

1 BILL LOCKYER, Attorney General
of the State of California
2 MARK ZAHNER, Chief of Prosecutions
Bureau of Medi-Cal Fraud & Elder Abuse
3 HARDY R. GOLD, State Bar No. 113328
Supervising Deputy Attorney General
4 Bureau of Medi-Cal Fraud & Elder Abuse
110 West A Street, Suite 1100
5 P.O. Box 85266
San Diego, California 92186-5266
6

7 Attorneys for the People of the State of California
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9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

10 **COUNTY OF ORANGE, CENTRAL COURT**

11 **THE PEOPLE OF THE STATE OF**
CALIFORNIA,

12 **Plaintiff,**

13 **v.**

14 **TAHIR SAEED SHERANI,**

15 **Defendant.**
16
17

Case No. 02WF1401

AG Docket No. LB02MC5474

AMENDED INFORMATION

18 The Attorney General of the State of California accuses the defendant, **TAHIR SAEED**
19 **SHERANI** (a/k/a Mr. Shah a/k/a Tahir Ali anda/k/a Eduardo and hereinafter referred to as
20 "SHERANI"), of committing the following crimes in the Counties of Orange and Los Angeles, in
21 the State of California, and elsewhere before the filing of this Amended Information:

22 **COUNT 1**

23 **CONSPIRACY TO CHEAT AND DEFRAUD, COMMIT ACTS INJURIOUS**
24 **TO THE PUBLIC HEALTH, LAUNDER MONEY, COMMIT GRAND**
25 **THEFT, AND SUBMIT FALSE CLAIMS FOR HEALTH CARE BENEFITS**
Penal Code §§182(a)(1),(4),(5), 186.10, 487(a), & 550(a)(6)

26 Beginning at least as early as 1997 and continuing through at least 2000, in the Counties of
27 Orange and Los Angeles, California, in the States of New Jersey, Nevada, and elsewhere, defendant
28 SHERANI did willfully and unlawfully conspire with others known and unknown, to cheat and

1 defraud or obtain money by false pretenses or by false promises, to commit acts injurious to the
2 public health and pervert or obstruct the due administration of the laws, to launder money, to
3 commit grand theft from Medi-Cal, and to submit false claims for payment of Medi-Cal health care
4 benefits, in violation of Penal Code §182, subsections (a)(1), (4) and (5), §186.10, §487, subsection
5 (a), and §550, a felony.

6 **OVERT ACTS IN SUPPORT OF THE CONSPIRACY**

- 7 1. In or about June, 1998, SHERANI, joined by co-conspirators, negotiated with Bunean Khem
8 to purchase Physicians Laboratory Institute, Inc. ("PLI") from Sotha Kim.
- 9 2. In or about June, 1998, SHERANI, using the name "Shah," negotiated a lease for PLI.
- 10 3. In or after August, 1998, SHERANI controlled the bank account of PLI and paid employees
11 from the account, even though he had Bilal (Shazad) Ahmed sign all the checks written on
12 PLI's bank account.
- 13 4. In or after August, 1998, SHERANI instructed Bilal (Shazad) Ahmed to cash checks written
14 on the PLI account made payable to "cash" and to "Bilal Ahmed" and give SHERANI the
15 cash.
- 16 5. In or after the end of 1998, SHERANI directed the biller for PLI to submit claims to Medi-
17 Cal for laboratory services, even though SHERANI was aware that the laboratory tests had
18 not been run.
- 19 6. On or after the end of 1998, SHERANI paid John Lim for billing Medi-Cal on behalf of PLI.
- 20 7. In or before July 1999, PLI abandoned its facility, leaving behind bags of what appeared to
21 be blood vials and specimen of blood and urine in the refrigerator.
- 22 8. On or after the end of 1998, SHERANI directed John Lim to bill Medi-Cal on behalf of
23 Medical and Facility Diagnostic Laboratory, Inc. ("MFDL").
- 24 9. On or after January 22, 1999, SHERANI obtained a Medi-Cal check paid to MFDL in the
25 amount of \$126,615.86 which was then cashed at Pacific Variety Market in New Jersey.
- 26 10. In or about September, 1998, SHERANI purchased a Citibank cashier's check made payable
27 to the California Department of Health Services to pay annual licensing fees for Imedics
28 Laboratory, Inc. ("Imedics").

1 11. In the fall of 1998, SHERANI directed Imedics' biller to bill Medi-Cal for laboratory tests
2 that SHERANI knew was never performed.

3 12. In early 1999, SHERANI managed Rica Lab, Inc. ("Rica Lab").

4 13. In or about February, 1999, SHERANI hired Rica Lab's biller.

5 **COUNT 2**

6 **IDENTITY THEFT: Penal Code §530.5(a)**

7 Beginning in or after July, 1998, through 1999, defendant SHERANI willfully and unlawfully
8 obtained or did aid, abet, solicit, and conspire with others to obtain personal identifying information
9 of *Hector Birman, M.D.*, without authorization, and used that information for an unlawful purpose
10 in reference to Physicians Laboratory Institute, Inc., through the use of said personal identifying
11 information, without the consent of the doctor, in violation of Penal Code §530.5(a), a felony.

12 **COUNT 3**

13 **IDENTITY THEFT: Penal Code §530.5(a)**

14 Beginning in or after July, 1998, through 1999, defendant SHERANI willfully and unlawfully
15 obtained or did aid, abet, solicit, and conspire with others to obtain personal identifying information
16 of *Mahesh Bhuta, M.D.*, without authorization, and used that information for an unlawful purpose
17 in reference to Physicians Laboratory Institute, Inc., through the use of said personal identifying
18 information, without the consent of the doctor, in violation of Penal Code §530.5(a), a felony.

19 **COUNT 4**

20 **IDENTITY THEFT: Penal Code §530.5(a)**

21 Beginning in or after July, 1998, through 1999, defendant SHERANI willfully and unlawfully
22 obtained or did aid, abet, solicit, and conspire with others to obtain personal identifying information
23 of *Donald Plance, M.D.*, without authorization, and used that information for an unlawful purpose
24 in reference to Physicians Laboratory Institute, Inc., through the use of said personal identifying
25 information, without the consent of the doctor, in violation of Penal Code §530.5(a), a felony.

26 **COUNT 5**

27 **IDENTITY THEFT: Penal Code §530.5(a)**

28 Beginning in or after July, 1998, through 1999, defendant SHERANI willfully and unlawfully

1 obtained or did aid, abet, solicit, and conspire with others to obtain personal identifying information
2 of *Abraham Maissian, M.D.*, without authorization, and used that information for an unlawful
3 purpose in reference to Physicians Laboratory Institute, Inc., through the use of said personal
4 identifying information, without the consent of the doctor, in violation of Penal Code §530.5(a), a
5 felony.

6 **COUNT 6**

7 **IDENTITY THEFT: Penal Code §530.5(a)**

8 Beginning in or after July, 1998, through 1999, defendant SHERANI willfully and unlawfully
9 obtained or did aid, abet, solicit, and conspire with others to obtain personal identifying information
10 of *David Abrams, M.D.*, without authorization, and used that information for an unlawful purpose
11 in reference to Medical & Facility Diagnostic Laboratory, Inc., through the use of said personal
12 identifying information, without the consent of the doctor, in violation of Penal Code §530.5(a), a
13 felony.

14 **COUNT 7**

15 **IDENTITY THEFT: Penal Code §530.5(a)**

16 Beginning in or after July, 1998, through 1999, defendant SHERANI willfully and unlawfully
17 obtained or did aid, abet, solicit, and conspire with others to obtain personal identifying information
18 of *Bella Davidovsky, M.D.*, without authorization, and used that information for an unlawful purpose
19 in reference to Medical & Facility Diagnostic Laboratory, Inc., through the use of said personal
20 identifying information, without the consent of the doctor, in violation of Penal Code §530.5(a), a
21 felony.

22 **COUNT 8**

23 **IDENTITY THEFT: Penal Code §530.5(a)**

24 Beginning in or after July, 1998, through 1999, defendant SHERANI willfully and unlawfully
25 obtained or did aid, abet, solicit, and conspire with others to obtain personal identifying information
26 of *George Andros, M.D.*, without authorization, and used that information for an unlawful purpose
27 in reference to Medical & Facility Diagnostic Laboratory, Inc., through the use of said personal

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1 identifying information, without the consent of the doctor, in violation of Penal Code §530.5(a), a
2 felony.

3 **COUNT 9**

4 **IDENTITY THEFT: Penal Code §530.5(a)**

5 Beginning in or after July, 1998, through 1999, defendant SHERANI willfully and unlawfully
6 obtained or did aid, abet, solicit, and conspire with others to obtain personal identifying information
7 of *Felcar Morada, M.D.*, without authorization, and used that information for an unlawful purpose
8 in reference to Medical & Facility Diagnostic Laboratory, Inc., through the use of said personal
9 identifying information, without the consent of the doctor, in violation of Penal Code §530.5(a), a
10 felony.

11 **COUNT 10**

12 **IDENTITY THEFT: Penal Code §530.5(a)**

13 Beginning in or after July, 1998, through 1999, defendant SHERANI willfully and unlawfully
14 obtained or did aid, abet, solicit, and conspire with others to obtain personal identifying information
15 of *Ann Peters, M.D.*, without authorization, and used that information for an unlawful purpose in
16 reference to Medical & Facility Diagnostic Laboratory, Inc., through the use of said personal
17 identifying information, without the consent of the doctor, in violation of Penal Code §530.5(a), a
18 felony.

19 **COUNT 11**

20 **IDENTITY THEFT: Penal Code §530.5(a)**

21 Beginning in or after July, 1998, through 1999, defendant SHERANI willfully and unlawfully
22 obtained or did aid, abet, solicit, and conspire with others to obtain personal identifying information
23 of *John Chard, M.D.*, without authorization, and used that information for an unlawful purpose in
24 reference to Medical & Facility Diagnostic Laboratory, Inc., through the use of said personal
25 identifying information, without the consent of the doctor, in violation of Penal Code §530.5(a), a
26 felony.

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1 **COUNT 12**

2 **IDENTITY THEFT: Penal Code §530.5(a)**

3 Beginning in or after July, 1998, through 1999, defendant SHERANI willfully and unlawfully
4 obtained or did aid, abet, solicit, and conspire with others to obtain personal identifying information
5 of *Lucita Cruz, M.D.*, without authorization, and used that information for an unlawful purpose in
6 reference to Imedics Laboratory, Inc., through the use of said personal identifying information,
7 without the consent of the doctor, in violation of Penal Code §530.5(a), a felony.

8 **COUNT 13**

9 **IDENTITY THEFT: Penal Code §530.5(a)**

10 Beginning in or after July, 1998, through 1999, defendant SHERANI willfully and unlawfully
11 obtained or did aid, abet, solicit, and conspire with others to obtain personal identifying information
12 of *John Doherty, M.D.*, without authorization, and used that information for an unlawful purpose in
13 reference to Imedics Laboratory, Inc., through the use of said personal identifying information,
14 without the consent of the doctor, in violation of Penal Code §530.5(a), a felony.

15 **COUNT 14**

16 **IDENTITY THEFT: Penal Code §530.5(a)**

17 Beginning in or after July, 1998, through 1999, defendant SHERANI willfully and unlawfully
18 obtained or did aid, abet, solicit, and conspire with others to obtain personal identifying information
19 of *Stephen Corday, M.D.*, without authorization, and used that information for an unlawful purpose
20 in reference to Imedics Laboratory, Inc., through the use of said personal identifying information,
21 without the consent of the doctor, in violation of Penal Code §530.5(a), a felony.

22 **COUNT 15**

23 **IDENTITY THEFT: Penal Code §530.5(a)**

24 Beginning in or after July, 1998, through 1999, defendant SHERANI willfully and unlawfully
25 obtained or did aid, abet, solicit, and conspire with others to obtain personal identifying information
26 of *Joseph Pierson, M.D.*, without authorization, and used that information for an unlawful purpose
27 in reference to Rica Lab, Inc., through the use of said personal identifying information, without the
28 consent of the doctor, in violation of Penal Code §530.5(a), a felony.

1 **COUNT 16**

2 **IDENTITY THEFT: Penal Code §530.5(a)**

3 Beginning in or after December, 1998, through 1999, defendant SHERANI willfully and
4 unlawfully obtained or did aid, abet, solicit, and conspire with others to obtain personal identifying
5 information of *William Young, M.D.*, without authorization, and used that information for an unlawful
6 purpose in reference to Rica Lab, Inc., through the use of said personal identifying information,
7 without the consent of the doctor, in violation of Penal Code §530.5(a), a felony.

8 **COUNT 17**

9 **IDENTITY THEFT: Penal Code §530.5(a)**

10 Beginning in or after December, 1998, through 1999, defendant SHERANI willfully and
11 unlawfully obtained or did aid, abet, solicit, and conspire with others to obtain personal identifying
12 information of *Terry Lee, M.D.*, without authorization, and used that information for an unlawful
13 purpose in reference to Rica Lab, Inc., through the use of said personal identifying information,
14 without the consent of the doctor, in violation of Penal Code §530.5(a), a felony.

15 **COUNT 18**

16 **HEALTH BENEFITS FRAUD: Penal Code §550(a)(6)**

17 Beginning in or before July, 1998, through 1999, defendant SHERANI did commit or aid,
18 abet, solicit, or conspire with one another and others known and unknown, and did knowingly make
19 or cause to be made fraudulent claims for payment of a health care benefit to the Medi-Cal program,
20 in violation of Penal Code §550(a)(6), a felony.

21 **COUNT 19**

22 **GRAND THEFT: Penal Code §487(a)**

23 Between in or before July, 1998, through 1999, defendant SHERANI did willfully and
24 unlawfully take or aid, abet, solicit, and conspire with others to take from the State of California
25 money in excess of four-hundred dollars, in violation of the Penal Code §487(a), a felony.

26 **COUNT 20**

27 **FAILURE TO FILE TAX RETURN: Revenue and Taxation Code § 19706**

28 Up until at least September 24, 2003, defendant SHERANI willfully failed to file a tax return

1 or to supply any information concerning Physicians Laboratory Institute, Inc.'s taxes for tax year
2 1998, and did so with the intent to evade income taxes, in violation of Revenue and Taxation Code
3 §19706, a felony.

4 **COUNT 21**

5 **FAILURE TO FILE TAX RETURN: Revenue and Taxation Code § 19706**

6 Up to the date of the filing of the Amended Information, defendant SHERANI willfully failed
7 to file a tax return or to supply any information concerning Physicians Laboratory Institute, Inc.'s
8 taxes for tax year 1999, and did so with the intent to evade income taxes, in violation of Revenue and
9 Taxation Code §19706, a felony.

10 **SPECIAL ALLEGATION**

11 **LOSS OVER \$50,000: Penal Code §12022.6(a)(1)**

12 It is further alleged that in the commission of the felonies charged above that defendant
13 SHERANI, with the intent to cause so, took, damaged, or destroyed property of a value in excess of
14 Fifty Thousand Dollars, within the meaning of Penal Code §12022.6(a)(1).

15 **SPECIAL ALLEGATION**

16 **LOSS OVER \$150,000: Penal Code §12022.6(a)(2)**

17 It is further alleged that in the commission of the felonies charged above that defendant
18 SHERANI, with the intent to cause so, took, damaged, or destroyed property of a value in excess of
19 One Hundred Fifty Thousand Dollars, within the meaning of Penal Code §12022.6(a)(2).

20 **SPECIAL ALLEGATION**

21 **LOSS OVER \$1,000,000: Penal Code §12022.6(a)(3)**

22 It is further alleged that in the commission of the felonies charged above that defendant
23 SHERANI, with the intent to cause so, took, damaged, or destroyed property of a value in excess of
24 One Million Dollars, within the meaning of Penal Code §12022.6(a)(3).

25 **SPECIAL ALLEGATION**

26 **LOSS OVER \$2,500,000: Penal Code §12022.6(a)(4)**

27 It is further alleged that in the commission of the felonies charged above that defendant
28 SHERANI, with the intent to cause so, took, damaged, or destroyed property of a value in excess of

1 Two Million Five Hundred Thousand Dollars, within the meaning of Penal Code §12022.6(a)(4).

2 **SPECIAL ALLEGATION**

3 **AGGRAVATED WHITE COLLAR CRIME ENHANCEMENT: Penal Code §186.11(a)(2)**

4 It is alleged that the offenses set forth within this Amended Information committed by
5 defendant SHERANI are related felonies, a material element of which is fraud. It is further alleged
6 that these related felonies resulted in the taking of more than Five Hundred Thousand Dollars, within
7 the meaning of Penal Code §186.11(a)(2).

8 **SPECIAL ALLEGATION**

9 **PROBATION LIMITATION: Penal Code §1203.045**

10 It is further alleged that in the commission of the felonies charged above, that defendant
11 SHERANI, with the intent to do so, took a value in excess of One Hundred Thousand Dollars, within
12 the meaning of the Penal Code §1203.045, thereby requiring defendant be denied probation.

13 SUBSCRIBED TO AND SWORN on this 3rd day of December, 2003, at Santa Ana,
14 California.

15 _____
16 HARDY R. GOLD
17 Supervising Deputy Attorney General
18 for
19 BILL LOCKYER
20 Attorney General
21 Attorneys for the People of the State of California

22 **PURSUANT TO PENAL CODE §1054.5(b), THE PEOPLE HEREBY**
23 **INFORMALLY REQUEST THAT DEFENDANT'S COUNSEL PROVIDE**
24 **DISCOVERY TO THE PEOPLE AS REQUIRED BY PENAL CODE §1054.3**