case a dentist had an implant fail. He was forced to sign a stipulation with the
22 rationale being that he did not use a CT scan or guided surgery which they claimed was
23 below the standard of care. Neither of those is below the standard of care in Nevada and
24 the Board still voted with the attorney.

25 69. In April of 2016 I was taken before the Dental Board for the alleged aiding and abetting
26 the illegal practice of dental hygiene.

27 70. I explained that I always did the cleanings and had my assistant do the coronal polishing
28 in accordance with the law. I explained that it was my understanding that an assistant

1 could remove tartar that was above the gumline and that as soon as the Board had
2 indicated that they did not consider that appropriate, we changed our operating
3 procedures. I provided my explanation of each of the items on their complaint and then
4 explained that I had tried several times to explain things in the past and that they just did
5 what their attorney suggested. In a case where my evidence would not be listened to, it
6 did not make sense for me to stay so I was going home to finish packing to move to
7 Washington.

8 71. In May of 2016 I tried to surrender my Nevada dental license because I had been told by
9 someone at the Washington Dental Board that they did not care what Nevada did. The
10 Nevada Board refused to allow me to surrender my license.

11 72. A couple of weeks later they served me with notice that I had 90 days to stop practicing in
12 the State of Nevada and that I could not take on any new treatments.

13 73. On May 31, 2016 I closed my dental office and moved to Sequim permanently.

14 74. On July 2, 2016 I signed a three year lease for an office in Sequim, Washington and
15 began remodeling the office. We transported the rest of our dental equipment from Las
16 Vegas to Sequim.

17 75. In August I began seeing patients in Sequim.

18 76. I had been in contact with Jennifer at the Washington Board offices and she was aware
19 that I have my practice in Sequim. Despite this knowledge and my communication with
20 Washington state, notice of the proposed investigation was not delivered to me until
21 September of 2016. I called and was told that I could not even finish treatment that I had
22 started on patients and must immediately stop practicing.

23 77. I would not have spent the money remodeling an office and signed the lease had I not
24 already contacted the Washington Board prior to losing my Nevada Dental license and
25 letting them know what was going on. Everything was reported between September and
26 November 2015. In December 2015 the Washington State Dental Board issued a letter
27 indicating that there was no further need of investigation and that no action would be
28 taken.

1 78. When one interacts with a professional board there is the assumption that everything will
2 be done to the best interests of all concerned.

3 79. I have been a Boy Scout leader for over twenty years. I am a member of Rotary
4 International and the Church of Jesus Christ of LatterDay Saints (Mormon) where we
5 constantly strive to uphold the law and be honest in our dealings with our fellow man.

6 80. I respectfully request that the Washington board reinstate my dental license and allow me
7 to again support my family.

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11 This is true and factual.

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15 L. Scott Brooksby, DDS

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27

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From:

L. Scott Brooksby, DDS
2022 Taylor Cutoff Rd.
Sequim, WA 98382
702-274-6700

To: Members of the NV Legislative Board, The Attorney General and Gvnr Sandoval:

Over the past two years I have periodically sent out information about the abuses of the Nevada Dental Board.

I have attached an affidavit detailing my personal experiences with the board and a news article on violations by the Nevada Dental Board. We are hoping that you will sponsor a bill that will eliminate NRS 622.400 and 410 which allow the administrative boards to charge for their investigative costs and attorney's fees. This is the only state in the west that allows this. All of the other states provide the investigations as part of the fees paid for licensure.

When I became frustrated because my fellow dentists were subject to legalized extortion at the hands of the private attorney for the board and the board itself, I got together with a number of dentists and formed the Las Vegas Dental Association. Our goal was to provide for \$100 per year 16 units of continuing education, peer review and help in dealing with the dental board.

In one instance a Dental Hygienist that was just out of school trying to pay off a large debt load was trapped by the inconsistencies of the Dental Practice Act. In the Act a dental assistant is allowed to take x-rays and chart the teeth, but if a dental hygienist does that she is in violation of the law. This trap was used to catch a number of dentists and hygienists and the result was payments of about \$8-11,000 in investigative costs to the Board's attorney by each dentist and each hygienist.

Dr. Adrian Ruiz was accused by the board of being a drug pusher and the first time this happened was at his first license renewal in the state. They found a large number of patients that he supposedly prescribed narcotics for. He insisted that he did not, but was told that if he did not sign a stipulation admitting to being a drug pusher and pay \$14,000 to the board's attorney he would lose his license and the investigative costs would soar to over \$40,000. When this happened again he was able to find through investigation that there is a pain management doctor by the name of Adrana Ruiz. When the pharmacist would click on the drop down menu with the doctor's name if they clicked on his name instead of hers it would be attributed to him. He had to threaten to sue the pharmacy board before they would admit this and he was finally able to get the board to drop the complaint against him. In the meantime they did all that they could to destroy his life and career.

When we got together and began to approach the legislature to change the law, it put bulls eyes on our backs. I had a patient that had a filling fall out. I offered to replace it at no charge and even offered to pay \$15 in travel costs, but the patient insisted that I was in cahoots with Mayor Oscar Goodman and her stalker. Months later with the filling still out and not being cared for, the dentist investigating for the board found a broken tooth and decay. I immediately offered to pay him to fix the tooth, but he refused. I wrote a check not for just the one filling, but for both on that tooth. I was told that if I would pay the board \$700 and sign a stipulation indicating that I was wrong and had mistreated the patient that it would go away. I refused because I had done nothing wrong.

By the time the board and it's attorney were through with me the charges were \$39,000 and I was placed on probation with charges that are not even written into the law. The board then posted on their website a 40 page document maligning me with his made up accusations. It was interesting that we used a technique which has been shown to allow the repair of a tooth that allows us to save a tooth that would otherwise need a root canal. It was the use of Ozone. A technique that can actually reverse decay. During my hearing I produced an expert witness that routinely taught coursed throughout the world on the use of Ozone in Dentistry. He was not allowed as an expert witness. I had been approved for two years by the

Nevada Board of Dental Examiners to teach a course on Ozone in Dentistry. The expert the board relied upon was a prosthodontist that teaches at UNLV and had read three articles on Ozone and never even taken a course.

Because we were pursuing a change in the law that would eliminate his ability to extort money from dentist which he then shared with the board, they continued to pursue me. They claimed that I used my dental assistants as illegal dental hygienists and sued my assistant in court. Because she was not covered by insurance she and I tried to defend her, but I was removed from the defense because I was not an attorney. They accused her of using a cavitron telling the judge that it was against the law. The law actually only prohibits a dental assistant from using a drill. Because she could not afford the defense attorney and was left to defend herself she was found guilty of using a cavitron and charged \$27,000 for the half day in court for the attorney's fees.

They used this false accusation and a claim that I was using a technique that no other dentist used to clean dentures that I was guilty under Nevada law of unprofessional conduct. I attempted several times to defend myself before the board, but they always refused to even listen and they ignored expert testimony and only listened to their attorney. At the last hearing I made my points and left because they had no intention of listening and it was not going to change their minds. The end result was that they revoked my dental license, refusing to allow me to even surrender it, and charged me \$49,000. They then posted all of this on the board website showing only their interpretations of things. The fees charged against me are the highest by orders of magnitude of any charged according to the legislative audit.

The Nevada Sunset committee listened to our pleas and investigated the dental board finding them in violation of 14 different areas. One of those was that the board attorney had already charged 90% of the outside fees he was "allowed" to charge dentists in investigations and he was only in year three of a five year contract.

In face of the legislative audit the board, at their next meeting proposed to increase the amount of his contract by \$200,000. They thumbed their noses at the legislature.

When numerous dentists have tried to bring these issues up with the board during public comments Mr. Hunt who trains all board members and screening officers objects to their participation and has been know to berate the dentists bringing up all of the stipulations he has forced them to sign.

Before the Nevada legislative committee on Health Care several of us, during the public comments section suggested changes to the dental practice act. Mr. Hunt, the board attorney, during the same public comments section spent the entire time attacking me personally. He was stopped part way through and admonished that this was not the time nor place for personal attacks, but since it was a public comments section he was allowed to continue for his three minutes. He ignored their admonition and continued to attack me until he was told his time was up.

This open disregard for the legislature must be stopped. Please sponsor a bill that eliminates NRS 622.400 and 410.

Respectfully,

L. Scott Brooksby, DDS
2022 Taylor Cutoff Rd.
Sequim, WA 98382
702-274-6700

From Dr. Lyle Scott Brooksby

I have attached a copy of the financial bills sent by Mr Hunt and the NVDBE for a case against me. In the end, because I did not agree to be bought off, I was charged almost \$40,000.

The OAG has provided a copy of the email: Joint Representation of Nevada State Board of Dental Examiners. In the letter the OAG states that the board be mindful of 4 items.

Item 3) "Due process considerations together with Nevada Rule of Professional Conduct 1.7 prohibit the same attorney from acting as both prosecutor and board counsel whenever the Board adjudicates the legal rights of a licensee. The OAG can provide attorneys to serve the board in either role whenever necessary to avoid any conflict.

When reviewing the investigative charges and fees assessed to me, Mr Hunt and Mr Wuester are the ones who did all of the research into ozone and then counseled the board about it. Even the DSO who testified as the expert witness said he had no background or knowledge regarding ozone.

Why is a lawyer reviewing medical literature and then addressing the board when he has no medical background? How is this not a conflict of interest?

A recommendation as a result of the recent legislative audit was 1) to not assess the costs of investigations to licensees for complaints that are remanded: MOTION: Dr. Pisani made the motion to approve the recommendation that the Board not charge for remands. Motion was seconded by Dr. Blasco. All were in favor of the motion.

The problem is that few if any motions are ever remanded. They find a reason to pursue each and every case, no matter how small the complaint. See article titled "Dental Board Corruption Identified and Exposed in Nevada" Second page, second paragraph. "A Las Vegas dentist was required to spend over \$10,000 in legal fees involving a simple fee dispute of \$300. This case, which took 16 months to resolve, could've and should've been resolved with a simple phone call."

MARCROFT has tried for years to point out that using the attorney generals office will substantially reduce the cost to the NVSDB. Decreasing the need for a private attorney.

L. Scott Brooksby
2022 Taylor Wutoff Rd
Sequim WA 98382
702-274-9005



STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL

100 North Carson Street
Carson City, Nevada 89701-4717

ADAM PAUL LAXALT
Attorney General

March 10, 2016

WESLEY K. DUNCAN
First Assistant Attorney General

NICHOLAS A. TRUTANICH
First Assistant Attorney General

Received

MAR 16 2016

NSBDE

Timothy T. Pinther, D.D.S., President
Nevada State Board of Dental Examiners
6010 S. Rainbow Blvd., Suite #A-1
Las Vegas, NV 89118

RE: Joint Representation of Nevada State Board of Dental Examiners

Dear President Pinther:

The Office of the Attorney General (OAG) is designated as legal counsel for the Executive Branch of State Government pursuant to NRS 228.110. Various other statutes require the OAG to perform specific legal functions for the various components of the Executive Branch, including Title 54 Boards. Since the Nevada State Board of Dental Examiners also engages John Hunt as outside counsel pursuant to NRS 631.190, this correspondence will clarify the scope of the Board's joint representation by both outside counsel and the OAG.

In the course of joint representation, please be mindful of the following:

- 1) The Board may request written opinions on questions of Nevada law from the OAG pursuant to NRS 228.150. When relying on an Attorney General Opinion in good faith, the Board is protected from liability for damages against the governmental body it serves if the Opinion is later found to be incorrect. See *Cannon v. Taylor*, 88 Nev. 89, 91, 493 P.2d 1313 (1972).
- 2) The Board should immediately notify the OAG whenever served with a complaint in federal or state court, or a petition for judicial review, or if the Board is otherwise presented with legal documents, since service must be effected in strict compliance with FRCP 4(j)(2), NRS 41.031(2) or NRS 233B.130(2), which includes service upon the OAG.
- 3) Due process considerations together with Nevada Rule of Professional Conduct 1.7 (prohibiting attorneys from conflicts of interest in legal representation) prohibit the same attorney from acting as both prosecutor and Board counsel whenever the Board adjudicates the legal rights of a licensee. See *Laman v. Nevada Real Estate Advisory Comm'n*, 95 Nev. 50, 56, 589 P.2d 166, 170 (1979). The OAG can provide attorneys to serve the Board in either role whenever necessary to avoid any conflict.

Why is the lawyer researching medical issues vs leaving that to someone on the board w/ a medical / Dental background. The counsel is there to be used not directed.

To: Timothy T. Pinther, D.D.S, President

Date: March 10, 2016

Page: 2 of 2

- 4) NRS 333.700(6) requires any contract for services, including but not limited to contracts for outside counsel, to be reviewed and approved as to form and compliance with law by the OAG. NRS 331.110(2) similarly requires any office lease to be reviewed and approved as to form and compliance with law by the OAG.

In order to confirm the Board's understanding of the scope of joint representation, the OAG recommends discussion of this correspondence as an agenda action item at a future Board-meeting. I will attend that Board meeting to answer any questions that the Board may have.

The OAG appreciates the extraordinary efforts of the Board to protect the public by enforcing the provisions of NRS Chapter 631 regarding the practice of dentistry and dental hygiene. The OAG encourages the Board to be proactive in seeking legal advice, and wants to emphasize that all the resources of our office are available to the Board to assist in this effort, including training and briefings on recent legal developments and critical issues facing licensing boards.

If you have any questions, please do not hesitate to contact me at 775-684-1201 or bkandt@ag.nv.gov.

Sincerely,

ADAM PAUL LAXALT
Attorney General

By: _____


Brett Kahdt
Chief Deputy Attorney General

WBK/klr

cc: John Hunt, Esq.

Received
MAR 16 2016
NSBDE



**Morris
Polich &
Purdy**

Morris Polich & Purdy LLP

ATTORNEYS AT LAW
1055 WEST SEVENTH STREET, 24TH FLOOR
LOS ANGELES, CALIFORNIA 90017-2503
(213) 891-9100
FACSIMILE: (213) 488-1178

General Billing Questions:

(213) 417-5174
(213) 417-5177

INVOICE

FEDERAL LD. No. 95-2582807

THIS BILL IS PAYABLE UPON RECEIPT
PLEASE REMIT TO L.A. OFFICE

Nevada Board of Dental Examiners
6010 South Rainbow Blvd., Bldg. A, Suite 1
Las Vegas, NV 89118

Attention: Debra Shaffer



Office: Las Vegas
Date: November 14, 2014
Invoice No: 209373
File No: 3336 JZH

LEGAL SERVICES RENDERED AND COSTS ADVANCED THROUGH October 31, 2014

CASE NUMBER: 3336-37866

DEN - Brooksby, L. Scott DDS re: Fujack, Maria
Reference: 74127-02746

DATE	DESCRIPTION	HOURS	AMOUNT
10/09/14	Review complaint of Maria Fujack regarding amalgams. Review prior complaints or action of the Board if any. Open file and note same on Master and Active status reports. Review answer and documentation submitted by Doctor. Review correspondence from the Board assigning Dr. Braun as the Disciplinary Screening Officer. Note answer and assignment of DSO on the master and active status reports. Review supplemental information and/or documentation submitted by M.s Fujack, note same on Master and Active status report. JZH	1.50	315.00
10/20/14	Conferences with JAH regarding prior history concerning Dr. Brooksby and his prior stipulation agreement; discussion regarding current complaint and his license status; discussion regarding possible stipulation agreement(s) for new complaints. BEW	1.80	333.00
Total Fees:			\$648.00

Received
NOV 14 2014
NSBDE

TIME AND FEE SUMMARY				
TIMEKEEPER	INIT	RATE	HOURS	FEES
John A. Hunt	JZH	210.00	1.50	315.00
Bert E. Wuester	BEW	185.00	1.80	333.00
TOTALS			3.30	648.00

Total Current Charges	\$648.00
Net Current Charges	\$648.00
Total Balance Due	\$648.00

THIS BILL REFLECTS PAYMENTS RECEIVED THROUGH November 14, 2014

This Bill Is Payable Upon Receipt

***To Ensure Proper Credit, Please Return
Remittance Copy With Your Payment To Our Los Angeles Office.***

Received
MSBDE



**Morris
Polich &
Purdy**

Morris Polich & Purdy LLP

ATTORNEYS AT LAW
1055 WEST SEVENTH STREET, 24TH FLOOR
LOS ANGELES, CALIFORNIA 90017-2503
(213) 891-9100
FACSIMILE: (213) 488-1178

General Billing Questions:

(213) 417-5174
(213) 417-5177

INVOICE

FEDERAL I.D. No. 95-2582807

THIS BILL IS PAYABLE UPON RECEIPT
PLEASE REMIT TO L.A. OFFICE

Nevada Board of Dental Examiners
6010 South Rainbow Blvd., Bldg. A, Suite 1
Las Vegas, NV 89118

Attention: Debra Shaffer



Office: Las Vegas
Date: November 14, 2014
Invoice No: 209375
File No: 3336 JZH

LEGAL SERVICES RENDERED AND COSTS ADVANCED THROUGH October 31, 2014

CASE NUMBER: 3336-37956

DEN - Brooksby, L. Scott DDS re: Informal Hearing - Stip II
Reference: 74127-02772

Received
NOV 14 2014
NCEDE

DATE	DESCRIPTION	HOURS	AMOUNT
10/28/14	Review preliminary findings of DSO. Telephone call to DSO regarding same. Begin drafting possible stipulation. JZH	1.50	315.00
10/29/14	Conference with BEW regarding drafts. JZH	0.40	84.00
Total Fees:			\$399.00

TIME AND FEE SUMMARY				
TIMEKEEPER	INIT	RATE	HOURS	FEE
John A. Hunt	JZH	210.00	1.90	399.00
TOTALS			1.90	399.00

Total Current Charges	\$399.00
Net Current Charges	\$399.00
Total Balance Due	\$399.00

THIS BILL REFLECTS PAYMENTS RECEIVED THROUGH November 14, 2014

This Bill Is Payable Upon Receipt

***To Ensure Proper Credit, Please Return
Remittance Copy With Your Payment To Our Los Angeles Office.***

Received
11/17/14
MOBCE



**Morris
Polich &
Purdy**

Morris Polich & Purdy LLP

ATTORNEYS AT LAW
1055 WEST SEVENTH STREET, 24TH FLOOR
LOS ANGELES, CALIFORNIA 90017-2503
(213) 891-9100
FACSIMILE: (213) 488-1178

General Billing Questions:

(213) 417-5174
(213) 417-5101
(213) 417-5157
(213) 417-5177

INVOICE

FEDERAL I.D. No. 95-2582807

THIS BILL IS PAYABLE UPON RECEIPT
PLEASE REMIT TO L.A. OFFICE

Nevada Board of Dental Examiners
6010 South Rainbow Blvd., Bldg. A, Suite 1
Las Vegas, NV 89118

Office: Las Vegas
Date: December 17, 2014
Invoice No: 210303
File No: 3336 JZH

Attention: Debra Shaffer

LEGAL SERVICES RENDERED AND COSTS ADVANCED THROUGH November 30, 2014

CASE NUMBER: 3336-37956

DEN - Brooksby, L. Scott DDS re: Informal Hearing - Stip II
Reference: 74127-02772

DATE	DESCRIPTION	HOURS	AMOUNT
11/03/14	Prepare notice of informal hearing and subpoena. JZH	0.50	105.00
11/18/14	Review e-mail from Dr. Brookswby regarding compliance with subpoena. Prepare email to Dr. Brooksby regarding same. JZH	0.30	63.00
11/25/14	Continue with review of materials and work on stipulation agreement. BEW	3.00	555.00

Total Fees: \$723.00

TIME AND FEE SUMMARY				
TIMEKEEPER	INIT	RATE	HOURS	FEES
John A. Hunt	JZH	210.00	0.80	168.00
Bert E. Wuester	BEW	185.00	3.00	555.00
TOTALS			3.80	723.00

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EXPENSES

DATE	DESCRIPTION	AMOUNT
11/04/14	50 Photocopy @ .20 per page VENDOR:	10.00
11/14/14	Litigation Support - - VENDOR: Bobby G. and Associates - Inv. # 437282 service of subpoena to L. Scott Brooksby DDS VENDOR: Bobby G. and Associates	75.00
	Total Expenses:	<u>85.00</u>
	Total Current Charges	<u>\$808.00</u>
	Net Current Charges	<u>\$808.00</u>
	Previous Balance	\$399.00
	Less Payments Received	\$(399.00)
	Total Balance Due	<u><u>\$808.00</u></u>

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6010 South Rainbow Blvd., Bldg. A, Suite 1
Las Vegas, NV 89118

Office: Las Vegas
Date: December 17, 2014
Invoice No: 210287
File No: 3336 JZH

Attention: Debra Shaffer

LEGAL SERVICES RENDERED AND COSTS ADVANCED THROUGH November 30, 2014

CASE NUMBER: 3336-37866

DEN - Brooksby, L. Scott DDS re: Fужack, Marlia
Reference: 74127-02746

DATE	DESCRIPTION	HOURS	AMOUNT
11/21/14	Continue with review of materials and research; conference with JAH; work on proposed corrective action stipulation agreement. BEW	3.90	721.50

Total Fees: \$721.50

TIME AND FEE SUMMARY				
TIMEKEEPER	INIT	RATE	HOURS	FEES
Bert E. Wuester	BEW	185.00	3.90	721.50
TOTALS			3.90	721.50

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Total Current Charges	\$721.50
Net Current Charges	\$721.50
Previous Balance	\$648.00
Less Payments Received	\$(648.00)
Total Balance Due	<u>\$721.50</u>

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Las Vegas, NV 89118

Office: Las Vegas
Date: February 11, 2015
Invoice No: 211482
File No: 3336 JZH

Attention: Debra Shaffer

LEGAL SERVICES RENDERED AND COSTS ADVANCED THROUGH January 31, 2015

CASE NUMBER: 3336-37956

DEN - Brooksby, L. Scott DDS re: Informal Hearing - Stip II
Reference: 74127-02772

DATE	DESCRIPTION	HOURS	AMOUNT
01/08/15	Continue to prepare for informal hearing. Revise and review corrective action stipulation. JZH	3.00	630.00
01/09/15	Prepare for and attend meeting with DSO and DSK prior to informal hearing. Prepare for and attend informal hearing. Post Informal Hearing meeting with DSO, DSK and BEW to discuss and begin drafting Findings and Recommendations. JZH	5.50	1,155.00
01/09/15	Conferences with JAH following the informal hearing regarding outcome, including issues pertaining to hypnosis, ozone therapy, and advertisement. Gather file and informal hearing materials, including exhibits marked at the hearing. BEW	2.50	462.50
01/12/15	Research regarding dental ozone protocol uses; pull and review materials; further and additional review of file materials and exhibits from informal hearing on 1/9/15 in preparation for work on findings, recommendations, and consent. BEW	2.00	370.00

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DEN - Brooksby, L. Scott DDS re: Informal Hearing - Stip II
File Number: 3336-37956
Invoice No.: 211482

February 11, 2015

Page 2

01/14/15	Continue with review of informal hearing materials and work on draft findings, recommendations and consent. BEW	3.00	555.00
01/15/15	Further and additional review of materials regarding use of ozone therapy; conference with JAH regarding same; email same with attachments to Dr. Braun for consideration. BEW	2.50	462.50
01/20/15	Review e-mail from DSO and review articles from British Ozone, Coachran Data base, Delta dental and National Science Biology, Application of ozone in dentistry. JZH	0.80	168.00
01/21/15	Review e-mail from Board and correspondence from Dr. Brooksby regarding subpoenaed documents. Telephone call to DSK regarding same. Prepare subpoena and correspondence to Dr. Brookby regarding same. Telephone call to Dr. Brooksby. JZH	1.50	315.00
01/23/15	Review e-mail from Dr. Blasco containing email from Dr. Brooksby. Telephone call to DSK regarding same. Legal Research self created bias to recuse Board. JZH	0.70	147.00
01/26/15	Review e-mail from Respondent with email from Dr. Orr regarding use of hypnosis. Telephone call to DSK regarding same. Telephone call to Dr. Tweseme. Review material submitted by Orr. JZH	1.10	231.00
01/26/15	Further and additional conferences with JAH regarding status of Dr. Brooksby's response(s) to subpoena(s); due date for second subpoena; discussion regarding findings, recommendations, and consent; discussion regarding transcript from informal hearing and including certain admissions in findings, recommendations, and consent; begin review of same. BEW	2.50	462.50
01/30/15	Review e-mail from Dr. Brooksby regarding transcript. Prepare email to Dr. Brooksby regarding same. JZH	0.20	42.00

Total Fees: \$5,000.50

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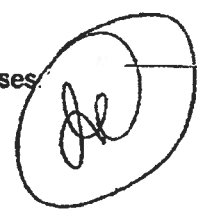
FEB 18 2015

MSDDE

TIME AND FEE SUMMARY				
TIMEKEEPER	INIT	RATE	HOURS	FEES
John A. Hunt	JZH	210.00	12.80	2,688.00
Bert E. Wuester	BEW	185.00	12.50	2,312.50
TOTALS			25.30	5,000.50

EXPENSES

DATE	DESCRIPTION	AMOUNT
01/23/15	16 Photocopy @ .20 per page VENDOR:	3.20
Total Expenses		3.20



Total Current Charges	\$5,003.70
Net Current Charges	\$5,003.70
Previous Balance	\$808.00
Less Payments Received	\$(808.00)
Total Balance Due	<u>\$5,003.70</u>

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Nevada Board of Dental Examiners
6010 South Rainbow Blvd., Bldg. A, Suite 1
Las Vegas, NV 89118

Office: Las Vegas
Date: March 11, 2015
Invoice No: 212261
File No: 3336 JZH

Attention: Debra Shaffer

LEGAL SERVICES RENDERED AND COSTS ADVANCED THROUGH February 28, 2015

CASE NUMBER: 3336-37956

DEN - Brooksby, L. Scott DDS re: Informal Hearing - Stip II
Reference: 74127-02772

DATE	DESCRIPTION	HOURS	AMOUNT
02/02/15	Further and additional conferences with JAH regarding status of Findings, Recommendations, and Consent and that we are waiting for responses to subpoena duces tecum; further review of transcript of informal hearing and discussion with JAH regarding certain issues. BEW	1.50	277.50
02/03/15	Review of forwarded email by Dr. Brooksby regarding informal hearing issues; conferences with JAH regarding same and moving forward on findings, recommendations, and consent proposed document. BEW	1.10	203.50
02/11/15	Conference with JAH regarding Dr. Brooksby simply dropping off documents at receptionist purportedly in response to subpoena and then leaving; discussion regarding process for same; begin review of materials/response left by Dr. Brooksby. BEW	1.50	277.50

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02/11/15	Prepare for and attend production of records, pursuant to a subpoena. Place on record the documents received by Dr. Brooksby. Research use of ozone in dental practices. Prepare email to DSO and DSK forwarding copies of the produced records. JZH	5.50	1,155.00
02/23/15	Continue to revise Findings and Recommendations. Prepare supplemental documentation for review by DSO. Prepare email to DSO regarding same. Telephone call to DSK regarding same. JZH	2.00	420.00
02/24/15	Continue revising Finding and Recommendations. Continue research regarding ozone and hypnosis. Telephone call to DSO and DSK regarding same. JZH	5.50	1,155.00
02/25/15	Continue research regarding the use of ozone in dentistry. JZH	1.50	315.00
02/26/15	Prepare for and attend meeting with DSK, DSO and BEW. JZH	3.00	630.00
02/26/15	Review of draft Findings, Recommendations, and Consent and email from DSO regarding same. Meeting with DSO, JAH, and D. Shaffer-Kugel regarding Findings, Recommendations, and Consent document, as well as status of related matters. BEW	3.00	555.00
02/27/15	Following on yesterday's meeting with DSO, JAH, and D. Shaffer-Kugel, work on editing draft Findings, Recommendations, and Consent. BEW	1.00	185.00

Total Fees: \$5,173.50

TIME AND FEE SUMMARY

TIMEKEEPER	INIT	RATE	HOURS	FEES
John A. Hunt	JZH	210.00	17.50	3,675.00
Bert E. Wuester	BEW	185.00	8.10	1,498.50
TOTALS			25.60	5,173.50

EXPENSES

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MAR 17 2015

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DEN - Brooksby, L. Scott DDS re: Informal Hearing - Stip II
File Number: 3336-37956
Invoice No.: 212261

March 11, 2015

Page 3

DATE	DESCRIPTION	AMOUNT
02/06/15	Litigation Support - - VENDOR: Robert Gronauer - Inv. # 482534 for service of process L. Scott Brooks, DDS on 1/29/15 VENDOR: Robert Gronauer	75.00
02/06/15	Litigation Support - - VENDOR: Robert Gronauer - Inv. # 472702 for service of process L. Scott Brooksby, DDS on 1/15/15 VENDOR: Robert Gronauer	75.00
02/06/15	Litigation Support - - VENDOR: Robert Gronauer - Inv. # 479039 for service of process L. Scott Brooksby, DDS on 1/22/15 VENDOR: Robert Gronauer	75.00
02/11/15	30 Photocopy @ .20 per page VENDOR:	6.00
	Total Expenses:	<u>231.00</u>

Total Current Charges	\$5,404.50
Net Current Charges	<u>\$5,404.50</u>
Previous Balance	\$5,003.70
Less Payments Received	\$(5,003.70)
Total Balance Due	<u><u>\$5,404.50</u></u>

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6010 South Rainbow Blvd., Bldg. A, Suite 1
Las Vegas, NV 89118

Office: Las Vegas
Date: April 16, 2015
Invoice No: 213107
File No: 3336 JZH

Attention: Debra Shaffer

LEGAL SERVICES RENDERED AND COSTS ADVANCED THROUGH March 31, 2015

CASE NUMBER: 3336-38375

DEN - Brooksby, L. Scott DDS re: Formal Hearing
Reference: NA

DATE	DESCRIPTION	HOURS	AMOUNT
03/06/15	Following on discussion with JAH yesterday and review of Dr. Brooksby's website regarding ozone treatment, review of email from Dr. Braun regarding same. BEW	0.40	74.00
03/12/15	Following on conference with JAH regarding indication Dr. Brooksby has rejected Findings, Recommendations, and Consent, draft/edit Notice of Filing Complaint, Date(s) Set for Formal Hearing and Related Matters. BEW	0.70	129.50
03/13/15	Begin work on Formal Board Complaint; also, draft/edit certificate of service for complaint and notice. BEW	2.90	536.50
03/16/15	Edit/continue work on formal board complaint. BEW	1.30	240.50

Total Fees: \$980.50

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APR 20 2015

TIME AND FEE SUMMARY

TIMEKEEPER	INIT	RATE	HOURS	FEES
Bert E. Wuester	BEW	185.00	5.30	980.50
TOTALS			5.30	980.50

Total Current Charges \$980.50

Net Current Charges \$980.50

Total Balance Due \$980.50

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Attention: Debra Shaffer

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Office: Las Vegas
Date: April 16, 2015
Invoice No: 213085
File No: 3336 JZH

LEGAL SERVICES RENDERED AND COSTS ADVANCED THROUGH March 31, 2015

CASE NUMBER: 3336-37956

DEN - Brooksby, L. Scott DDS re: Informal Hearing - Stip II
Reference: 74127-02772

DATE	DESCRIPTION	HOURS	AMOUNT
03/02/15	Review, revise, and execute correspondence to Dr. Brooksby regarding ozone generator. JZH	0.40	84.00
03/02/15	Following on-review of documents and materials regarding ozone machine, draft letter to Dr. Brooksby about FDA recall of ozone machine. BEW	1.00	185.00
03/02/15	Following on meeting with JAH, DSO, and D. Shaffer-Kugel, continue with edits to proposed Findings, Recommendations, and Consent. BEW	2.50	462.50
03/05/15	Prepare for and attend meeting with DSO to finalize Findings and Recommendations. Review, revise, and execute Findings and Recommendations. JZH	1.00	210.00
03/05/15	Meeting with Dr. Braun and JAH regarding finalizing Findings, Recommendations and Consent; conference with JAH regarding Dr. Brooksby's website advertising for ozone therapy.	0.50	92.50

BEW

03/05/15 Following on meeting with DSO and JAH regarding finalizing Findings, Recommendations, and Consent, final of same. 0.50 92.50

BEW

03/10/15 Review correspondence from Dr. Brooksby regarding execution of the Findings & Recommendations. Prepare email to DSO and DSK regarding same. 0.30 63.00

JZH

03/16/15 Review, revise, and execute Formal Complaint, Notice of Hearing Telephone call to DSK regarding same. 0.50 105.00

JZH

03/31/15 Telephone call from DSK regarding notice requirement for hearing. 0.20 42.00

JZH

Total Fees: \$1,336.50

TIME AND FEE SUMMARY

TIMEKEEPER	INIT	RATE	HOURS	FEES
John A. Hunt	JZH	210.00	2.40	504.00
Bert E. Wuester	BEW	185.00	4.50	832.50
TOTALS			6.90	1,336.50

EXPENSES

DATE	DESCRIPTION	AMOUNT
03/09/15	Litigation Support - - VENDOR: Robert Gronauer - Inv. # 511439 service of process L. Scott Brooksby VENDOR: Robert Gronauer	75.00
03/17/15	224 Photocopy @ .20 per page VENDOR:	44.80
Total Expenses:		119.80

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Total Current Charges	\$1,456.30
Net Current Charges	<u>\$1,456.30</u>
Previous Balance	\$5,404.50
Less Payments Received	\$(5,404.50)
Total Balance Due	<u>\$1,456.30</u>

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Las Vegas, NV 89118

Office: Las Vegas
Date: May 18, 2015
Invoice No: 213922
File No: 3336 JZH

Attention: Debra Shaffer

LEGAL SERVICES RENDERED AND COSTS ADVANCED THROUGH April 30, 2015

CASE NUMBER: 3336-37956

DEN - Brooksby, L. Scott DDS re: Informal Hearing - Stip II
Reference: 74127-02772

DATE	DESCRIPTION	HOURS	AMOUNT
04/29/15	Review and respond to multiple emails from Dr. Brooksby regarding issuance of a subpoena. JZH	0.80	168.00

Total Fees: \$168.00

TIME AND FEE SUMMARY

TIMEKEEPER	INIT	RATE	HOURS	FEES
John A. Hunt	JZH	210.00	0.80	168.00
TOTALS			0.80	168.00

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MAY 26 2015

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ATTORNEYS AT LAW

DEN - Brooksby, L. Scott DDS re: Informal Hearing - Stip II
File Number: 3336-37956
Invoice No.: 213922

May 18, 2015

Page 2

Total Current Charges	\$168.00
Net Current Charges	\$168.00
Previous Balance	\$1,456.30
Less Payments Received	\$(1,456.30)
Total Balance Due	<u>\$168.00</u>

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Office: Las Vegas
Date: May 18, 2015
Invoice No: 213963
File No: 3336 JZH

Attention: Debra Shaffer

LEGAL SERVICES RENDERED AND COSTS ADVANCED THROUGH April 30, 2015

CASE NUMBER: 3336-38375

DEN - Brooksby, L. Scott DDS re: Formal Hearing
Reference: NA

DATE	DESCRIPTION	HOURS	AMOUNT
04/01/15	Telephone call from Deb notice provision for hearing. JZH	0.10	21.00
04/03/15	Telephone call from DSK regarding undercover investigation. JZH	0.20	42.00
04/14/15	Review e-mail from DSK regarding surveillance. Telephone call to DSK regarding same. JZH	0.10	21.00
04/23/15	Conferences with JAH regarding forwarded email from Dr. Brooksby regarding subpoena for witness; draft language for possible response following review of notice and relevant regulation. BEW	0.90	166.50
04/28/15	Review e-mail from Dr. Brooksby to DSK regarding subpoena. Legal Research regarding same. Prepare email to Dr. Brooksby regarding same. Telephone call to DSK regarding same and results of undercover investigation. JZH	1.30	273.00

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DEN - Brooksby, L. Scott DDS re: Formal Hearing
File Number: 3336-38375
Invoice No.: 213963

May 18, 2015

Page 2

04/29/15	Review of additional emails regarding subpoena issue from and to Dr. Brooksby; conference with JAH regarding same. BEW	0.50	92.50
04/30/15	Review of forwarded email from D. Shaffer-Kugel with executed subpoena for Dr. Brooksby. BEW	0.10	18.50
Total Fees:			\$634.50

TIME AND FEE SUMMARY

TIMEKEEPER	INIT	RATE	HOURS	FEES
John A. Hunt	JZH	210.00	1.70	357.00
Bert E. Wuester	BEW	185.00	1.50	277.50
TOTALS			3.20	634.50

EXPENSES

DATE	DESCRIPTION	AMOUNT
04/30/15	8 Photocopy @ .20 per page VENDOR:	1.60
Total Expenses:		1.60

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Total Current Charges	\$636.10
Net Current Charges	\$636.10
Previous Balance	\$980.50
Less Payments Received	\$(980.50)
Total Balance Due	\$636.10

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Attention: Debra Shaffer

Office: Las Vegas
Date: June 18, 2015
Invoice No: 214788
File No: 3336 JZH

LEGAL SERVICES RENDERED AND COSTS ADVANCED THROUGH May 31, 2015

CASE NUMBER: 3336-37956

DEN - Brooksby, L. Scott DDS re: Informal Hearing - Stip II
Reference: 74127-02772

DATE	DESCRIPTION	HOURS	AMOUNT
05/15/15	Begin preparation for formal hearing. JZH	2.50	525.00

Total Fees: \$525.00

TIME AND FEE SUMMARY

TIMEKEEPER	INIT	RATE	HOURS	FEES
John A. Hunt	JZH	210.00	2.50	525.00
TOTALS			2.50	525.00

EXPENSES

DATE	DESCRIPTION	AMOUNT
05/08/15	Litigation Support - - VENDOR: Robert Gronauer - Inv. # 550245 for service of process L. Scott Brooksby VENDOR: Robert Gronauer	75.00

Total Expenses: 75.00

Received
JUN 22 2015

Total Current Charges	\$600.00
Net Current Charges	\$600.00
Previous Balance	\$168.00
Total Balance Due	\$768.00

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**Morris
Polich &
Purdy**

Morris Polich & Purdy LLP

ATTORNEYS AT LAW
1055 WEST SEVENTH STREET, 24TH FLOOR
LOS ANGELES, CALIFORNIA 90017-2503
(213) 891-9100
FACSIMILE: (213) 488-1178

General Billing Questions:

(213) 417-5174
(213) 417-5101
(213) 417-5157
(213) 417-5177

INVOICE

FEDERAL I.D. No. 95-2582807

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PLEASE REMIT TO L.A. OFFICE

Nevada Board of Dental Examiners
6010 South Rainbow Blvd., Bldg. A, Suite 1
Las Vegas, NV 89118

Office: Las Vegas
Date: June 18, 2015
Invoice No: 214810
File No: 3336 JZH

Attention: Debra Shaffer

LEGAL SERVICES RENDERED AND COSTS ADVANCED THROUGH May 31, 2015

CASE NUMBER: 3336-38375

DEN - Brooksby, L. Scott DDS re: Formal Hearing
Reference: NA

DATE	DESCRIPTION	HOURS	AMOUNT
05/04/15	Review of forwarded email and attachment from Dr. Braun regarding letter discussing use of "MACP" designation; to be included with exhibit list for formal board hearing relative to false advertising claim/allegation. BEW	0.30	55.50
05/11/15	Conference with JAH regarding general overview of anticipated documents, exhibits, issues, witnesses, exams, cross-exams, transcripts, and logistics for 5/22 formal board hearing; gather file materials, including those used/marked at informal hearing. BEW	2.60	481.00
05/14/15	Continue with review of file and informal hearing materials (and transcript of informal hearing) as well as Dr. Braun materials; work on exhibit list for formal board hearing on 5/22; work on exam for Dr. Braun; work on cross-exam for Dr. Brooksby. BEW	4.20	777.00
05/14/15	Review of forwarded 5/14 email from JAH regarding Dr. Sill email about contract with Dr. Brooksby; conference regarding the same relative to upcoming informal hearing and forwarding information about same to Deputy AG.	0.50	92.50

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BEW

05/15/15	Review of JAH forwarded 5/12 email from D. Shaffer-Kugel regarding Dr. Brooksby email about equipment for formal hearing; discussion with JAH regarding issues. BEW	0.20	37.00
05/18/15	Status conferences with JAH regarding work on preparation for formal hearing on 5/22; continue with gathering and arranging information and documents; continue with drafting exam and cross exam outlines for witnesses with cross-references to exhibits for hearing. BEW	3.50	647.50
05/19/15	Continue review of materials and drafting exam and cross exam outlines for witnesses with cross-references to exhibits for hearing; conference with JAH regarding proposed/draft disciplinary stipulation agreement - continue with editing/drafting of the same. BEW	4.40	814.00
05/19/15	Continue preparation for the formal hearing. Meeting with DSK and Board staff regarding presentation of exhibits. JZH	2.50	525.00
05/20/15	Continue preparation for formal hearing. Prepare for and attend meeting with the Disciplinary Screening Officer. JZH	11.00	2,310.00
05/20/15	Review of 5/20 emails and attachments from D. Shaffer-Kugel regarding Dr. Brooksby's family to comply with NRS 622.360. BEW	0.30	55.50
05/20/15	Continue with preparation for formal board hearing set for 5/22. Meeting with JAH and Dr. Braun regarding review of expected testimony and exhibits for hearing. BEW	5.10	943.50
05/21/15	Continue with preparation for formal board hearing on 5/22. Review of revised questions for Dr. Braun; conferences with JAH; meeting with Dr. Braun and JAH regarding continuing to review materials and prepare for hearing; review of 5/21 email from Dr. Braun regarding x-ray and photo of M. Fujack; email to Rigo with same to include in exhibit book for hearing; research regarding authority concerning hearsay in administrative hearings; review of 5/21 email from D. Shaffer-Kugel regarding Dr. Brooksby's witnesses; research regarding W. Domb and begin working on possible cross exam questions for same.	6.20	1,147.00

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BEW

05/21/15 Continued preparation for the formal hearing. Prepare for and attend meeting with the Disciplinary Screening Officer. 7.00 1,470.00

JZH

05/21/15 Review of email and attachment from Dr. Braun with radiograph and photos. Conference with JAH regarding same. Edit exhibit list. Email to Rigo at the Board with attachments to be included in exhibit books for hearing. 0.70 129.50

BEW

05/22/15 Continue with preparation and organizing for formal board hearing; continue with review of materials for Respondent's expert witness; work on outline for cross examination; travel to NSBDE offices for hearing; attend hearing (1 pm. to approx. 7 pm) 9.00 1,665.00

BEW

05/22/15 Prepare for and attend formal hearing. Continue preparation of DSO. 6.00 1,260.00

JZH

05/26/15 Conference with JAH regarding results of board considerations following close of evidence for formal board hearing on 5/22. 0.50 92.50

BEW

05/28/15 Review of 5/28 email to Dr. Brooksby regarding status and events leading up to preparation of order from 5/22 formal board hearing; conference with JAH regarding same. 0.30 55.50

BEW

Total Fees: \$12,558.00

TIME AND FEE SUMMARY

TIMEKEEPER	INIT	RATE	HOURS	FEES
John A. Hunt	JZH	210.00	26.50	5,565.00
Bert E. Wuester	BEW	185.00	37.80	6,993.00
TOTALS			64.30	12,558.00

EXPENSES

DATE	DESCRIPTION	AMOUNT
	Photocopy - Color	2.00

Morris, Polich & Purdy, LLP
ATTORNEYS AT LAW

DEN - Brooksby, L. Scott DDS re: Formal Hearing
File Number: 3336-38375
Invoice No.: 214810

June 18, 2015

Page 4

DATE	DESCRIPTION	AMOUNT
05/27/15	1028 Photocopy @ .20 per page VENDOR:	205.60
05/31/15	On-line research - May 1 thru May 31, 2015 (1000039029) VENDOR:	78.59
	Total Expenses:	<u>286.19</u>

Total Current Charges	<u>\$12,844.19</u>
Net Current Charges	\$12,844.19
Previous Balance	\$636.10
Total Balance Due	<u>\$13,480.29</u>

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(213) 891-9100
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Nevada Board of Dental Examiners
6010 South Rainbow Blvd., Bldg. A, Suite 1
Las Vegas, NV 89118

Attention: Debra Shaffer

Office: Las Vegas
Date: July 23, 2015
Invoice No: 215621
File No: 3336 JZH

Received

JUL 27 2015

NSBDE

LEGAL SERVICES RENDERED AND COSTS ADVANCED THROUGH June 30, 2015

CASE NUMBER: 3336-38375

DEN - Brooksby, L. Scott DDS re: Formal Hearing
Reference: NA

DATE	DESCRIPTION	HOURS	AMOUNT
06/12/15	Following on conferences with JAH, edit Disciplinary Stipulation Agreement with additional matters, including reference to formal board hearing and authorized investigation regarding illegal practice of dental hygiene at his office. BEW	4.00	740.00
06/22/15	Continue to review and revise proposed stipulation. JZH	1.50	315.00
Total Fees:			\$1,055.00

TIME AND FEE SUMMARY				
TIMEKEEPER	INIT	RATE	HOURS	FEES
John A. Hunt	JZH	210.00	1.50	315.00
Bert E. Wuester	BEW	185.00	4.00	740.00
TOTALS			5.50	1,055.00

Total Current Charges	\$1,055.00
Net Current Charges	<u>\$1,055.00</u>
Previous Balance	\$12,844.19
Less Payments Received	\$(12,844.19)
Total Balance Due	<u>\$1,055.00</u>

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Nevada Board of Dental Examiners
6010 South Rainbow Blvd., Bldg. A, Suite 1
Las Vegas, NV 89118

Attention: Debra Shaffer

Office: Las Vegas
Date: July 23, 2015
Invoice No: 215636
File No: 3336 JZH

LEGAL SERVICES RENDERED AND COSTS ADVANCED THROUGH June 30, 2015

CASE NUMBER: 3336-38615

DEN - Brooksby, L. Scott DMD re: Authorized Investigation
Reference: 74127-02881

EXPENSES

DATE	DESCRIPTION	AMOUNT
06/22/15	Litigation Support -- VENDOR: Robert Gronauer - Inv. # 567225 for service of process L. Scott Brooksby on 5/28/15 VENDOR: Robert Gronauer	75.00
Total Expenses:		75.00

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Total Current Charges	\$75.00
Net Current Charges	<u>\$75.00</u>
Total Balance Due	<u><u>\$75.00</u></u>

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1055 WEST SEVENTH STREET, 24TH FLOOR
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Nevada Board of Dental Examiners
6010 South Rainbow Blvd., Bldg. A, Suite 1
Las Vegas, NV 89118

Office: Las Vegas
Date: August 18, 2015
Invoice No: 216206
File No: 3336 JZH

Attention: Debra Shaffer

LEGAL SERVICES RENDERED AND COSTS ADVANCED THROUGH July 31, 2015

CASE NUMBER: 3336-38375

DEN - Brooksby, L. Scott DDS re: Formal Hearing
Reference: NA

DATE	DESCRIPTION	HOURS	AMOUNT
07/02/15	Telephone call to opposing counsel regarding stipulations. Telephone call from DSK regarding same. Review proposed stipulation. Review and revise propose stipulation. Review email from DSK regarding Brooksby request. Telephone call to opposing counsel regarding same. JZH	1.00	210.00
07/09/15	Review of transcript of the Board's deliberations from the 5/22/215 formal hearing; pull and review relevant documents pertaining to the same and draft/edit Findings of Fact, Conclusions of Law, & Decision BEW	4.80	888.00
07/14/15	Telephone call from DSK regarding Order and request from Deputy AG. Telephone call to Sophia Long, Deputy AG regarding negotiations. JZH	0.30	63.00
07/23/15	Telephone call from opposing counsel regarding answer to the complaint and proposed stipulation JZH	0.10	21.00

Received
AUG 24 2015
NSBDE

Total Fees: \$1,182.00

TIME AND FEE SUMMARY				
TIMEKEEPER	INIT	RATE	HOURS	FEES
John A. Hunt	JZH	210.00	1.40	294.00
Bert E. Wuester	BEW	185.00	4.80	888.00
TOTALS			6.20	1,182.00

Total Current Charges	\$1,182.00
Net Current Charges	\$1,182.00
Previous Balance	\$1,055.00
Less Payments Received	\$(1,055.00)
Total Balance Due	<u>\$1,182.00</u>

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AUG 24 2015
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Nevada Board of Dental Examiners
6010 South Rainbow Blvd., Bldg. A, Suite 1
Las Vegas, NV 89118

Office: Las Vegas
Date: September 17, 2015
Invoice No: 217050
File No: 3336 JZH

Attention: Debra Shaffer

LEGAL SERVICES RENDERED AND COSTS ADVANCED THROUGH August 31, 2015

CASE NUMBER: 3336-38375

DEN - Brooksby, L. Scott DDS re: Formal Hearing
Reference: NA

DATE	DESCRIPTION	HOURS	AMOUNT
08/03/15	Conference with JAH regarding status of proposed Order from formal board hearing on 5-22-15; further review of same and provide copy with AG signature block. BEW	0.70	129.50
08/03/15	Review transcript of formal hearing. Review and revise findings of Fact Conclusions of Law and Decision. Prepare email to Deputy AG Sophia Long and DSK. Telephone call to Sophia regarding same. JZH	2.50	525.00
08/04/15	Follow-up regarding status of Order from formal board hearing; draft for same having been sent to DAG and D. Shaffer-Kugel for review; review of email from D. Shaffer-Kugel regarding edit on page 1; conference with JAH about his contact with DAG. Review of forwarded 8/3 email from Dr. Brooksby regarding "continuing problems with the Nevada Board of Dental Examiners." BEW	0.70	129.50
08/07/15	Telephone call to Deputy AG regarding Order. Telephone call to Dr. Pinther regarding same. Prepare correspondence and FedEx regarding execution of same.	0.20	42.00

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San Diego • 600 W. Broadway, Suite 500 • San Diego • CA 92101 • 619.557.0404

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SEP 21 2015

JZH

08/10/15 Conferences with JAH about order from formal board hearing being signed; draft notice of entry of order from formal board hearing for service upon Dr. Brooksby. 0.60 111.00

BEW

08/26/15 Telephone call to DSK regarding proposed global settlement. Review and revise notice letter, permanent injunction and amend stipulation. Telephone call to DSO regarding same. 2.00 420.00

JZH

Total Fees: \$1,357.00

TIME AND FEE SUMMARY

TIMEKEEPER	INIT	RATE	HOURS	FEES
John A. Hunt	JZH	210.00	4.70	987.00
Bert E. Wuester	BEW	185.00	2.00	370.00
TOTALS			6.70	1,357.00

EXPENSES

DATE	DESCRIPTION	AMOUNT
08/11/15	100 Photocopy @ .20 per page VENDOR:	20.00
Total Expenses:		20.00

Received
 SEP 21 2015
 NSBDE

Total Current Charges	\$1,377.00
Net Current Charges	<u>\$1,377.00</u>
Previous Balance	\$1,182.00
Less Payments Received	\$(1,182.00)
Total Balance Due	<u><u>\$1,377.00</u></u>

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DISCIPLINARY SCREENING OFFICER COSTS



Nevada State Board of Dental Examiners
 6010 S. Rainbow Blvd., Bldg. A. Ste 1
 Las Vegas, NV 89118

DSO SUMMARY FORM

NAME: Dr Gary A. Braun

CASE:

Brooksby / Fujack

DATE: LICENSEE (DENTIST/ HYGIENIST)

- 16-Sep-14 Case received/ reviewed
- 23-Sep-14 Interview
- 24-Sep-14 Interview
- 9-Oct-14 Write reports
- 9-Jan-15 Informal Hearing

Complainant Name

Hours x \$50.00 hr

Postage

Brooksby
 Fujack

1
 1
 1
 1
 4

TOTAL:

SIGNATURE: Gary A. Braun

APPROVED BY: [Signature]

REIMBURSEMENT BY CHECK # _____

TRAVEL TOTAL _____

SALARY TOTAL _____

OSD \$400



Nevada State Board of Dental Examiners
 6010 S. Rainbow Blvd., Bldg. A. Ste 1
 Las Vegas, NV 89118

DSO SUMMARY FORM

NAME: Dr Gary A. Braun

CASE:

Brooksby / Fujack

DATE:	LICENSEE (DENTIST/ HYGIENIST)	Complainant Name	Hours x \$50.00 hr	Post:
20-May-15	Trial preparation	Brooksby	1.5	
21-May-15	Trial preparation	Brooksby	2.5	
22-May-15	Trial	Brooksby	8	



TOTAL:

SIGNATURE: Gary A. Braun

APPROVED BY: [Signature]

REIMBURSEMENT BY CHECK # _____

POSTED

1/12

TRAVEL TOTAL _____

SALARY TOTAL \$750.00

COURT REPORTER COSTS

Cameo Kayser & Associates
 7500 West Lake Mead Boulevard Suite 286
 Las Vegas, NV 89128
 Phone: 702 655-5092
 Fax: 702 433-5726



John Hunt, Esq.
 Nevada Board of Dental Examiners
 6010 South Rainbow Boulevard
 Building A, Suite 1
 Las Vegas, NV

(Handwritten initials JS in a circle)

Invoice #17056

Date	Terms
01/26/2015	Due on receipt

Shipped To: Hunt, John Esq.
 Morris, Polich & Purdy, LLP
 500 South Rancho Drive, Suite 17
 Las Vegas, NV 89106

Job	Number	Staff	Order Shipped	Shipped Via
01/09/2015	11347	Hannah, Rene		Courier
Billing Reference		Case		
		NV Board of Dental Examiners vs. Scott Brooksby, D		

Description	Price	Qty	Amount
Original Transcript Deposition of Brooksby, DDS			
Appearance Fee 1/2 Day Hearing	\$ 150.00	1.00	\$ 150.00
CD Rom	\$ 25.00	1.00	\$ 25.00
Color Copying Laser (3 Units)	\$ 1.50	1.00	\$ 4.50
Delivery	\$ 13.00	1.00	\$ 13.00
Hearing Transcript (86 Pages)	\$ 4.50	1.00	\$ 387.00
Scanned Exhibits (88 Pages)	\$ 0.75	1.00	\$ 66.00
			\$ 645.50

POSTED
(Handwritten signature)

Amount Due: \$ 645.50
 Paid: \$ 0.00

Balance Due:	\$ 645.50
Payment Due:	Upon Receipt

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Received
JAN 28 2015
NSBDE

Cameo Kayser & Associates

7500 West Lake Mead Boulevard Suite 286
Las Vegas, NV 89128
Phone: 702 655-5092
Fax: 702 433-5726



John Hunt, Esq.
Nevada Board of Dental Examiners
6010 South Rainbow Boulevard
Building A, Suite 1
Las Vegas, NV

Invoice #17105



Date	Terms
02/12/2015	Due on receipt

Job	Number	Staff	Order Shipped	Shipped Via
02/11/2015	11548			Courier
Billing Reference		Case		
		NV Board of Dental Examiners vs. Scott Brooksby, D		

Description	Price	Qty	Amount
Original Transcript Deposition of COR of Dr. Brooksby			
Appearance Fee 1/2 Day Hearing	\$ 150.00	1.00	\$ 150.00
Copy of Transcript for Noticing Attorney (6 Pages)	\$ 4.50	1.00	\$ 27.00
Delivery	\$ 13.00	1.00	\$ 13.00
Exhibits Copied (24 Pages)	\$ 0.75	1.00	\$ 18.00
			\$ 208.00

Amount Due: \$ 208.00
Paid: \$ 0.00

Balance Due:	\$ 208.00
Payment Due:	Upon Receipt

Thank you for your business - Tax ID No. 54-2094435
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90 DAYS AGREE TO PAY ALL COLLECTION COSTS,
INCLUDING REASONABLE ATTORNEY'S FEES.

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FEB 17 2015
NSBDE

Cameo Kayser & Associates
 7500 West Lake Mead Boulevard Suite 286
 Las Vegas, NV 89128
 Phone: 702 655-5092
 Fax: 702 433-5726



John Hunt, Esq.
 Nevada Board of Dental Examiners
 6010 South Rainbow Boulevard
 Building A, Suite 1
 Las Vegas, NV



Invoice #17460

Date	Terms
07/01/2015	Due on receipt

Job	Number	Staff	Order Shipped	Shipped Via
05/22/2015	11654	Hannah, Rene		Courier
Billing Reference		Case		
		NV Board of Dental Examiners vs. Scott Brooksby, D		

Description	Price	Qty	Amount
Original Transcript Deposition of Brooksby, DDS			
Appearance Fee (evening rate)	\$ 260.00	1.00	\$ 260.00
Delivery	\$ 13.00	1.00	\$ 13.00
Hearing Transcript (54 Pages)	\$ 4.50	1.00	\$ 243.00
Mini Transcript to Client - Complimentary		1.00	\$ 0.00
			\$ 516.00

Amount Due: \$ 516.00
 Paid: \$ 0.00

Balance Due:	\$ 516.00
Payment Due:	Upon Receipt

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JUL 06 2015

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Cameo Kayser & Associates
 7500 West Lake Mead Boulevard Suite 286
 Las Vegas, NV 89128
 Phone: 702 655-5092
 Fax: 702 433-5726



John Hunt, Esq.
 Nevada Board of Dental Examiners
 6010 South Rainbow Boulevard
 Building A, Suite 1
 Las Vegas, NV

Invoice #17607

Date	Terms
09/09/2015	Due on receipt

Job	Number	Staff	Order Shipped	Shipped Via
08/24/2015	11975	Hannah, Rene		Courier
Billing Reference		Case		
		NV Board of Dental Examiners vs. Scott Brooksby, D		

Description	Price	Qty	Amount
Original Transcript Deposition of L. Scott Brooksby, DDS			
Appearance Fee 1/2 Day Hearing	\$ 150.00	1.00	\$ 150.00
Delivery	\$ 13.00	1.00	\$ 13.00
Exhibits Copied (8 Pages)	\$ 0.75	1.00	\$ 6.00
Hearing Transcript (14 Pages)	\$ 4.50	1.00	\$ 63.00
			\$ 232.00

POSTED

Amount Due: \$ 232.00
 Paid: \$ 0.00

Balance Due:	\$ 232.00
Payment Due:	Upon Receipt

Thank you for your business - Tax ID No. 54-2094435
TERMS: PAYABLE UPON RECEIPT. ACCOUNTS 30 DAYS PAST DUE WILL BEAR A FINANCE CHARGE OF 1.5 % PER MONTH, OR 18% PER YEAR. ACCOUNTS UNPAID AFTER 90 DAYS AGREE TO PAY ALL COLLECTION COSTS, INCLUDING REASONABLE ATTORNEY'S FEES.

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Dental Board Corruption Identified and Exposed in Nevada



Posted on June 22, 2016, 6 a.m. in [Industry News \(list/news/industry_news/\)](#) | [Legislation \(list/news/legislation/\)](#)

Performance audit verified what dental licensees have been complaining about for many years.



Dental licensees in Nevada have been complaining about the Nevada State Board of Dental Examiners ("NVBDE") and its abusive behavior against its licensed healthcare practitioners for many years. Most of these complaints have primarily been lodged against the NVBDE's Executive Director and private attorney. Such complaints have included allegations of coercion, denial of due process rights, excessive "fees and costs," lengthy investigations, etc. This past year, the NVBDE came under review by the State's Sunset Subcommittee where dental licensees had opportunity to publicly express their dissatisfaction. Consequently, upon motion of the Chairman for Sunset Subcommittee, the Legislative Commission formally requested Nevada's Legislative Counsel Bureau ("LCB") to make a performance audit of the NVBDE.

The results of this legislative audit were finalized and made public on May 24, 2016. On June 16, 2016, the findings of the LCB Audit were then presented before the Sunset Subcommittee which, in turn, will make recommendations for action(s) to be taken in response to the LCB audit of the NVBDE. In the summary of his report, LCB auditor Rocky Cooper, CPA stated that the NVBDE: (1) failed to "assess reasonable costs to licensees for investigating and resolving complaints and disciplinary matters"; (2) overcharged licensees substantially "for the cost of investigations"; (3) required some licensees to make "charitable contributions totaling over \$140,000 as required by stipulation agreements" when, in fact, such "charitable contributions are not allowed under NRS 631.350"; (4) failed to adequately report and monitor legal expenses in that "actual legal expenses were almost three times the reported amounts and exceeded the annual contract maximum for one firm" and "payments exceeded \$300,000 in both calendar years 2014 and 2015"; (5) lacked responsibility "for monitoring expenses to ensure resources are spent efficiently to minimize the burden on licensees"; and (6) maintained incomplete investigation files (see "Performance Audit of NVBDE," Rocky Cooper, CPA, May 24, 2016,

14%20Board%20of%20Dental%20Examiers%20Report.pdf). This Performance Audit verified what dental licensees have been complaining about for many years. However, it should be noted that the NVBDE has rejected 3 of the 14 LCB Auditor's recommendations for change. The recommendations rejected by the NVBDE address the issues of theft from overcharging licensees, so-called "charitable contributions" that are not allowable under the NVBDE's own statutes (see NRS 631.350), and independent review of NVBDE's disciplinary process so that its licensees might have more protection of their due process rights. Interestingly, the opportunity for this LCB Audit of the NVBDE only came about because NVBDE was one of many boards being review by the Sunset Subcommittee during Nevada's 2015-2016 Interim Legislative Session.

Nevertheless, other Nevada medical boards employing private attorneys are known to have similar problems whereby their healthcare licensees have also been routinely complaining of board attorneys using coercion, a criminal act in Nevada (see NRS 270.190), to obtain Settlement Agreements, due process rights violations (see Fifth Amendment to U.S. Constitution; see also Fourteenth Amendment to U.S. Constitution) whereby licensees are denied a Hearing, being required to pay attorney "fees and costs" without a Hearing and in violation of Nevada Law (see NAC 633.470(2)(b)(6)), and so forth. Most egregiously is that these dental and medical boards are pursuing cases where there has been no evidence of patient harm, malpractice, or bad outcome. For example, one Las Vegas dentist was recently required to spend over \$10,000 in legal fees involving a simple fee dispute of \$300. This case, which took 16 months to resolve, could've and should've been resolved with a simple phone call.

Conversely, the violations being complained of by healthcare licensees are not being complained of by Nevada attorneys. This is because complaints filed against attorneys with the State Bar are first reviewed by a Screening Panel that makes recommendations for actions to taken or not taken. Such actions may include dispute resolution where attorneys and their clients can opt for mediation or arbitration at no cost to either party. If an attorney exercises his right to a Hearing, his costs for such a Hearing might run between \$300 to \$500 but the attorney is never required to pay attorney fees for State Bar's counsel. Conversely, a healthcare practitioner may have already spent 10's of 1000's of dollars before a Hearing and, if such practitioner exercises his right to a Hearing, his costs may be an additional \$10,000, but there is no provision for a medical board to pay for costs of a Hearing if the practitioner wins. This explains why attorneys are reluctant to pursue cases for healthcare practitioners against their boards because medical boards have all the rights and their licensees have little or none under Nevada's Administrative Laws.

Thus, it will now be interesting to see how Nevada's Legislature responds to the NVBDE audit performed by the LCB, its legal division, especially in light of the fact the NVBDE is refusing to take corrective action in response to some of the problems identified in the LCB Audit. Perhaps, the time has come for the Nevada Legislature to take corrective for all of its state medical boards by creating a form of centralized professional licensing agency similar to what 33 other states have already done. At a minimum there needs to be a revision of the disciplinary process to establish parity between practitioners of health and law. This, in turn, will help medical boards focus on credentialing, licensing, certification, and education and less on discipline where none its members have any background, education, or training in the law.

by Daniel F. Royal, DO, HMD, JD
Owner of the Royal Medical Clinic, Las Vegas, Nevada

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Nevada Dental Board Commits Open Meeting Law Violations



Posted on Oct. 24, 2016, 6 a.m. in [Industry News \(/list/news/industry_news/\)](#) | [Legislation \(/list/news/legislation/\)](#)

Latest update regarding Nevada Dental Board corruption



On August 18, 2016, the Budget and Finance Committee for the Nevada State Board of Dental Examiners' ("NSBDE") held a public meeting.¹ At the beginning of the meeting, two dental licensees, Adrian Ruiz, DDS, and Albert Ruezga, DDS, made public statements to the NSBDE Committee. Dr. Ruiz requested the NSBDE to provide their licensees with a breakdown of "legal expenses" for its fiscal year 2016-2017 that listed \$270,000 for "Hunt, Drizin, and AG." Yet, the Dental Board had paid its outside counsel, John Hunt, Esq., \$278,000 in 2015. Ruiz correctly stated that these figures not only made no sense, but that they were "in direct conflict with the [Legislative Counsel Bureau ("LCB")] audit recommendation to reduce the use of outside counsel to 20%." Next, Dr. Ruezga spoke and requested "the Budget & Finance Committee abide by the recommendations provided by the LCB Audit in that it reimburses all identified licenses the full amounts they were overcharged" for NSBDE "investigations/monitoring costs."³ In Ruezga's case, the NSBDE overcharged him \$1,757.00. Following their comments, the NSBDE's attorney, John Hunt, made a public comment of his own. Hunt requested the past Stipulation Agreements for these two dental licensees, who dared to show up at the public meeting to share their concerns with the NSBDE, be "entered into the record as public comment for the record so the public may see these documents." Hunt's comment included numerous alleged violations committed by Dr. Ruiz and thus, as a member of the NSBDE's Public Body, discussed the character of Ruiz in violation of Nevada's Open Meeting Law ("OML").⁴

Later, during the meeting Dr. Ruiz asked if he could speak after Agenda Item 3(i) had been discussed and Hunt told him, "No, you cannot." However, the NSBDE's Agenda clearly stated ""[P]ublic comment is welcomed by the Board, but will be heard only when that item is reached and will be limited to five minutes per person."⁵ While such public comment on an Agenda item is "at the discretion of the Chair," Hunt inappropriately acted as Chair when, in fact, he is a member of the public body but not a member

Hunt allegedly used his phone in an apparent attempt to intimidate licensees by recording them and their conversation in violation of a Nevada Criminal Statute.⁷ This resulted in a complaint being filed against the NSBDE with the Attorney General's Office by Erika Smith, DDS, for an Open Meeting Law violation. Two other complaints were filed against the NSBDE by Dr. Ruezga and Dr. Ruiz, respectively, for the other Open Meeting Law Violations, all of which occurred because of the actions of NSBDE's attorney.

After stating the nature of the complaint, each licensee requested the Attorney General's ("AG") Office consider such actions as: (1) reprimanding the NSBDE publicly; (2) requiring an apology from NSBDE for publicly slandering its licensees; (3) striking public comments made by NSBDE's attorney "on the record"; (4) voiding the actions taken by NSBDE during its August 18th meeting; (5) fining NSBDE Committee Members \$500 each; (6) charging NSBDE Committee Members with misdemeanors; (6) charging NSBDE's attorney with a felony; and (7) Imposing a \$2000 liquidated damages fine against NSBDE's attorney.⁶ Moreover, the licensees noted in their complaints that although the NSBDE's attorney, John Hunt, Esq., is not a Governor-appointed member of the NSBDE, his is a "public employee," which is defined as: "any person who performs public duties under the direction and control of a public officer for compensation paid by the State...."⁹ Consequently, as Hunt's employer, the NSBDE, is responsible for the acts of its employees.¹⁰ This means that, as Hunt's collective employer, all public members of the NSBDE are jointly and severally liable for the actions their attorney under Nevada Law.¹¹

Nevertheless, when these dental licensees sought redress from the OML Division of the AG's Office for the wrongs committed against them by the NSBDE the AG attorneys found the NSBDE had done nothing wrong. The AG's nonjudgment of the NSBDE's obvious violations makes a mockery of Nevada's Open Meeting Laws. A Governor-appointed body should not be allowed to permit its public employees to behave in an irresponsible manner without accountability for their lack of supervision. This should be especially true for an attorney who is ostensibly held to a higher standard by his profession whereby his conduct is prohibited from including "a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects."¹²

James Madison once wrote, "a popular government, without popular information, or the means of acquiring it, is but a prologue to a Farce, or a Tragedy, or, perhaps, both."¹³ Most everyone likes the idea of transparent government. Except for the government. Nowhere is this more evident than with the NSBDE. A republican government depends on openness. Discouraging licensees from sharing their concerns during public comment by allowing NSBDE's attorney to publicly slander and libel them "for the record" is reprehensible. The NSBDE should be encouraging licensees to participate in the public process, not intimidating them from showing up for fear of retribution. Therefore, if the NSBDE refuses to regulate itself by controlling the acts of its employees, and the AG refuses to hold the NSBDE accountable for its failure to act as employer, then it will be up to the Legislature to decide what changes in the law must be made in order to prevent violations from being inflicted upon other Nevada citizens and licensees at future NSBDE meetings.

by Daniel F. Royal, DO, HMD, JD
Turtle Healing Band Clinic, Las Vegas, Nevada

1

[http://dental.nv.gov/uploadedFiles/dentalnv.gov/content/Public_Info/Meetings/2016/20160818%20Budget%20and%20Finance%20Agenda for NSBDE Budget & Finance Committee.](http://dental.nv.gov/uploadedFiles/dentalnv.gov/content/Public_Info/Meetings/2016/20160818%20Budget%20and%20Finance%20Agenda%20for%20NSBDE%20Budget%20&%20Finance%20Committee.pdf)

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Statement to NSBDE's Budget and Finance Committee, Adrian Ruiz, DDS.

3

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Statement to NSBDE's Budget and Finance Committee, Albert Ruezga, DDS. 4Agenda for NSBDE Budget & Finance Committee, August 18, 2016.

5 See NRS 241.033(1)(a) and NRS 241.033(b).

6 See NRS 241.0 20(II).

7 See NRS 200.650.

8 See NRS 200.690.

9 See NRS 281A.150.

10 See NRS 41.745.

11 See NRS 41.745; see also NRS 199.480.

12 See Professional Rule of Conduct 8.4.

13 *The Founders' Constitution, Vol.1, Chap. 18, Doc.35, "Madison to W.T. Barry," Aug 4, 1822.*

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Extortion by Nevada Dental board and John Hunt (Legal Counsel for Board)

I am a licensed Dentist/Hygienist in the state of Nevada. I believe Nevada licensee's rights are being violated during investigations when John Hunt threatens and pressures a licensee into paying on average \$5000.00 and signing a stipulation affirming the licensee is at fault when their treatment is within the standard of care. When the licensee declines to sign the stipulation and pay John Hunt's attorney fees and recovery costs, the licensee is told their only option is to go to a formal hearing that will cost on average \$40,000.00 per day. What option does the licensee have when the person investigating them and the members of the board who decide their fate are the licensees' direct competitors, and the prosecuting executive director benefits with \$10,000 bonuses while John Hunt makes millions over his tenure with the board when licensees pay more recovery fees.

Moreover, if they sign this stipulation: the licensee's malpractice insurance will go up on average over 400%, and the licensee can be dropped from insurance carriers resulting in less affordable care. All this translates into higher fees for patients in an already strapped health care system.

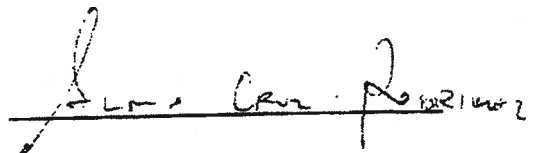
Areas of concern:

1. How is it that many licensees penalized with the board just happen to be in competition with the board members and investigators?
2. How does the board justify levying a fine of say, \$5000.00 and when the licensee refuses, you suddenly hand him a bill for \$100,000.00?
3. How can the board justify serving as accuser, prosecutor, and judge? That makes it impossible for a licensee to receive a fair hearing.
4. When the U. S. Constitution says that everyone accused of wrongdoing is innocent until proven guilty, how is it that a licensee first learns of his "guilt" upon receiving notification of his fine?

Nevada Licensed Licensee,



Signature



Printed Name

If this above issue has happened to you please initial.

INITIAL

Extortion by Nevada Dental board and John Hunt (Legal Counsel for Board)

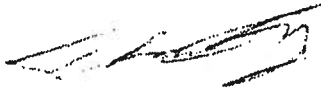
I am a licensed Dentist/Hygienist in the state of Nevada. I believe Nevada licensee's rights are being violated during investigations when John Hunt threatens and pressures a licensee into paying on average \$5000.00 and signing a stipulation affirming the licensee is at fault when their treatment is within the standard of care. When the licensee declines to sign the stipulation and pay John Hunts' attorney fees and recovery costs, the licensee is told their only option is to go to a formal hearing that will cost on average \$40,000.00 per day. What option does the licensee have when the person investigating them and the members of the board who decide their fate are the licensees' direct competitors, and the prosecuting executive director benefits with \$10,000 bonuses while John Hunt makes millions over his tenure with the board when licensees pay more recovery fees.

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Nevada Licensed Licensee,



Signature

THIEN TANG DDS

Printed Name



If this above issue has happened to you please initial.

INITIAL

Extortion by Nevada Dental board and John Hunt (Legal Counsel for Board)

I am a licensed Dentist in the state of Nevada. I believe Nevada dentist's rights are being violated during investigations when John Hunt threatens and pressures a dentist into paying on average \$5000.00 and signing a stipulation affirming the dentist is at fault when their treatment is within the standard of care. When the dentist declines to sign the stipulation and pay John Hunts' attorney fees and recovery costs, the dentist is told their only option is to go to a formal hearing that will cost on average \$40,000.00 per day. What option does the dentist have when the person investigating them and the members of the board who decide their fate are the dentists' direct competitors, and the prosecuting executive director benefits with \$10,000 bonuses while John Hunt makes millions over his tenure with the board when dentists pay more recovery fees.

Moreover, if they sign this stipulation: the dentist's malpractice insurance will go up on average over 400%, and the dentist can be dropped from insurance carriers resulting in less affordable care. All this translates into higher fees for patients in an already strapped health care system.

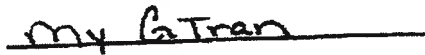
Areas of concern:

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2. How does the board justify levying a fine of say, \$5000.00 and when the dentist refuses, you suddenly hand him a bill for \$100,000.00?
3. How can the board justify serving as accuser, prosecutor, and judge? That makes it impossible for a dentist to receive a fair hearing.
4. When the U. S. Constitution says that everyone accused of wrongdoing is innocent until proven guilty, how is it that a dentist first learns of his "guilt" upon receiving notification of his fine?

Nevada Licensed Dentist,



Signature



Printed Name



INITIAL

If this above issue has happened to you please initial.

Extortion by Nevada Dental board and John Hunt (Legal Counsel for Board)

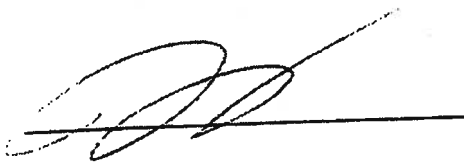
I am a licensed Dentist/Hygienist in the state of Nevada. I believe Nevada licensee's rights are being violated during investigations when John Hunt threatens and pressures a licensee into paying on average \$5000.00 and signing a stipulation affirming the licensee is at fault when their treatment is within the standard of care. When the licensee declines to sign the stipulation and pay John Hunts' attorney fees and recovery costs, the licensee is told their only option is to go to a formal hearing that will cost on average \$40,000.00 per day. What option does the licensee have when the person investigating them and the members of the board who decide their fate are the licensees' direct competitors, and the prosecuting executive director benefits with \$10,000 bonuses while John Hunt makes millions over his tenure with the board when licensees pay more recovery fees.

Moreover, if they sign this stipulation: the licensee's malpractice insurance will go up on average over 400%, and the licensee can be dropped from insurance carriers resulting in less affordable care. All this translates into higher fees for patients in an already strapped health care system.

Areas of concern:

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3. How can the board justify serving as accuser, prosecutor, and judge? That makes it impossible for a licensee to receive a fair hearing.
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Nevada Licensed Licensee,



Signature

JESSICA RILEY RDE

Printed Name

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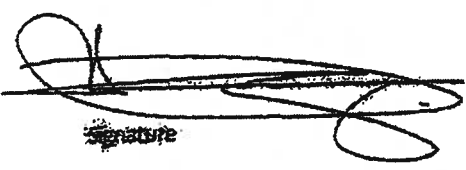
Statement of the Board of Dentistry of the State of Florida

When the dentist declines to sign the stipulation and pay John Hunt's attorney fees and other costs, the dentist is in violation of the Florida Dental Practice Act. The dentist is in violation of the Florida Dental Practice Act when their treatment is within the standard of care. When the dentist declines to sign the stipulation and pay John Hunt's attorney fees and other costs, the dentist is in violation of the Florida Dental Practice Act. The dentist is in violation of the Florida Dental Practice Act when their treatment is within the standard of care. When the dentist declines to sign the stipulation and pay John Hunt's attorney fees and other costs, the dentist is in violation of the Florida Dental Practice Act. The dentist is in violation of the Florida Dental Practice Act when their treatment is within the standard of care.

Moreover, if they are not covered by a health insurance plan, they will go up to 40% over 400% and the dentist can be charged with providing services resulting in less affordable care. All this transfer of risk to the patient is a violation of the Florida Dental Practice Act.

Questions:

1. How can the board justify levying a fine of \$100.00 and when the dentist refuses, you suddenly have him a bill for \$100.00?
2. How does the board justify levying a fine of \$100.00 and when the dentist refuses, you suddenly have him a bill for \$100.00?
3. How can the board justify levying a fine of \$100.00 and when the dentist refuses, you suddenly have him a bill for \$100.00?
4. How can the board justify levying a fine of \$100.00 and when the dentist refuses, you suddenly have him a bill for \$100.00?


Signature

L. Henry
Printed Name


INITIAL

STATE OF FLORIDA DEPARTMENT OF HEALTH

Extortion by Nevada Dental Board and John Hunt (Legal Counsel for Board)

When you call dentists in the state of Nevada... believe Nevada dentists' rights are being violated during investigations when John Hunt threatens and pressures a dentist into paying an average \$100,000 and signing a stipulation affirming the dentist is at fault when their treatment is within the standard of care. When the dentist declines to sign the stipulation and pay John Hunt's attorney fee and recovery costs, the dentist is told their only option is to go to a formal hearing that will cost an average \$20,000 per day. What option does the dentist have when the person investigating their malpractice members of the board who decide their fate are the dentists' direct competitors and the investigating executive director benefits with \$10,000 bonuses while John Hunt makes the board members rich with the board when dentists pay more recovery fees.

Malpractice: if they sign this stipulation, the dentist's malpractice insurance will go up on average 200% and the dentist can be dropped from insurance carriers resulting in less affordable care. This translates into higher fees for patients in an already strapped healthcare system.

A Board's Interest

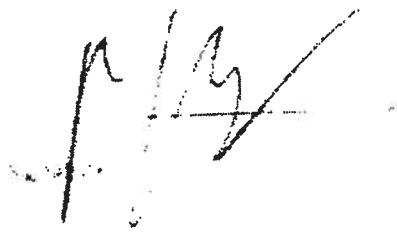
1. How can so many dentists be sued and with the board just happen to be in competition with the board members and investigators?

2. How does the board justify levying a fine of say, \$5000.00 and when the dentist refuses, you can be sued for a fine of \$100,000.00?

3. How can the Board justify serving as accuser, prosecutor, and judge? That makes it impossible for a dentist to appear at a fair hearing.

4. When the U.S. Constitution says that everyone accused of wrongdoing is innocent until proven guilty, how is it that a dentist must admit his guilt upon receiving notification of his fine?

Nevada Licensed Dentist



Adam Peisly

Printed Name

Yes

If the above issue has happened to you please initial

(To Family which impacted all of us)

Written and Signed Complaint

Mr. John Hunt, legal counsel of the Nevada Dental Board for 22 years, and Debra Schaffer-Kugel, the executive director of the Nevada Dental Board have systematically and routinely utilized Civil Extortion, Duress, Violation of Due Process and Fraud to unethically deprive Health Care Providers of their good reputation and income. Their Abuse of Power and their Corruption has sullied the reputation of the Nevada Board of Dental Examiners.

Civil Extortion

Civil extortion exists because Mr. John Hunt, legal counsel of the Nevada Dental Board for 22 years, and Debra Schaffer-Kugel, the executive director of the Nevada Dental Board, wrongfully use fear to obtain money from Health Care Providers. Fear induced by threat of taking away the Health Care Provider's license to practice and the excessive attorney's fees that will be incurred to defend before the Dental Board.

NRS 631.360(2) States that he is required to provide notice of all complaints against a Health Care Provider. He did not do this. He waited until an "informal hearing" and then presented several other allegations which had never been presented before. There was no option to prepare a proper defense. He threatened to go to the board and take away my license unless I sign a stipulation and pay him whatever amount he desired. He indicated that if I went to a full board hearing the cost would be exponentially higher.

2. Duress

Health Care Provider's consent to enter into a Stipulation is always obtained under duress. Mr. Hunt waited until an "informal hearing" and then presented several other allegations which had never been presented before. There was no option to prepare a proper defense.

Mr. Hunt then used wrongful pressure or threat of revocation of license to induce the Health Care Provider to enter into a Stipulation. The Health Care Provider is so afraid and intimidated by the threat that he or she does not have a free will to refuse to consent to stipulate. In most situations, the Health Care Provider would not have consented if not for such coercion.

3. Abuse of Power

NRS 281A.400(2) Mr. Hunt is using his position of power to manipulate Health Care Providers with the ability to punish them if they don't comply with his terms. NRS 281A.430/530 He utilizes his position for the board to then create a substantial income stream for himself through alleged board related inquiries. It appears none of the investigative costs are ever shown on the Nevada Dental Board accounting records.

In the May 7, 2016 board meeting it was stated "that the Board has had a significant turnaround financially thanks to the staffs' diligence and the way the disciplinary process has been set up. They projected that they would have a more significant income than what they had budgeted for" and they recommended a \$6,000 bonus for the executive director and for staff a bonus of 6% of their salaries. The executive director's total salary with base pay and benefits would be \$161,000, equivalent to a 30% increase.

They also violate NRS 281A.020(1) by failing to hold public office as a public trust, failing to avoid conflicts between public and private interests.

4. Violation of Due Process

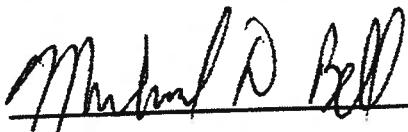
Mr. Hunt, acting under protection of his government position, intentionally deprives Health Care Providers of their Due Process rights by systematic scheme of harassment and intimidation. He is required to provide notice of all complaints against a Health Care Provider. He does not do this. He waits until an "informal hearing" and then presents several other allegations which have never been presented before and threatens to go to the board and take away their license unless they sign the stipulation and pay him whatever amount he desires.

5. Fraud

Mr. Hunt arbitrary assigns a monetary investigative cost and conceals billing invoices and accounting to justify the fees imposed. A fee breakdown has been requested and has never been provided.

Michael D. Bell _____

Printed Name

 _____

Signature

Board of Examiners, November 8, 2016

For the record, Angel De Fazio.

I would like to comment on the writing off of millions of outstanding debts. As someone who has spent almost their entire career in collections, including as a paralegal, I can tell you this agenda item is an abomination.

I did an open records request for the entire file for an outstanding account from the PUC. I can assure you, no wonder they aren't effective in collecting the assessments. Two letters that are basically the same in nature, not strongly elevated, absolutely no log of phone calls, a single email that shows no response. Absolutely no proof of delivery via certified mail.

Any non state employee who produced this as a complete attempt to collect a debt, would be fired immediately.

Having an 'administrative analyst' do this is a waste of time, any of the lowest level front desk personnel can do these letters. With real escalating verbiage, not the veiled threat of a collection agency, additional fees or controllers office.

This is what happens when you are top heavy with attorneys who have no broad legal background and refuse to make an effort to assist with this problem, and having an Executive Director/CFO who has no experience in real world accounts receivables.

The outstanding debts that are still within the SOL should be returned to the referring agencies and have them really worked.

Doing the following: add to the letter payment arrangements can be made, via a confession of judgment, as the agency is already carrying the outstanding receivables.

If the debtor defaults on the COJ, then it's a quick filing of the COJ to get a judgment. All the forms are on the court website, or can be made into templates on the agency's computers.

Anything that fits the dollar amount for small claims should be filed. No attorney is really required in small claims court, as any employee can represent the plaintiff. As no attorney fees are awarded in small claims. Once they obtain the judgment, then either let their staff attorney do the writs or send it out to a collection agency to collect the judgment. With the first payment, copy the bank information, then if need be, just execute upon the account, so simple and doable.

That's a reasonable attempt to collect a debt, not the milquetoast protocols that are currently in place.

Even the most illiterate legal person can fill out the court provided forms.

I am submitting the complete file, according to the PUC on Urban Jungle, along with their protocols on collection.

The state is in no position to keep writing off this volume of debt, when it can be recovered when a concerted effort is made to collect them.

Board of Examiners, November 8, 2016

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BRIAN SANDOVAL
Governor

STATE OF NEVADA
PUBLIC UTILITIES COMMISSION

JOSEPH C. REYNOLDS
Chairman

PAUL A. THOMSEN
Commissioner

ANN PONGRACZ
Commissioner

STEPHANIE MULLEN
Executive Director

October 18, 2016

VIA EMAIL

Attn: Angel De Fazio
ntefusa@aol.com

Re: October 12, 2016, Public Records Request

Dear Ms. De Fazio:

Chapter 239 of the Nevada Revised Statutes ("NRS"), specifically NRS 239.0107(1), requires a governmental entity to respond to public records requests within five business days. Accordingly, the Public Utilities Commission of Nevada ("Commission") is responding to your October 12, 2016, request to inspect, at the Commission's Las Vegas office, via computer access and on October 19, 2016, at 12:00 p.m., the following records:

- The "fine collection protocol or manual" of the Commission;
- "[E]very single action that was taken on Urban Jungles fine that was assessed on 6/14/16," in Docket No. 16-04014;
- "[A]ny/all emails regarding the republication of the General Counsel's ad, including drafts;" and
- "[A]ny and all monies paid out/submitted for payment regarding moving expenses for any [Commission] employee."

Regarding your request for the Commission's "fine collection protocol or manual," please find the non-confidential public record responsive to your request attached to the email delivering this letter as Attachment 1, and, per your request, computer access to this non-confidential public record responsive to your request will be made available to you on October 19, 2016, at 12:00 pm, at the Commission's Las Vegas office.

Regarding your request to inspect "[e]very single action that was taken on Urban Jungles fine..." please find the non-confidential public records responsive to your request attached to the email delivering this letter as Attachments 2, 2-A, 2-B, and 2-C, and, per your request, computer access to these non-confidential public records responsive to your request will be made available to you on October 19, 2016, at 12:00 pm, at the Commission's Las Vegas office.

NORTHERN NEVADA OFFICE
1150 East William Street
Carson City, Nevada 89701-3109
(775) 684-6101 • Fax (775) 684-6110

<http://puc.nv.gov>

SOUTHERN NEVADA OFFICE
9075 West Diablo Drive, Suite 250
Las Vegas, Nevada 89148
(702) 486-7210 • Fax (702) 486-7206

Regarding your request for “any/all emails regarding the republication of the General Counsel’s ad, including drafts,” please find the non-confidential public records responsive to your request attached to the email delivering this letter as Attachments 3 and 3-A, and, per your request, computer access to these non-confidential public records responsive to your request will be made available to you on October 19, 2016, at 12:00 pm, at the Commission’s Las Vegas office.

Regarding your request for records of “any and all monies paid out/submitted for payment regarding moving expenses for any [Commission] employee,” please find the non-confidential public record responsive to your request attached to the email delivering this letter as Attachment 4, and, per your request, computer access to this non-confidential public record responsive to your request will be made available to you on October 19, 2016, at 12:00 pm, at the Commission’s Las Vegas office.

NRS 239.0107(1)(d) mandates that if a governmental entity denies a person’s request to inspect a public record, or a part thereof, based on the confidential nature of the record, the governmental entity must provide written notice of the existence of the confidential record and a citation to the specific statute or other legal authority supporting the record’s confidentiality. Therefore, the Commission now notifies you that it is withholding the following confidential records, which are protected from disclosure by the attorney-client privilege and the Deliberative Process Privilege:

- Records of email communications between the Commission’s Office of General Counsel, the Executive Director, the Assistant Commission Secretary, and Chairman Reynolds regarding the posting of the General Counsel job announcement.

Attorney-Client Privilege

The attorney-client privilege, memorialized at NRS 49.095, provides that “[a] client has a privilege to refuse to disclose, and to prevent any other person from disclosing, confidential communications: 1) [b]etween the client or the client’s representative and the client’s lawyer or the representative of the client’s lawyer; 2) [b]etween the client’s lawyer and the lawyer’s representative; [or] 3) [m]ade for the purpose of facilitating the rendition of professional legal services to the client, by the client or the client’s lawyer to a lawyer representing another in a matter of common interest.”

The attorney-client privilege applies to all records of communications between attorneys for the Commission and the attorneys’ clients made for the purpose of facilitating the rendition of professional legal services. In this instance, the Chairman, the Executive Director, and the Assistant Commission Secretary are represented by the Commission’s Office of General Counsel (“General Counsel”) in matters such as personnel issues, administrative/budget issues, court proceedings, federal regulatory proceedings, state regulatory proceedings, legislative proposals, and public records requests. Therefore, General Counsel’s communications with these individuals regarding the posting of the General Counsel job announcement, are privileged to the extent that the communications are made to facilitate General Counsel’s provision of legal services to the Commission outside of the context of a contested Commission proceeding.

Deliberative Process Privilege

The deliberative process privilege “covers ‘documents reflecting advisory opinions, recommendations and deliberations comprising part of a process by which governmental decisions and policies are formulated.’”¹ “Human experience teaches that those who expect public dissemination of their remarks may well temper candor with a concern for appearances . . . to the detriment of the decision-making process.”² The Nevada Supreme Court has held that the deliberative process privilege applies to pre-decisional and deliberative materials or records and “permits ‘agency decision-makers to engage in that frank exchange of opinions and recommendations necessary to the formulation of policy without being inhibited by fear of later public disclosure.’”³

All of the fully-withheld records are also protected by the deliberative process privilege because their disclosure would reveal the Commission’s internal deliberation and decision-making process in formulating a job announcement that the Commission hopes will attract the most qualified candidates for its vacant General Counsel position. Therefore, while the ultimate selection of the candidate will be conducted in a public hearing, the Commission’s internal deliberations preceding the publication of the job announcement are confidential.

If you have any questions, wish to clarify your request to inspect public records, or require assistance in accessing records via the Commission’s website, please feel free to contact me. Otherwise, I will see you on October 19, 2016, at 12:00 pm, at the Commission’s Las Vegas office, per your request.

Kindly,



Matthew Fox
Administrative Attorney
Public Utilities Commission of Nevada
(702) 486-7096.
msfox@puc.nv.gov

cc: Hayley Williamson, Assistant General Counsel; Stephanie Mullen, Executive Director;
Tammy Cordova, Staff Counsel

¹ *Dept. of Interior v. Klamath Water Users Protective Ass’n.*, 532 U.S. 1, 8 (2001) (quoting *N.L.R.B. v. Sears, Roebuck & Co.*, 421 U.S. 132, 150 (1975)).

² *United States v. Nixon*, 418 U.S. 683, 705 (1974).

³ *DR Partners v. Bd. of County Comm’rs of Clark County*, 6 P.3d 465, 469 (Nev. 2000)(quoting *Paisley v. C.I.A.*, 712 F.2d 686, 697 (D.C.Cir.1983).

From: ntefusa <ntefusa@aol.com>

To: msfox <msfox@puc.nv.gov>

Subject: Re: Addition: Re: DEFICIENT PROVIDED RECORDS Re: Response - October 12, 2016, Public Records Request

Date: Tue, Oct 25, 2016 5:46 pm

Am I to extrapolate that there were no phone calls made regarding this? Only the letters that you have provided?

If calls were made, is there a log of said calls?

"Forget Dale Carnegie, I'm Trump With Tits." -Angel De Fazio

"I fear the day that technology will surpass our human interaction. The world will have a generation of idiots." -Albert Einstein

"Two things are infinite: the universe and human stupidity; and I'm not sure about the universe." -Albert Einstein

"An activist is someone who cannot help but fight for something. That person is not usually motivated by a need for power, or money, or fame, but in fact driven slightly mad by some injustice, some cruelty, some unfairness-So much so that he or she is compelled by some moral engine to act to make it better." - Eve Ensler

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Nevada's Disability Representative
Functional Needs Working Group
A project of FEMA R9 RDIS

Investigative Reporter for "The Vegas Voice", politics section.
TheVegasVoice.Net

PUCWatchDogs.Com
NVESopSmartMeters.Info

-----Original Message-----

From: Matthew Fox <msfox@puc.nv.gov>

To: 'ntefusa@aol.com' <ntefusa@aol.com>

Sent: Tue, Oct 25, 2016 5:35 pm

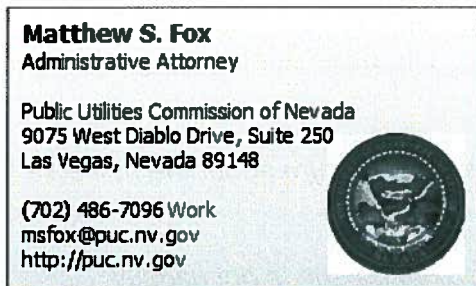
Subject: RE: Addition: Re: DEFICIENT PROVIDED RECORDS Re: Response - October 12, 2016, Public Records Request

Ms. De Fazio:

There is no opportunity to provide my name when I call.

I have attached the 30-day and 60-day Notices, along with the Commission's most recent Order.

If you have any additional inquiries, please feel free to give me a call. Thanks.



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From: ntefusa@aol.com [<mailto:ntefusa@aol.com>]

Sent: Tuesday, October 25, 2016 4:35 PM

To: Matthew Fox <msfox@puc.nv.gov>

Subject: Re: Addition: Re: DEFICIENT PROVIDED RECORDS Re: Response - October 12, 2016, Public Records Request

Its a google phone, you have to say your name, then it rings to my cell.

Copies of the letters to the customer. What you don't have copies of your 30, 60, 90 day letters your records referenced? Did anything go out certified, if so, copies of the returned receipt.

This is all standard protocols that prepare something for legal action, or in your case, turning over for them to be written off.

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TheVegasVoice.Net

PUCWatchDogs.Com
NVESopSmartMeters.Info

-----Original Message-----

From: Matthew Fox <msfox@puc.nv.gov>

To: 'ntefusa@aol.com' <ntefusa@aol.com>

Cc: zebedee_177 <zebedee_177@yahoo.com>

Sent: Tue, Oct 25, 2016 4:25 pm

Subject: RE: Addition: Re: DEFICIENT PROVIDED RECORDS Re: Response - October 12, 2016, Public Records Request

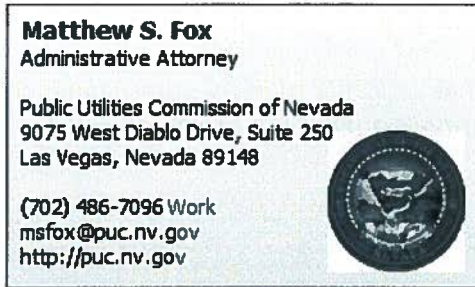
Ms. De Fazio,

I just called the number again, and it went straight to voicemail again.

The Commission did not claim confidential treatment for any public records responsive to your October 12, 2016, request for records regarding "every single action that was taken on Urban Jungles fine that was assessed on 6/14/16," in Docket No. 16-04014. With that said, have you had a chance to review the publicly available information on the Commission's website regarding Docket No. 16-04014?

Again, all I am trying to do is assist you in obtaining the non-confidential records you seek.

Thanks.



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From: ntefusa@aol.com [mailto:ntefusa@aol.com]

Sent: Tuesday, October 25, 2016 3:20 PM

To: Matthew Fox <msfox@puc.nv.gov>

Cc: zebedee_177@yahoo.com

Subject: Re: Addition: Re: DEFICIENT PROVIDED RECORDS Re: Response - October 12, 2016, Public Records Request

That's my number, I have gotten calls from that.

Since when is a DEMAND letter confidential? You make public in a public meeting and filing doc in a docket about the fine, now, you want to claim confidential?

Matt these letters are a BUSINESS not an individual, and if you actually had any modicum of expertise in debt collection, like I do, these types of letters are NOT confidential, especially when there is a highly documented trail of the debt.

So, you are REFUSING to provide the BACK UP for what you are turning over to the Controller's Office, for a debt, correct?

"Forget Dale Carnegie, I'm Trump With Tits." -Angel De Fazio

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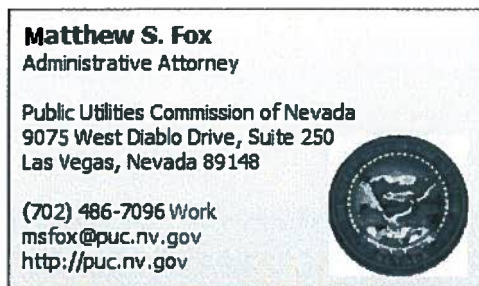
-----Original Message-----

From: Matthew Fox <msfox@puc.nv.gov>
To: 'ntefusa@aol.com' <ntefusa@aol.com>
Cc: zebedee_177 <zebedee_177@yahoo.com>
Sent: Tue, Oct 25, 2016 3:14 pm
Subject: RE: Addition: Re: DEFICIENT PROVIDED RECORDS Re: Response - October 12, 2016, Public Records Request

Ms. De Fazio,

The Commission provided you with the non-confidential records responsive to your public records request, on October 18, 2016.

The number listed on your public records request, which is the number I called, is 702-490-9677. Please let me know if another number is better and I'd be happy to call again and we can discuss your concerns. Thanks.



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unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient(s) or if you have received this message in error, please contact the sender by reply email and permanently delete it.



From: ntefusa@aol.com [mailto:ntefusa@aol.com]

Sent: Tuesday, October 25, 2016 2:47 PM

To: Matthew Fox <msfox@puc.nv.gov>

Cc: zebedee_177@yahoo.com

Subject: Re: Addition: Re: DEFICIENT PROVIDED RECORDS Re: Response - October 12, 2016, Public Records Request

There is no record of any call coming in from you today.

I am on a conference call, lets just do it via email.

Why hasn't the full request been provided, simple question.

"Forget Dale Carnegie, I'm Trump With Tits." -Angel De Fazio

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-----Original Message-----

From: Matthew Fox <msfox@puc.nv.gov>

To: 'ntefusa@aol.com' <ntefusa@aol.com>

Cc: zebedee_177 <zebedee_177@yahoo.com>

Sent: Tue, Oct 25, 2016 2:44 pm

Subject: RE: Addition: Re: DEFICIENT PROVIDED RECORDS Re: Response - October 12, 2016, Public Records Request

Ms. De Fazio,

Please feel free to give me a call and I'd be happy to go over your concerns regarding the Commission's response to your public records request. I tried contacting you at the number listed on your public records request, but I was unable to reach you. Thanks.



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From: ntefusa@aol.com [<mailto:ntefusa@aol.com>]

Sent: Tuesday, October 25, 2016 12:34 PM

To: Matthew Fox <msfox@puc.nv.gov>

Cc: zebedee_177@yahoo.com

Subject: Re: Addition: Re: DEFICIENT PROVIDED RECORDS Re: Response - October 12, 2016, Public Records Request

Why weren't these documents provided, as they are PART OF the original request, don't try to claim its a NEW request.

I EXPECT a response.

"Forget Dale Carnegie, I'm Trump With Tits." -Angel De Fazio

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-----Original Message-----

From: ntefusa <ntefusa@aol.com>

To: msfox <msfox@puc.nv.gov>

Cc: zebedee_177 <zebedee_177@yahoo.com>

Sent: Thu, Oct 20, 2016 3:43 pm

Subject: Addition: Re: DEFICIENT PROVIDED RECORDS Re: Response - October 12, 2016, Public Records Request

I forgot to include:

Where are any/all responses from them?

Were any letters sent certified? If so, where is the return receipt/certification copy/copies?

If there aren't any receipts, what 'legal' proof do you have that they did in fact receive them?

Thanks.

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-----Original Message-----

From: ntefusa <ntefusa@aol.com>

To: msfox <msfox@puc.nv.gov>

Cc: zebedee_177 <zebedee_177@yahoo.com>

Sent: Thu, Oct 20, 2016 3:32 pm

Subject: DEFICIENT PROVIDED RECORDS Re: Response - October 12, 2016, Public Records Request

Matt,

Before you even try to challenge me on collection activity, I spent over TWENTY years doing collections even as a paralegal, so, I am highly skilled and know how it is suppose to be done, records kept etc.

With that:

The provided records are deficient in the following:

Attachment #1

References under past due notices

-Analyst creates letters for each company utilizing the appropriate 'Past Due' letter template

Where are the letters?

-Make copy of all past due letters before sending them out...these are kept for proof of collection for the annual order to show cause and for sending the debt to the controller's office

Was an 'annual order to show cause produced? If so, it should have been provided

Attachment #2

- ...ready to prepare and send the 60 day letter

Should have been included in the request for this 60 day letter

Attachment 2A

-Is this email from Paul Maguire to Matt Hess dtd 7/21/16, your concept of a '30 day letter'? Or is there an 'official' 30 day letter, which was not provided

Attachment 2B

Ann Scott email dtd 7/20/16 said *"this item remain unpaid and a past due notice has been mailed out"*

This was not provided in the request response

Mahin Quintero email dtd 7/21/16

-'Attached is the email BPS copied you on regarding this compliance..."

Where is the referenced email?

Mahin Quintero email dtd 7/21/16

#2 GC files a letter...the memo ends with ...'

Was anything generated, if so why wasn't it provided with the request.

Also where are the 60 and 90 day letters that are referenced in Attachment 1 that are suppose to be generated and kept?

Were phone calls ever made to this company? If so, where is the phone log with date, time, who and synopsis of call?

"Forget Dale Carnegie, I'm Trump With Tits." -Angel De Fazio

"I fear the day that technology will surpass our human interaction. The world will have a generation of idiots." -Albert Einstein

*"Two **things are infinite**: the universe and **human stupidity**; and I'm not sure about the universe."*
-Albert Einstein

"An activist is someone who cannot help but fight for something. That person is not usually motivated by a need for power, or money, or fame, but in fact driven slightly mad by some injustice, some cruelty, some unfairness-So much so that he or she is compelled by some moral engine to act to make it better." - Eve Ensler

"Activism is the rent I pay for living on this planet." -Alice Walker

Angel De Fazio, BSAT
President/Executive Director
National Toxic Encephalopathy Foundation
501c3 Tax Deductible Organization
NTEF-USA.Org

Organic & Chemical Free Store
ChemicalFreeLiving.Com

Nevada's Disability Representative
Functional Needs Working Group
A project of FEMA R9 RDIS

Investigative Reporter for "The Vegas Voice", politics section.
TheVegasVoice.Net

PUCWatchDogs.Com
NVESopSmartMeters.Info

-----Original Message-----

From: Matthew Fox <msfox@puc.nv.gov>
To: 'ntefusa@aol.com' <ntefusa@aol.com>
Cc: PUC-General Counsel <PUC-GeneralCounsel@puc.nv.gov>; Stephanie Mullen <stmullen@puc.nv.gov>;
Tammy Cordova <tcordova@puc.nv.gov>
Sent: Tue, Oct 18, 2016 1:58 pm
Subject: Response - October 12, 2016, Public Records Request


Dear Ms. De Fazio:

Chapter 239 of the Nevada Revised Statutes ("NRS"), specifically NRS 239.0107(1), requires a governmental entity to respond to public records requests within five business days. Accordingly, the Public Utilities Commission of Nevada ("Commission") is responding to your October 12, 2016, request to inspect, at the Commission's Las Vegas office, via computer access and on October 19, 2016, at 12:00 p.m., the following records:

- The "fine collection protocol or manual" of the Commission;
- "[E]very single action that was taken on Urban Jungles fine that was assessed on 6/14/16," in Docket No. 16-04014;
- "[A]ny/all emails regarding the republication of the General Counsel's ad, including drafts;" and
- "[A]ny and all monies paid out/submitted for payment regarding moving expenses for any [Commission] employee."

The non-confidential public records responsive to your request are attached to this email, along with an explanatory letter. Additionally, per your request, computer access to these non-confidential public records responsive to your request will be made available to you on October 19, 2016, at 12:00 pm, at the Commission's Las Vegas office, as well.

Thank you.

<p>Matthew S. Fox Administrative Attorney</p> <p>Public Utilities Commission of Nevada 9075 West Diablo Drive, Suite 250 Las Vegas, Nevada 89148</p> <p>(702) 486-7096 Work msfox@puc.nv.gov http://puc.nv.gov</p>	
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Matthew Fox

From: Ann M Scott
Sent: Friday, October 14, 2016 3:46 PM
To: Matthew Fox; Hayley Williamson
Cc: PUC-Fiscal; Stephanie Mullen
Subject: RE: Response to Public Records Request

Below are the 2 items in the Administrative Analyst desk procedure manual that pertain to collection of monies, please let me know if you need any additional information:

Past Due Notices

When reports and/or payments for assessments, fees, fines and surcharges are past due, the analyst is responsible for sending the 30 and, 60 day past due notices.

The companies who are past due are compiled by reviewing reports generated from the Utilities Database (Database) and also by reviewing the related fiscal spreadsheets. To generate the reports from the Database, the analyst prints: the "Accounting Unpaid" reports for each utility type; the "CMRS-Unpaid" report; and the "TDD Surcharge-Unpaid" report. (For detailed instructions, please see the exhibits attached to the Show Cause section of this manual).

Upon compilation of the companies past due on their compliance items, the analyst creates letters for each company utilizing the appropriate "PastDue" letter template currently located on the analyst's desktop in the "LetterTemplates" file folder. The analyst must ensure that the appropriate template is used as there are different templates for each compliance item type, i.e., "Administrative Fine" (PastDue_Fine, attached as Exhibit PD1), "Assessment" (PastDue_Mill, attached as Exhibit PD2), "CMRS" (PastDue_CMRS, attached as Exhibit PD3), and "TDD Surcharge" (PastDue_TDD, attached as Exhibit PD4).

The analyst ensures that the information inputted into the template is accurate and at the top of the letter stamp in red "PAST DUE."

Make a copy of all past due letters before sending them and put the copies in the "Past Due" folder located in the analyst's filing cabinet. These copies are kept for proof of collection for the annual order to show cause and for sending the debt to the Controller's Office for collection.

Upon receipt of the report and/or payment, the analyst follows the appropriate processing procedures in the manual.

Fiscal Reports

Accounts Receivable Report

At the beginning of every quarter, July-Sept, Oct-Dec, Jan-Mar, Apr-Jun, the analyst is required to electronically submit a spreadsheet delineating any outstanding accounts receivables for the appropriate reporting period to the Financial Officer and cc the Management Analyst and Commission Secretary. The file can be located at Q:\AccountsReceivable\Accounts Receivable FYXX, each quarter report is saved separately. The outstanding receivables the analyst is required to report include administrative fines, CMRS fees, assessments whose payments are known (i.e., those who pay quarterly) and late fees. A report can be printed from the Utilities Database to determine outstanding CMRS licensing fees due. The report is accessible from the telecommunications main menu, under "Reports." The report is called "CMRS Unpaid." To determine outstanding fines due the analyst utilizes the administrative fines report located

at Q:\AccountsReivable\Administrative Fines_AdminAgendas.xls. To determine any outstanding quarterly assessment payments the analyst utilizes the mill spreadsheet located at Q:\XXFiscal\XXMill.

The analyst will also provide all 30 and 60 letters for all the corresponding companies that are being requested to turn over to debt collections.

Thank you

Ann Scott

(775) 684-6187

(775) 684-6161

amscott@puc.nv.gov



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From: Kelly R. Frantz

Sent: Friday, October 14, 2016 2:15 PM

To: Matthew Fox <msfox@puc.nv.gov>; Hayley Williamson <hwilliamson@puc.nv.gov>

Cc: PUC-Fiscal <PUC-Fiscal@puc.nv.gov>; Stephanie Mullen <stmullen@puc.nv.gov>

Subject: RE: Response to Public Records Request

Here is the only cost I could find associated with moving costs for an employee.

It is for Lina Tanner on 8/1/2013 to move her office furniture and boxes from AG's office to our office.

Kelly

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From: Matthew Fox

Sent: Friday, October 14, 2016 12:09 PM

To: PUC-Carson City Office <PUC-CarsonCityOffice@puc.nv.gov>; PUC-Las Vegas Office <PUC-LasVegasOffice@puc.nv.gov>

Cc: PUC-General Counsel <PUC-GeneralCounsel@puc.nv.gov>

Subject: Response to Public Records Request

The Commission received a public records request on October 12, 2016, requesting to inspect, at the Commission's Las Vegas office, via computer access and on October 19, 2016, at 12:00 p.m., the following records:

- The "fine collection protocol or manual" of the Commission;
- "[E]very single action that was taken on Urban Jungles fine that was assessed on 6/14/16," in Docket No. 16-04014;

- “[A]ny/all emails regarding the republication of the General Counsel’s ad, including drafts;” and
- “[A]ny and all monies paid out/submitted for payment regarding moving expenses for any [Commission] employee.”

Please let me know if any of you have any public records responsive to this request by Tuesday, October 18, 2016, at 2:00 pm as we need to provide the person requesting these records with a response before Wednesday. Thank you.

Matthew S. Fox
Administrative Attorney

Public Utilities Commission of Nevada
9075 West Diablo Drive, Suite 250
Las Vegas, Nevada 89148

(702) 486-7096 Work
msfox@puc.nv.gov
<http://puc.nv.gov>



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Donald Lomoljo

From: Donald Lomoljo
Sent: Friday, August 12, 2016 3:53 PM
To: Ann M Scott
Cc: Elizabeth Avram
Subject: RE: 16-04014 Urban Jungle

Yes, please file any future correspondence (past due notices etc) in the docket. I have scheduled a hearing for September 21 (essentially a show cause hearing on the past due amount).

Thanks

Donald Lomoljo
Utilities Hearing Officer
Public Utilities Commission of Nevada
(775) 684-6121



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From: Ann M Scott
Sent: Friday, August 12, 2016 3:24 PM
To: Donald Lomoljo <dlomoljo@puc.nv.gov>
Cc: Elizabeth Avram <eavram@puc.nv.gov>; Ann M Scott <amscott@puc.nv.gov>
Subject: FW: 16-04014 Urban Jungle

Hi Don,

Just an FYI, I am getting ready to prepare and send the 60 Day Past Due Notice for this unpaid debt. Also, our office will be sending this unpaid debt to the State Controller's Office for collection shortly. The State Controller's Office may apply fees to the unpaid debt.

Would you like a copy of the 60 Day Past Due Notice to be uploaded into the docket?

Thank you
Ann Scott
(775) 684-6187 ☎
(775) 684-6161 📠
amscott@puc.nv.gov



Matthew Fox

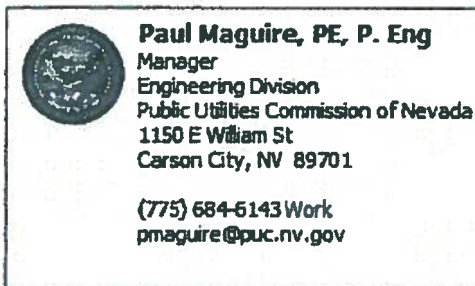
From: Paul Maguire
Sent: Thursday, July 21, 2016 11:21 AM
To: 'Matt Hess'
Cc: 'Linda Hess'; Sam Crano; Mahin Quintero; Neil Pascual
Subject: NRS 455 Stipulation Docket 16-04014
Attachments: Urban-Jungle-Order-Docket-16-04014-p0001 - p0011.pdf

Matt

Your payment for that attached agreed to violation was due on July 14, 2016. Please pay the amount as required in the Order attached. How to send payments can be found the PUCN website.

Failure to pay can result in additional civil penalties.

PM



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BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA

Petition of the Regulatory Operations Staff requesting)
the Commission accept a stipulation regarding)
violations of Nevada's One Call Law by Urban Jungle) Docket No. 16-04014
Contractors LTD.)
_____)

At a general session of the Public Utilities
Commission of Nevada, held at its offices
on May 26, 2016.

PRESENT: Chairman Paul A. Thomsen
Commissioner Alaina Burtenshaw
Commissioner David Noble
Assistant Commission Secretary Trisha Osborne

ORDER

The Public Utilities Commission of Nevada ("Commission") makes the following
findings of fact and conclusions of law:

I. INTRODUCTION

Regulatory Operations Staff ("Staff") filed a Petition requesting the Commission accept a Stipulation, attached hereto as Attachment 1, regarding violations of Nevada's One Call Law ("NOCL") by Urban Jungle Contractors LTD ("Urban Jungle").

II. SUMMARY

The Commission accepts the Stipulation, attached hereto as Attachment 1, and approves the Petition.

III. PROCEDURAL HISTORY

- On April 12, 2016, Staff filed the Petition.
- Staff filed the Petition pursuant to the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC"), including, but not limited to, NAC 703.540.
- Staff participates as a matter of right pursuant to NRS 703.301.
- On April 18, 2016, the Commission issued a Notice of Petition.
- On May 20, 2016, the Commission's Office of General Counsel filed with the Commission a

DOCUMENT REVIEW AND APPROVAL ROUTING

DRAFTED BY <u>Auth</u>	
FINAL DRAFT ON <u>6/8/16</u> AT <u>10:00</u> <u>AM</u>	
REVIEWED & APPROVED BY.	DATE.
<input type="checkbox"/> ADMIN ASST (_____)	<u>1/1</u>
<input checked="" type="checkbox"/> COMM / COUNSI. <u>Hw</u>	<u>6/8/16</u>
<input type="checkbox"/> SECRETARY / ASST. SEC. _____	<u>1/1</u>
<input type="checkbox"/> OTHER (_____) _____	<u>1/1</u>

Memorandum recommending accepting the Stipulation and granting the Petition.

IV. STIPULATION

Urban Jungle and Staff

1. Staff and Urban Jungle (the "Parties") state that on February 16, 2016, Urban Jungle damaged a steel natural gas distribution line operated by Southwest Gas Corporation ("SWG") near Nevada Way and Yucca in Boulder City, Nevada ("Incident Site") while excavating with an expired "dig ticket" from the association of operators, which is a violation of NRS 455.110.

2. On February 17, 2016, Urban Jungle was, again, excavating near the Incident Site without a valid dig ticket. Urban Jungle had called in for a new dig ticket that morning but had not waited the two working days to allow any subsurface installation operators to mark existing facilities, which is a violation of NRS 455.110.

3. On February 18, 2016, Urban Jungle was excavating at 700 Elm Street, lot 17 in Boulder City, Nevada, and hit and damaged a SWG operated plastic gas distribution pipeline ("Pipeline"). Urban Jungle neglected to pot-hole using hand tools to verify the location of the underground utility, in violation of NRS 455.137 and NAC 455.150.

4. The Parties agree that Urban Jungle violated certain provisions of NOCL. The Parties have negotiated a mutually acceptable agreement to fully resolve the aforementioned violations through Urban Jungle's payment of an administrative civil penalty in the amount of \$7,500, \$3,750 of which will be held in abeyance for a period of twenty-four months ("Abeyance Period"), to remedy its violations of NOCL. Any willful/repeated violation(s) by Urban Jungle, within the Abeyance Period, will trigger payment of the \$3,750 amount held in abeyance and will subject Urban Jungle to the possibility of additional civil penalties.

Commission Discussion and Findings

5. The Commission is charged, pursuant to NRS 455.170, with enforcing NOCL.
6. NRS 455.110(1)(a) requires an excavator to notify the association for operators at least two days prior to the date the excavation is scheduled. Urban Jungle violated NRS 455.110(1)(a) because it began excavation at the Incident Site with an expired dig ticket and failed to wait two working days prior to beginning excavation at the Incident Site.
7. NRS 455.137 and NAC 455.150 require an excavator to "determine the exact location of a subsurface installation that is affected by the excavation or demolition by excavating with hand tools or by any other method agreed upon by the person responsible for the excavation or demolition and the operator within the approximate location of the subsurface installation," before using any mechanical equipment. Urban Jungle failed to determine the exact location of the Pipeline before using a bucket loader near the Pipeline. Urban Jungle's failure to determine the exact location of the Pipeline resulted in Urban Jungle hitting and damaging the Pipeline. As such, Urban Jungle violated NRS 455.137 and NAC 455.150.
8. Pursuant to NRS 703.380 and 704.595(2), the Commission has authority to render civil penalties for violations of NOCL and Staff is able to stipulate to the assessment of civil penalties pursuant to NAC 703.845. The Commission agrees with Staff and finds that imposition of a \$7,500 civil penalty, \$3,750 of which will be held in abeyance for the Abeyance Period, is appropriate considering the size of Urban Jungle's business, the gravity of the violations, and Urban Jungle's good faith in attempting to achieve compliance after notification of the violation.
9. The Commission further finds that the Stipulation complies with the requirements of NAC 703.845 in that it settles only issues relating to the instant proceeding and does not seek

relief the Commission is not otherwise empowered to grant. Moreover, the Commission finds that it is in the public interest to accept the Stipulation.

THEREFORE, it is ORDERED that:

1. **The Stipulation filed by Regulatory Operations Staff and Urban Jungle Contractors LTD, attached hereto as Attachment 1, is ACCEPTED.**
2. **The Petition filed by Regulatory Operations Staff and designated as Docket No. 16-04014 is GRANTED.**
3. **The Commission's approval of the Stipulation does not constitute precedent regarding any legal or factual issue.**

Compliances:

4. **Within 30 days of the issuance of this Order, Urban Jungle Contractors LTD shall submit to the Commission payment of a fine in the amount of \$7,500.00, \$3,750.00 of which must be immediately deposited in the State General Fund and \$3,750.00 of which will be held in abeyance for 24 months (to be paid as a civil penalty in the event that Urban Jungle Contractors LTD willfully violates or repeats a violation of the One Call Law within the 24-month abeyance period).**

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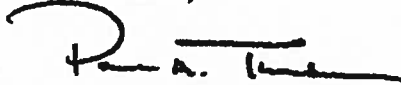
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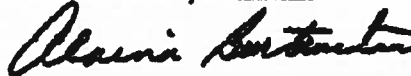
///

5. The Commission may correct any errors that occurred in the drafting or issuance of this Order without further proceedings.

By the Commission,



PAUL A. THOMSEN, Chairman



ALAINA BURTENSHAW, Commissioner



DAVID NOBLE, Commissioner

Attest:

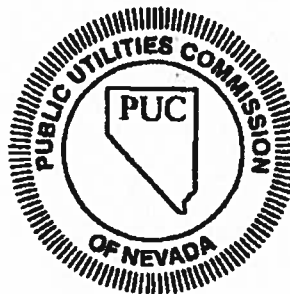


TRISHA OSBORNE
Assistant Commission Secretary

Dated: Carson City, Nevada

6/14/16

(SEAL)



ATTACHMENT 1

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BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA

**Joint Petition of the Regulatory Operations Staff of the
Commission and Urban Jungle Contractors LTD
to Accept a Stipulation Regarding Violation of
Nevada's One Call Law**

Docket No. 16-04 _____

STIPULATION

COMES NOW, the Regulatory Operations Staff ("Staff") of the Public Utilities Commission of Nevada ("Commission") and Urban Jungle Contractors LTD ("Urban Jungle"), pursuant to Nevada Revised Statutes ("NRS") 455.170, hereby submit this Stipulation to the Commission in full settlement of matters at issue.

WHEREAS, on February 16, 2016, Urban Jungle damaged a steel natural gas distribution line operated by Southwest Gas Corporation near Nevada Way and Yucca in Boulder City, Nevada while excavating with an expired "dig ticket" from the association of operators, which is a violation of NRS 455.110.

WHEREAS, on February 17, 2016, Urban Jungle was, again, excavating near Nevada Way and Yucca in Boulder City, Nevada, without a valid dig ticket. Urban Jungle had called in for a new dig ticket that morning but had not waited the two working days to allow any subsurface installation operators to mark existing facilities which is a violation of NRS 455.110.

WHEREAS, on February 18, 2016, Urban Jungle was excavating at 700 Elm Street, lot 17 in Boulder City, Nevada, with valid ticket and correct marks, and hit and damaged a Southwest Gas Corporation operated plastic gas distribution pipeline with a small bucket loader, as they neglected to pot-hole using hand tools to verify the location of the underground facility which is a violation of NRS 455.137 and Nevada Administrative Code ("NAC") 455.150.

WHEREAS, Urban Jungle personnel is registered for Nevada Regional Common Ground Alliance ("NRCGA") training on Nevada's "One Call Law" contained in Chapters 455 of the NRS and the NAC, and will undergo said training at the earliest possible opportunity, in any case, not later than ninety (90) days following acceptance this Stipulation by the Commission

1 **WHEREAS, Staff Gas Pipeline Engineer, Neil Pascual, conducted an investigation of Urban**
2 **Jungle's excavations for adherence to Nevada's One Call Law, and Urban Jungle cooperated with**
3 **Staff's investigation.**

4 **WHEREAS, any history of previous Nevada One Call Law violations is a factor to be**
5 **considered by the Commission in reviewing the amount of penalty under NRS 455.170(5)(c), and**
6 **Staff has a record of Urban Jungle being given a verbal warning in the field for violation of Nevada**
7 **One Call Law prior to the damages and violations described herein. On January 31, 2014, Urban**
8 **Jungle struck and damaged a Century Link Communications line at the Boulder City Hospital while**
9 **excavating without a valid dig ticket.**

10 **WHEREAS, on March 3, 2014, Urban Jungle crews were provided with One-Call training at**
11 **their office in Boulder City.**

12 **WHEREAS, based upon information gathered through its investigation of the damages, Staff**
13 **determined that Urban Jungle violated Nevada One Call Law as follows ("Violations"):**

- 14 **1) February 16, 2016, excavating with an expired dig ticket, violation of NRS**
15 **455.110(1);**
- 16 **2) February 17, 2016, failure to obtain dig ticket, violation of NRS 455.110(1); and**
17 **3) February 18, 2016, failure to determine exact location of marked facility prior to**
18 **using mechanical equipment, violation of NRS 455.137(1);**

19 **WHEREAS, pursuant to NRS 455.170, the maximum penalty for the Violations as calculated**
20 **by Staff is \$7,500.00.**

21 **WHEREAS, Staff and Urban Jungle (collectively, the "Parties) negotiated a mutually**
22 **acceptable settlement of this matter, which includes a civil penalty.**

23 **NOW THEREFORE, based upon the mutual agreement reflected in this Stipulation, the**
24 **Parties agree and recommend that the Commission accept the following:**

- 25 **1. Urban Jungle acknowledges its Violations of the Nevada One Call Law.**

26 **///**

27 **///**

28 **///**

1 2. Urban Jungle consents to imposition of a civil penalty pursuant to NRS 455.170 in the
2 amount of \$7,500.00 for the Violations. As a compliance item, Staff and Urban Jungle agree that
3 Urban Jungle will submit payment of a civil penalty in the amount of \$3,750.00 to the Commission
4 for deposit in the State General Fund within 30 days of the issuance of the Commission's Order
5 accepting this Stipulation. The remainder of the \$7,500.00 civil penalty, or \$3,750.00, will be held in
6 abeyance for a period of twenty-four months from the date of issuance of the Commission's Order
7 accepting this Stipulation ("Abeyance Period"). Any willful/repeated violation(s) by Urban Jungle of
8 the One Call Law within the twenty-four-month Abeyance Period will trigger payment of the
9 \$3,750.00 amount held in abeyance and will subject Urban Jungle to the possibility of additional civil
10 penalties or Commission action related to the new violation(s).

11 3. The admissions by Urban Jungle are for this proceeding only and are not an admission
12 with respect to any standard of conduct, state of mind, authorization, or any other matter not
13 expressly set forth above or related to any other proceeding or matter.


14 4. Neither this Stipulation, nor its terms, nor the Commission's acceptance of the
15 recommendations contained in this Stipulation shall have any precedential effect in other proceedings
16 before the Commission, in proceedings before a court of law, or any state government regulatory
17 bodies, nor shall it be admissible or otherwise used in any proceedings before a court of law, or any
18 state government regulatory bodies for any purpose.

19 5. This Stipulation is made upon the express understanding that it constitutes a
20 negotiated settlement. The provisions of this Stipulation are not severable. In the event the
21 Commission does not adopt the recommendations contained in the Stipulation in total, then this
22 Stipulation shall be void and no signatory shall be bound by any of the agreements or provisions.

23 ///
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1 6. This Stipulation may be signed in one or more counterparts, all of which together shall
2 constitute the original executed document. This Stipulation may be executed by signatures provided
3 by electronic facsimile transmission (i.e., fax copies), which facsimile signatures shall be as binding
4 and effective as original signatures.

5 **REGULATORY OPERATIONS STAFF OF THE**
6 **PUBLIC UTILITIES COMMISSION OF NEVADA**

7
8 By: 
9 Samuel S. Crano, Esq.
Assistant Staff Counsel

Dated: 4-12-16

10 **URBAN JUNGLE CONTRACTORS LTD**

11
12 By: 
13 Gregory Hess
14 President and Owner

Dated: 4-9-16

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Matthew Fox

From: Mahin Quintero
Sent: Thursday, July 21, 2016 3:58 PM
To: Elizabeth Avram
Cc: Ann M Scott; Hayley Williamson; Garrett Weir
Subject: RE: 16-04014 - Compliance Item

I had to do a little digging (specifically on where you said that the matter is referred back to Staff because the Company didn't comply) because I've never heard of that for a situation like this. Here's what I found out:

1. Paul M. has contacted the Company to inform them that they are delinquent in paying their penalty. We'll see what, if anything, comes of that. If nothing:
2. What's been done in the past is that GC files a letter in the docket stating that the Company didn't pay the penalty. The memo usually ends with something like : "General Counsel requests that the matter be assigned to a Presiding Officer for consideration of the late-paid civil penalty compliance item." Then it goes to hearing. (13-12039 is an example of this exact situation; this Docket didn't go to hearing because the Company agreed to an additional \$500 civil penalty via a Stip).

If the process has since changed, let me know and we'll make sure we get Staff's duties clarified.

Thanks!

Mahin Quintero

Executive Assistant
Regulatory Operations
Public Utilities Commission of Nevada
Direct: 775-684-6105
Fax: 775-684-6178

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From: Elizabeth Avram
Sent: Thursday, July 21, 2016 10:54 AM
To: Mahin Quintero <mquintero@puc.nv.gov>
Cc: Ann M Scott <amscott@puc.nv.gov>; Hayley Williamson <hwilliamson@puc.nv.gov>; Garrett Weir <gweir@puc.nv.gov>
Subject: RE: 16-04014 - Compliance Item

Thanks! I will enter the compliance info into docket tracker, but since they are non-compliant, it is my understanding that it goes back to staff for possible action before the Commission. Please let me know if your understanding is something else.

Liz
X46108

From: Mahin Quintero
Sent: Thursday, July 21, 2016 10:45 AM

To: Elizabeth Avram <eavram@puc.nv.gov>

Cc: Ann M Scott <amscott@puc.nv.gov>; Hayley Williamson <hwilliamson@puc.nv.gov>; Garrett Weir <gweir@puc.nv.gov>

Subject: RE: 16-04014 - Compliance Item

Good Morning, Liz!

Attached is the e-mail BPS copied you on regarding this compliance. Staff isn't assigned to compliances that have to do with verifying fine payments being deposited (which was my red flag).

The compliance has been corrected to reflect the responsible division as GC instead of Engineering, so you are free to do your compliance closure stuff. Let me know if you have any questions or issues.

Thanks!

Mahin Quintero

Executive Assistant
Regulatory Operations
Public Utilities Commission of Nevada
Direct: 775-684-6105
Fax: 775-684-6178

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From: Elizabeth Avram

Sent: Wednesday, July 20, 2016 10:47 AM

To: Mahin Quintero <mquintero@puc.nv.gov>

Cc: Ann M Scott <amscott@puc.nv.gov>; Hayley Williamson <hwilliamson@puc.nv.gov>; Garrett Weir <gweir@puc.nv.gov>

Subject: FW: 16-04014 - Compliance Item

Hello, Mahin!

I received notification in June that there was a compliance entered in this docket which was due on or about 7/14. I checked with Ann Scott, and the Commission has not received any portion of the fine. Docket tracker lists this as an engineering compliance versus a GC compliance (there are no other compliances). Given the non-compliance, I guess this would go back to Staff anyway.

I am just letting you know that GC will not be preparing a closing memo. Similarly, I have not made any notes in the compliance field since it is listed as an engineering compliance.

Please feel free to contact me with any questions or let me know if there is anything further that you or Staff might need from GC in this regard.

Thanks!

Liz

Elizabeth Avram
Legal Research Assistant

Office of General Counsel
Public Utilities Commission of Nevada
1150 E. William Street
Carson City, NV 89701-3109
Tel. 775.684.6108
Fax 775.684.6186



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From: Ann M Scott
Sent: Wednesday, July 20, 2016 9:58 AM
To: Elizabeth Avram <eavram@puc.nv.gov>
Subject: RE: 16-04014 - Compliance Item

As of mail delivery yesterday, this items remain unpaid and a past due notice has been mailed out.

Thank you
Ann Scott
(775) 684-6187 ☎
(775) 684-6161 ☎
amscott@puc.nv.gov



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From: Elizabeth Avram
Sent: Wednesday, July 20, 2016 9:23 AM
To: Ann M Scott <amscott@puc.nv.gov>
Subject: FW: 16-04014 - Compliance Item

Hey, Ann! Do you know if we received any payment from Urban Jungle on this?

From: Jennifer Sturm
Sent: Tuesday, June 14, 2016 3:51 PM
To: Elizabeth Avram <eavram@puc.nv.gov>
Cc: Trisha Osborne <trosborne@puc.nv.gov>; Sabrena L. Cusick <scusick@puc.nv.gov>
Subject: 16-04014 - Compliance Item

Hi Liz,

A fine was entered as a compliance item on 6/14 in Docket 16-04014.

Thank you,

Jen Sturm

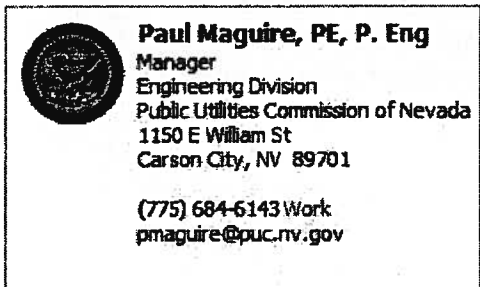
Business Process Analyst II
Public Utilities Commission of Nevada
1150 E. William Street
Carson City, NV 89701-3109
775-684-6144 (direct)
775-684-6110 (fax)



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Paul Maguire

From: Paul Maguire
Sent: Thursday, September 15, 2016 2:06 PM
To: Sam Crano
Subject: FW: NRS 455 Stipulation Docket 16-04014



This message, including any attachments, is the property of the Public Utilities Commission of Nevada and is solely for the use of the individual or entity intended to receive it. It may contain confidential, privileged, and/or proprietary information and any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient(s) or if you have received this message in error, please contact the sender by reply email and permanently delete it.

From: Craig Rogers
Sent: Wednesday, September 07, 2016 3:31 PM
To: Neil Pascual <npascual@puc.nv.gov>
Cc: Paul Maguire <pmaguire@puc.nv.gov>
Subject: Re: NRS 455 Stipulation Docket 16-04014

Active tickets;
W620001956
W620001949
W624600806
W624600810
W624600814

Get [Outlook for iOS](#)

On Wed, Sep 7, 2016 at 3:18 PM -0700, "Craig Rogers" <crogers@puc.nv.gov> wrote:

I will find out

Get [Outlook for iOS](#)

On Wed, Sep 7, 2016 at 2:08 PM -0700, "Neil Pascual" <npascual@puc.nv.gov> wrote:

Craig,

Any way to check if these guys have any dig tickets active?

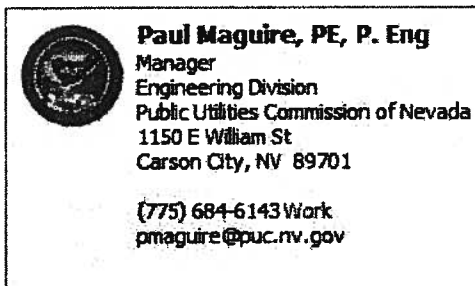
Neil Pascual
Public Utilities Commission of Nevada
Email: npascual@puc.nv.gov Cell: 702.305.9519

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----- Forwarded message -----

From: "Paul Maguire" <pmaguire@puc.nv.gov>
Date: Wed, Sep 7, 2016 at 2:05 PM -0700
Subject: RE: NRS 455 Stipulation Docket 16-04014
To: "Neil Pascual" <npascual@puc.nv.gov>

Nope nothing, Are they still in business?



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From: Neil Pascual
Sent: Wednesday, September 07, 2016 1:13 PM
To: Paul Maguire <pmaguire@puc.nv.gov>
Subject: FW: NRS 455 Stipulation Docket 16-04014

anything from these guys?

Neil Pascual

Public Utilities Commission of Nevada
Email: npascual@puc.nv.gov Cell: 702.305.9519

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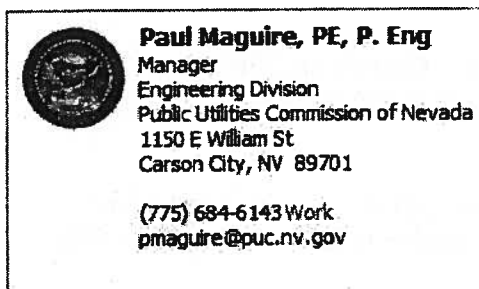
From: Paul Maguire
Sent: Thursday, July 21, 2016 11:21 AM
To: 'Matt Hess'
Cc: 'Linda Hess'; Sam Crano; Mahin Quintero; Neil Pascual
Subject: NRS 455 Stipulation Docket 16-04014

Matt

Your payment for that attached agreed to violation was due on July 14, 2016. Please pay the amount as required in the Order attached. How to send payments can be found the PUCN website.

Failure to pay can result in additional civil penalties.

PM



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PUBLIC UTILITIES COMMISSION OF NEVADA
MEMORANDUM

RECEIVED
PUBLIC UTILITIES COMMISSION
OF NEVADA CARSON CITY

2016 AUG -1 AM 11:17

DATE: August 1, 2016
TO: Ms. Trisha Osborne, Assistant Commission Secretary
FROM: General Counsel's Office (HAW)
SUBJECT: Compliance Item in Docket No. 16-04014



The Commission issued an Order on June 14, 2016, in Docket 16-04014 accepting a stipulation regarding violations of Nevada's One Call Law by Urban Jungle Contractors LTD ("Urban Jungle"). The Order specified that:

"Within 30 days of the issuance of this Order, Urban Jungle Contractors LTD shall submit to the Commission payment of a fine in the amount of \$7,500.00, \$3,750.00 of which must be immediately deposited in the State General Fund and \$3,750.00 of which will be held in abeyance for 24 months (to be paid as a civil penalty in the event that Urban Jungle Contractors LTD willfully violates or repeats a violation of the One Call Law within the 24-month abeyance period)."

To date, no portion of the fine has been received by the Commission. On July 18, 2016, The Commission's Fiscal Division sent a Notice of Delinquency (attached) to Urban Jungle indicating that the civil penalty was 30 days past due.

General Counsel submits this memorandum to the Assistant Secretary of the Commission in Docket No. 16-04014 to advise the Commission that Urban Jungle did not timely comply with the terms of the Stipulation or the compliance in the Commission's Order.

General Counsel requests that this matter be assigned to a Presiding Officer for consideration of the non-payment of the civil penalty, and general non-compliance with the terms of the Stipulation.



BRIAN SANDOVAL
Governor

STATE OF NEVADA
PUBLIC UTILITIES COMMISSION

PAUL A. THOMSEN
Chairman
ALAINA BURTENSHAW
Commissioner
DAVID NOBLE
Commissioner
STEPHANIE MULLEN
Executive Director

July 18, 2016

Urban Jungle Contractors, LTD
PO Box 60609
Boulder City, NV 89006

30 DAYS PAST DUE

RE: NOTICE OF DELINQUENCY

Dear Mr. Gregory Hess:

PAST DUE

An administrative fine was imposed upon Urban Jungle Contractors, LTD as a result of the Public Utilities Commission's (Commission) Order in Docket No. 16-04014 on June 14, 2016. The Commission sent notification with the related order to the company on June 14, 2016.

Prompt attention to this matter is required. If the fine is not received, the Commission may take further action, including assignment of the debt to the State of Nevada Controller's Office for collection pursuant to NRS 353C.195. In addition, pursuant to NRS 353C.135, if the debt is turned over to a collection agency, you may be required to pay collection costs and fees of up to 35% of the debt or \$50,000 whichever is less.

Should you have any questions regarding this delinquency, please contact me at 775-684-6187.

Sincerely,

Ann Scott
Administrative Analyst

NORTHERN NEVADA OFFICE
1150 East William Street
Carson City, Nevada 89701-3109
(775) 684-6101 • Fax (775) 684-6110

<http://puc.nv.gov>

SOUTHERN NEVADA OFFICE
9075 West Diablo Drive, Suite 250
Las Vegas, Nevada 89148
(702) 486-7210 • Fax (702) 486-7206



BRIAN SANDOVAL
Governor

STATE OF NEVADA
PUBLIC UTILITIES COMMISSION

docket no # 16-04014

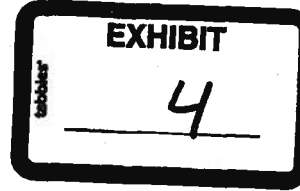
PAUL A. THOMSEN
Chairman

ALAINA BURTONSHAW
Commissioner

DAVID NOBLE
Commissioner

STEPHANIE MULLEN
Executive Director

August 15, 2016



Urban Jungle Contractors, LTD
PO Box 60609
Boulder City, NV 89006

60 DAYS PAST DUE

RE: NOTICE OF DELINQUENCY

PAST DUE

Dear Mr. Gregory Hess:

An administrative fine was imposed upon Urban Jungle Contractors, LTD as a result of the Public Utilities Commission's (Commission) Order in Docket No. 16-04014 on June 14, 2016. The Commission sent notification with the related order to the company on June 14, 2016.

Prompt attention to this matter is required. If the fine is not received, the Commission may take further action, including assignment of the debt to the State of Nevada Controller's Office for collection pursuant to NRS 353C.195. In addition, pursuant to NRS 353C.135, if the debt is turned over to a collection agency, you may be required to pay collection costs and fees of up to 35% of the debt or \$50,000 whichever is less.

Should you have any questions regarding this delinquency, please contact me at 775-684-6187.

Sincerely,

Ann Scott
Administrative Analyst

NORTHERN NEVADA OFFICE
1150 East William Street
Carson City, Nevada 89701-3109
(775) 684-6101 • Fax (775) 684-6110

<http://puc.nv.gov>

SOUTHERN NEVADA OFFICE
9075 West Diablo Drive, Suite 250
Las Vegas, Nevada 89148
(702) 486-7210 • Fax (702) 486-7206

BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA

Petition of the Regulatory Operations Staff requesting)
the Commission accept a stipulation regarding)
violations of Nevada’s One Call Law by Urban Jungle) Docket No. 16-04014
Contractors LTD.)
_____)

At a general session of the Public Utilities
Commission of Nevada, held at its offices
on October 12, 2016.

PRESENT: Chairman Joseph C. Reynolds
Commissioner Paul A. Thomsen
Acting Commissioner Leo Drozdoff
Assistant Commission Secretary Trisha Osborne .

ORDER

The Public Utilities Commission of Nevada (“Commission”) makes the following findings
of fact and conclusions of law:

I. INTRODUCTION

Regulatory Operations Staff (“Staff”) filed a Petition requesting the Commission accept a Stipulation regarding violations of Nevada’s One Call Law (“NOCL”) by Urban Jungle Contractors LTD (“Urban Jungle”). The Commission granted the Petition and accepted the Stipulation in an Order issued on June 14, 2016. The Order required Urban Jungle to submit a civil penalty in the amount of \$3,750 to the Commission within 30 days of issuance of the Order. Urban Jungle has failed to submit the civil penalty to the Commission.

II. SUMMARY

The Commission assesses Urban Jungle a civil penalty in the amount of \$1,000 for failure to comply with the Commission’s June 14, 2016, Order.

III. PROCEDURAL HISTORY

- On April 12, 2016, Staff filed the Petition.
- Staff filed the Petition pursuant to the Nevada Revised Statutes (“NRS”) and the Nevada Administrative Code (“NAC”), including, but not limited to, NAC 703.540.
- Staff participates as a matter of right pursuant to NRS 703.301.
- On April 18, 2016, the Commission issued a Notice of Petition.
- On May 20, 2016, the Commission’s Office of General Counsel filed with the Commission a Memorandum recommending accepting the Stipulation and granting the Petition.

- On June 14, 2016, the Commission issued an Order granting the Petition and accepting the Petition.
- On August 1, 2016, the Commission's Office of General Counsel filed a Memorandum with the Commission stating that Urban Jungle had failed to comply with the Order by submitting a civil penalty in the amount of \$3,750 to the Commission within thirty days of the issuance of the Order. The Commission's Office of General Counsel recommended that the Docket be assigned to a presiding officer for consideration of the non-payment of the civil penalty. Attached to the Memorandum was a copy of the thirty day past due letter sent by the Commission to Urban Jungle.
- On August 12, 2016, the Commission issued a Notice of Hearing.
- On August 12, 2016, the Hearing Officer issued a Procedural Order adopting procedures.
- On September 21, 2016, the Hearing Officer held a duly noticed hearing in this matter. Staff made an appearance. Urban Jungle failed to appear. At the conclusion of the hearing, the Hearing Officer granted an oral motion to accept Exhibit Nos. 1-5 into the record pursuant to NAC 703.730.

IV. FAILURE TO COMPLY WITH THE COMMISSION'S JUNE 14, 2016, ORDER

Staff

1. At hearing, Urban Jungle failed to appear. Staff stated that it sent an electronic mail to Urban Jungle on July 21, 2016, advising Urban Jungle that a civil penalty as reflected in the Stipulation and Order was due on July 14, 2016. Staff advised further that additional civil penalties could be assessed for failure to pay the initial civil penalty. (Ex. 5.)

Commission Discussion and Findings

2. Urban Jungle has violated the terms of the Stipulation and the Order by failing to submit a civil penalty in the amount of \$3,750 to the Commission within thirty days of the issuance of the Order. (Ex. 1 and 2.)

3. Urban Jungle has been provided with thirty-day and sixty-day late notices of its past due civil penalty. (Ex. 3 and 4.) Despite such notices, the Notice of Hearing, and the Procedural Order, Urban Jungle has made no attempt to pay the civil penalty owed nor explain its failure to do so.


4. Pursuant to NRS 703.380(1)(c) the Commission may render civil penalties for failure to obey Commission orders. Urban Jungles has failed to obey the Commission's Order by

3. The Commission may correct any errors that occurred in the drafting or issuance of this Order without further proceedings.

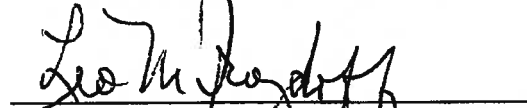
By the Commission,




JOSEPH C. REYNOLDS, Chairman



PAUL A. THOMSEN, Commissioner



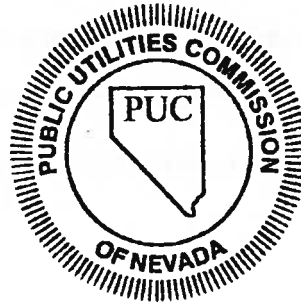
LEO DROZDOFF, Acting Commissioner

Attest: 

TRISHA OSBORNE
Assistant Commission Secretary

Dated: Carson City, Nevada
10/17/16

(SEAL)





BRIAN SANDOVAL
Governor

STATE OF NEVADA
PUBLIC UTILITIES COMMISSION

JOE REYNOLDS
Chairman

PAUL THOMSEN
Commissioner

LEO DROZDOFF
Acting Commissioner

STEPHANIE MULLEN
Executive Director

October 5, 2016

VIA EMAIL

Attn: Fred Voltz
zebedee_177@yahoo.com

Re: Records Request

Mr. Voltz:

Chapter 239 of the Nevada Revised Statutes ("NRS"), specifically NRS 239.0107(1), requires a governmental entity to respond to public records requests within five business days. Accordingly, the Public Utilities Commission of Nevada ("Commission") is responding to your October 3, 2016, request for "Third Quarter, 2016 PUCN Administrative Fines Report."

The attached documents constitute all of the Commission's records responsive to your request.

If you have any questions, wish to clarify your request to inspect public records, or require assistance in accessing records via the Commission's website, please feel free to contact me.

Sincerely,

Hayley Williamson
Assistant General Counsel
Public Utilities Commission of Nevada
(775) 684-6184
hwilliamson@puc.nv.gov

cc: Stephanie Mullen, Executive Director

**PUBLIC UTILITIES COMMISSION OF NEVADA
MEMORANDUM**

DATE: October 4, 2016
TO: Commissioners
FROM: Stephanie Mullen, Executive Director
RE: Administrative Fines Quarterly Report

Attached for your review is the Administrative Fines report by Docket as of September 30, 2016.

All money collected by the Commission as an administrative fine has been deposited in the State General Fund pursuant to NRS 703.380(4).

All delinquent debt has been referred to the State Controller's Office for collection. Pursuant to NRS 353C.195 the State Controller acts as the collection agent.

Additionally, in accordance with NRS 353C.220 the State Controller's Office may request the State Board of Examiners (BOE) and/or Clerk of the BOE to designate a debt as a bad debt in which case the debt will be removed from the books of account of the State of Nevada.

**PUBLIC UTILITIES COMMISSION
ADMINISTRATIVE FINES BY DOCKET as of September 30, 2016**

Company Name:	Fine	Date of Order	Date Due	Payment	Date of Payment	Docket No.	Sent to Controller's Office for Collection	BOE Approval for Write Off	BOE Date
ACCXX Communications	\$ 1,000.00	04/15/08	04/15/08			07-12009	03/31/10		
ATMC, Inc.	\$ 1,000.00	04/15/08	04/15/08			07-12009	03/31/10		
CAT Communications INTL, Inc.	\$ 1,000.00	04/15/08	04/15/08			07-12009	03/31/10		
Communications Experts, Inc.	\$ 1,000.00	04/15/08	04/15/08			07-12009	03/31/10		
Dial Teck	\$ 1,000.00	04/15/08	04/15/08			07-12009	03/31/10		
Fones 4 All Corp	\$ 1,000.00	04/15/08	04/15/08			07-12009	03/31/10		
Galaxy Communications	\$ 250.00	04/15/08	04/15/08	\$ 250.00	12/17/08	07-12009			
Great American Networks	\$ 250.00	04/15/08	04/15/08	\$ 250.00	01/08/09	07-12009			
Intandem Communications	\$ 1,000.00	04/15/08	04/15/08			07-12009			
I-Wireless	\$ 250.00	04/15/08	04/15/08	\$ 250.00	05/27/08	07-12009			
Mettei	\$ 250.00	04/15/08	04/15/08	\$ 250.00	05/23/08	07-12009			
Mobile ESPN, LLC	\$ 1,000.00	04/15/08	04/15/08	\$ 1,000.00	05/23/13	07-12009			
Movkia Communications	\$ 1,000.00	04/15/08	04/15/08			07-12009	03/31/10		
Norstan Network	\$ 1,000.00	04/15/08	04/15/08			07-12009	03/31/10		
GLD, Group Long Distance, Inc.	\$ 1,000.00	04/15/08	04/15/08	\$ 997.17	11/12/10	07-12009	03/31/10		
Quality Telephone	\$ 500.00	04/15/08	04/15/08	\$ 500.00	05/17/10	07-12009	03/31/10		
Smart Talk Teleservices, Inc.	\$ 1,000.00	04/15/08	04/15/08			07-12009	03/31/10		
Teicentrex, LLC	\$ 1,000.00	04/15/08	04/15/08			07-12009	03/31/10		
Touch 1	\$ 1,000.00	04/15/08	04/15/08			07-12009	03/31/10		
Trinsic Communications	\$ 1,000.00	04/15/08	04/15/08			07-12009	03/31/10		
TTUSA Acquisition, Inc.	\$ 1,000.00	04/15/08	04/15/08	\$ 1,000.00	06/18/08	07-12009	03/31/10		
Unlimited Wireless PCS	\$ 1,000.00	04/15/08	04/15/08	\$ 1,000.00	06/23/08	07-12009	03/31/10		
US In Touch	\$ 1,000.00	04/15/08	04/15/08			07-12009	03/31/10		
V&V, Inc. The Local Connection	\$ 500.00	04/15/08	04/15/08			07-12009	03/31/10		
Vycera Communications	\$ 500.00	04/15/08	04/15/08	\$ 500.00	05/15/08	07-12009	03/31/10		
Yak Communications	\$ 1,000.00	04/15/08	04/15/08			07-12009	03/31/10		
Wherify Wireless, Inc.	\$ 250.00	04/15/08	04/15/08	\$ 250.00	06/02/08	07-12009	03/31/10		
Zlar Mobile	\$ 250.00	04/15/08	04/15/08			07-12009	03/31/10		
<hr/>									
Enel Salt Wells, LLC.	\$ 25,000.00	04/29/08	05/29/08	\$ 25,000.00	05/22/08	07-08006			
<hr/>									
TTC, Inc.	\$ 100,000.00	03/17/08	03/17/08			07-08011	03/31/10		
<hr/>									
Nevada Telephone	\$ 4,000.00	04/30/08	05/20/08	\$ 4,000.00	06/02/08	08-02001			
<hr/>									
United Underground	\$ 2,500.00	02/08/09	03/08/09	\$ 2,500.00	02/17/09	08-08016			
<hr/>									
Aimex Communications, Inc.	\$ 1,000.00	04/22/09	04/22/09	\$ 1,000.00	10/18/12	08-11023	03/31/10		
American Cyber Corporation	\$ 1,000.00	04/22/09	04/22/09	\$ 1,000.00	08-11023	08-11023	03/31/10		
BP Energy Company	\$ 500.00	04/22/09	04/22/09	\$ 500.00	08/31/09	08-11023	03/31/10		
Broadwave Networks of Nevada	\$ 1,000.00	04/22/09	04/22/09			08-11023	03/31/10		
Clertech.com, Inc.	\$ 1,000.00	04/22/09	04/22/09			08-11023	03/31/10		

**PUBLIC UTILITIES COMMISSION
ADMINISTRATIVE FINES BY DOCKET as of September 30, 2016**

Company Name:	Fine	Date of Order	Date Due	Payment	Date of Payment	Docket No.	Sent to Controller's Office for Collection	BOE Approval for Write Off	BOE Date
Economy Telephone, Inc.	\$ 1,000.00	04/22/09	04/22/09			08-11023	03/31/10		
Enhanced Global Convergence Services, Inc.	\$ 1,000.00	04/22/09	04/22/09			08-11023	03/31/10		
Excel Telecommunications, Inc.	\$ 1,000.00	04/22/09	04/22/09			08-11023	03/31/10		
Faith Communications of Nevada, Inc.	\$ 1,000.00	04/22/09	04/22/09			08-11023	03/31/10		
Global Naps, Inc.	\$ 1,000.00	04/22/09	04/22/09			08-11023	03/31/10		
Global Touch Telecom, Inc.	\$ 1,000.00	04/22/09	04/22/09			08-11023	03/31/10		
Goor StarNet, Inc.	\$ 1,000.00	04/22/09	04/22/09			08-11023	03/31/10		
Interlment Telephone of Nevada, Inc.	\$ 1,000.00	04/22/09	04/22/09			08-11023	03/31/10		
Impulse Telecom Corporation	\$ 1,000.00	04/22/09	04/22/09			08-11023	03/31/10		
IPVoice Communications, Inc.	\$ 1,000.00	04/22/09	04/22/09			08-11023	03/31/10		
Las Vegas Telephone, Inc.	\$ 1,000.00	04/22/09	04/22/09			08-11023	03/31/10		
Legacy Telecommunications Corporation	\$ 1,000.00	04/22/09	04/22/09			08-11023	03/31/10		
Netfjix Telecom, Inc.	\$ 1,000.00	04/22/09	04/22/09	\$ 1,000.00	06/30/09	08-11023	03/31/10		
NHC Communications	\$ 1,000.00	04/22/09	04/22/09			08-11023	03/31/10		
Preferred Carrier Services, Inc.	\$ 1,000.00	04/22/09	04/22/09			08-11023	03/31/10		
Premiere Network Services, Inc.	\$ 1,000.00	04/22/09	04/22/09			08-11023	03/31/10		
Reno Communications	\$ 1,000.00	04/22/09	04/22/09			08-11023	03/31/10		
Tribal Shout, Inc.	\$ 1,000.00	04/22/09	04/22/09			08-11023	03/31/10		
Universal Telecom, Inc.	\$ 1,000.00	04/22/09	04/22/09			08-11023	03/31/10		
Vantec Solutions, Inc.	\$ 1,000.00	04/22/09	04/22/09			08-11023	03/31/10		
Wasatch Energy, LLC.	\$ 1,000.00	04/22/09	04/22/09			08-11023	03/31/10		
Western States Contracting, Inc.	\$ 3,500.00	07/20/09	08/19/09	\$ 3,500.00	08/14/09	09-03020			
Westcom, Inc.	\$ 5,000.00	07/20/09	08/19/09	\$ 5,000.00	01/04/10	09-03025			
Iron Horse Construction, Inc.	\$ 2,500.00	08/11/09	09/10/09	\$ 2,500.00	09/21/09	09-03017			
Cedco Grading, LLC.	\$ 2,500.00	09/01/09	10/01/09	\$ 2,500.00	10/05/09	09-02028			
Wells Cargo, Inc.	\$ 5,000.00	09/22/09	09/22/09	\$ 5,000.00	10/05/09	09-04008			
1-800-Reconex, Inc.	\$ 1,000.00	04/02/10	05/02/10			09-11021	09/30/10		10/11/16
Advanced Tel, Inc.	\$ 2,000.00	04/02/10	05/02/10			09-11021	09/30/10		10/11/16
Affinity Mobile, LLC.	\$ 1,000.00	04/02/10	05/02/10			09-11021	09/30/10		10/11/16
Airlink Mobile, Inc.	\$ 2,000.00	04/02/10	05/02/10			09-11021	09/30/10		10/11/16
Amargosa Estates	\$ 1,000.00	04/02/10	05/02/10			09-11021	09/30/10		10/11/16
Azteca Mobile, LLC.	\$ 1,000.00	04/02/10	05/02/10			09-11021	09/30/10		10/11/16
Business Productivity Solutions, Inc.	\$ 2,000.00	04/02/10	05/02/10			09-11021	09/30/10		10/11/16
Edge Wireless, LLC.	\$ 1,000.00	04/02/10	05/02/10			09-11021	09/30/10		10/11/16
Excel Telecommunications	\$ 2,000.00	04/02/10	05/02/10			09-11021	09/30/10		10/11/16
GTC Telecom Corp	\$ 1,000.00	04/02/10	05/02/10			09-11021	09/30/10		10/11/16
IDT America, Corp (CPC)	\$ 750.00	04/02/10	05/02/10	\$ 750.00	06/03/10	09-11021	09/30/10		10/11/16

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Company Name:	Fine	Date of Order	Data Due	Payment	Date of Payment	Docket No.	Sent to Controller's Office for Collection	BOE Approval for Write Off	BOE Date
IDT America, Corp (CMRS)	\$ 2,000.00	04/02/10	05/02/10	\$ 2,000.00	07/08/10	09-11021			
One Source Networks, Clec	\$ 1,000.00	04/02/10	05/02/10	\$ 987.17	11/30/10	09-11021	09/30/10		
Quantumshift Communications, Inc.	\$ 1,000.00	04/02/10	05/02/10	\$ 1,000.00	09/25/10	09-11021			
QX Telecom, LLC.	\$ 1,000.00	04/02/10	05/02/10	\$ 987.17	11/30/10	09-11021	09/30/10		
Telecare, Inc.	\$ 1,000.00	04/02/10	05/02/10			09-11021	09/30/10		
T-Netix Telecommunications Services, Inc.	\$ 750.00	04/02/10	04/02/10	\$ 750.00	07/02/10	09-11021			
T-Netix, Inc.	\$ 750.00	04/02/10	04/02/10	\$ 750.00	07/02/10	09-11021			
Touchtone Communications, Inc.	\$ 500.00	04/02/10	05/02/10	\$ 500.00	07/22/10	09-11021			
Ztar Mobile, Inc.	\$ 1,000.00	04/02/10	05/02/10	\$ 1,000.00	06/23/10	09-11021			
Underground, Inc.	\$ 7,500.00	12/22/10	01/21/11	\$ 7,500.00	01/11/11	10-08013			
Reliance Electric, Inc.	\$ 2,500.00	02/15/11	03/17/11	\$ 2,500.00	03/08/11	10-08021			
Insite Connect, LLC.	\$ 500.00	05/02/11	06/01/11			10-11007	10/15/11		
MetroPCS Nevada, LLC.	\$ 500.00	05/02/11	06/01/11	\$ 500.00	05/09/11	10-11007	10/15/11		
Siro Wireless, LLC	\$ 500.00	05/02/11	06/01/11			10-11007	10/15/11		
Telava Mobile, Inc.	\$ 1,000.00	05/02/11	06/01/11			10-11007	10/15/11		
Andiamo Telecom, LLC.	\$ 1,000.00	05/02/11	06/01/11			10-11007	10/15/11		
Asia Talk Telecom, Inc.	\$ 1,000.00	05/02/11	06/01/11			10-11007	10/15/11		
Connecto Communications, Inc.	\$ 1,000.00	05/02/11	06/01/11			10-11007	10/15/11		
Network US, Inc.	\$ 1,000.00	05/02/11	06/01/11			10-11007	10/15/11		
Telenational Communications, Inc.	\$ 1,000.00	05/02/11	06/01/11	\$ 1,500.00	06/02/11	10-11007	10/15/11		
Broadwave Networks, Inc.	\$ 1,500.00	05/02/11	06/01/11			10-11007	10/15/11		
Cintex Wireless, LLC.	\$ 250.00	12/27/11	01/28/12	\$ 250.00	02/27/12	11-08013			
Quantumshift Communications	\$ 500.00	12/27/11	01/28/12	\$ 500.00	01/18/12	11-08013			
Almex Communications, Inc.	\$ 500.00	12/27/11	01/28/12	\$ 500.00	09/17/12	11-08013	03/30/12		
Rural Telephone Company	\$ 250.00	12/27/11	01/28/12	\$ 250.00	01/11/12	11-08013			
ML Wheeler Power, Inc.	\$ 250.00	12/27/11	01/28/12	\$ 250.00	11/14/11	11-08013			
Amerigas Propane	\$ 350.00	12/27/11	01/28/12	\$ 350.00	01/06/12	11-08013			
Navigator Telecommunications	\$ 500.00	12/27/11	01/28/12	\$ 500.00	03/12/12	11-08013			
Comtel Telecom Assets	\$ 500.00	12/27/11	01/28/12	\$ 500.00	02/02/12	11-08013			
TON Services, Inc.	\$ 500.00	12/27/11	01/28/12	\$ 500.00	02/23/12	11-08013	03/30/12		
American Fiber Network, Inc.	\$ 500.00	12/27/11	01/28/12			11-08013	03/30/12		
Florida Telephone Services Hello, LLC	\$ 500.00	12/27/11	01/26/12	\$ 500.00	02/21/12	11-08013			
BNSF Railway Company	\$ 500.00	12/27/11	01/28/12	\$ 500.00	02/15/12	11-08013			
Cimco Communications, Inc.	\$ 500.00	12/27/11	01/28/12	\$ 500.00	06/27/12	11-08013			
Beehive Telephone Company, Inc.	\$ 500.00	12/27/11	01/28/12	\$ 500.00	01/10/12	11-08013			
Dutchman Acres Water Company	\$ 500.00	12/27/11	01/28/12	\$ 500.00	01/28/12	11-08013			
Indian Springs Water Company	\$ 500.00	12/27/11	01/28/12	\$ 500.00	01/17/12	11-08013			
Steamboat Springs Water Works, Inc.	\$ 500.00	12/27/11	01/28/12	\$ 500.00	01/28/12	11-08013			
Palm Gardens Water Cooperative	\$ 500.00	12/27/11	01/28/12	\$ 500.00	01/11/12	11-08013			
Central Telcom Services	\$ 500.00	12/27/11	01/28/12	\$ 500.00	01/09/12	11-08013			

**PUBLIC UTILITIES COMMISSION
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Company Name:	Fine	Date of Order	Date Due	Payment	Date of Payment	Docket No.	Sent to Controller's Office for Collection	BOE Approval for Write Off	BOE Date
Crexendo Business Solutions	\$ 500.00	12/27/11	01/28/12	\$ 500.00	01/17/12	11-08013			
Matrix Telecom, Inc.	\$ 500.00	12/27/11	01/28/12	\$ 500.00	01/25/12	11-08013			
SMSCorn, LLC.	\$ 500.00	12/27/11	01/28/12	\$ 500.00	01/28/12	11-08013			
Telesphere Access, LLC.	\$ 500.00	12/27/11	01/28/12	\$ 500.00	01/23/12	11-08013			
XYN Communications of Nevada, LLC.	\$ 500.00	12/27/11	01/28/12	\$ 500.00	07/20/16	11-08013	03/30/12		03/30/12
Halo Wireless, Inc.	\$ 500.00	12/27/11	01/28/12	\$ 500.00	05/01/12	11-08013	03/30/12		03/30/12
PNG Telecommunications, Inc.	\$ 500.00	12/27/11	01/28/12	\$ 500.00	01/18/12	11-08013			
TDS Long Distance Corporation	\$ 500.00	12/27/11	01/28/12	\$ 500.00	01/13/12	11-08013			
American Phone Services Corp	\$ 500.00	12/27/11	01/28/12	\$ 500.00	01/13/12	11-08013			
Mosaic Network, LLC.	\$ 500.00	12/27/11	01/28/12	\$ 500.00	04/28/12	11-08013	03/30/12		03/30/12
IBASIS Retail, Inc.	\$ 500.00	12/27/11	01/28/12	\$ 500.00	08/19/13	11-08013	03/30/12		03/30/12
Americatel Corporation	\$ 500.00	12/27/11	01/28/12	\$ 500.00	01/28/12	11-08013			
Roton Technologies, LLC.	\$ 500.00	12/27/11	01/28/12	\$ 500.00	01/28/12	11-08013			
Tiggertech, LLC.	\$ 500.00	12/27/11	01/28/12	\$ 500.00	01/28/12	11-08013			
Atrium Wireless Partners	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00	02/21/12	11-08013			
IKUN Energy, LLC.	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00	01/09/12	11-08013			
321 Communications, Inc.	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00	01/12/12	11-08013			
Tower Consulting, Inc.	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00	02/29/12	11-08013			
Association Administrators	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00		11-08013			
Occidental Energy Marketing	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00		11-08013			
US Telesis, Inc.	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00		11-08013			
Baldwin County Internet	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00		11-08013			
Broadwave Networks, Inc.	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00		11-08013			
Broadriver, Inc.	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00		11-08013			
Cheetah Wireless Technologies, Inc.	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00	02/02/12	11-08013			
Cypress Communications Operating Co	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00	01/17/12	11-08013			
Legacy Long Distance International	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00	01/23/12	11-08013			
McGraw Communications, Inc.	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00	04/05/12	11-08013			
Procell, Inc.	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00	04/27/12	11-08013	03/30/12		03/30/12
Toast Communications, Inc.	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00	01/28/12	11-08013			
Global Capacity Group	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00	01/23/12	11-08013			
National Comtel Network, Inc.	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00	04/05/12	11-08013			
Norstar Telecommunications, LLC.	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00	01/18/12	11-08013			
BP Energy Company	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00	01/17/12	11-08013			
Digital IPVoice	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00	04/24/12	11-08013	03/30/12		03/30/12
IGI Resources, Inc.	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00	01/20/12	11-08013	03/30/12		03/30/12
Liberty Telecom	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00	04/13/12	11-08013	03/30/12		03/30/12
Southwest Telephone Company	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00	02/27/12	11-08013			
Switch Business Solutions	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00	01/31/12	11-08013			
Teledata Solutions, Inc.	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00	05/17/12	11-08013			
Cornexions, LLC.	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00	01/28/12	11-08013	03/30/12		03/30/12
Net Talk, Inc.	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00	01/28/12	11-08013			
Pac-West Telecomm, Inc.	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00	01/27/12	11-08013	03/30/12		03/30/12
Tennessee Telephone Service, LLC.	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00	01/27/12	11-08013			
Telemanagement Services	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00	05/17/12	11-08013	03/30/12		03/30/12
Telnex USA	\$ 1,000.00	12/27/11	01/28/12	\$ 1,000.00		11-08013			
Southwest Gas Corporation	\$ 30,000.00	12/27/11	12/27/11	\$ 30,000.00	01/19/12	11-11008			

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Company Name:	Fine	Date of Order	Date Due	Payment	Date of Payment	Docket No.	Sent to Controller's Office for Collection	BOE Approval for Write Off	BOE Date
Pahrump 88	\$ 2,500.00	04/28/12	05/03/12			10-09004	04/18/13		10/11/16
Heritage Operating	\$ 10,500.00	05/10/12	06/09/12	\$ 10,500.00	05/16/12	12-03017			
Sierra Pacific Power Co	\$ 10,000.00	06/29/12	06/29/12	\$ 10,000.00	07/27/12	12-05017			
Southwest Gas Corporation	\$ 12,500.00	08/02/12	09/01/12	\$ 12,500.00	08/13/12	12-06015			
CG&B Enterprises, Inc.	\$ 1,000.00	09/06/12	10/06/12	\$ 1,000.00	09/24/12	12-07004			
Newmont Mining Corp	\$ 25,000.00	12/12/12	01/11/13	\$ 25,000.00	12/18/12	12-10028			
AccessLine Communications	\$ 125.00	02/20/13	03/21/13	\$ 125.00	02/28/13	12-08024			
Americatel Corporation	\$ 125.00	02/20/13	03/21/13	\$ 125.00	02/25/13	12-08024			
Amerigas Propane	\$ 625.00	02/20/13	03/21/13	\$ 625.00	02/22/13	12-08024			
Bandwidth.com	\$ 125.00	02/20/13	03/21/13	\$ 125.00	02/28/13	12-08024			
Business Network Long Distance Communications Network Billing	\$ 50.00	02/20/13	03/21/13	\$ 50.00	03/06/13	12-08024			
Crexendo Business Solutions	\$ 50.00	02/20/13	03/21/13	\$ 50.00	03/06/13	12-08024			
DigitalIPVoice	\$ 825.00	02/20/13	03/21/13	\$ 825.00	02/25/13	12-08024			
Dutchman Acres Water Company	\$ 1,000.00	02/20/13	03/21/13	\$ 1,000.00	06/10/13	12-08024			
France Telecom Corporate Solutions	\$ 1,000.00	02/20/13	03/21/13	\$ 1,000.00	03/19/13	12-08024			
Global Crossing Local Service	\$ 125.00	02/20/13	03/21/13	\$ 125.00	02/28/13	12-08024			
Global Crossing Telecommunications	\$ 125.00	02/20/13	03/21/13	\$ 125.00	03/09/13	12-08024			
Greenfield Communications	\$ 125.00	02/20/13	03/21/13	\$ 125.00	03/09/13	12-08024			
Inmate Communications Corp	\$ 125.00	02/20/13	03/21/13	\$ 125.00	03/21/13	12-08024	06/30/13		
Integrated Services i-wireless	\$ 50.00	02/20/13	03/21/13	\$ 50.00	03/08/13	12-08024			
Least Cost Routing	\$ 125.00	02/20/13	03/21/13	\$ 125.00	02/28/13	12-08024			
Locus Telecommunications	\$ 125.00	02/20/13	03/21/13	\$ 125.00	03/04/13	12-08024			
McGraw Communications	\$ 125.00	02/20/13	03/21/13	\$ 125.00	04/02/13	12-08024			
Moapa Valley Telephone	\$ 625.00	02/20/13	03/21/13	\$ 625.00	03/06/13	12-08024			
Mobile	\$ 125.00	02/20/13	03/21/13	\$ 125.00	02/21/13	12-08024			
Mosaic Network	\$ 825.00	02/20/13	03/21/13	\$ 825.00	03/15/13	12-08024			
Multiline Long Distance	\$ 50.00	02/20/13	03/21/13	\$ 50.00	03/08/13	12-08024			
National Access Long Distance	\$ 50.00	02/20/13	03/21/13	\$ 50.00	03/08/13	12-08024			
Nationwide Long Distance	\$ 50.00	02/20/13	03/21/13	\$ 50.00	03/08/13	12-08024			
NECC Telecom	\$ 125.00	02/20/13	03/21/13	\$ 125.00	03/07/13	12-08024			
Net One International	\$ 250.00	02/20/13	03/21/13	\$ 250.00	03/06/13	12-08024			
Netwolves Network Services	\$ 250.00	02/20/13	03/21/13	\$ 250.00	02/28/13	12-08024			
Network Billing Systems	\$ 125.00	02/20/13	03/21/13	\$ 125.00	02/27/13	12-08024			

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Company Name:	Fine	Date of Order	Date Due	Payment	Date of Payment	Docket No.	Sent to Controller's Office for Collection	BOE Approval for Write Off	BOE Date
Network Enhanced Technologies	\$ 125.00	02/20/13	03/21/13	\$ 125.00	03/19/13	12-08024			
Network Service Billing	\$ 50.00	02/20/13	03/21/13	\$ 50.00	03/06/13	12-08024			
NetworkIP	\$ 125.00	02/20/13	03/21/13	\$ 125.00	03/08/13	12-08024			
NewPath Networks	\$ 125.00	02/20/13	03/21/13	\$ 125.00	02/27/13	12-08024			
Pac-West Telecomm	\$ 1,000.00	02/20/13	03/21/13	\$ 1,000.00	03/21/13	12-08024			
Pay Tel Communications	\$ 125.00	02/20/13	03/21/13	\$ 125.00	03/06/13	12-08024			
Peerless Network of Nevada	\$ 125.00	02/20/13	03/21/13	\$ 125.00	03/12/13	12-08024			
Pioneer Telephone	\$ 125.00	02/20/13	03/21/13	\$ 125.00	03/07/13	12-08024			
Plumas-Sierra Rural Electric Cooperative	\$ 125.00	02/20/13	03/21/13	\$ 125.00	03/01/13	12-08024			
Primus Telecommunications	\$ 250.00	02/20/13	03/21/13	\$ 250.00	02/27/13	12-08024			
Quantumshift Communications	\$ 125.00	02/20/13	03/21/13	\$ 125.00	03/13/13	12-08024			
Securus Technologies	\$ 125.00	02/20/13	03/21/13	\$ 125.00	03/01/13	12-08024			
Smart City Networks	\$ 250.00	02/20/13	03/21/13	\$ 250.00	04/25/13	12-08024	06/30/13		
Tcast Communications	\$ 750.00	02/20/13	03/21/13	\$ 750.00		12-08024			
Teleserve Communications	\$ 250.00	02/20/13	03/21/13	\$ 250.00	03/04/13	12-08024			
Telescope Communications	\$ 125.00	02/20/13	03/21/13	\$ 125.00	03/01/13	12-08024			
U.S. South Communications	\$ 250.00	02/20/13	03/21/13	\$ 250.00	03/11/13	12-08024			
Valley Electric Association	\$ 250.00	02/20/13	03/21/13	\$ 250.00	03/08/13	12-08024			
Yak Communications	\$ 250.00	02/20/13	03/21/13	\$ 250.00		12-08024	06/30/13		
Zeus Telecommunications	\$ 250.00	02/20/13	03/21/13	\$ 250.00	03/19/13	12-08024			
365 Wireless	\$ 125.00	02/20/13	03/21/13	\$ 125.00	02/26/13	12-08024			
Airtouch Cellular	\$ 250.00	02/20/13	03/21/13	\$ 250.00	02/26/13	12-08024			
American Phone Services Corp	\$ 750.00	02/20/13	03/21/13	\$ 750.00	03/11/13	12-08024			
Assist Wireless	\$ 125.00	02/20/13	03/21/13	\$ 125.00	03/11/13	12-08024			
Autotel	\$ 1,000.00	02/20/13	03/21/13	\$ 1,000.00		12-08024	06/30/13		
Celco Partnership	\$ 250.00	02/20/13	03/21/13	\$ 250.00	02/26/13	12-08024			
Central Telcom Services	\$ 750.00	02/20/13	03/21/13	\$ 750.00	06/20/13	12-08024			
Comnet of Nevada	\$ 125.00	02/20/13	03/21/13	\$ 125.00	03/01/13	12-08024			
Consumer Cellular	\$ 500.00	02/20/13	03/21/13	\$ 500.00	02/28/13	12-08024			
CTC Communications Corp	\$ 250.00	02/20/13	03/21/13	\$ 250.00	02/28/13	12-08024			
CTC Communications	\$ 250.00	02/20/13	03/21/13	\$ 250.00	02/28/13	12-08024			
D.D.D. Calling	\$ 1,000.00	02/20/13	03/21/13	\$ 1,000.00		12-08024	06/30/13		
Entelligent Solutions	\$ 125.00	02/20/13	03/21/13	\$ 125.00	03/06/13	12-08024			
Flash Wireless	\$ 50.00	02/20/13	03/21/13	\$ 50.00	02/28/13	12-08024			
Kajeet	\$ 500.00	02/20/13	03/21/13	\$ 500.00	03/11/13	12-08024			
Nexcent Communications	\$ 500.00	02/20/13	03/21/13	\$ 500.00	03/11/13	12-08024			
NHC Communications	\$ 250.00	02/20/13	03/21/13	\$ 250.00	02/27/13	12-08024			
Procell	\$ 750.00	02/20/13	03/21/13	\$ 750.00	05/13/13	12-08024			
Reno Cellular Telephone Co	\$ 250.00	02/20/13	03/21/13	\$ 250.00	03/14/13	12-08024			
Roman	\$ 250.00	02/20/13	03/21/13	\$ 250.00	12/08/13	12-08024			
Rosemount Water Co	\$ 500.00	02/20/13	03/21/13	\$ 500.00	03/18/13	12-08024			
Rural Cellular Corp	\$ 500.00	02/20/13	03/21/13	\$ 500.00	02/28/13	12-08024			
Sacramento Valley	\$ 250.00	02/20/13	03/21/13	\$ 250.00	02/28/13	12-08024			
Shoshone Estates Water Co	\$ 50.00	02/20/13	03/21/13	\$ 50.00	03/08/13	12-08024			
Software Cellular Network	\$ 125.00	02/20/13	03/21/13	\$ 125.00	02/21/13	12-08024			
Southwest Telephone Co	\$ 125.00	02/20/13	03/21/13	\$ 125.00	03/11/13	12-08024			
Southwestco Wireless	\$ 250.00	02/20/13	03/21/13	\$ 250.00	02/28/13	12-08024			
Switch Business Solutions	\$ 750.00	02/20/13	03/21/13	\$ 750.00	03/01/13	12-08024			
Telefonica USA	\$ 250.00	02/20/13	03/21/13	\$ 250.00	03/11/13	12-08024			

**PUBLIC UTILITIES COMMISSION
ADMINISTRATIVE FINES BY DOCKET as of September 30, 2016**

Company Name:	Fine	Date of Order	Date Due	Payment	Date of Payment	Docket No.	Sent to Controller's Office for Collection	BOE Approval for Write Off	BOE Date
Telephere Access	\$ 1,000.00	02/20/13	03/21/13	\$ 1,000.00	03/02/13	12-08024			
Trans National Communications	\$ 125.00	02/20/13	03/21/13	\$ 125.00	02/25/13	12-08024			
Velocity the Greatest Phone Company Ever	\$ 125.00	02/20/13	03/21/13	\$ 125.00	03/15/13	12-08024			
Windstream NuVox	\$ 625.00	02/20/13	03/21/13	\$ 625.00	02/22/13	12-08024			
Working Assets Funding Service	\$ 250.00	02/20/13	03/21/13	\$ 250.00	03/05/13	12-08024			
WWC License	\$ 250.00	02/20/13	03/21/13	\$ 250.00	02/28/13	12-08024			
Ziar Mobile	\$ 1,000.00	02/20/13	03/21/13	\$ 1,000.00	03/31/14	12-08024	06/30/13		
ACN Communications	\$ 500.00	02/20/13	03/21/13	\$ 500.00	02/28/13	12-08024			
AboveNet Communications	\$ 375.00	02/20/13	03/21/13	\$ 375.00	03/04/13	12-08024			
Absolute Home Phone	\$ 500.00	02/20/13	03/21/13	\$ 500.00	02/25/13	12-08024			
Agnostic Networks	\$ 1,000.00	02/20/13	03/21/13	\$ 1,000.00		12-08024			
ALEC	\$ 250.00	02/20/13	03/21/13	\$ 250.00	02/19/13	12-08024	06/30/13		
American Fiber Network	\$ 3,000.00	07/15/13	08/14/13			12-08024			
BeiterWorld Telecom	\$ 375.00	02/20/13	03/21/13	\$ 375.00	02/22/13	12-08024	10/30/14		10/11/16
Broadview NP Acquisition	\$ 375.00	02/20/13	03/21/13	\$ 375.00	02/28/13	12-08024	06/30/13		
Business Telecom	\$ 500.00	02/20/13	03/21/13	\$ 500.00	03/05/13	12-08024			
Commerce Energy	\$ 1,000.00	02/20/13	03/21/13	\$ 1,000.00		12-08024			
ComintPartners	\$ 2,000.00	02/20/13	03/21/13	\$ 2,000.00		12-08024	06/30/13		
DeltaCom	\$ 500.00	02/20/13	03/21/13	\$ 500.00	02/28/13	12-08024			
Global Capacity Direct	\$ 2,000.00	02/20/13	03/21/13	\$ 2,000.00		12-08024	06/30/13		
Global Crossing North America	\$ 500.00	02/20/13	03/21/13	\$ 500.00	03/09/13	12-08024			
Go Solo Technologies	\$ 750.00	02/20/13	03/21/13	\$ 750.00	05/10/13	12-08024			
Grasshopper Group	\$ 250.00	02/20/13	03/21/13	\$ 250.00	06/05/13	12-08024			
Main Street Telephone Co	\$ 500.00	02/20/13	03/21/13	\$ 500.00	02/28/13	12-08024			
Midwestern Telecommunications	\$ 3,000.00	02/20/13	03/21/13	\$ 3,000.00		12-08024	06/30/13		
Mohave Cooperative Services	\$ 625.00	02/20/13	03/21/13	\$ 625.00	06/04/13	12-08024			
National Brands	\$ 2,000.00	02/20/13	03/21/13	\$ 2,000.00		12-08024	06/30/13		
Net Talk.com	\$ 1,125.00	02/20/13	03/21/13	\$ 1,125.00		12-08024	06/30/13		
Plumas Sierra Telecommunications	\$ 500.00	02/20/13	03/21/13	\$ 500.00	03/01/13	12-08024			
Pulse Telecom	\$ 375.00	02/20/13	03/21/13	\$ 375.00	03/07/13	12-08024			
Ridley Telephone Co	\$ 500.00	02/20/13	03/21/13	\$ 500.00	02/28/13	12-08024			
SMSCom	\$ 2,000.00	02/20/13	03/21/13	\$ 2,000.00		12-08024	06/30/13		
Telco Partners	\$ 500.00	02/20/13	03/21/13	\$ 500.00	02/28/13	12-08024			
Wendover Gas Co	\$ 2,000.00	02/20/13	03/21/13	\$ 2,000.00	07/02/13	12-08024			
Access One, Inc.	\$ 7,000.00	04/23/13	05/23/13	\$ 7,000.00	03/08/13 05/07/13	12-03021			
Shell Energy of North America (Bartick)	\$ 601,407.00	07/29/13	08/28/13	\$ 601,407.00	08/16/13	13-04001			
Sunstate Companies, Inc.	\$ 2,400.00	08/23/13	09/22/13	\$ 2,400.00	09/06/13	13-06039			
Cool Box Portable Equipment Rental & Sales	\$ 1,000.00	08/04/13	10/04/13	\$ 1,000.00	09/18/13	13-07020			

PUBLIC UTILITIES COMMISSION
ADMINISTRATIVE FINES BY DOCKET as of September 30, 2016

Company Name:	Fine	Date of Order	Date Due	Payment	Date of Payment	Docket No.	Sent to Controller's Office for Collection	BOE Approval for Write Off	BOE Date
Wendover Gas Company	\$ 2,500.00	10/28/13	02/28/14	\$ 2,500.00	02/20/14	13-07018			
Contri Construction Company	\$ 7,500.00	11/21/13	12/21/13	\$ 7,500.00	12/05/13	13-09013			
Spark Energy Gas, LP	\$ 5,000.00	12/20/13	01/19/14	\$ 5,000.00	03/04/14	13-09006			
Sierra Pacific Power Company	\$ 25,000.00	02/21/14	03/23/14	\$ 25,000.00	03/06/14	13-12037			
Nevada Power Company	\$ 35,000.00	02/21/14	03/23/14	\$ 35,000.00	03/06/14	13-12038			
Newmont USA Limited	\$ 25,000.00	02/21/14	03/23/14	\$ 25,000.00	04/02/14	13-12039			
Newmont USA Limited	\$ 500.00	08/30/14	07/30/14	\$ 500.00	07/23/14	13-12039			
1 800 Collect, Inc.	\$ 50.00	03/04/14	04/03/14	\$ 50.00	03/19/14	13-10053			
Access One, Inc.	\$ 50.00	03/04/14	04/03/14	\$ 50.00	03/27/14	13-10053			
Advanced Telcom, Inc.	\$ 50.00	03/04/14	04/03/14	\$ 50.00	03/11/14	13-10053			
Agrostic Networks, LLC	\$ 3,000.00	03/04/14	04/03/14	\$ 3,000.00	03/11/14	13-10053			
American Connected Services, LLC	\$ 3,000.00	03/04/14	04/03/14	\$ 3,000.00	03/11/14	13-10053			
Baltimore-Washington Telephone Co.	\$ 100.00	03/04/14	04/03/14	\$ 100.00	03/18/14	13-10053			
Broadband Dynamics, LLC	\$ 50.00	03/04/14	04/03/14	\$ 50.00	03/08/14	13-10053			
Broadview Networks, Inc.	\$ 100.00	03/04/14	04/03/14	\$ 100.00	03/12/14	13-10053			
Cause Based Commerce, Inc.	\$ 100.00	03/04/14	04/03/14	\$ 100.00	03/05/14	13-10053			
Commerce Energy, Inc.	\$ 100.00	03/04/14	04/03/14	\$ 100.00	02/18/14	13-10053			
Consolidated Telecom, Inc.	\$ 100.00	03/04/14	04/03/14	\$ 100.00	03/10/14	13-10053			
Digital IP Voices, Inc.	\$ 100.00	03/04/14	04/03/14	\$ 100.00	03/18/14	13-10053			
Easton Telecom Services, LLC	\$ 300.00	03/04/14	04/03/14	\$ 300.00	05/08/14	13-10053			
Electric Lightwave, LLC	\$ 50.00	03/04/14	04/03/14	\$ 50.00	03/11/14	13-10053			
Encompass Communications, LLC	\$ 2,000.00	03/04/14	04/03/14	\$ 2,000.00	03/11/14	13-10053			
Enhanced Communications Network, Inc.	\$ 100.00	03/04/14	04/03/14	\$ 100.00	03/21/14	13-10053			
Entrix Telecom, Inc.	\$ 100.00	03/04/14	04/03/14	\$ 100.00	03/28/14	13-10053			
Eschelon Telecom of Nevada, Inc.	\$ 50.00	03/04/14	04/03/14	\$ 50.00	03/11/14	13-10053			
Extenet Systems, Inc.	\$ 50.00	03/04/14	04/03/14	\$ 50.00	03/21/14	13-10053			
Great America Networks, Inc.	\$ 50.00	03/04/14	04/03/14	\$ 50.00	03/18/14	13-10053			
Harney Electric Cooperative, Inc.	\$ 100.00	03/04/14	04/03/14	\$ 100.00	03/11/14	13-10053			
IDT America Corp.	\$ 100.00	03/04/14	04/03/14	\$ 100.00	03/07/14	13-10053			
Inmate Communications Corp.	\$ 3,000.00	03/04/14	04/03/14	\$ 3,000.00	03/07/14	13-10053			
KDDI America, Inc.	\$ 50.00	03/04/14	04/03/14	\$ 50.00	03/27/14	13-10053			
Mobilite, LLC	\$ 500.00	03/04/14	04/03/14	\$ 500.00	03/14/14	13-10053			
Mohave Cooperative Services, Inc.	\$ 200.00	03/04/14	04/03/14	\$ 200.00	03/18/14	13-10053			
Net One International, Inc.	\$ 100.00	03/04/14	04/03/14	\$ 100.00	03/13/14	13-10053			
Net Talk.com, Inc.	\$ 3,000.00	03/04/14	04/03/14	\$ 3,000.00	03/13/14	13-10053			
Networks Network Services, LLC	\$ 500.00	03/04/14	04/03/14	\$ 500.00	03/17/14	13-10053			
Network Enhanced Technologies, Inc.	\$ 100.00	03/04/14	04/03/14	\$ 100.00	03/19/14	13-10053			

**PUBLIC UTILITIES COMMISSION
ADMINISTRATIVE FINES BY DOCKET as of September 30, 2016**

Company Name:	Fine	Date of Order	Date Due	Payment	Date of Payment	Docket No.	Sent to Controller's Office for Collection	BOE Approval for Write Off	BOE Date
Nexcent Communications, LLC	\$ 3,000.00	03/04/14	04/03/14			13-10053	07/31/14		
NHC Communications	\$ 1,000.00	03/04/14	04/03/14	\$ 1,000.00	04/14/14	13-10053			
NobelTel, LLC	\$ 100.00	03/04/14	04/03/14	\$ 100.00	03/19/14	13-10063			
Norstar Telecommunications, LLC	\$ 100.00	03/04/14	04/03/14	\$ 100.00	03/19/14	13-10053			
Palm Gardens Water Cooperative	\$ 100.00	03/04/14	04/03/14	\$ 100.00	03/17/14	13-10053			
Penoyer Valley Electric Company	\$ 800.00	03/04/14	04/03/14	\$ 800.00	05/23/14	13-10053			
Plumas Sierra Telecommunications	\$ 200.00	03/04/14	04/03/14	\$ 200.00	03/05/14	13-10053			
RRI Energy Services, Inc.	\$ 300.00	03/04/14	04/03/14	\$ 300.00	05/16/14	13-10053			
Shared Communications Services, Inc.	\$ 50.00	03/04/14	04/03/14	\$ 50.00	03/11/14	13-10053			
Shoshone Estates Water Co., Inc.	\$ 1,000.00	03/04/14	04/03/14	\$ 1,000.00	07/14/14	13-10053			
SMScom, LLC	\$ 3,000.00	03/04/14	04/03/14			13-10053	07/31/14		
South Jersey Energy Company	\$ 500.00	03/04/14	04/03/14	\$ 500.00	03/24/14	13-10053			
Southwest Telephone Company	\$ 100.00	03/04/14	04/03/14	\$ 100.00	03/20/14	13-10053			
Switch Business Solutions, LLC	\$ 100.00	03/04/14	04/03/14	\$ 100.00	02/13/14	13-10053			
Tracfone Wireless, Inc.	\$ 100.00	03/04/14	04/03/14	\$ 100.00	03/24/14	13-10053			
US South Communications, Inc.	\$ 1,000.00	03/04/14	04/03/14	\$ 1,000.00	02/25/14	13-10053			
Utilities Inc of Nevada	\$ 300.00	03/04/14	04/03/14	\$ 300.00	04/09/14	13-10053			
Utility Telephone, Inc.	\$ 50.00	03/04/14	04/03/14	\$ 50.00	04/02/14	13-10053			
Verdi Mutual Water Company	\$ 250.00	03/04/14	04/03/14	\$ 250.00	03/24/14	13-10053			
Vidafon, Inc.	\$ 100.00	03/04/14	04/03/14	\$ 100.00	03/18/14	13-10053			
Wendover Gas Company	\$ 50.00	03/04/14	04/03/14	\$ 50.00	03/13/14	13-10053			
Airespring, Inc.	\$ 50.00	03/04/14	04/03/14	\$ 50.00	03/05/14	13-10053			
American Messaging Services, LLC	\$ 50.00	03/04/14	04/03/14	\$ 50.00	03/21/14	13-10053			
ANPI Business, LLC	\$ 100.00	03/04/14	04/03/14	\$ 100.00	03/06/14	13-10053	07/31/14		
Autotel	\$ 600.00	03/04/14	04/03/14			13-10053			
Bandwidth.com, Inc.	\$ 100.00	03/04/14	04/03/14	\$ 100.00	03/07/14	13-10053			
Beehive Telephone Co. Inc., Nevada	\$ 50.00	03/04/14	04/03/14	\$ 50.00	03/10/14	13-10053			
Birch Telecom of the West, Inc.	\$ 100.00	03/04/14	04/03/14	\$ 100.00	03/13/14	13-10053			
BNSF Railway Company	\$ 200.00	03/04/14	04/03/14	\$ 200.00	03/26/14	13-10053			
Cascade Access, LLC	\$ 50.00	03/04/14	04/03/14	\$ 50.00	03/13/14	13-10053			
Digitzip.com, Inc.	\$ 2,000.00	03/04/14	04/03/14			13-10053	07/31/14		
Ernest Communications, Inc.	\$ 50.00	03/04/14	04/03/14	\$ 50.00	03/05/14	13-10053			
Ernest Communications, Inc.	\$ 250.00	03/04/14	04/03/14	\$ 250.00	03/05/14	13-10053			
GC Pivotal, LLC	\$ 50.00	03/04/14	04/03/14	\$ 50.00	03/05/14	13-10053			
Granite Telecommunications, LLC	\$ 500.00	03/04/14	04/03/14	\$ 500.00	03/07/14	13-10053			
Hesperia Liquid Gas, Inc.	\$ 2,000.00	03/04/14	04/03/14			13-10053	07/31/14		
IBFA Acquisition Company, LLC	\$ 200.00	03/04/14	04/03/14	\$ 200.00	03/21/14	13-10053			
IGI Resources, Inc.	\$ 300.00	03/04/14	04/03/14	\$ 300.00	05/06/14	13-10053			
lnetworks Group, Inc.	\$ 2,000.00	03/04/14	04/03/14	\$ 2,000.00	07/14/14	13-10053			
Ison, Inc.	\$ 500.00	03/04/14	04/03/14	\$ 500.00	03/25/14	13-10053			
Navigator Telecommunications, LLC	\$ 50.00	03/04/14	04/03/14	\$ 50.00	03/14/14	13-10053			
OLS, Inc.	\$ 2,000.00	03/04/14	04/03/14			13-10053	07/31/14		
Paetec Communications, Inc.	\$ 50.00	03/04/14	04/03/14	\$ 50.00	03/05/14	13-10053			
Prime Time Communications, Inc.	\$ 2,000.00	03/04/14	04/03/14	\$ 2,000.00	05/06/14	13-10053			
RRV Enterprises, Inc.	\$ 100.00	03/04/14	04/03/14	\$ 100.00	03/05/14	13-10053			
Spectrotel, Inc.	\$ 50.00	03/04/14	04/03/14	\$ 50.00	03/05/14	13-10053			
Tag Mobile, LLC	\$ 100.00	03/04/14	04/03/14	\$ 100.00	03/12/14	13-10053			
TeleSphere Access, LLC	\$ 50.00	03/04/14	04/03/14	\$ 50.00	03/06/14	13-10053			
Terracom, Inc.	\$ 50.00	03/04/14	04/03/14	\$ 50.00	03/06/14	13-10053			

**PUBLIC UTILITIES COMMISSION
ADMINISTRATIVE FINES BY DOCKET as of September 30, 2016**

Company Name:	Fine	Date of Order	Date Due	Payment	Date of Payment	Docket No.	Sent to Controller's Office for Collection	BOE Approval for Write Off	BOE Date
Tri-M Communications, Inc.	\$ 100.00	03/04/14	04/03/14	\$ 100.00	03/05/14	13-10053			
USA Mobility Wireless, Inc.	\$ 300.00	03/04/14	04/03/14			13-10053	07/31/14		
Vast Companies, LLC	\$ 2,000.00	03/04/14	04/03/14			13-10053	07/31/14		
All American Telephone Company	\$ 300.00	03/04/14	04/03/14	\$ 300.00	03/24/14	13-10053			
Beehive Telephone Co., Inc., Nevada	\$ 150.00	03/04/14	04/03/14	\$ 150.00	03/10/14	13-10053			
Broadvox-CLEC, LLC	\$ 400.00	03/04/14	04/03/14	\$ 400.00	03/27/14	13-10053			
Comitech 21, LLC	\$ 3,000.00	03/04/14	04/03/14			13-10053	07/31/14		
Covista, Inc.	\$ 1,850.00	03/04/14	04/03/14			13-10053	07/31/14		
Cypress Communications Operating Company, LLC	\$ 300.00	03/04/14	04/03/14	\$ 300.00	03/27/14	13-10053			
Dutchman Acres Water Company	\$ 2,000.00	03/04/14	04/03/14	\$ 2,000.00	03/17/14	13-10053			
Greenfield Communications, Inc.	\$ 1,300.00	03/04/14	04/03/14	\$ 300.00	04/08/14	13-10053			
Midwestern Telecommunications, Inc.	\$ 9,000.00	03/04/14	04/03/14			13-10053	07/31/14		
Momentum Telecom, Inc.	\$ 1,300.00	03/04/14	04/03/14	\$ 1,300.00	04/11/14	13-10053			
Pac-West Telecomm, Inc.	\$ 1,300.00	03/04/14	04/03/14		05/13/14	13-10053	07/31/14		
Span3, Inc.	\$ 100.00	03/04/14	04/03/14	\$ 100.00	03/18/14	13-10053			
Tej-West Companies	\$ 200.00	03/04/14	04/03/14	\$ 200.00	03/25/14	13-10053			
Wida Voice, LLC	\$ 100.00	03/04/14	04/03/14	\$ 100.00	03/19/14	13-10053			
Yak Communications, Inc.	\$ 6,000.00	03/04/14	04/03/14			13-10053	07/31/14		
Zeus Telecommunications, LLC	\$ 2,000.00	03/04/14	04/03/14	\$ 2,000.00	03/28/14	13-10053			
Brookwood Mobile Home Community	\$ 500.00	03/18/14	04/17/14	\$ 500.00	04/07/14	13-01028			
Barton's Club 83	\$ 500.00	03/31/14	4/31/14	\$ 500.00	05/01/14	13-07029			
Bluebird Garden Co. LP	\$ 2,000.00	03/31/14	4/31/14	\$ 2,000.00	07/08/14	13-07029			
Lesbo Trailer Park	\$ 2,000.00	03/31/14	4/31/14	\$ 2,000.00	06/25/14	13-07029			
Cortez Way Park	\$ 2,000.00	03/31/14	4/31/14			13-07029	07/31/14		
Desert Breeze (KOA of Ely)	\$ 2,000.00	03/31/14	4/31/14			13-07029	07/31/14		
Evergreen Trailer Park	\$ 2,000.00	03/31/14	4/31/14	\$ 2,000.00	07/10/14	13-07029			
Meadows Trailer Park	\$ 2,000.00	03/31/14	4/31/14	\$ 2,000.00	06/06/14	13-07029			
Needlepoint Park	\$ 2,000.00	03/31/14	4/31/14			13-07029	07/31/14		
Pair-A-Dice Trailer Park	\$ 2,000.00	03/31/14	4/31/14			13-07029	07/31/14		
Prater Way Mobile Home Park	\$ 2,000.00	03/31/14	4/31/14			13-07029	07/31/14		
Rose City Mobile Home Park	\$ 2,000.00	03/31/14	4/31/14	\$ 2,000.00	08/08/14	13-07029			
Wildes Manor	\$ 2,000.00	03/31/14	4/31/14			13-07029	07/31/14		
Central Telecom Services, LLC	\$ 1,000.00	04/11/14	05/11/14	\$ 1,000.00	04/09/14	13-08041			
Spark Energy Gas, LP	\$ 500.00	05/23/14	08/22/14	\$ 500.00	06/02/14	13-08008			
Rio Virgin Telephone Company	\$ 50.00	05/18/14	08/15/14	\$ 50.00	05/05/14	14-03008			
Contri Construction Company	\$ 6,000.00	08/21/14	09/20/14	\$ 6,000.00	09/17/14	14-06057			

**PUBLIC UTILITIES COMMISSION
ADMINISTRATIVE FINES BY DOCKET as of September 30, 2016**

Company Name:	Fine	Date of Order	Date Due	Payment	Date of Payment	Docket No.	Sent to Controller's Office for Collection	BOE Approval for Write Off	BOE Date
Valley Electric Association, Inc	\$ 25,000.00	08/09/14	10/03/14	\$ 25,000.00	09/16/14	14-01024			
Brookwood Mobile Home Park	\$ 500.00	10/15/14	11/14/14	\$ 500.00	10/28/14	13-01026			
Tuscany Services LLC	\$ 2,500.00	11/24/14	12/24/14	\$ 2,500.00	11/20/14	13-09004 14-10012			
American Fence	\$ 2,000.00	12/02/14	01/01/15	\$ 2,000.00	12/18/14 12/30/14	14-10003			
NHC Communications	\$ 1,500.00	12/12/14	01/11/15	\$ 1,500.00	01/12/15	14-05044			
Airport Trailer Park	\$ 1,000.00	01/27/15	02/28/15	\$ 1,000.00	04/03/15	14-08022			
Barton's Club 93	\$ 2,000.00	01/27/15	02/28/15	\$ 2,000.00	03/11/15	14-08022			
Big Valley MHP - Patrump	\$ 100.00	01/27/15	02/28/15	\$ 100.00	01/28/15	14-08022			
Brookwood	\$ 100.00	01/27/15	02/28/15	\$ 100.00	02/09/15	14-08022			
Brunes Trailer Park	\$ 600.00	01/27/15	02/28/15	\$ 500.00	02/10/15	14-08022			
Capri Mobile Estates	\$ 200.00	01/27/15	02/28/15	\$ 200.00	03/08/15	14-08022			
Casa Linda Mobile Home Park	\$ 100.00	01/27/15	02/28/15	\$ 100.00	01/27/15	14-08022			
Circle K Mobile Home Park	\$ 100.00	01/27/15	02/28/15	\$ 100.00	01/27/15	14-08022			
Clear Creek Mobile Home Park	\$ 250.00	01/27/15	02/28/15	\$ 250.00	02/02/15	14-08022			
Crestview Mobile Home Park	\$ 250.00	01/27/15	02/28/15	\$ 250.00	02/02/15	14-08022			
D & C Trailer Court	\$ 500.00	01/27/15	02/28/15	\$ 500.00	02/18/15	14-08022			
Desert Breeze/KOA of Ely	\$ 1,000.00	01/27/15	02/28/15	\$ 1,000.00	03/30/15	14-08022			
Frontier Village MHP-LV	\$ 1,000.00	01/27/15	02/28/15	\$ 1,000.00	05/12/15	14-08022			
Highland Park	\$ 500.00	01/27/15	02/28/15	\$ 500.00	02/18/15	14-08022			
La Playa Mobile Home Park	\$ 100.00	01/27/15	02/28/15	\$ 100.00	01/30/15	14-08022			
Meadows Trailer Park-LV	\$ 1,000.00	01/27/15	02/28/15	\$ 1,000.00	06/30/15	14-08022			
Mesquite Park (formerly A.N.N.)	\$ 500.00	01/27/15	02/28/15	\$ 500.00	04/23/15	14-08022			
Montgomery Mobile Park	\$ 500.00	01/27/15	02/28/15	\$ 500.00	02/03/15	14-08022			
Mountain View MHP-Gardnerville	\$ 500.00	01/27/15	02/28/15	\$ 500.00	02/19/15	14-08022			
Mountain Vistas	\$ 100.00	01/27/15	02/28/15	\$ 100.00	02/03/15	14-08022			
Northgate Mobile Village	\$ 200.00	01/27/15	02/28/15	\$ 200.00	03/11/15	14-08022			
Oasis Mobile Home Park-Fallon	\$ 100.00	01/27/15	02/28/15	\$ 100.00	01/28/15	14-08022			
Oasis Trailer Park	\$ 1,000.00	01/27/15	02/28/15	\$ 1,000.00	03/23/15	14-08022			
Pair-a-Dice Trailer Park	\$ 1,000.00	01/27/15	02/28/15	\$ 1,000.00	06/30/15	14-08022			
Palacio Park, LLC	\$ 1,000.00	01/27/15	02/28/15	\$ 1,000.00	06/30/15	14-08022			
Paso Tiempo Mobile Home Park	\$ 1,000.00	01/27/15	02/28/15	\$ 1,000.00	04/17/15	14-08022			
Pinion Pines Mobile Park LLC	\$ 100.00	01/27/15	02/28/15	\$ 100.00	01/28/15	14-08022			
Pioneer Mobile Home Ranch	\$ 100.00	03/18/15	04/18/15	\$ 100.00	03/23/15	14-08022			
Reeves Trailer Park	\$ 1,000.00	01/27/15	02/28/15	\$ 1,000.00	06/30/15	14-08022			

**PUBLIC UTILITIES COMMISSION
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Company Name:	Fine	Date of Order	Date Due	Payment	Date of Payment	Docket No.	Sent to Controller's Office for Collection	BOE Approval for Write Off	BOE Date
Rhines Rentals	\$ 1,000.00	01/27/15	02/28/15			14-09022	08/30/15		
River Bend Mobile Home Park	\$ 500.00	01/27/15	02/28/15	\$ 500.00	04/13/15	14-09022			
Riviera RV Park	\$ 100.00	01/27/15	02/28/15	\$ 100.00	01/27/15	14-09022			
Rose City Mobile Home Park	\$ 500.00	01/27/15	02/28/15	\$ 500.00	02/04/15	14-09022			
Sage Valley RV & Mobile	\$ 500.00	01/27/15	02/28/15	\$ 500.00	02/10/15	14-09022			
Salt Flats Mobile Home Estates	\$ 400.00	01/27/15	02/28/15			14-09022	08/30/15		
Shade Tree RV Park-Carlin	\$ 500.00	01/27/15	02/28/15	\$ 500.00	02/20/15	14-09022			
Shady Acres Mobile Home Park	\$ 200.00	01/27/15	02/28/15	\$ 200.00	01/23/15	14-09022			
Sierra View Mobile Park	\$ 100.00	01/27/15	02/28/15	\$ 100.00	02/19/15	14-09022			
Starlite Mobile Home Park	\$ 1,000.00	01/27/15	02/28/15	\$ 1,000.00	03/20/15	14-09022			
Sun Valley Mobile Home Park	\$ 1,000.00	01/27/15	02/28/15	\$ 100.00	02/02/15	14-09022	08/30/15		
Sunrise Terrace MHP	\$ 100.00	01/27/15	02/28/15	\$ 500.00	02/08/15	14-09022			
Town View Trailer Park	\$ 500.00	01/27/15	02/28/15	\$ 500.00	02/08/15	14-09022	08/30/15		
Trailerdale Park-LV	\$ 200.00	01/27/15	02/28/15	\$ 1,000.00	02/28/15	14-09022			
Wildes Manor	\$ 1,000.00	01/27/15	02/28/15	\$ 1,000.00	02/28/15	14-09022			
Shade Tree Village Mobile Home Park	\$ 250.00	01/21/15	02/20/15	\$ 250.00	01/30/15	14-12004			
Carefree Country Mobile Home Park	\$ 5,000.00	02/18/15	03/20/15	\$ 5,000.00	02/28/15	14-12030			
ABS-CBN Telecom North America, Incorporated	\$ 1,000.00	02/28/15	03/28/15			14-09007	08/30/15		
Absolute Home Phones, Inc	\$ 600.00	02/28/15	03/28/15	\$ 600.00	03/25/15	14-09007			
Access2Go, Inc	\$ 200.00	02/28/15	03/28/15	\$ 200.00	05/07/15	14-09007	08/30/15		
American Connect Services, Inc	\$ 2,000.00	02/28/15	03/28/15			14-09007			
American Fiber Systems, Inc	\$ 1,800.00	02/28/15	03/28/15	\$ 1,800.00	03/09/15	14-09007			
American Phone Services Corp	\$ 800.00	02/28/15	03/28/15	\$ 800.00	04/17/15	14-09007			
ACN Communication Services	\$ 100.00	02/28/15	03/28/15	\$ 100.00	03/06/15	14-09007			
Applwood Communications Corporation	\$ 2,500.00	02/28/15	03/28/15			14-09007	08/30/15		
Assist Wireless, Inc	\$ 800.00	02/28/15	03/28/15	\$ 800.00	03/04/15	14-09007			
ATC Outdoor, Inc	\$ 300.00	02/28/15	03/28/15	\$ 300.00	03/10/15	14-09007			
Bandwidth.com, Inc	\$ 800.00	02/28/15	03/28/15	\$ 800.00	03/13/15	14-09007			
Beehive Telephone Co., Inc (CPC 2876)	\$ 700.00	02/28/15	03/28/15	\$ 700.00	03/17/15	14-09007			
Beehive Telephone Co., Inc (CPC 2322)	\$ 600.00	02/28/15	03/28/15	\$ 600.00	03/17/15	14-09007			
Betterworld Telecom, Inc	\$ 1,500.00	02/28/15	03/28/15	\$ 1,500.00	03/13/15	14-09007			
Birch Telecom of the West, Inc	\$ 700.00	02/28/15	03/28/15	\$ 700.00	02/25/15	14-09007			
Broadvox-Clec, Inc	\$ 1,100.00	02/28/15	03/28/15	\$ 1,100.00	03/20/15	14-09007			
Central Telcom Services, Inc	\$ 600.00	02/28/15	03/28/15	\$ 600.00	02/28/15	14-09007			
Charter Fiberlink NY-CCV7, Inc	\$ 200.00	02/28/15	03/28/15	\$ 200.00	03/04/15	14-09007			
Consolidated Telcom, Inc	\$ 700.00	02/28/15	03/28/15	\$ 700.00	03/11/15	14-09007			
Covista, Inc	\$ 2,000.00	02/28/15	03/28/15			14-09007	08/30/15		
Cypress Communications Operating Company, Inc	\$ 700.00	02/28/15	03/28/15	\$ 700.00	03/20/15	14-09007			
Cyrel, Inc	\$ 100.00	02/28/15	03/28/15	\$ 100.00	03/19/15	14-09007			
Desert Utilities, Inc	\$ 50.00	02/28/15	03/28/15	\$ 50.00	03/05/15	14-09007			
Digitip.com, Inc	\$ 2,000.00	02/28/15	03/28/15			14-09007	08/30/15		
Dishnet Wireline, Inc	\$ 200.00	02/28/15	03/28/15	\$ 200.00	05/13/15	14-09007			
Enhanced Communications Network	\$ 600.00	02/28/15	03/28/15	\$ 600.00	03/17/15	14-09007			

**PUBLIC UTILITIES COMMISSION
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EOS Mobile Holdings, Inc	\$ 200.00	02/28/15	03/28/15	\$ 200.00	05/07/15	14-09007			
Ernest Communications, Inc	\$ 5,500.00	02/28/15	03/28/15			14-09007	06/30/15		
Flash Wireless, Inc	\$ 600.00	02/28/15	03/28/15	\$ 600.00	03/06/15	14-09007			
Globalstar USA, Inc	\$ 1,000.00	02/28/15	03/28/15	\$ 1,000.00	03/27/15	14-09007			
Gold Line Telemanagement, Inc	\$ 1,000.00	02/28/15	03/28/15	\$ 1,000.00	03/16/15	14-09007			
Great America Network, Inc	\$ 1,500.00	02/28/15	03/28/15	\$ 1,500.00	05/21/15	14-09007			
Greenfield Communications, Inc	\$ 2,000.00	02/28/15	03/28/15			14-09007	06/30/15		
Horizon Telecom, Inc	\$ 1,600.00	02/28/15	03/28/15			14-09007	06/30/15		
Hotwire Communications, LP	\$ 400.00	02/28/15	03/28/15	\$ 400.00	03/17/15	14-09007			
Hypercube Telecom, Inc	\$ 100.00	02/28/15	03/28/15	\$ 100.00	03/12/15	14-09007			
IBFA Acquisition Company, Inc	\$ 2,000.00	02/28/15	03/28/15			14-09007	06/30/15		
Indian Springs Water Co., Inc	\$ 100.00	02/28/15	03/28/15	\$ 100.00	03/05/15	14-09007			
Inetworks Group, Inc	\$ 2,000.00	02/28/15	03/28/15			14-09007	06/30/15		
Lightyear Network Solutions, Inc	\$ 1,000.00	02/28/15	03/28/15			14-09007	06/30/15		
Locus Telecommunications, Inc	\$ 1,100.00	02/28/15	03/28/15	\$ 1,100.00	03/10/15	14-09007			
Millennium 2000, Inc	\$ 200.00	02/28/15	03/28/15	\$ 200.00	03/06/15	14-09007			
Mobile Net Posa, Inc	\$ 600.00	02/28/15	03/28/15	\$ 600.00	03/31/15	14-09007			
Momentum Telecom, Inc	\$ 1,500.00	02/28/15	03/28/15	\$ 1,500.00	03/12/15	14-09007			
National Comtel Network, Inc	\$ 100.00	02/28/15	03/28/15	\$ 100.00	03/16/15	14-09007			
Netwolves Network Services, Inc	\$ 1,500.00	02/28/15	03/28/15	\$ 1,500.00	03/09/15	14-09007			
Nevada Utilities, Inc	\$ 4,250.00	02/28/15	03/28/15			14-09007	06/30/15		
NOS Communications, Inc	\$ 200.00	02/28/15	03/28/15	\$ 200.00	03/04/15	14-09007			
Pac-West Telecom, Inc	\$ 700.00	02/28/15	03/28/15	\$ 700.00	03/04/15	14-09007			
Peerless Network of Nevada, Inc	\$ 2,000.00	02/28/15	03/28/15			14-09007	06/30/15		
Primitime Communications, Inc	\$ 2,000.00	02/28/15	03/28/15			14-09007	06/30/15		
Public Wireless, Inc	\$ 200.00	02/28/15	03/28/15			14-09007			
RCLEC, Inc	\$ 400.00	02/28/15	03/28/15	\$ 400.00	06/25/15	14-09007			
Red Pocket, Inc	\$ 200.00	02/28/15	03/28/15	\$ 200.00	02/27/15	14-09007			
Reunion Wireless Services, Inc	\$ 200.00	02/28/15	03/28/15	\$ 200.00	03/09/15	14-09007			
RRV Enterprises, Inc	\$ 2,000.00	02/28/15	03/28/15			14-09007	06/30/15		
Rural Telephone Company	\$ 100.00	02/28/15	03/28/15	\$ 100.00	03/02/15	14-09007			
Sage Telecom Communications, Inc	\$ 200.00	02/28/15	03/28/15	\$ 200.00	03/04/15	14-09007			
Seminole Retail Energy Services, Inc	\$ 100.00	02/28/15	03/28/15	\$ 100.00	03/03/15	14-09007			
Smart City Networks, LP	\$ 1,500.00	02/28/15	03/28/15	\$ 1,500.00	03/19/15	14-09007			
South Jersey Energy Company	\$ 700.00	02/28/15	03/28/15	\$ 700.00	03/18/15	14-09007			
Southwest Gas Corporation	\$ 100.00	02/28/15	03/28/15	\$ 100.00	03/11/15	14-09007			
Spark Energy, LP	\$ 700.00	02/28/15	03/28/15	\$ 700.00	05/18/15	14-09007			
Stand Energy Corporation	\$ 300.00	02/28/15	03/28/15	\$ 300.00	03/11/15	14-09007			
Surprise Valley Electrification Corporation	\$ 400.00	02/28/15	03/28/15	\$ 200.00	03/04/15	14-09007			
Telecommunications of Nevada, Inc	\$ 400.00	02/28/15	03/28/15	\$ 400.00	02/27/15	14-09007			
Telefonica USA, Inc	\$ 700.00	02/28/15	03/28/15	\$ 700.00	03/04/15	14-09007			
Telekenex Acquisition Corp	\$ 100.00	02/28/15	03/28/15	\$ 100.00	03/06/15	14-09007			
Telescape Communications, Inc	\$ 400.00	02/28/15	03/28/15	\$ 400.00	03/04/15	14-09007			
Tempo Telecom, Inc	\$ 1,000.00	02/28/15	03/28/15	\$ 700.00	03/02/15	14-09007			
The Telephone Connection Local Services, Inc	\$ 400.00	02/28/15	03/28/15	\$ 400.00	03/04/15	14-09007			
TNCI Operating Company, Inc	\$ 200.00	02/28/15	03/28/15	\$ 1,000.00	06/17/15	14-09007			
Total Call International, Inc	\$ 200.00	02/28/15	03/28/15	\$ 200.00	03/04/15	14-09007			
Total Call Mobile, Inc	\$ 100.00	02/28/15	03/28/15	\$ 100.00	03/19/15	14-09007			
Tower Consulting, Inc	\$ 200.00	02/28/15	03/28/15	\$ 200.00	03/04/15	14-09007			

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Company Name:	Fine	Date of Order	Date Due	Payment	Date of Payment	Docket No.	Sent to Controller's Office for Collection	BOE Approval for Write Off	BOE Date
Trans National Communications International, Inc	\$ 4,500.00	02/28/15	03/28/15			14-09007	06/30/15		
True Wireless, llc	\$ 200.00	02/28/15	03/28/15	\$ 200.00	03/07/15	14-09007			
Trophone, Inc	\$ 700.00	03/28/15	03/28/15	\$ 700.00	03/05/15	14-09007			
Unity Telecom, llc	\$ 200.00	02/28/15	03/28/15	\$ 200.00	03/18/15	14-09007			
U.S. Energy Services, Inc	\$ 300.00	02/28/15	03/28/15	\$ 300.00	03/03/15	14-09007			
U.S. Telepacific Corp	\$ 100.00	02/28/15	03/28/15	\$ 100.00	03/09/15	14-09007			
US Telestis, Inc	\$ 100.00	02/28/15	03/28/15	\$ 100.00	03/02/15	14-09007			
Las Vegas Electric	\$ 2,000.00	03/02/15	04/01/15	\$ 2,000.00	03/11/15	15-01027			
The Fishel Company	\$ 2,000.00	04/08/15	05/08/15	\$ 2,000.00	03/26/15	15-02026			
Desert Plastering, LLC and Desert Concrete, LLC	\$ 5,000.00	04/03/15	05/03/15	\$ 5,000.00	05/13/15	15-02027			
CIMA Energy, LTD	\$ 2,500.00	04/24/15	05/24/15	\$ 2,500.00	05/01/15	15-03008			
Tiger Natural Gas, Inc	\$ 4,500.00	06/01/15	07/01/15	\$ 4,500.00	06/29/15	15-04028			
Vista Energy Marketing, LP	\$ 5,500.00	06/30/15	07/30/15	\$ 5,500.00	07/29/15	15-05007			
EDF Trading North America, LLC	\$ 2,500.00	06/30/15	07/30/15	\$ 2,500.00	07/09/15	15-05029			
Southwest Gas Corporation	\$ 11,000.00	07/14/15	08/13/15	\$ 11,000.00	07/24/15	15-04033			
CG&B Enterprises, Inc	\$ 1,000.00	07/30/15	08/29/15	\$ 1,000.00	08/18/15	15-05036			
Advanced Refining Concepts, LLC	\$ 1,000.00	08/18/15	09/17/15	\$ 1,000.00	09/02/15	15-07013			
Lone Mountain Excavation & Utilities, LLC	\$ 2,000.00	08/31/15	09/30/15	\$ 2,000.00	09/03/15	15-07007			
Desert Gold RV Park	\$ 250.00	09/25/15	10/25/15	\$ 250.00	07/25/15	15-07035			
Shady Acres Mobile Home Park	\$ 1,000.00	10/01/15	10/31/15	\$ 1,000.00	11/02/15	14-08008			
Meadows Mobile Park, LLC	\$ 250.00	10/07/15	11/06/15	\$ 250.00	10/24/15	15-08023			

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Maile Concrete	\$ 6,500.00	10/20/15	11/19/15	\$ 6,500.00	11/18/15	15-08001			
Southwest Gas Corporation	\$ 185,000.00	12/07/15	01/06/16	\$ 185,000.00	12/17/15	15-10007			
Southwest Gas Corporation	\$ 215,000.00	01/28/16	02/27/16	\$ 215,000.00	02/12/16	15-12003			
Pair A Dice Mobile Home Park	\$ 250.00	01/07/16	02/06/16	\$ 250.00	02/29/16	15-06003			
AccessLine Communications Corporation	\$ 500.00	4/5/2016	5/5/2016	\$ 500.00	04/08/16	15-10012			
ALEC, LLC	\$ 200.00	4/5/2016	5/5/2016	\$ 200.00	04/08/16	15-10012			
American Broadband and Telecommunications Company	\$ 50.00	4/5/2016	5/5/2016	\$ 50.00	04/07/16	15-10012			
American Messaging Services, LLC	\$ 200.00	4/5/2016	5/5/2016	\$ 200.00	04/11/16	15-10012			
AmericaTel Corporation	\$ 300.00	4/5/2016	5/5/2016	\$ 300.00	06/02/16	15-10012			
AmeriGas Propane	\$ 1,500.00	4/5/2016	5/5/2016	\$ 1,500.00	05/24/16	15-10012			
Anchor In Mobile Home Community	\$ 50.00	4/5/2016	5/5/2016	\$ 50.00	04/11/16	15-10012			
Baltimore-Washington Telephone Company	\$ 600.00	4/5/2016	5/5/2016	\$ 600.00	04/12/16	15-10012			
BCM One, Inc.	\$ 100.00	4/5/2016	5/5/2016	\$ 100.00	04/13/16	15-10012			
BCN Telecom, Inc.	\$ 50.00	4/5/2016	5/5/2016	\$ 50.00	04/14/16	15-10012			
Beetive Telephone Co., Inc., Nevada	\$ 200.00	4/5/2016	5/5/2016	\$ 200.00	04/13/16	15-10012			
Beetive Telephone Co., Inc., Nevada	\$ 200.00	4/5/2016	5/5/2016	\$ 200.00	04/13/16	15-10012			
Blue Jay Wireless, LLC	\$ 1,500.00	4/5/2016	5/5/2016	\$ 1,500.00	04/08/16	15-10012	07/14/16		
Boulder City Trailer Park	\$ 50.00	4/5/2016	5/5/2016	\$ 50.00	05/02/16	15-10012			
Bramblewood Mobile Home Park	\$ 100.00	4/5/2016	5/5/2016	\$ 100.00	04/08/16	15-10012			
Broadvox-CLEC, LLC	\$ 100.00	4/5/2016	5/5/2016	\$ 100.00	04/20/16	15-10012			
Central Nevada Communications and Electric, LLC	\$ 4,500.00	4/5/2016	5/5/2016	\$ 4,500.00	04/07/16	15-10012			
Charter Fiberlink NV-GCVII, LLC	\$ 3,000.00	4/5/2016	5/5/2016	\$ 3,000.00	04/18/16	15-10012			
Cheetah Wireless Technologies, Inc.	\$ 50.00	4/5/2016	5/5/2016	\$ 50.00	04/06/16	15-10012			
Cheetah Wireless Technologies, Inc.	\$ 50.00	4/5/2016	5/5/2016	\$ 50.00	04/13/16	15-10012			
Citizens Telecommunications Company of Nevada	\$ 200.00	4/5/2016	5/5/2016	\$ 200.00	04/13/16	15-10012			
Clear World Communications Corporation	\$ 100.00	4/5/2016	5/5/2016	\$ 100.00	04/22/16	15-10012			
Commnet of Nevada, LLC	\$ 50.00	4/5/2016	5/5/2016	\$ 50.00	04/28/16	15-10012			
Continuum Retail Energy Services, L.L.C.	\$ 50.00	4/5/2016	5/5/2016	\$ 50.00	04/15/16	15-10012			
Convergia, Inc.	\$ 50.00	4/5/2016	5/5/2016	\$ 50.00	04/07/16	15-10012			
Custom Network Solutions, Inc.	\$ 100.00	4/5/2016	5/5/2016	\$ 100.00	04/08/16	15-10012			
Defense Mobile Corporation	\$ 50.00	4/5/2016	5/5/2016	\$ 50.00	04/18/16	15-10012			
Desert Gold RV Park	\$ 300.00	4/5/2016	5/5/2016	\$ 300.00	04/07/16	15-10012			
Elitegent Solutions, Inc.	\$ 50.00	4/5/2016	5/5/2016	\$ 50.00	04/08/16	15-10012			
Flowroute Inc.	\$ 50.00	4/5/2016	5/5/2016	\$ 50.00	04/18/16	15-10012			
Frontier Communications of the Southwest Inc.	\$ 50.00	4/5/2016	5/5/2016	\$ 50.00	04/18/16	15-10012			

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ADMINISTRATIVE FINES BY DOCKET as of September 30, 2016**

Company Name:	Fine	Date of Order	Date Due	Payment	Date of Payment	Docket No.	Sent to Controller's Office for Collection	BOE Approval for Write Off	BOE Date
Frontier Communications Online and Long Distance	\$ 50.00	4/5/2016	5/5/2016	\$ 50.00	04/18/16	15-10012			
Fun N Sun Mobile Home & RV Park	\$ 250.00	4/5/2016	5/5/2016	\$ 250.00	04/15/16	15-10012			
Garmin USA, Inc.	\$ 50.00	4/5/2016	5/5/2016	\$ 50.00	04/18/16	15-10012			
Globalstar USA, LLC	\$ 500.00	4/5/2016	5/5/2016	\$ 500.00	05/04/16	15-10012			
Gold Line Telemanagement Inc.	\$ 100.00	4/5/2016	5/5/2016	\$ 100.00	04/27/16	15-10012			
Google North America Inc.	\$ 50.00	4/5/2016	5/5/2016	\$ 50.00	04/11/16	15-10012			
Granite Telecommunications, LLC	\$ 100.00	4/5/2016	5/5/2016	\$ 100.00	04/08/16	15-10012			
Highlands Wireless Inc.	\$ 100.00	4/5/2016	5/5/2016	\$ 100.00	04/08/16	15-10012			
IDT America Corp.	\$ 100.00	4/5/2016	5/5/2016	\$ 100.00	04/05/16	15-10012			
International Telcom Ltd.	\$ 50.00	4/5/2016	5/5/2016	\$ 50.00	04/28/16	15-10012			
IPC Network Services, Inc.	\$ 300.00	4/5/2016	5/5/2016	\$ 300.00	07/27/16	15-10012			
Kajeet, Inc.	\$ 100.00	4/5/2016	5/5/2016	\$ 100.00	04/28/16	15-10012			07/14/16
Kensington Community	\$ 50.00	4/5/2016	5/5/2016	\$ 50.00	04/07/16	15-10012			
Locus Telecommunications, Inc.	\$ 200.00	4/5/2016	5/5/2016	\$ 200.00	04/28/16	15-10012			
LV.Net LLC	\$ 250.00	4/5/2016	5/5/2016	\$ 250.00	04/11/16	15-10012			
MegaPath Corporation	\$ 150.00	4/5/2016	5/5/2016	\$ 150.00	04/13/16	15-10012			
Mercury Voice and Data, LLC	\$ 100.00	4/5/2016	5/5/2016	\$ 100.00	04/18/16	15-10012			
Mesquite Manor LLC Mobile Home Park	\$ 100.00	4/5/2016	5/5/2016	\$ 100.00	04/08/16	15-10012			
Militer Enterprises	\$ 100.00	4/5/2016	5/5/2016	\$ 100.00	04/07/16	15-10012			
Miracle Communications, Inc.	\$ 200.00	4/5/2016	5/5/2016	\$ 200.00	04/28/16	15-10012			
Moapa Valley Telephone Company	\$ 350.00	4/5/2016	5/5/2016	\$ 350.00	08/08/16	15-10012			
Mobile Net POSA, Inc.	\$ 100.00	4/5/2016	5/5/2016	\$ 100.00	04/13/16	15-10012			
Networks Network Services LLC	\$ 150.00	4/5/2016	5/5/2016	\$ 150.00	04/18/16	15-10012			
NefZero Wireless, Inc.	\$ 50.00	4/5/2016	5/5/2016	\$ 50.00	05/02/16	15-10012			
Nevada Broadband Networks, Inc.	\$ 100.00	4/5/2016	5/5/2016	\$ 100.00	04/15/16	15-10012			
NextGen Communications, Inc.	\$ 50.00	4/5/2016	5/5/2016	\$ 50.00	04/18/16	15-10012			
OnStar, LLC	\$ 50.00	4/5/2016	5/5/2016	\$ 50.00	04/28/16	15-10012			
Onvoy, LLC	\$ 50.00	4/5/2016	5/5/2016	\$ 50.00	04/08/16	15-10012			
Oxoby Mobile Home Park	\$ 50.00	4/5/2016	5/5/2016	\$ 50.00	04/12/16	15-10012			
Paetec Communications, LLC	\$ 100.00	4/5/2016	5/5/2016	\$ 100.00	04/12/16	15-10012			
Pecos Park Coach Club	\$ 50.00	4/5/2016	5/5/2016	\$ 50.00	05/02/16	15-10012			
QuantumShift Communications, Inc.	\$ 2,000.00	4/5/2016	5/5/2016	\$ 100.00	04/08/16	15-10012			07/14/16
Rhines Rentals	\$ 50.00	4/5/2016	5/5/2016	\$ 50.00	03/31/16	15-10012			
Rolling Wheel Manor	\$ 800.00	4/5/2016	5/5/2016	\$ 50.00	04/11/16	15-10012			
SatView Broadband Ltd	\$ 50.00	4/5/2016	5/5/2016	\$ 50.00	05/02/16	15-10012			
Scratch Wireless, Inc.	\$ 50.00	4/5/2016	5/5/2016	\$ 50.00	03/30/16	15-10012			
Shadow Mountain Village	\$ 50.00	4/5/2016	5/5/2016	\$ 50.00	03/31/16	15-10012			
Silv Communication Inc.	\$ 200.00	4/5/2016	5/5/2016	\$ 200.00	04/22/16	15-10012			
Silver Crown Mobile Home Park	\$ 100.00	4/5/2016	5/5/2016	\$ 100.00	04/15/16	15-10012			
Smart City Networks, LP	\$ 50.00	4/5/2016	5/5/2016	\$ 50.00	04/01/16	15-10012			
S-Net Communications, Inc.	\$ 200.00	4/5/2016	5/5/2016	\$ 200.00	07/13/16	15-10012			
Telecom North America Inc.	\$ 350.00	4/5/2016	5/5/2016	\$ 350.00	04/14/16	15-10012			
Telesphere Access, LLC	\$ 100.00	4/5/2016	5/5/2016	\$ 100.00	04/22/16	15-10012			
Tempo Telecom, LLC	\$ 50.00	4/5/2016	5/5/2016	\$ 50.00	04/28/16	15-10012			
Toshiba America Information Systems, Inc.	\$ 100.00	4/5/2016	5/5/2016	\$ 100.00	04/28/16	15-10012			
Total Call International, Inc.	\$ 100.00	4/5/2016	5/5/2016	\$ 100.00	04/28/16	15-10012			
Total Call Mobile, Inc.	\$ 3,300.00	4/5/2016	5/5/2016	\$ 100.00	04/28/16	15-10012			07/14/16
TTUSA Acquisition, Inc.									



**PUBLIC UTILITIES COMMISSION
ADMINISTRATIVE FINES BY DOCKET as of September 30, 2016**

Company Name:	Fine	Date of Order	Date Due	Payment	Date of Payment	Docket No.	BOE Approval for Write Off	BOE Date
U.S. South Communications, Inc.	\$ 1,000.00	4/5/2016	5/5/2016	\$ 1,000.00	04/22/16	15-10012		
Utility Telephone, Inc.	\$ 200.00	4/5/2016	5/5/2016	\$ 200.00	03/30/16	15-10012		
Vitecom LLC	\$ 350.00	4/5/2016	5/5/2016	\$ 350.00	04/13/16	15-10012		
WDI World Discount Telecommunications Co.	\$ 1,500.00	4/5/2016	5/5/2016			15-10012		07/14/16
Urban Jungle Contractrs, LTD	\$ 3,750.00	06/14/16	07/14/16			16-04014		10/03/16
Thatcher Company of Nevada, Inc	\$ 10,000.00	08/12/16	02/08/17			15-12035		
Western States Contracting, Inc	\$ 2,500.00	09/08/16	10/08/16	\$ 2,500.00	09/12/16	16-07022		
Carefree County Mobile Park, LLC	\$ 6,000.00	09/28/16	10/28/16			14-12030		
Carefree County Mobile Park, LLC	\$ 10,000.00	09/28/16	09/01/17			16-03017		
						16-03017		
Total Imposed	\$ 1,907,907.00							
Total Collected	\$ 1,549,923.51							
Total BOE Approval for Write Off	\$ -							
Total Outstanding	\$ 357,983.49							

Per NRS 703.380(4), All money collected by the Commission as an administrative fine must be deposited in the State General Fund.

Per NRS 353C.195, the Public Utilities Commission of Nevada (PUCN) shall refer delinquent debt to the State Controller's Office for collection after the debt is 60 days past due. The State Controller acts as the collection agent.

Per NRS 353C.220, State Controller's Office is authorized to request the State Board of Examiners (BOE) and/or Clerk of the BOE to designate a debt as a bad debt for write off.