

SEALED



IN THE DISTRICT COURT OF CLEVELAND COUNTY
STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel.,
MIKE HUNTER,
ATTORNEY GENERAL OF OKLAHOMA,

Plaintiff,

vs.

- (1) PURDUE PHARMA L.P.;
- (2) PURDUE PHARMA, INC.;
- (3) THE PURDUE FREDERICK COMPANY,
- (4) TEVA PHARMACEUTICALS USA, INC.;
- (5) CEPHALON, INC.;
- (6) JOHNSON & JOHNSON;
- (7) JANSSEN PHARMACEUTICALS, INC,
- (8) ORTHO-MCNEIL-JANSSEN
PHARMACEUTICALS, INC., n/k/a
JANSSEN PHARMACEUTICALS;
- (9) JANSSEN PHARMACEUTICA, INC.,
n/k/a JANSSEN PHARMACEUTICALS, INC.;
- (10) ALLERGAN, PLC, f/k/a ACTAVIS PLC,
f/k/a ACTAVIS, INC., f/k/a WATSON
PHARMACEUTICALS, INC.;
- (11) WATSON LABORATORIES, INC.;
- (12) ACTAVIS LLC; and
- (13) ACTAVIS PHARMA, INC.,
f/k/a WATSON PHARMA, INC.,

Defendants.

SEALED

STATE OF OKLAHOMA, S.S.
CLEVELAND COUNTY
FILED In The
Office of the Court Clerk
MAY 02 2019

In the office of the
Court Clerk MARILYN WILLIAMS

Case No. CJ-2017-816
Honorable Thad Balkman

William C. Hetherington
Special Discovery Master

DEFENDANTS TEVA PHARMACEUTICALS USA, INC.,
CEPHALON, INC., WATSON LABORATORIES, INC., ACTAVIS LLC,
AND ACTAVIS PHARMA, INC., f/k/a WATSON PHARMA, INC.'S
MOTION FOR SUMMARY JUDGMENT AND BRIEF IN SUPPORT

EXHIBIT 39 FILED UNDER SEAL

EXHIBIT 39

IN THE DISTRICT COURT OF OKLAHOMA
STATE OF OKLAHOMA

MAECOUNTY DISTRICT COURT
OKLAHOMA COUNTY

STATE OF OKLAHOMA)
Plaintiff,)
vs.)
HARVEY CLARKE JENKINS, JR., M.D.)
TASHONDA RENEE DIXON)
JULIE BROWN)
MICHAEL WAYNE OXLEY)
TAYLOR SHAI ZAMARRIPA)
ELSIE MURGUIA)
Defendants.)

JAN 23 2018
RICK WARRINGTON
COURT CLERK
 09 _____

CF-16-2325

THIRD AMENDED INFORMATION

In the name and by the authority of the State of Oklahoma, comes now **MIKE HUNTER**, the duly appointed, qualified, and acting Attorney General in and for the State of Oklahoma, and on his official oath informs the District Court that:

COUNT 1
CONSPIRACY TO ILLEGALLY POSSESS/DISTRIBUTE/DISPENSE/PRESCRIBE
CONTROLLED DANGEROUS SUBSTANCES [63 O.S. §2-401(A)(1) and 21 O.S. §421]

On or about the 1st day of January, 2010 A.D., through and including the 28th day of February, 2015 A.D., in Oklahoma County, Oklahoma, **Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, Michael Wayne Oxley, Taylor Shai Zamarripa, and Elsie Murguia**, acting jointly and in concert with each other at various times, knowingly, intentionally, feloniously, and in concert with each other **Conspired to Illegally Possess/Distribute/Dispense/Prescribe Controlled Dangerous Substances** by committing one or more of the following overt acts in furtherance of the conspiracy:

1. Illegally possessing, distributing, dispensing or causing to be distributed and dispensed, prescribing or causing to be prescribed controlled dangerous substances for other than a legitimate medical or scientific purpose, and/or without a doctor/patient relationship, and/or without a valid medical license;
2. Inadequate verification of the patient's medical complaint;
3. Cursory or no medical examinations by Dr. Jenkins and/or Aria Orthopedics staff;
4. No patient medical history and/or inadequate patient medical history with no follow-up verification;
5. Incomplete or inadequate mental or physical examinations;

6. Insufficient dialogue with the patients regarding treatment options and risks and benefits of such treatment;
7. Treating patients with controlled dangerous substances while failing to consider other treatment options;
8. Failure to refer patients to specialists for treatment;
9. "Coaching" patients as to what to say in order to justify or attempt to justify the prescribing and dispensing of controlled dangerous substances to the patients;
10. Lack of or inadequate diagnostic testing;
11. Increasing the patients' dosages over time or switching to more powerful controlled dangerous substances;
12. Prescribing inappropriate combinations of controlled dangerous substances to patients;
13. Patients suggesting or directing the medications to be prescribed;
14. Treating a large number of patients who reside outside of Oklahoma and/or long distances from South Oklahoma City with prescriptions for controlled dangerous substances;
15. Prescribing controlled dangerous substances to patients who complain of nebulous physical conditions, where lesser treatment options would be indicated;
16. Failing to assess the risk of abuse for individual patients;
17. Failing to monitor patients' responses to medication or compliance with medical usage;

18. Failing to consider the results of the patients' toxicology screens showing non-use of the prescribed medication, yet continuing to prescribe the controlled dangerous substance;
19. Staff members of the clinic being seen as patients and receiving prescriptions electronically signed by Dr. Jenkins for controlled dangerous substances; and/or
20. Issuing prescriptions for controlled dangerous substances to an inordinately high percentage of patients, contrary to the provisions of section 421(A)(1) of Title 21 and section 2-401(A)(1) of Title 63 of the Oklahoma Statutes and against the peace and dignity of the State of Oklahoma.

COUNT 2
UNLAWFUL DISTRIBUTION OF A CONTROLLED DANGEROUS SUBSTANCE
[63 O.S. §2-401(A)(1)]

On or about the 12th day of May, 2014, A.D., the crime of Unlawful Distribution of a Controlled Dangerous Substance was feloniously committed in **Oklahoma County, Oklahoma** by **Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, Michael Wayne Oxley, Taylor Shai Zamarripa, and Elsie Murguia**, acting jointly and in concert with each other, who willfully and knowingly, for other than legitimate medical or scientific purposes and/or without a doctor/patient relationship, and/or without a valid medical license, distributed or dispensed a quantity of Oxycodone/Acetaminophen, also known as Percocet, classified as a controlled dangerous substance, in schedule IV through II of the Controlled Dangerous Substance

Act of this State, by signing and/or causing to be delivered a prescription (Number 0600502) for said drug to A.B. (DOB: 07/10/1978) from Aria Orthopedics, 8603 S. Western Avenue, Oklahoma City, Oklahoma County, State of Oklahoma, contrary to the provisions of section 2-401(A)(1) of Title 63 of the Oklahoma Statutes, and against the peace and dignity of the State of Oklahoma.

COUNT 3
UNLAWFUL DISTRIBUTION OF A CONTROLLED DANGEROUS SUBSTANCE
[63 O.S. §2-401(A)(1)]

On or about the 9th day of October, 2013, A.D., the crime of Unlawful Distribution of a Controlled Dangerous Substance was feloniously committed in **Oklahoma County, Oklahoma** by **Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, Michael Wayne Oxley, Taylor Shai Zamarripa, and Elsie Murguia**, acting jointly and in concert with each other, who willfully and knowingly, for other than legitimate medical or scientific purposes and/or without a doctor/patient relationship, and/or without a valid medical license, distributed or dispensed a quantity of Hydrocodone Bitartrate/Acetaminophen, also known as Lortab, classified as a controlled dangerous substance, in schedule IV through II of the Controlled Dangerous Substance Act of this State, by signing and/or causing to be delivered a prescription (Number 5828653) for said drug to B.C. (DOB: 10/26/1975) from Aria Orthopedics, 8603 S. Western Avenue, Oklahoma City, Oklahoma County, State of Oklahoma, contrary to the provisions of

section 2-401 (A)(1) of Title 63 of the Oklahoma Statues, and against the peace and dignity of the State of Oklahoma.

COUNT 4
UNLAWFUL DISTRIBUTION OF A CONTROLLED DANGEROUS SUBSTANCE
[63 O.S. §2-401(A)(1)]

On or about the 27th day of March, 2013, A.D., the crime of Unlawful Distribution of a Controlled Dangerous Substance was feloniously committed in **Oklahoma County**, Oklahoma by **Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, Michael Wayne Oxley, Taylor Shai Zamarripa, and Elsie Murguia**, acting jointly and in concert with each other, who willfully and knowingly, for other than legitimate medical or scientific purposes and/or without a doctor/patient relationship, and/or without a valid medical license, distributed or dispensed a quantity of Hydrocodone Bitartrate/Acetaminophen, also known as Lortab, classified as a controlled dangerous substance, in schedule IV through II of the Controlled Dangerous Substance Act of this State, by signing and/or causing to be delivered a prescription (Number 548223) for said drug to R.B. (DOB: 10/30/1951) from Aria Orthopedics, 8603 S. Western Avenue, Oklahoma City, Oklahoma County, State of Oklahoma, contrary to the provisions of section 2-401 of Title 63 of the Oklahoma Statues, and against the peace and dignity of the State of Oklahoma.

COUNT 5
UNLAWFUL DISTRIBUTION OF A CONTROLLED DANGEROUS SUBSTANCE
[63 O.S. §2-401(A)(1)]

On or about the 22nd day of October, 2014, A.D., the crime of Unlawful Distribution of a Controlled Dangerous Substance was feloniously committed in **Oklahoma County**, Oklahoma by **Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, Michael Wayne Oxley, Taylor Shai Zamarripa, and Elsie Murguia**, acting jointly and in concert with each other, who willfully and knowingly, for other than legitimate medical or scientific purposes and/or without a doctor/patient relationship, and/or without a valid medical license, distributed or dispensed a quantity of Oxycodone Hydrochloride, also known as Oxycodone, classified as a controlled dangerous substance, in schedule IV through II of the Controlled Dangerous Substance Act of this State, by signing and/or causing to be delivered a prescription (Number 679205) for said drug to D.D. (DOB: 05/14/1960) from Aria Orthopedics, 8603 S. Western Avenue, Oklahoma City, Oklahoma County, State of Oklahoma, contrary to the provisions of section 2-401(A)(1) of Title 63 of the Oklahoma Statutes, and against the peace and dignity of the State of Oklahoma.

COUNT 6
UNLAWFUL DISTRIBUTION OF A CONTROLLED DANGEROUS SUBSTANCE
[63 O.S. §2-401(A)(1)]

On or about the 22nd day of October, 2014, A.D., the crime of Unlawful Distribution of a Controlled Dangerous Substance was feloniously committed in **Oklahoma County**, Oklahoma by **Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, Michael Wayne**

Oxley, Taylor Shai Zamarripa, and Elsie Murguia, acting jointly and in concert with each other, who willfully and knowingly, for other than legitimate medical or scientific purposes and/or without a doctor/patient relationship, and/or without a valid medical license, distributed or dispensed a quantity of Oxycodone Hydrochloride, also known as Oxycodone, classified as a controlled dangerous substance, in schedule IV through II of the Controlled Dangerous Substance Act of this State, by signing and/or causing to be delivered a prescription (Number 679203) for said drug to L.D. (DOB: 03/18/1960) from Aria Orthopedics, 8603 S. Western Avenue, Oklahoma City, Oklahoma County, State of Oklahoma, contrary to the provisions of section 2-401(A)(1) of Title 63 of the Oklahoma Statutes, and against the peace and dignity of the State of Oklahoma.

COUNT 7

**UNLAWFUL DISTRIBUTION OF A CONTROLLED DANGEROUS SUBSTANCE [63
O.S. §2-401(A)(1)]**

On or about the 4th day of December, 2014, A.D., the crime of Unlawful Distribution of a Controlled Dangerous Substance was feloniously committed in **Oklahoma County, Oklahoma** by **Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, Michael Wayne Oxley, Taylor Shai Zamarripa, and Elsie Murguia**, acting jointly and in concert with each other, who willfully and knowingly, for other than legitimate medical or scientific purposes and/or without a doctor/patient relationship, and/or without a valid medical license, distributed or dispensed a quantity of Oxycodone Hydrochloride, also known as Oxycodone, and/or Fentanyl Patch, classified as a controlled dangerous substances, in schedule IV through II of the Controlled

Dangerous Substance Act of this State, by signing and/or causing to be delivered prescriptions (Number 2012510 and 2012511) for said drugs to A.F. (DOB: 08/16/1976) from Aria Orthopedics, 8603 S. Western Avenue, Oklahoma City, Oklahoma County, State of Oklahoma, contrary to the provisions of section 2-401(A)(1) of Title 63 of the Oklahoma Statutes, and against the peace and dignity of the State of Oklahoma.

COUNT 8
UNLAWFUL DISTRIBUTION OF A CONTROLLED DANGEROUS SUBSTANCE
[63 O.S. §2-401(A)(1)]

On or about the 9th day of September, 2013, A.D., the crime of Unlawful Distribution of a Controlled Dangerous Substance was feloniously committed in **Oklahoma County, Oklahoma** by **Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, Michael Wayne Oxley, Taylor Shai Zamarripa, and Elsie Murguia**, acting jointly and in concert with each other, who willfully and knowingly, for other than legitimate medical or scientific purposes and/or without a doctor/patient relationship, and/or without a valid medical license, distributed or dispensed a quantity of Hydrocodone Bitartrate/Acetaminophen, also known as Lortab, classified as a controlled dangerous substance, in schedule IV through II of the Controlled Dangerous Substance Act of this State, by signing and/or causing to be delivered a prescription (Number 4476092) for said drug to B.J. (DOB: 10/24/1959) from Aria Orthopedics, 8603 S. Western Avenue, Oklahoma City, Oklahoma County, State of Oklahoma, contrary to the provisions of

section 2-401(A)(1) of Title 63 of the Oklahoma Statutes, and against the peace and dignity of the State of Oklahoma.

COUNT 9
UNLAWFUL DISTRIBUTION OF A CONTROLLED DANGEROUS SUBSTANCE
[63 O.S. §2-401(A)(1)]

On or about the 27th day of November, 2013, A.D., the crime of Unlawful Distribution of a Controlled Dangerous Substance was feloniously committed in **Oklahoma County, Oklahoma** by **Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, Michael Wayne Oxley, Taylor Shai Zamarripa, and Elsie Murguia**, acting jointly and in concert with each other, who willfully and knowingly, for other than legitimate medical or scientific purposes and/or without a doctor/patient relationship, and/or without a valid medical license, distributed or dispensed a quantity of Oxycodone Hydrochloride, also known as Oxycodone, and/or Morphine Sulfate, also known as MS Contin, classified as a controlled dangerous substances, in schedule IV through II of the Controlled Dangerous Substance Act of this State, by signing and/or causing to be delivered prescriptions (Number 2007030 and 2007031) for said drugs to C.J. (DOB: 06/05/1975) from Aria Orthopedics, 8603 S. Western Avenue, Oklahoma City, Oklahoma County, State of Oklahoma, contrary to the provisions of section 2-401(A)(1) of Title 63 of the Oklahoma Statutes, and against the peace and dignity of the State of Oklahoma.

COUNT 10
UNLAWFUL DISTRIBUTION OF A CONTROLLED DANGEROUS SUBSTANCE
[63 O.S. §2-401(A)(1)]

On or about the 24th day of November, 2014, A.D., the crime of Unlawful Distribution of a Controlled Dangerous Substance was feloniously committed in **Oklahoma County, Oklahoma** by **Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, Michael Wayne Oxley, Taylor Shai Zamarripa, and Elsie Murguia**, acting jointly and in concert with each other, who willfully and knowingly, for other than legitimate medical or scientific purposes and/or without a doctor/patient relationship, and/or without a valid medical license, distributed or dispensed a quantity of Oxycodone/Acetaminophen, also known as Percocet, classified as a controlled dangerous substance, in schedule IV through II of the Controlled Dangerous Substance Act of this State, by signing and/or causing to be delivered a prescription (Number 2232700) for said drug to T.M. (DOB: 06/28/1968) from Aria Orthopedics, 8603 S. Western Avenue, Oklahoma City, Oklahoma County, State of Oklahoma, contrary to the provisions of section 2-401(A)(1) of Title 63 of the Oklahoma Statutes, and against the peace and dignity of the State of Oklahoma.

COUNT 11
UNLAWFUL DISTRIBUTION OF A CONTROLLED DANGEROUS SUBSTANCE
[63 O.S. §2-401(A)(1)]

On or about the 7th day of October, 2013, A.D., the crime of Unlawful Distribution of a Controlled Dangerous Substance was feloniously committed in **Oklahoma County, Oklahoma** by **Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, Michael Wayne**

Oxley, Taylor Shai Zamarripa, and Elsie Murguia, acting jointly and in concert with each other, who willfully and knowingly, for other than legitimate medical or scientific purposes and/or without a doctor/patient relationship, and/or without a valid medical license, distributed or dispensed a quantity of Hydrocodone Bitartrate/Acetaminophen, also known as Lortab, classified as a controlled dangerous substance, in schedule IV through II of the Controlled Dangerous Substance Act of this State, by signing and/or causing to be delivered a prescription (Number 4476307) for said drug to S.O. (DOB: 06/06/1965) from Aria Orthopedics, 8603 S. Western Avenue, Oklahoma City, Oklahoma County, State of Oklahoma, contrary to the provisions of section 2-401(A)(1) of Title 63 of the Oklahoma Statues, and against the peace and dignity of the State of Oklahoma.

COUNT 12
UNLAWFUL DISTRIBUTION OF A CONTROLLED DANGEROUS SUBSTANCE
[63 O.S. §2-401(A)(1)]

On or about the 24th day of July, 2014, A.D., the crime of Unlawful Distribution of a Controlled Dangerous Substance was feloniously committed in **Oklahoma County, Oklahoma** by **Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, Michael Wayne Oxley, Taylor Shai Zamarripa, and Elsie Murguia**, acting jointly and in concert with each other, who willfully and knowingly, for other than legitimate medical or scientific purposes and/or without a doctor/patient relationship, and/or without a valid medical license, distributed or dispensed a quantity of Phentermine Hydrochloride, also known as Adipex-P, classified as a

controlled dangerous substance, in schedule IV through II of the Controlled Dangerous Substance Act of this State, by signing and/or causing to be delivered a prescription (Number 0546926) for said drug to T.R. (DOB: 09/27/1979) from Aria Orthopedics, 8603 S. Western Avenue, Oklahoma City, Oklahoma County, State of Oklahoma, contrary to the provisions of section 2-401(A)(1) of Title 63 of the Oklahoma Statutes, and against the peace and dignity of the State of Oklahoma.

COUNT 13
MAINTAINING A PLACE/BUILDING WHERE CONTROLLED DANGEROUS
SUBSTANCES ARE KEPT [63 O.S. §2-404(A)(6)]

On or about the 1st day of January, 2010, A.D., through and including the 28th day of February, 2015, A.D., in **Oklahoma County**, Oklahoma, the crime of **Maintaining a Place/Building Where Controlled Dangerous Substances Are Kept** was feloniously committed by **Harvey Clarke Jenkins, Jr., M.D., Michael Wayne Oxley, Taylor Shai Zamarripa, and Elsie Murguia**, to wit: acting jointly and in concert with each other, knowingly, intentionally, and feloniously, maintained a place/building where controlled dangerous substances were kept, and/or by holding open to the general public the physical property of Aria Orthopedics, located at 8603 S. Western Avenue, Oklahoma City, Oklahoma County, State of Oklahoma, for the substantial purpose of illegally prescribing controlled dangerous substances outside the scope of prevailing standards of medical practice under the guise of a pain management clinic, contrary to the provisions of section 2-404(A)(6) of Title 63 of the Oklahoma Statutes and against the peace and dignity of the State of Oklahoma.

COUNT 14
CONSPIRACY TO DEFRAUD THE STATE BY MAKING OR CAUSING TO BE MADE
FALSE CLAIMS UNDER THE OKLAHOMA MEDICAID PROGRAM
[56 O.S. §1005(A)(1) and 21 O.S. §424]

On or about the 1st day of January, 2010, A.D., through and including the 28th day of February, 2015, A.D., in Oklahoma County, Oklahoma, Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, Michael Wayne Oxley, Taylor Shai Zamarripa , and Elsie Murguia, jointly and in concert with each other, knowingly, intentionally, and feloniously, Conspired to Defraud The State of Oklahoma by Making or Causing to Be Made False Claims under the Oklahoma Medicaid Program, to wit: submitted, or caused to be submitted, fraudulent claims for services to Oklahoma Health Care Authority in an amount of \$2,500.00 or more by committing one or more of the following overt acts in furtherance of the conspiracy:

1. Submitting or causing to be submitted bills to the Oklahoma Health Care Authority for services never performed by certified or licensed medical personnel;
2. Submitting or causing to be submitted bills to the Oklahoma Health Care Authority for face to face visits between Harvey Clarke Jenkins, Jr., M.D. and patients when such face to face meetings never occurred;
3. Submitting or causing to be submitted bills to the Oklahoma Health Care Authority for services claimed to have been provided in excess of the standard rate specified for the service provided, also known as "up-coding"; and/or,

4. Submitting or causing to be submitted bills for services claimed to have been performed but were never rendered at all, a fact that **Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, Michael Wayne Oxley, Taylor Shai Zamarripa, and Elsie Murguia** either knew or should have known but permitted to be submitted, or caused to be submitted, a false claim for payment regardless, contrary to the provisions of section 424 of Title 21 of the Oklahoma Statutes and 1005(A)(1) of Title 56 of the Oklahoma Statutes and against the peace and dignity of the State of Oklahoma.

COUNT 15
MAKING OR CAUSING TO BE MADE FALSE CLAIMS UNDER THE OKLAHOMA
MEDICAID PROGRAM [56 O.S. §1005(A)(1)]

On or about the 1st day of August, 2013, A.D., through and including the 28th day of May, 2014, A.D., in **Oklahoma County, Oklahoma**, the crime of Making or Causing to be Made False Claims Under the Oklahoma Medicaid Program In An Amount of \$2,500.00 or More was, knowingly, intentionally and feloniously committed by **Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, Michael Wayne Oxley, and Taylor Shai Zamarripa**, acting jointly and in concert with each other, by submitting, or caused to be submitted, fraudulent claims for services allegedly rendered to R.B. (DOB 10/30/1951), to the Oklahoma Health Care Authority in an amount of \$2,500.00 or more. The alleged services claimed were for services never performed by certified or licensed medical personnel, billed in excess of the service provided, or for alleged services claimed to have been performed that were never rendered at all,

a fact that Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, Michael Wayne Oxley, and Taylor Shai Zamarripa either knew or should have known but permitted to be submitted, or caused to be submitted, a false claim for payment regardless, contrary to the provisions of section 1005(A)(1) of Title 56 of the Oklahoma Statutes and against the peace and dignity of the State of Oklahoma.

COUNT 16
MAKING OR CAUSING TO BE MADE FALSE CLAIMS UNDER THE OKLAHOMA
MEDICAID PROGRAM [56 O.S. §1005(A)(1)]

On or about the 1st day of September, 2013, A.D., through and including the 31st day of January, 2015, A.D., in Oklahoma County, Oklahoma, the crime of Making or Causing to be Made False Claims Under the Oklahoma Medicaid Program In An Amount of \$2,500.00 or More was knowingly, intentionally and feloniously committed by **Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, Michael Wayne Oxley, and Taylor Shai Zamarripa**, acting jointly and in concert with each other, by submitting, or causing to be submitted fraudulent claims for services allegedly rendered to D.D. (DOB 05/14/1960), to the Oklahoma Health Care Authority in an amount of \$2,500.00 or more. The alleged services claimed were for services never performed by certified or licensed medical personnel, billed in excess of the service provided, or for alleged services claimed to have been performed that were never rendered at all, a fact that Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, Michael Wayne Oxley, and Taylor Shai Zamarripa either knew or should have known but permitted to be

submitted, or caused to be submitted, a false claim for payment regardless, contrary to the provisions of section 1005(A)(1) of Title 56 of the Oklahoma Statutes and against the peace and dignity of the State of Oklahoma.

COUNT 17
MAKING OR CAUSING TO BE MADE FALSE CLAIMS UNDER THE OKLAHOMA
MEDICAID PROGRAM [56 O.S. §1005(A)(1)]

On or about the 1st day of August, 2013, A.D., through and including the 31st day of January, 2015, A.D., in **Oklahoma County**, Oklahoma, the crime of Making or Causing to be Made False Claims Under the Oklahoma Medicaid Program In An Amount of \$2,500.00 or More was knowingly, intentionally, and feloniously committed by **Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, Michael Wayne Oxley, and Taylor Shai Zamarripa** , acting jointly and in concert with each other, by submitting, or causing to be submitted fraudulent claims for services allegedly rendered to L.D. (DOB 03/18/1960), to Oklahoma Health Care Authority in an amount of \$2,500.00 or more. The alleged services claimed were for services never performed by certified or licensed medical personnel, billed in excess of the service provided, or for alleged services claimed to have been performed that were never rendered at all, a fact that Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, Michael Wayne Oxley, and Taylor Shai Zamarripa either knew or should have known but permitted to be submitted, or caused to be submitted, a false claim for payment regardless, contrary to the

provisions of section 1005(A)(1) of Title 56 of the Oklahoma Statutes and against the peace and dignity of the State of Oklahoma.

COUNT 18
MAKING OR CAUSING TO BE MADE FALSE CLAIMS UNDER THE OKLAHOMA
MEDICAID PROGRAM [56 O.S. §1005(A)(1)]

On or about the 1st day of August, 2013, A.D., through and including the 31st day of December, 2014, A.D., in **Oklahoma County**, Oklahoma, the crime of Making or Causing to be Made False Claims Under the Oklahoma Medicaid Program In An Amount of \$2,500.00 or More was knowingly, intentionally, and feloniously committed by **Dr. Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, Michael Wayne Oxley, and Taylor Shai Zamarripa**, acting jointly and in concert with each another by submitting, or causing to be submitted fraudulent claims for services allegedly rendered to A.F. (DOB 08/16/1976), to Oklahoma Health Care Authority in an amount of \$2,500.00 or more. The alleged services claimed were for services never performed by certified or licensed medical personnel, billed in excess of the service provided, or for alleged services claimed to have been performed that were never rendered at all, a fact that Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, Michael Wayne Oxley, and Taylor Shai Zamarripa either knew or should have known but permitted to be submitted, or caused to be submitted, a false claim for payment regardless, contrary to the provisions of section 1005(A)(1) of Title 56 of the Oklahoma Statutes and against the peace and dignity of the State of Oklahoma.

COUNT 19
MAKING OR CAUSING TO BE MADE FALSE CLAIMS UNDER THE OKLAHOMA
MEDICAID PROGRAM [56 O.S. §1005(A)(1)]

On or about the 1st day of September, 2013, A.D., through and including the 30th day of March, 2014, A.D., in Oklahoma County, Oklahoma, the crime of Making or Causing to be Made False Claims Under the Oklahoma Medicaid Program In An Amount of Less than \$2,500.00 was unlawfully committed by **Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, Michael Wayne Oxley, and Taylor Shai Zamarripa**, acting jointly and in concert with each other, by submitting, or causing to be submitted fraudulent claims for services allegedly rendered to C.J. (DOB 06/05/1975), to Oklahoma Health Care Authority in an amount less than \$2,500.00. The alleged services claimed were for services never performed by certified or licensed medical personnel, billed in excess of the service provided, or for alleged services claimed to have been performed that were never rendered at all, a fact that Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, Michael Wayne Oxley, and Taylor Shai Zamarripa either knew or should have known but permitted to be submitted, or caused to be submitted, a false claim for payment regardless, contrary to the provisions of section 1005(A)(1) of Title 56 of the Oklahoma Statutes and against the peace and dignity of the State of Oklahoma.

COUNT 20
MAKING OR CAUSING TO BE MADE FALSE CLAIMS UNDER THE OKLAHOMA
MEDICAID PROGRAM [56 O.S. §1005(A)(1)]

On or about the 1st day of August, 2013, A.D., through and including the 31st day of January, 2015, A.D., in **Oklahoma County**, Oklahoma, the crime of Making or Causing to be Made False Claims Under the Oklahoma Medicaid Program In An Amount of \$2,500.00 or More was knowingly, intentionally and feloniously committed by **Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, Michael Wayne Oxley, and Taylor Shai Zamarripa** , acting jointly and in concert with each other, by submitting or causing to be submitted, fraudulent claims for services allegedly rendered to T.M. (DOB 06/28/1968), to Oklahoma Health Care Authority in an amount of \$2,500.00 or more. The alleged services claimed were for services never performed by certified or licensed medical personnel, billed in excess of the service provided, or for alleged services claimed to have been performed that were never rendered at all, a fact that Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, Michael Wayne Oxley, and Taylor Shai Zamarripa either knew or should have known but permitted to be submitted, or caused to be submitted, a false claim for payment regardless, contrary to the provisions of section 1005(A)(1) of Title 56 of the Oklahoma Statutes and against the peace and dignity of the State of Oklahoma.

COUNT 22
FALSE PERSONATION OF ANOTHER [21 O.S. § 1531(3)]

On or about the 26th day of April, 2012, A.D., through and including the 30th day of April, 2012, A.D., in **Oklahoma County**, Oklahoma, the crime of False Personation of Another was knowingly, willfully, feloniously and with fraudulent intent, committed by **Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, and Elsie Murguia**, acting jointly and in concert with each other, falsely personated another, specifically, Dr. Deborah Nilson, D.O., by subscribing, verifying, publishing, acknowledging, and/or proving, in the name of Dr. Deborah Nilson, D.O., written instruments including, but not limited to prescriptions for controlled dangerous substances and nurse notes with the intent that the same may be delivered as true. Specifically, the electronic signature of Dr. Nilson, was used without her consent, with the intent to fraudulently represent that Dr. Nilson authorized prescriptions for controlled dangerous substances, including but not limited to: L.T. (DOB 05/30/1959); J.K. (DOB 06/04/1961); P.L. (DOB 12/14/1973); S.A. (DOB 04/20/1957); and T.D. (DOB 09/25/1968), and to verify as true the fraudulent nursing notes contrary to the provisions of section 1531(3) of Title 21 of the *Oklahoma Statutes and against the peace and dignity of the State of Oklahoma.*

COUNT 23
FALSE PERSONATION OF ANOTHER [21 O.S. §1531(3)]

On or about the 1st day of May, 2012, A.D., through and including the 31st day of May, 2012, A.D., in **Oklahoma County**, Oklahoma, the crime of False Personation of Another was

knowingly, willfully, feloniously and with fraudulent intent, committed by **Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, and Elsie Murguia**, acting jointly and in concert with each other, falsely personated another, specifically, Dr. Deborah Nilson, D.O., by subscribing, verifying, publishing, acknowledging, and/or proving, in the name of Dr. Deborah Nilson, D.O., written instruments including, but not limited to, prescriptions for controlled dangerous substances and nurse notes with the intent that the same may be delivered as true. Specifically, the electronic signature of Dr. Nilson, was used without her consent, with the intent to fraudulently represent that Dr. Nilson authorized prescriptions for controlled dangerous substances, including but not limited to: D.J. (DOB 09/12/1950); C.C. (DOB 08/20/1954); C.J. (DOB 07/26/1976); J.W. (DOB 06/12/1963); R.W. (DOB 07/22/1985); H.K. (DOB 01/04/1964); P.C. (DOB 11/20/1965); B.J. (DOB 02/02/1961); C.C. (DOB 09/26/1956); K.W. (DOB 05/23/1948); R.P. (DOB 06/17/1947); T.S. (DOB 08/12/1964); H.C. (DOB 09/16/1975); S.C. (DOB 05/01/1968); J.S. (DOB 10/04/1955); A.C. (DOB 09/14/43); H.F. (DOB 04/28/1959); T.D. (DOB 09/25/1968); C.S. (DOB 10/06/1956); J.S. (DOB 10/04/1955); K.R. (DOB 07/17/1952); and R.S. (DOB 01/23/1972), and to verify as true the fraudulent nursing notes contrary to the provisions of section 1531(3) of Title 21 of the Oklahoma Statutes and against the peace and dignity of the State of Oklahoma.

COUNT 24
FALSE PERSONATION OF ANOTHER [21 O.S. §1531(3)]

On or about the 1st day of June, 2012, A.D., through and including the 30th day of June, 2012, A.D., in **Oklahoma County**, Oklahoma, the crime of False Personation of Another was knowingly, willfully, feloniously and with fraudulent intent, committed by **Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, and Elsie Murguia**, acting jointly and in concert with each other, falsely personated another, specifically, Dr. Deborah Nilson, D.O., by subscribing, verifying, publishing, acknowledging, and/or proving, in the name of Dr. Deborah Nilson, D.O., written instruments including, but not limited to, prescriptions for controlled dangerous substances and nurse notes with the intent that the same may be delivered as true. Specifically, the electronic signature of Dr. Nilson, was used without her consent, with the intent to fraudulently represent that Dr. Nilson authorized prescriptions for controlled dangerous substances, including but not limited to: J.W. (DOB 06/12/1963); S.R. (DOB 12/13/1950); S.C. (DOB 07/28/1986); B.J. (DOB 02/02/1961); C.C. (DOB 09/26/1956); K.W. (DOB 05/23/1948); R.B. (DOB 10/30/1951); J.M. (DOB 01/25/1981); T.S. (DOB 08/12/1964); H.C. (DOB 09/16/1975); S.C. (DOB 05/01/1968); J.K. (DOB 06/04/1961), T.D. (DOB 09/25/1968), H.F. (DOB 04/28/1959), K.R. (DOB 07/17/1952), P.B. (DOB 01/11/1979), H.K. (DOB 01/04/1964) and R.S. (DOB 01/23/1972), and to verify as true the fraudulent nursing notes contrary to the provisions of section 1531(3) of Title 21 of the Oklahoma Statutes and against the peace and dignity of the State of Oklahoma.

COUNT 25
FALSE PERSONATION OF ANOTHER [21 O.S. §1531(3)]

On or about the 1st day of July, 2012, A.D., through and including the 9th day of July, 2012, A.D., in **Oklahoma County**, Oklahoma, the crime of False Personation of Another was knowingly, willfully, feloniously and with fraudulent intent, committed by **Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, and Elsie Murguia**, acting jointly and in concert with each other, falsely personated another, specifically, Dr. Deborah Nilson, D.O., by subscribing, verifying, publishing, acknowledging, and/or proving, in the name of Dr. Deborah Nilson, D.O., written instruments including, but not limited to, prescriptions for controlled dangerous substances and nurse notes with the intent that the same may be delivered as true. Specifically, the electronic signature of Dr. Nilson, was used without her consent, with the intent to fraudulently represent that Dr. Nilson authorized prescriptions for controlled dangerous substances, including but not limited to: G.M. (DOB 09/27/1961); H.K. (DOB 01/04/1964); J.W. (DOB 06/12/1963); L.S. (DOB 10/18/1979); L.M. (DOB 12/28/1971); and P.C. (DOB 11/21/1955), and to verify as true the fraudulent nursing notes contrary to the provisions of section 1531(3) of Title 21 of the Oklahoma Statutes and against the peace and dignity of the State of Oklahoma.

COUNT 26
FALSE PERSONATION OF ANOTHER [21 O.S. §1531(3)]

On or about the 26th day of April, 2012, A.D., in **Oklahoma County**, Oklahoma, the crime of False Personation of Another was knowingly, willfully, feloniously and with fraudulent intent, committed by **Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, and Elsie Murguia**, acting jointly and in concert with each other, falsely personated another, specifically, **Dr. Deborah Nilson, D.O.**, by subscribing, verifying, publishing, acknowledging, and/or proving, in the name of **Dr. Deborah Nilson, D.O.**, written instruments including, but not limited to, prescriptions for controlled dangerous substances and nurse notes with the intent that the same may be delivered as true. Specifically, the electronic signature of **Dr. Nilson**, was used without her consent, with the intent to fraudulently represent that **Dr. Nilson** authorized prescriptions for controlled dangerous substances, including but not limited to: **G.A. (DOB 08/08/1973)** and **V.W. (DOB 02/10/1952)**, and to verify as true the fraudulent nursing notes contrary to the provisions of section 1531(3) of Title 21 of the Oklahoma Statutes and against the peace and dignity of the State of Oklahoma.

COUNT 27
FALSE PERSONATION OF ANOTHER [21 O.S. §1531(3)]

On or about the 1st day of May, 2012, A.D., through and including the 31st day of May, 2012, A.D., in **Oklahoma County**, Oklahoma, the crime of False Personation of Another was knowingly, willfully, feloniously and with fraudulent intent, committed by **Harvey Clarke**

Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, and Elsie Murguia, acting jointly and in concert with each other, falsely personated another, specifically, Dr. Deborah Nilson, D.O., by subscribing, verifying, publishing, acknowledging, and/or proving, in the name of Dr. Deborah Nilson, D.O., written instruments including, but not limited to, prescriptions for controlled dangerous substances and nurse notes with the intent that the same may be delivered as true. Specifically, the electronic signature of Dr. Nilson, was used without her consent, with the intent to fraudulently represent that Dr. Nilson authorized prescriptions for controlled dangerous substances, including but not limited to: G.B. (DOB 11/23/1950); G.A. (DOB 08/08/1973); J.K. (DOB 06/04/1961); G.M. (DOB 09/27/1961); A.C. (DOB 09/14/43) and L.L. (DOB 08/16/1942), and to verify as true the fraudulent nursing notes contrary to the provisions of section 1531(3) of Title 21 of the Oklahoma Statutes and against the peace and dignity of the State of Oklahoma.

COUNT 28
FALSE PERSONATION OF ANOTHER [21 O.S. §1531(3)]

On or about the 12th day of June, 2012, A.D., through and including the 21st day of June, 2012, A.D., in Oklahoma County, Oklahoma, the crime of False Personation of Another was knowingly, willfully, feloniously and with fraudulent intent, committed by **Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, Julie Brown, and Elsie Murguia**, acting jointly and in concert with each other, falsely personated another, specifically, Dr. Deborah Nilson, D.O., by subscribing, verifying, publishing, acknowledging, and/or proving, in the name of Dr. Deborah Nilson, D.O., written instruments including, but not limited to, prescriptions for controlled

dangerous substances and nurse notes with the intent that the same may be delivered as true. Specifically, the electronic signature of Dr. Nilson, was used without her consent, with the intent to fraudulently represent that Dr. Nilson authorized prescriptions for controlled dangerous substances, including but not limited to: B.W. (DOB 07/03/1953) and S.C. (DOB 01/07/1952), and to verify as true the fraudulent nursing notes, contrary to the provisions of section 1531(3) of Title 21 of the Oklahoma Statutes and against the peace and dignity of the State of Oklahoma.

COUNT 30

ASSUMING THE TITLE OF REGISTERED NURSE [59 O.S. §567.5(C)]

On or about the 1st day of November, 2014, A.D., through and including the 31st day of December, 2014, in Oklahoma County, Oklahoma, the crime of Assuming the Title of Registered Nurse was committed by **Julie Brown**, who used words, letters, signs and or figures to indicate that she was a registered nurse (RN) while overseeing patient care at Aria Orthopedics, contrary to the provisions of sections 567.5 (C) of Title 59 of the Oklahoma Statutes and against the peace and dignity of the State of Oklahoma.

Or In the Alternative

**ASSUMING THE TITLE OF LICENSED PRACTICAL NURSE
[59 O.S. §567.6]**

On or about the 1st day of November, 2014, A.D., through and including the 31st day of December, 2014, in Oklahoma County, Oklahoma, the crime of Assuming the Title of Licensed Practical Nurse was committed by **Julie Brown**, who used words, letters, signs and or figures to

indicate that she was a licensed practical nurse (LPN) while overseeing patient care at Aria Orthopedics, contrary to the provisions of sections 567.6 of Title 59 of the Oklahoma Statutes and against the peace and dignity of the State of Oklahoma.

COUNT 34
UNLAWFUL DISTRIBUTION OF A CONTROLLED DANGEROUS SUBSTANCE
[63 O.S. 2-401(A)(1)]

On or about the 14th of January, 2015, A.D., the crime of Unlawful Distribution of a Controlled Dangerous Substance was feloniously committed in Oklahoma County, Oklahoma by **Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, and Julie Brown**, acting jointly and in concert with each other, who willfully and knowingly, for other than legitimate medical or scientific purposes and/or without a doctor/patient relationship, and/or without a valid medical license, distributed or dispensed a quantity of Oxycodone Hydrochloride, also known as Oxycodone, classified as a controlled dangerous substance, in schedule IV through II of the Controlled Dangerous Act of this State, by signing and/or causing to be delivered a prescription (Number 2003154) for said drugs to D.D. (DOB: 05/14/1960) from Aria Orthopedics, 8603 S. Western Avenue, Oklahoma City, Oklahoma County, State of Oklahoma, contrary to the provisions of section 2-401(A)(1) of Title 63 of the Oklahoma Statutes, and against the peace and dignity of the State of Oklahoma.

COUNT 35
UNLAWFUL DISTRIBUTION OF A CONTROLLED DANGEROUS SUBSTANCE
[63 O.S. 2-401(A)(1)]

On or about the 17th of December, 2014, A.D., the crime of Unlawful Distribution of a Controlled Dangerous Substance was feloniously committed in **Oklahoma County, Oklahoma** by **Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, and Julie Brown**, acting jointly and in concert with each other, who willfully and knowingly, for other than legitimate medical or scientific purposes and/or without a doctor/patient relationship, and/or without a valid medical license, distributed or dispensed a quantity of Oxycodone Hydrochloride, also known as Oxycodone, classified as a controlled dangerous substance, in schedule IV through II of the Controlled Dangerous Act of this State, by signing and/or causing to be delivered a prescription (Number 2002493) for said drugs to D.D. (DOB: 05/14/1960) from Aria Orthopedics, 8603 S. Western Avenue, Oklahoma City, Oklahoma County, State of Oklahoma, contrary to the provisions of section 2-401(A)(1) of Title 63 of the Oklahoma Statutes, and against the peace and dignity of the State of Oklahoma.

COUNT 36
UNLAWFUL DISTRIBUTION OF A CONTROLLED DANGEROUS SUBSTANCE
[63 O.S. 2-401(A)(1)]

On or about the 19th of November, 2014, A.D., the crime of Unlawful Distribution of a Controlled Dangerous Substance was feloniously committed in **Oklahoma County, Oklahoma** by **Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, and Julie Brown**, acting jointly

and in concert with each other, who willfully and knowingly, for other than legitimate medical or scientific purposes and/or without a doctor/patient relationship, and/or without a valid medical license, distributed or dispensed a quantity of Oxycodone Hydrochloride, also known as OxyContin, classified as a controlled dangerous substance, in schedule IV through II of the Controlled Dangerous Act of this State, by signing and/or causing to be delivered a prescription (Number 2001821) for said drugs to D.D. (DOB: 05/14/1960) from Aria Orthopedics, 8603 S. Western Avenue, Oklahoma City, Oklahoma County, State of Oklahoma, contrary to the provisions of section 2-401(A)(1) of Title 63 of the Oklahoma Statutes, and against the peace and dignity of the State of Oklahoma.

COUNT 37
UNLAWFUL DISTRIBUTION OF A CONTROLLED DANGEROUS SUBSTANCE
[63 O.S. 2-401(A)(1)]

On or about the 17th of December, 2014, A.D., through and including the 18th day of December, 2014, the crime of Unlawful Distribution of a Controlled Dangerous Substance was feloniously committed in Oklahoma County, Oklahoma by **Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, and Julie Brown**, acting jointly and in concert with each other, who willfully and knowingly, for other than legitimate medical or scientific purposes and/or without a doctor/patient relationship, and/or without a valid medical license, distributed or dispensed a quantity of Oxycodone Hydrochloride, also known as Oxycodone, classified as a controlled dangerous substance, in schedule IV through II of the Controlled Dangerous Act of this State, by

signing and/or causing to be delivered a prescription (Number 2002523) for said drugs to L.D. (DOB: 03/18/1960) from Aria Orthopedics, 8603 S. Western Avenue, Oklahoma City, Oklahoma County, State of Oklahoma, which is within 2,000 feet of Lightning Creek Park, contrary to the provisions of section 2-401(A)(1) of Title 63 of the Oklahoma Statutes, and against the peace and dignity of the State of Oklahoma.

COUNT 38
UNLAWFUL DISTRIBUTION OF A CONTROLLED DANGEROUS SUBSTANCE
[63 O.S. 2-401(A)(1)]

On or about the 14th of January, 2015, A.D., the crime of Unlawful Distribution of a Controlled Dangerous Substance was feloniously committed in Oklahoma County, Oklahoma by **Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, and Julie Brown**, acting jointly and in concert with each other, who willfully and knowingly, for other than legitimate medical or scientific purposes and/or without a doctor/patient relationship, and/or without a valid medical license, distributed or dispensed a quantity of Oxycodone Hydrochloride, also known as Oxycodone, classified as a controlled dangerous substance, in schedule IV through II of the Controlled Dangerous Act of this State, by signing and/or causing to be delivered a prescription (Number 2003155) for said drugs to L.D. (DOB: 03/18/1960) from Aria Orthopedics, 8603 S. Western Avenue, Oklahoma City, Oklahoma County, State of Oklahoma, contrary to the provisions of section 2-401(A)(1) of Title 63 of the Oklahoma Statutes, and against the peace and dignity of the State of Oklahoma.

COUNT 39
UNLAWFUL DISTRIBUTION OF A CONTROLLED DANGEROUS SUBSTANCE
[63 O.S. 2-401(A)(1)]

On or about the 27th of October, 2014, A.D., the crime of Unlawful Distribution of a Controlled Dangerous Substance was feloniously committed in **Oklahoma County, Oklahoma** by **Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, and Julie Brown**, acting jointly and in concert with each other, who willfully and knowingly, for other than legitimate medical or scientific purposes and/or without a doctor/patient relationship, and/or without a valid medical license, distributed or dispensed a quantity of Oxycodone/Acetaminophen, also known as Endocet (Percocet), classified as a controlled dangerous substance, in schedule IV through II of the Controlled Dangerous Act of this State, by signing and/or causing to be delivered a prescription (Number 2232061) for said drugs to T.M. (DOB: 06/28/1968) from Aria Orthopedics, 8603 S. Western Avenue, Oklahoma City, Oklahoma County, State of Oklahoma, contrary to the provisions of section 2-401(A)(1) of Title 63 of the Oklahoma Statutes, and against the peace and dignity of the State of Oklahoma.

COUNT 40
UNLAWFUL DISTRIBUTION OF A CONTROLLED DANGEROUS SUBSTANCE
[63 O.S. 2-401(A)(1)]

On or about the 12th of January, 2015, A.D., the crime of Unlawful Distribution of a Controlled Dangerous Substance was feloniously committed in **Oklahoma County, Oklahoma** by **Harvey Clarke Jenkins, Jr., M.D., Tashonda Renee Dixon, and Julie Brown**, acting jointly

and in concert with each other, who willfully and knowingly, for other than legitimate medical or scientific purposes and/or without a doctor/patient relationship, and/or without a valid medical license, distributed or dispensed a quantity of Oxycodone/Acetaminophen, also known as Endocet (Percocet), classified as a controlled dangerous substance, in schedule IV through II of the Controlled Dangerous Act of this State, by signing and/or causing to be delivered a prescription (Number 2233577) for said drugs to T.M. (DOB: 06/28/1968) from Aria Orthopedics, 8603 S. Western Avenue, Oklahoma City, Oklahoma County, State of Oklahoma, contrary to the provisions of section 2-401(A)(1) of Title 63 of the Oklahoma Statutes, and against the peace and dignity of the State of Oklahoma.

COUNT 41
UNLAWFUL DISTRIBUTION OF A CONTROLLED DANGEROUS SUBSTANCE
[63 O.S. 2-401(A)(1)]

On or about the 14th of April, 2014, A.D., the crime of Unlawful Distribution of a Controlled Dangerous Substance was feloniously committed in **Oklahoma County, Oklahoma** by **Harvey Clarke Jenkins, Jr., Tashonda Renee Dixon, and Julie Brown**, acting jointly and in concert with each other, who willfully and knowingly, for other than legitimate medical or scientific purposes and/or without a doctor/patient relationship, and/or without a valid medical license, distributed or dispensed a quantity of Oxycodone/Acetaminophen, also known as Percocet, classified as a controlled dangerous substance, in schedule IV through II of the Controlled Dangerous Act of this State, by signing and/or causing to be delivered a prescription

(Number 0593524) for said drugs to A.B. (DOB: 07/10/1978) from Aria Orthopedics, 8603 S. Western Avenue, Oklahoma City, Oklahoma County, State of Oklahoma, contrary to the provisions of section 2-401(A)(1) of Title 63 of the Oklahoma Statutes, and against the peace and dignity of the State of Oklahoma.

COUNT 42
UNLAWFUL DISTRIBUTION OF A CONTROLLED DANGEROUS SUBSTANCE
[63 O.S. 2-401(A)(1)]

On or about the 16th of June, 2014, A.D., the crime of Unlawful Distribution of a Controlled Dangerous Substance was feloniously committed in Oklahoma County, Oklahoma by Harvey Clarke Jenkins, Jr., Tashonda Renee Dixon, and Julie Brown, acting jointly and in concert with each other, who willfully and knowingly, for other than legitimate medical or scientific purposes and/or without a doctor/patient relationship, and/or without a valid medical license, distributed or dispensed a quantity of Oxycodone/Acetaminophen, also known as Percocet, classified as a controlled dangerous substance, in schedule IV through II of the Controlled Dangerous Act of this State, by signing and/or causing to be delivered a prescription for said drugs to A.B. (DOB: 07/10/1978) from Aria Orthopedics, 8603 S. Western Avenue, Oklahoma City, Oklahoma County, State of Oklahoma, contrary to the provisions of section 2-401(A)(1) of Title 63 of the Oklahoma Statutes, and against the peace and dignity of the State of Oklahoma.

COUNT 43
UNLAWFUL DISTRIBUTION OF A CONTROLLED DANGEROUS SUBSTANCE
[63 O.S. 2-401(A)(1)]

On or about the 3rd of October, 2014, A.D., the crime of Unlawful Distribution of a Controlled Dangerous Substance was feloniously committed in **Oklahoma County, Oklahoma** by **Tashonda Renee Dixon**, who willfully and knowingly, for other than legitimate medical or scientific purposes and/or without a doctor/patient relationship, and/or without a valid medical license, distributed or dispensed a quantity of Acetaminophen-Oxycodone, also known as Percocet, classified as a controlled dangerous substance, in schedule IV through II of the Controlled Dangerous Act of this State, by signing and/or causing to be delivered a prescription (Number 3230015) for said drugs to C.S. (DOB: 09/23/1974) from Aria Orthopedics, 8603 S. Western Avenue, Oklahoma City, Oklahoma County, State of Oklahoma, contrary to the provisions of section 2-401(A)(1) of Title 63 of the Oklahoma Statutes, and against the peace and dignity of the State of Oklahoma.

COUNT 44
UNLAWFUL DISTRIBUTION OF A CONTROLLED DANGEROUS SUBSTANCE
[63 O.S. 2-401(A)(1)]

On or about the 3rd of October, 2014, A.D., the crime of Unlawful Distribution of a Controlled Dangerous Substance was feloniously committed in **Oklahoma County, Oklahoma** by **Tashonda Renee Dixon**, who willfully and knowingly, for other than legitimate medical or scientific purposes and/or without a doctor/patient relationship, and/or without a valid medical

license, distributed or dispensed a quantity of Carisoprodol, also known as Soma, classified as a controlled dangerous substance, in schedule IV through II of the Controlled Dangerous Act of this State, by signing and/or causing to be delivered a prescription (Number 3230014) for said drugs to C.S. (DOB: 09/23/1974) from Aria Orthopedics, 8603 S. Western Avenue, Oklahoma City, Oklahoma County, State of Oklahoma, contrary to the provisions of section 2-401(A)(1) of Title 63 of the Oklahoma Statutes, and against the peace and dignity of the State of Oklahoma.

COUNT 46
USING ACCESS TO COMPUTERS TO VIOLATE OKLAHOMA STATUTES
[21 O.S. § 1958]

On or about the 3rd of October, 2014, A.D., in **Oklahoma County**, Oklahoma, the crime of Using Access to Computers to Violate Oklahoma Statutes was feloniously committed by **Tashonda Renee Dixon**, who knowingly, intentionally, feloniously, accessed a computer at Aria Orthopedics to print and/or deliver a prescription (Number 3230014) for Carisoprodol, also known as Soma, and/or prescription (Number 3230015) for Acetaminophen-Oxycodone, also known as Percocet, classified as a controlled dangerous substance, in schedule IV through II of the Controlled Dangerous Act of this State, contrary to the provisions of section 1958 of Title 21 of the Oklahoma Statutes and against the peace and dignity of the State of Oklahoma.

COUNT 47
FAILURE TO MAINTAIN MEDICAID RECORDS
[56 O.S. 1005(A)(7)]

On or about the 19th day of November, 2014 through the 5th day of May, 2016, A.D., in **Oklahoma County**, Oklahoma, the crime of Failure to Maintain Medicaid Records was feloniously committed by **Harvey Clarke Jenkins, Jr., M.D.**, to wit: he failed to maintain such records as required by law or the rules of the Oklahoma Health Care Authority for a period of at least six (6) years after making or caused to be made a claim(s) for or received payment for a good or a service rendered on the 19th day of November 2014, including but not limited to L.D. a participate under the Oklahoma Medicaid Program, contrary to the provisions of section 1005(A)(7) of Title 56 of the Oklahoma Statutes and against the peace and dignity of the State of Oklahoma.

COUNT 48
FAILURE TO MAINTAIN MEDICAID RECORDS
[56 O.S. 1005(A)(7)]

On or about the 14th day of January, 2014 through the 5th day of May, 2016, A.D., in **Oklahoma County**, Oklahoma, the crime of Failure to Maintain Medicaid Records was feloniously committed by **Harvey Clarke Jenkins, Jr., M.D.**, to wit: he failed to maintain such records as required by law or the rules of the Oklahoma Health Care Authority for a period of at least six (6) years after making or caused to be made a claim(s) for or received payment for a good or a service rendered on the 14th day of January 2014, including but not limited to L.D. a participate

under the Oklahoma Medicaid Program, contrary to the provisions of section 1005(A)(7) of Title 56 of the Oklahoma Statutes and against the peace and dignity of the State of Oklahoma.

COUNT 49
FAILURE TO MAINTAIN MEDICAID RECORDS
[59 O.S. 1005(A)(7)]

On or about the 19th day of January, 2014 through the 5th day of May, 2016, A.D., in **Oklahoma County**, Oklahoma, the crime of Failure to Maintain Medicaid Records was feloniously committed by **Harvey Clarke Jenkins, Jr., M.D.**, to wit: he failed to maintain such records as required by law or the rules of the Oklahoma Health Care Authority for a period of at least six (6) years after making or caused to be made a claim(s) for or received payment for a good or a service rendered on the 19th day of January 2014, including but not limited to C.C. a participant under the Oklahoma Medicaid Program, contrary to the provisions of section 1005(A)(7) of Title 56 of the Oklahoma Statutes and against the peace and dignity of the State of Oklahoma.

COUNT 50
FAILURE TO MAINTAIN MEDICAID RECORDS
[59 O.S. 1005(A)(7)]

On or about the 21st day of January, 2014 through the 5th day of May, 2016, A.D., in **Oklahoma County**, Oklahoma, the crime of Failure to Maintain Medicaid Records was feloniously committed by **Harvey Clarke Jenkins, Jr., M.D.**, to wit: he failed to maintain such records as required by law or the rules of the Oklahoma Health Care Authority for a period of at least six (6) years after making or caused to be made a claim(s) for or received payment for a good

or a service rendered on the 21st day of January 2014, including but not limited to G.B. a participate under the Oklahoma Medicaid Program, contrary to the provisions of section 1005(A)(7) of Title 56 of the Oklahoma Statutes and against the peace and dignity of the State of Oklahoma.

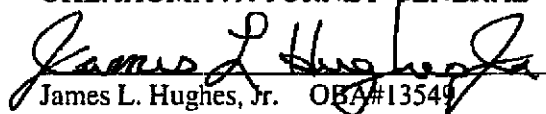
COUNT 51
FAILURE TO MAINTAIN MEDICAID RECORDS
[59 O.S. 1005(A)(7)]

On or about the 22nd day of January, 2014 through the 5th day of May, 2016, A.D., in **Oklahoma County**, Oklahoma, the crime of Failure to Maintain Medicaid Records was feloniously committed by **Harvey Clarke Jenkins, Jr., M.D.**, to wit: he failed to maintain such records as required by law or the rules of the Oklahoma Health Care Authority for a period of at least six (6) years after making or caused to be made a claim(s) for or received payment for a good or a service rendered on the 22nd day of January 2014, including but not limited to K.G. a participate under the Oklahoma Medicaid Program, contrary to the provisions of section 1005(A)(7) of Title 56 of the Oklahoma Statutes and against the peace and dignity of the State of Oklahoma.

Dated this 23rd day of JANUARY, 2018

MIKE HUNTER
OKLAHOMA ATTORNEY GENERAL

By:



James L. Hughes, Jr. OBA#13549
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Witnesses for the State of Oklahoma

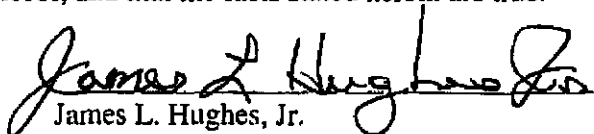
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State of Oklahoma)
County of Oklahoma) ss.

I, James L. Hughes, Jr., being duly sworn, upon oath state that I have read the above and foregoing information and know the contents thereof, and that the facts stated herein are true.


James L. Hughes, Jr.
Assistant Attorney General
Medicaid Fraud Control Unit

Subscribed and sworn to before me this 23 day of January, 2018.


Notary Public

My Commission Expires: _____

