

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE

CONTACT: Bob Harmon

January 26, 1999

(775) 687-3512

**FEDERAL GRANT HELPS TO OFFSET COST OF HOUSING
ILLEGAL ALIENS IN STATE PRISON**

Attorney General Frankie Sue Del Papa has signed award documents accepting over \$2.5 million in funding from the U.S. Department of Justice to help Nevada offset the state's cost due to the incarceration of undocumented criminal aliens.

Del Papa signed the award documents yesterday. The Attorney General's office applied for the funding under the Fiscal Year 1998 State Criminal Alien Assistance Program (SCAAP). This program provides partial assistance to states and local governments that are incurring costs from housing undocumented criminal aliens in their prisons. As a result, the state will receive \$2,645,345 in funding under SCAAP.

"This funding will help to partially reimburse the State of Nevada for the tremendous financial burden of incarcerating illegal criminal aliens," Del Papa said. Based upon the federal review of Nevada Department of Prisons' records, there are an estimated 167 illegal and reimbursable inmates currently in the state's prison system. The operating cost for fiscal year 1998 is \$15,851 per inmate.

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**FOR IMMEDIATE RELEASE
CONTACT: Marty Howard
January 20, 1999
(702) 486-3120**

**EFFORTS OF A.G.'S INSURANCE FRAUD UNIT HELP REDUCE
RATES AT NEVADA GENERAL INSURANCE COMPANY**

The Insurance Fraud Unit of the Nevada Attorney General's office was recently cited as contributing to the reduction of insurance rates at Nevada General Insurance Company (NGIC).

In a letter to its Nevada policyholders, NGIC President R.B. Feldman stated: "Although inflation continues upward in healthcare cost, and in the "sticker prices" and repair cost of automobiles, Nevada General Insurance Company, in cooperation with the National Insurance Crime Bureau, Nevada Attorney General's Insurance Fraud Unit, and the FBI, has been successful in fighting "excessive and fraudulent" claims, thereby lowering our costs in some territories."

"Insurance fraud costs each Nevada family more than \$200 per year in premiums. Your cooperation and our continuing efforts to reduce fraud, have a positive effect on premium rates. Many participants in insurance fraud are spending this holiday season in prison," Feldman said in the letter. "We are pleased to announce no rate increases, and a premium rate decrease for many policyholders, effective February 1, 1999."

"We expanded the Insurance Fraud Unit in 1997 as part of our continuing efforts to lower insurance costs in Nevada by fighting insurance fraud. It is encouraging to see the positive impact of those efforts as reflected in Nevada General Insurance Company's notice to policyholders," Attorney General Frankie Sue Del Papa said. "However, we must continue to devote the resources necessary and enhance our efforts to prosecute those who contribute to higher insurance costs by fraudulently dealing with insurance companies."

In October of 1997, the Attorney General's office devoted additional staffing, through reorganization, to the Insurance Fraud Unit to meet the growing problem of Insurance Fraud in Nevada. During fiscal year 1998, the Unit made 24 arrests and achieved 18 convictions representing over a 150 percent increase in

arrests and convictions over the previous fiscal year. So far in fiscal year 1999 (July 1 to present), the Unit has made 20 arrests and achieved 13 convictions.

Persons who suspect any type of insurance fraud or workers compensation fraud should contact the Attorney General's toll-free fraud hotline at 1-800-266-8688. For more information about Nevada's Insurance Fraud Unit, please visit the Attorney General's website at <http://ag.state.nv.us/>

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CONTACT: Bob Harmon

January 15, 1999

(775) 687-3512

MEDIA ADVISORY

**CBS' SIXTY MINUTES TO AIR SEGMENT ON DOMESTIC
VIOLENCE> IN THE MILITARY**

Attorney General Frankie Sue Del Papa, Chair of the Nevada Domestic Violence Prevention Council, and Sue Meuschke, Executive Director of the Nevada Network Against Domestic Violence, would like to remind the media that the CBS News Magazine Show 60 Minutes will air a special segment on Domestic Violence in the Military during their broadcast this Sunday night, January 17, 1999, immediately following the NFL Playoff game.

The show takes an in-depth look at the experience of victims of domestic violence at the hands of military service members. The victims' stories are compelling. The way in which the various service branches handled these cases varied.

Background for this 60 Minutes segment has been in the works since September of 1997. Interest peaked following the passage of the misdemeanor domestic violence offender gun ban which now requires the military to remove firearms from persons with misdemeanor domestic violence offenses. According to the broadcast, the service branches have been slow to implement the gun ban and disclose little about the handling of domestic violence cases. The National Network to End Domestic Violence anticipates the broadcast will encourage calls for oversight hearings and proposals for change from members of Congress and domestic violence prevention advocates.

For more information on how to help with efforts to prevent Domestic Violence in Nevada, call Nevada's toll free domestic violence information and referral line at: 1-800-230-1955. If you are being abused, or know someone who is, call Nevada's Domestic Violence Hotline at: 1-800-500-1556, 24 hours a day, to get help.

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FOR IMMEDIATE RELEASE

CONTACT: Pam Howle

January 15, 1999

(775) 688-1828

**ROBERT WOOD JOHNSON FOUNDATION GRANT WILL HELP
NEVADA EFFORTS TO ENHANCE END OF LIFE CARE**

Attorney General Frankie Sue Del Papa announced today that the State of Nevada and the Sanford Center for Aging at the University of Nevada, Reno, received a \$450,000 grant from the Robert Wood Johnson Foundation to coordinate policy and practices that ensure ethical treatment for those at the end of life.

Del Papa, who served as Chair of the state's Task Force on Death with Dignity and Caring, said the grant will help to establish the Nevada Center for Ethics and Health Policy. The Center will be the first of its kind in the country.

According to Del Papa, the Ethics and Health Policy Center will seek to implement the following objectives:

- Develop a permanent infrastructure for coordinating and implementing ethical end of life policy.
- Demonstrate effective end of life care programs, especially in the rural areas.
- Coordinate the implementation of effective policy through enhanced education and support for professionals throughout all areas of Nevada.
- Conduct statewide multimedia campaigns to help disseminate information and awareness of end of life issues.

"Our goal is to emphasize the needs of dying persons and their families including pain management, symptom control, dignity, autonomy, spirituality and emotional support," Del Papa said. "Many people

are deeply concerned about the complex issues faced when loved ones are dying."

Pam Howle, one of the founding members of state's Death with Dignity and Caring Task Force, and a staff member of the Attorney General's Office, has been named as Program Officer of the Nevada Center for Ethics and Health Policy effective mid-January.

In August, 1996, Del Papa convened a broad-based task force consisting of health care professionals, hospice workers, educators, patient advocates, representatives of the religious community, legislators and others. The task force was co-chaired by Barbara Thorton, Ph.D., Professor of Health Ecology at the University of Nevada, Reno, and Thomas Scully, M.D., Director of the Ethics program at the University of Nevada School of Medicine.

The group's mission was to encourage more sophisticated and comprehensive public discussion. It issued an action plan, *Death with Dignity and Caring in Nevada*, which has since been distributed statewide. The action plan is a preventive effort, aimed at making death more understandable, less painful and a more peaceful process. The recommendations contained in this report are designed to get more information to health providers, patients and their families which should help make the dying process much more humane.

"We need to continue to provide tools to ensure everyone understands their own rights, and the rights of others, concerning end-of-life matters," Del Papa said. "We need to achieve greater consensus on pain management and continue to improve the quality of end of life care for a more dignified death and better pain management. Through our collective efforts, we will continue to make a difference in providing death with dignity and caring in Nevada. This grant from the Robert Wood Johnson Foundation will go a long way in supporting those efforts."

The Robert Wood Johnson Foundation, based in Princeton, New Jersey, is the nation's largest philanthropy devoted exclusively to health and health care. It became a national institution in 1972 with receipt of a bequest from the industrialist whose name it bears. Since 1972, the Foundation has made more than \$52 billion in grants.

Through its new grant program, *Community-State Partnerships to Improve End-of-Life-Care*, the Robert Wood Johnson Foundation will award a total of \$11.25 million over three years to up to 25 coalitions nationwide. The grants will support broad-based multidisciplinary coalitions that include citizens, health care professionals, and policymakers to identify problems, make recommendations, and build public support for practical policies, regulations, and guidelines to improve end-of-life care.

Persons interested in obtaining further information about the Task Force on Death with Dignity and Caring in Nevada, and the planned Center for Ethics and Health Policy, may contact the Reno office of the Attorney General at (775) 688-1818 or the Sanford Center for Aging at the University of Nevada, Reno at (775) 784-4783.

Copies of the Plan are available either at all Nevada public libraries or on the Internet for the State of Nevada, Department of Museums, Library & Arts at: www.clan.lib.nv.us/docs/NSLA/STATEPUBLS/dignity/dignity.htm, or the Attorney General @ <http://ag.state.nv.us/> - access through Hot Topics.

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CONTACT: Kirk Hendrick

January 13, 1999

(702) 486-3105

MEDIA ADVISORY

NATIONAL BOXING TASK FORCE TO MEET NEXT WEEK IN NEW YORK

Attorney General Frankie Sue Del Papa announced today that her office will participate in hearings held by the Boxing Task Force of the National Association of Attorneys General (NAAG), January 19-21, 1999, in New York City. The hearings will be conducted in the historic Heisman Trophy room of the Downtown Athletic Club.

The NAAG Boxing Task Force was formed as the direct result of legislation by United States Senator John McCain (R-Arizona) and Nevada Senator Richard Bryan, which establishes health, safety, and ethical guidelines for the boxing industry. The Task Force is comprised of attorneys general from 19 states and is charged with submitting a report to the national association later this year.

"This report will detail boxing practices in the United States, identify any problems in regulating the sport, and recommend ways to improve the health, safety and ethical standards throughout the industry," Del Papa said. "There is no question as to the importance of the boxing industry to Nevada. Boxing has the potential to bring millions of dollars in revenue to our state annually and we need to have a strong voice in this issue at all levels."

In order to help compile information for the final report, the Task Force has scheduled panels and testimony from virtually every aspect of the boxing industry. Boxers, promoters, managers, commissioners, medical doctors, referees, representatives from sanctioning organizations, and representatives from sports media are scheduled to speak or ask questions during the hearings. Some of those scheduled to appear are boxers Mark Breland, Gerry Cooney, and Roy Jones, Jr.; promoters Bob Arum, Dino Duva, and Dan Goosen; sanctioning representatives Gilberto Mendoza (WBA), Walter Stone (IBF) and Jose Sulaiman (WBC); and boxing referees Richard Steele, Arthur Mercante, Sr., and

Mills Lane (retired).

Deputy Attorneys General Kirk Hendrick and Keith Kizer, legal counsel to the Nevada Athletic Commission, will represent the Nevada Attorney General's office at the hearing. Also planning to represent Nevada at the hearings will be Marc Ratner, the Executive Director of the Nevada Athletic Commission, and Dr. Edwin "Flip" Homansky, the Chairman of Nevada's Medical Advisory Board. Both United States Senators from Nevada, Richard Bryan and Harry Reid have been invited to speak at the hearings, as well as Senator John McCain.

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FOR IMMEDIATE RELEASE
CONTACT: Marshall Smith
January 11, 1999
(702) 688-1818

WINNEMUCCA WOMEN CONVICTED OF PYRAMID SCHEME

Attorney General Frankie Sue Del Papa announced today that Ray Ellen Prokasky, age 28, and Patricia Barber, age 36, both of Winnemucca, were found guilty of promoting a pyramid scheme by Winnemucca Justice of the Peace, Oren McDonald. The two women were convicted on the misdemeanor charges on Friday, January 8, 1999, after a one and a half day trial.

The Attorney General's Office presented witnesses who had invested in the scheme, along with evidence which established that both defendants promoted and profited from the scam.

"This conviction helps send the message that participating in a pyramid scheme in Nevada is illegal and will be prosecuted," Del Papa said. "Be aware of any scheme that promises money merely for recruiting new participants. If you are asked to join such a scheme or are aware of one, contact the Attorney General's Bureau of Consumer Protection immediately."

In this case, the defendants went to great lengths to try to convince the participants that their "networking scheme" was not an illegal pyramid. The scheme was operated out of Winnemucca under the names, "Friends Helping Friends," "People Helping People," and "Network Associates."

State law describes a "pyramid promotional scheme" as a program by which a participant pays for the opportunity to receive compensation in return for obtaining or procuring additional persons to participate in the program. Operating, advertising or promoting such a scheme is illegal. The first offense is a misdemeanor, punishable by up to six months in county jail and a \$1,000 fine. The second offense is a gross misdemeanor. Subsequent offenses are punishable as felonies. A civil penalty of up to \$2,500 may also be recovered for each violation.

Pyramid schemes are considered a deceptive trade practice because, while initial promoters and participants in the schemes make money, subsequent participants will soon be unable to recruit the

necessary additional investors to maintain the pyramid. The pyramid eventually fails at the expense of the most recent investors.

Persons suspecting that a potential investment may be a pyramid scheme should contact the Attorney General's Bureau of Consumer Protection at: (702) 486-2440 in Las Vegas, or (775) 688-1958 in Reno, or (775) 687-6300 in Carson City.

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Contact: Jo Ann Gibbs

January 11, 1999

(702) 486-3782

**NEVADA TO RECEIVE PAYMENT FROM MULTI-STATE
SETTLEMENT WITH CALIFORNIA SWEEPSTAKES BUSINESS**

Attorney General Frankie Sue Del Papa announced today that Nevada is one of thirty states that will benefit from a \$3 million bankruptcy claim settlement with Direct Marketers, Inc. (DAMI) of Irvine, California, one of the country's largest direct mail sweepstakes operations. As a result of this agreement, Nevada will receive approximately \$28,000 to be deposited into the state general fund.

Formed in 1986, DAMI sent tens of millions of sweepstakes solicitations nationwide and generated hundreds of millions of dollars in sales before filing for bankruptcy in August of 1997. The solicitations, which offered cash prizes, encouraged recipients to call a 900 number to claim their prize or to learn if they had won a prize. In some contests, consumers nearly always received a check for \$1.00, while in other contests they received nothing. The 900 number phone call cost the consumer from twenty to forty dollars.

Regulators also alleged that the solicitations urged consumers to respond quickly before the contest ended, or they would forfeit their prize. Only in the rules did the solicitations disclose that the contests generally did not actually end for several months.

The sweepstakes attracted an estimated 8 million participants nationwide.

"This is believed to be the first effort by state attorneys general to collectively pursue and settle claims for violations of their respective consumer fraud laws through the bankruptcy courts," Del Papa said. "DAMI had been the target of several state lawsuits and investigations because of the deceptive nature of its sweepstakes. Considerable difficulty was caused by the fact that DAMI used more than 400 alias business and personal names in its solicitations, as well as several addresses, while running dozens of sweepstakes."

The \$3 million multi-state settlement was approved by the Bankruptcy Court for the Central District of California, which allowed the states to receive payment from the bankruptcy estate. Under the terms of the settlement, each state also obtained a state court injunction against the company prohibiting any future 900 number sweepstakes.

Other states filing claims in the bankruptcy action included Alabama, Alaska, Arizona, Arkansas, Colorado, Connecticut, Delaware, Florida, Hawaii, Illinois, Iowa, Kansas Kentucky, Maine, Maryland, Michigan, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Mexico, New York, Oklahoma, Pennsylvania, Rhode Island, Utah, Virginia and West Virginia.

CONSUMER TIPS

To help Nevada consumers avoid being victims of a similar scam, the Attorney General's Bureau of Consumer Protection offers the following consumer awareness tips:

- -Be wary of official looking postcards or other mailings that instruct you to call a 900 number to learn about a "prize" or "award" you may have won. Remember that calling 900 numbers costs money. You should find out what the charges will be to your phone bill before making the call. If you still wish to participate, but do not want to pay for the call, use the free mail-in option. Calling will not improve your chances of winning.
- -Consumers are urged to be on the alert for sweepstakes promotions that ask to give a credit card number to show eligibility. Never give a credit card number over the phone to someone you do not know. Legitimate sweepstakes do not need a credit card number to award a prize.
- -Consumers should also be wary of high pressure tactics which may be used to get your money quickly or which urge calls to a 900 number before the promoter's identity can be verified.
- -Consumers should never have to pay a fee of any kind to receive a prize in a sweepstakes promotion.

Persons with questions about a sweepstakes promotion, or who believe they may have been the victim of a sweepstakes scam, should contact the Attorney General's Bureau of Consumer Protection or call the National Fraud Information Center at 1-800-876-7060.

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CONTACT: Bob Harmon

January 6, 1999

(775) 687-3512

**A.G. SEEKS NOMINATIONS FOR 1999 NEVADA WOMEN'S ROLE
MODEL AWARD**

Attorney General Frankie Sue Del Papa announced today that she is seeking nominations for the Fifth Annual Nevada Women's Role Model Award. Attorney General Del Papa is sponsoring the award to coincide with Women's History Month in March.

"Every community in Nevada has a women's role model and she deserves to be nominated for this award," Del Papa said. "This award honors women who have actively worked to better the lives of women and girls in their community and the state, as well as their own lives."

Nomination forms will be sent out statewide and are also available by calling the Attorney General's Office in **Las Vegas at (702) 486-3420, Reno at (775) 688-1818 or Carson City at (775) 687-4170**. Completed nominations should be postmarked by March 2, 1999 and mailed to Bob Harmon with the Attorney General's Office at 100 N. Carson Street, Carson City, NV 89701-4717.

Nominations may also be faxed to the following number: (775) 687-5798.

"This is an opportunity to recognize outstanding Nevada Women, their achievements, and their impact on our state," Del Papa said. "Previous recipients have included educators, health care workers, administrators, and community activists. What they have all had in common is their dedication, commitment, achievements and contributions which not only have an impact on their communities, but on the unfolding history of our state."

For further information, please call Bob Harmon at (775) 687-3512.

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**FOR IMMEDIATE RELEASE
CONTACT: Steve George
February 26, 1999
(775) 687-3512**

**ATTORNEY GENERAL BACKS TWO BILLS DESIGNED TO
STRENGTHEN INSURANCE FRAUD LAWS**

Attorney General Frankie Sue Del Papa is backing two bills that will strengthen and clarify Nevada's insurance fraud laws.

SB 225, sponsored by Senator Randolph Townsend, provides subpoena power during the investigative stage of an insurance fraud case, allows reimbursement for the cost of the investigation and prosecution at the time of sentencing, establishes that insurance companies are victims for the purpose of restitution, broadens the immunity section of the law, and verifies that the office of the Attorney General has primary jurisdiction to prosecute insurance fraud.

"If approved, these changes will greatly enhance the ability of the Attorney General's office to investigate and prosecute insurance fraud in the state of Nevada," said Del Papa.

SB 224 would increase the current fixed \$500 assessment to a pro-rata sliding scale amount based upon the total amount of premiums written by the insurance company. The low end of the assessment would be \$500 with the maximum assessment being \$2000. SB 224 was submitted to the legislature by the Attorney General's office at the request of the Coalition of Nevada Insurance Fraud Lobbyists.

"Our office has worked closely with the Insurance Commissioner, the insurance industry and others on this funding bill," Del Papa said. "This is more equitable than the current system where each insurer pays the same flat fee regardless of their premiums written."

The increased funding would help support the Attorney General's Insurance Fraud Unit (IFU), which needs additional staffing and resources to keep up with its burgeoning case load and backlog of investigative referrals. The IFU is entirely funded through fraud assessment collections from insurers. No general fund money is being used to support the unit.

The IFU has successfully reviewed, screened and/or closed 794 complaints of suspicious fraudulent claims from insurance companies since its inception. Since July 1st, the IFU has made 23 arrests and obtained 18 convictions. The unit currently has 356 open case referrals which need to be reviewed.

If you have any knowledge or suspect that someone is or has committed insurance fraud, please contact the Insurance Fraud Hotline at (800) 266-8688.

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FOR IMMEDIATE RELEASE
CONTACT: Matt Dushoff
February 26, 1999
(702) 486-3195

BILL WOULD TOUGHEN SEXUAL ASSAULT STATUTES

Senate Bill 234 proposes several changes to Nevada's statutes relating to crimes involving sexual assault. These changes are the result of suggestions made by the Sexual Assault Task Force organized by the Attorney General two years ago to examine and make recommendations for enhancing our sexual assault prevention efforts.

One change would allow a judgment of conviction, which contains a fine, assessment, or restitution order, to be enforced in the same manner as a money judgment in a civil action. At the present time, victims seeking to be paid restitution owed them must go to the expense of having a judgment converted to a civil judgment in order to collect. SB 234 would automatically convert the judgment of conviction to a civil judgment, eliminating the extra step presently required.

A second change would require those convicted of the crime of conspiracy to commit sexual assault to register with local law enforcement as sex offenders. This change is recommended because both law enforcement and the community at large need to be notified of persons convicted of this crime, as they are sex offenders if they have conspired to commit a sexual offense prohibited by Nevada law.

Attorney General Frankie Sue Del Papa says, "Unfortunately, sexual assault is a growing problem and anyone can become a victim. In Nevada, we have focused additional attention on education and on providing more resources. Our goal is to help prevent this crime, along with providing greater protection for those who are victimized."

If you've been the victim of a sexual assault, you're urged to call police and report the crime. You can also seek counseling and assistance in Carson City from S.A.R.A (Sexual Assault Response Advocate) at 775-883-7654, in Las Vegas from C.A.A.R. (Community Action Against Rape) at 702-385-2153, in Reno from the Crisis Care Center at 775-784-8090, and in Elko from the Committee To End Domestic Violence at 775-738-9454.

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Contact: Dorene Whitworth

February 26, 1999

(775) 684-8292

**ATTORNEY GENERAL AWARDS GRANT FUNDS TO AID IN
STALKING CASES**

Attorney General Frankie Sue Del Papa, who chairs the Nevada Domestic Violence Prevention Council, has announced the award of a \$9,000 grant to the Committee Against Domestic Violence which is working in conjunction with the Elko County Sheriff's Office to provide greater safety for potential victims of domestic violence.

The Sheriff's office will use the grant allocation to purchase up-to-date surveillance equipment that will aid in the investigation of domestic violence and stalking reports. The award was made possible through the 1994 federal Violence Against Women Act.

In announcing the award, Del Papa acknowledged the difficulties faced by law enforcement in a county whose population is so widespread. "These funds will further enhance the Elko County Sheriff Department's ability to gather the evidence necessary for successful prosecution of stalking cases," Del Papa said.

For more information on how you can help aid in the battle to end Domestic Violence, call Nevada's toll free domestic violence information and referral line at 1-800-230-1955. If you are being abused, or know someone who is, call Nevada's 24-hour Domestic Violence Hotline at 1-800-500-1556.

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CONTACT: Steve George

February 23, 1999

(775) 687-3512

**U.S. SUPREME COURT AGREES TO HEAR CERTS APPEAL BY
NEVADA INMATE**

Attorney General Frankie Sue Del Papa says her office will vigorously represent Nevada in a petition brought by an inmate to the United States Supreme Court. Antonio Slack contends a lawsuit seeking relief from his state court conviction for murder was unfairly dismissed in the federal courts. Slack was convicted by a Clark County jury of second degree murder in 1990 for the killing of 12-year-old Alana Holms. Slack is asking the Supreme Court to overturn the dismissal order by United States District Judge David Hagen, which was summarily affirmed by the Ninth Circuit Court of Appeals. Judge Hagen ruled that Slack had abused the federal court process by repeatedly bringing new legal theories to the federal court without first presenting them to the state courts, even though he had been instructed to fully litigate all issues in the state system before seeking consolidated review in the federal system as provided for by federal statute.

"While the State has a duty to ensure that those we incarcerate are given fair reviews in the state system, the State also has an interest in making sure that prisoners who seek federal court review of their state convictions do not abuse the process." Del Papa said. "In this case, the federal judge warned Slack during his first case in federal court to raise all issues in the state courts before bringing them to the federal court's attention for a full and fair review. Slack chose to ignore the judge's warning and instead initiated another piecemeal attack on the state proceedings in violation of the judge's order. The State should not be subjected to wasteful, expensive and abusive litigation tactics by prisoners who challenge their convictions for years after their trial and automatic appeal in the state system.

Slack's federal litigation pre-dated a 1996 federal statutory change enacted in the Anti-Terrorism and Effective Death Penalty Act which limits the number and timing of such challenges. Therefore the applicability of the new law is in question. The Court's ruling could shed new light on how the Court will treat those instances where the prisoner has not obtained one ruling on the merits of his case but nevertheless violates federal court orders to raise all his claims in a single proceeding. " While this is a

non-capital case it could have implications for many death penalty cases, which are particularly subject to inmate manipulation designed to forestall any final federal court decision," Del Papa said. "We look forward to providing the Court with top rate legal briefs, and we expect other states with similar concerns will help us to ensure that the justices understand that states have important interests in having the federal courts reign in non-compliant inmate litigants."

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**FOR IMMEDIATE RELEASE
CONTACT: Grenville Pridham
February 22, 1999
(702) 486-3788**

FURRIERS PLEAD GUILTY TO ROLES IN INVESTMENT FRAUD

Attorney General Frankie Sue Del Papa announced today that a husband, wife and their son have all pleaded guilty to crimes in connection with the sale of stock in a Las Vegas fur business in 1993.

Ray LeNobel, age 77, and Michael Nateece, age 37, of California, each pleaded guilty to one felony count of securities fraud for making an untrue statement of material fact in connection with the sale of stock between January and July of 1993. Anna Nateece, age 60, pleaded guilty to disturbing the peace in connection with her role in the scheme. All three agreed to pay \$100,000 in restitution to the victim. If the restitution is paid in full, LeNobel and Michael Nateece will be allowed to withdraw their felony plea and plead to a lesser count of a gross misdemeanor of conspiracy to commit securities fraud.

The Attorney General filed a complaint in this matter after an investigation had been conducted by the Secretary of State, Securities Division.

The investment was offered in Nateece's new fur shop business that was to be located in the Forum Shops at Caesar's Palace. The defendants told the victim she needed to invest \$100,000 to receive 50% of the stock in the corporation. The victim was told she would receive between \$200,000 and \$400,000 in profits during the first year of operation. The victim was promised the investment was a safe, risk-free opportunity.

Michael Nateece was dating the victim when he encouraged her to invest in his mother's fur business. After the victim had paid most of the \$100,000 she agreed to invest, Michael Nateece broke off his relationship with her.

The securities fraud charge of making untrue statements and omitting material facts carries a penalty of up to six years in prison or a fine of \$20,000. The charge of conspiracy to commit securities fraud carries a penalty of up to one year in jail or a fine of up to \$2,000. The charge of disturbing the peace carries a

penalty of up to six months in jail or a fine of \$1,000. ??

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February 18, 1999

(775) 687-5866

**STATE AND DOE ENTERS MEDIATION IN NINTH CIRCUIT CASE
REVIEWING DOE'S REALLOCATION OF NUCLEAR WASTE
PROJECT FUNDS**

The Nevada Attorney General's office and the state's Nuclear Waste Project Office entered into mediation with representatives of the Department of Energy and the Department of Justice in the case entitled "State v. Richardson" on Tuesday, February 17, 1999 in Reno.

A petition for judicial review was filed in October, 1998 seeking the return of approximately \$700,000 in federal funds reallocated from the Nuclear Waste Project Office by the DOE. The petition, filed in the United States Court of Appeals for the Ninth Circuit, challenges the findings of an audit which determined the funds were misspent, and argues that the expenditures were consistent with the mandates of the Nuclear Waste Policy Act (NWPA).

The NWPA requires state oversight and review during the site characterization phase of the Yucca Mountain Project to allow the state to prepare a position in the event Yucca Mountain is recommended to the President as a site for the nation's high-level nuclear waste repository. Under the NWPA, the Secretary of Energy is required to make grants to the State of Nevada for the purpose of participating in the activities related to an independent evaluation of the potential economic, social, public health and safety, and the environmental impacts caused by the location of a high-level nuclear waste repository at Yucca Mountain.

"My office is reasonably optimistic that the mediation effort sponsored by the Ninth Circuit may prove fruitful," Attorney General Frankie Sue Del Papa said. "Although the specific nature of our discussions are confidential at this point, we believe that frank discussions between the DOE and our office may result in an improved understanding of what expenditures are permitted consistent with the State's responsibilities under the NWPA," Del Papa said.

The Attorney General's office is responsible for providing legal support, advice, and counsel for the Governor, the Nuclear Waste Project Office, and the State Legislature regarding the development of a high-level radioactive waste repository at Yucca Mountain. Additionally, the Attorney General's office has expended substantial efforts in the last fifteen years laying the foundation for Nevada's case that Yucca Mountain is not suitable to be licensed by the Nuclear Regulatory Commission as a nuclear waste repository.

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CONTACT: Matthew Gabe

February 16, 1999

(702)486-3793

INFORMERCIAL SCAM ARTIST ARRESTED

A man charged in relation to a scam involving millions of dollars invested in infomercials has been arrested in San Diego by members of the Nevada Attorney General's Bureau of Consumer Protection Division and an investigator from the Nevada Securities Division. Thirty-seven year old Eric Steven Stein of Las Vegas was taken into custody without incident in San Diego, California on Friday, February 12, 1999, by the Chula Vista Police Department.

Stein was located after investigators received a tip from an "America's Most Wanted" viewer. Stein had been the subject of an earlier episode. A film crew from "America's Most Wanted" was along for the arrest on Friday.

Stein faces 12 felony counts stemming from his involvement with a company named "The Sterling Group." According to the complaint filed by the Attorney General's office, The Sterling Group represented to prospective investors that Affordable Media, LLC, d/b/a The Sterling Group, promoted products by direct response infomercials. Prospective investors were given the opportunity to purchase infomercial time with a promise of receiving a portion of the profits resulting from the sale of infomercial products. Investors were required to buy "media time" units at a price of \$5,000 per unit, with a minimum purchase of two units required.

The complaint alleges the defendant committed securities fraud and racketeering by misrepresenting to prospective clients a return of between 25-53% within a period of 60-90 days. The complaint also alleges the defendant failed to disclose material facts to prospective investors, such as the fact the securities were not registered with the Nevada Secretary of State Securities Division, and that the defendant was not licensed with the State as a sales representative.

The charges are the result of an investigation conducted by the Nevada Secretary of State Securities Division.

Stein is currently waiting an extradition hearing in San Diego County.

If convicted on the charges of Racketeering, Racketeering Conspiracy, Securities Fraud and other counts, Stein could face up to 70 years in state prison, along with fines up to \$170,000. In addition, according to the Nevada Uniform Securities Act, Stein must be ordered to make restitution to the investors if convicted.

A criminal complaint is merely an accusation. The defendant should be presumed innocent until and unless proven guilty in a court of law.

Persons with concerns or complaints regarding "The Sterling Group" are urged to contact the Securities Division in Las Vegas at (702) 486-2440.

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE

CONTACT: Steve George

February 16, 1999

(702)486-3426

**TOBACCO SETTLEMENT AMENDMENT INCLUDES ALMOST ALL
MANUFACTURERS**

An amendment to the historic Tobacco Settlement agreement is now in the hands of participating States' Attorneys General. Under terms of the amendment, 19 Subsequent Participating Manufacturers (SPM's) of tobacco products will sign on to the Master Settlement Agreement (MSA). That will bring the total number of "SPM's" that would be subject to all "MSA" public health restrictions to at least 99.878%.

In addition, the amendment states that if the market share of Participating Manufacturers continues to be greater than 99.05% in the years after 2004, those manufacturers would pay an additional \$300 million per year to the National Public Education Foundation for grant-making purposes to the States and political subdivisions. Those additional payments would go on through perpetuity for each year the market share remains greater than 90.05%.

"These amendments to the Master Settlement Agreement mean that almost 100% of the Tobacco Manufacturers in the United States will be taking part in our efforts to reduce cigarette smoking in the nation," said Attorney General Frankie Sue Del Papa. "Furthermore, the provision calling for an additional \$300 million dollars in settlement money, if the tobacco buy rate exceeds 90.05%, will force the Tobacco Industry to play an active role in lowering the number of smokers, or pay the consequences."

All settling States and Participating Manufacturers must sign the amendment in order for the addendum to become effective.

Del Papa has given the National Organization of Attorneys General ("NAAG") Tobacco Committee authority to add her name to the settlement amendments.

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FOR IMMEDIATE RELEASE

Contact: Fred Schmidt

February 15, 1999

(775) 687-6300

Bills designed to protect consumers from deceptive and unfair trade practices will be introduced today by Attorney General Frankie Sue Del Papa. She'll present the legislation to the Assembly Committee on Commerce and Labor.

Senate Bill 108 remedies a problem raised in a 1977 United States Supreme Court case, *Illinois Brick Co. v. Illinois*, which states that people or entities who do not deal directly with defendants have no standing to sue for treble damages in an antitrust action. In other words, if the consumer who is damaged by a product is an indirect purchaser (does not purchase directly from the manufacturer), that consumer may not recover damages under present law. "This bill would allow consumers, or the Attorney General on the consumer's behalf, to sue for recovery," Del Papa said.

A separate provision of SB 108 designates that certain money obtained in an award may be used for future antitrust enforcement. "We anticipate this will help our office continue to enforce antitrust laws without seeking greater resources from state general fund monies," explained Del Papa.

Another Attorney General-sponsored measure scheduled to be heard today is Senate Bill 109, which would allow the Commissioner of Consumer Affairs to make public the name of a person alleged to have committed a deceptive trade practice under Nevada statutes. It would also provide that any agreements (known as Assurances of Discontinuance) would no longer be confidential. The bill also requests the legislature to eliminate the current nonprofit organization exemption of credit services, along with requiring credit services to register with the state and post a security instrument. "These changes will give more information to consumers regarding whether there have been complaints made about a specific business, and whether a business has agreed to discontinue a practice found to be deceptive," said Del Papa. "We also believe it is appropriate for credit service organizations to post a bond or provide other security to ensure a remedy for consumers exists."

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FOR IMMEDIATE RELEASE
CONTACT:

Pam Roberts, Deputy Attorney General
February 12, 1999
(775) 688-1870

Dennis Kollar, Commander,
Peace Officers Standards & Training
(775) 687-3232

Betsy Kolkoski, Chief of Elder Rights,
Division of Aging Services
(702) 486-3545

**ELDER ABUSE TRAINING PROGRAM FOR LAW
ENFORCEMENT AGENCIES TO BE DISTRIBUTED STATEWIDE**

The Attorney General's Office, the Peace Officers Standards & Training (POST) and the Division for Aging Services announced today that distribution of the Law Enforcement Elder Abuse Training Program will occur at the Nevada Police Chiefs and Sheriff's Meeting being to be held in Carson City on February 16, 1999. This collaborative project results from the action plan of the Nevada Elder Abuse Prevention Council (NEAPC). Although elder abuse training has been incorporated into Nevada's law enforcement academy programs for several years, NEAPC encouraged the development of this program to reach the thousands of other peace officers who may not have received this specific training.

The training program includes a trilogy of videotapes, an instructor's manual and additional materials that will be distributed to every law enforcement agency in the state. It is designed to be presented in three 20-minute segments so that a local police department or sheriff's office can present the training during daily briefing sessions. Successful completion of the program will provide each participant with one hour of continuing education credit.

The first video, "Rx for Abuse," hosted by Shirley Jones was developed as a result of recommendations by the Nevada Elder Abuse Prevention Council. This award winning video was originally directed to the medical community and other mandatory reporters of elder abuse, and has been slightly modified to fit within the law enforcement trilogy. Acclaimed actor Robert Conrad hosts the second video, "Help is on its Way." The third video, "It Takes a Little Time Sometimes," is hosted by comedian, actress and singer

Vicki Lawrence. All three videos were produced by Michael Billings of Billings Productions. The second and third videos were produced after the 1997 Nevada Legislature authorized the expenditure of \$65,000 from court assessment fees collected for law enforcement training.

Attorney General Frankie Sue Del Papa, Commander Dennis Kollar and Chief Betsy Kolkoski commend Nevada's law enforcement community for its commitment to protect our senior citizens from those who might abuse, neglect or financially exploit them. Del Papa noted that: "While California and other states have needed to legislatively mandate this type of training, Nevada's law enforcement community and P.O.S.T. formed a partnership with the Attorney General's Office and the Division for Aging Services to develop this special training program without legislative mandates."

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FOR IMMEDIATE RELEASE

Contact: Doug Walther

February 12, 1999

(775) 687-6421

STATE ANNOUNCES MORTGAGE COMPANY TAKEOVER

The Department of Business and Industry, Financial Institutions Division and the Office of the Attorney General announced late yesterday that an Order had been issued by the Division, taking possession of Del Mar Mortgage, Inc., a licensed mortgage company in Las Vegas, Nevada and two affiliated companies, Del Mar Holdings, Inc. and Western Funding Investments Plan, Inc. The Order cites the solicitation of investors through the unlicensed affiliate companies, and the failure to keep investors informed of the status of their investments among grounds for the takeover.

The Order requires Michael Shustek (SHOE-stek), president and owner of Del Mar Mortgage, Inc., and president or owner of the affiliated companies, to immediately turn over possession of the businesses to Financial Institutions Division Commissioner L. Scott Walshaw. Las Vegas certified public accountant George C. Swarts has been appointed to serve as conservator for the companies by Commissioner Walshaw. "Mr. Swarts has many years of experience as a receiver and conservator, and I am hopeful he will be able to continue operating the businesses with as little disruption as possible to existing investors," said Walshaw.

Investors will be notified immediately of the change in control. The conservator's first task will be to issue reports to each investor regarding the status of their investments. Under state law, the companies have 60 days to remedy the unsafe conditions that prompted the takeover, or the Commissioner may then take the next step and request a receiver be appointed by the state district court. "Although the alleged operational deficiencies are serious, I believe they can be resolved if proper management practices are followed," Walshaw said. He added, "The case does not involve the severity of misconduct found in the Harley Harmon Mortgage case, but state law requires this type of action when circumstances warrant."

For more information, contact L. Scott Walshaw, Commissioner (775) 687-4259, or Doug Walther, Senior Deputy Attorney General (775) 687-6421.

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FOR IMMEDIATE RELEASE
CONTACT: Steve George
February 11, 1999
(775) 687-3512

**1999 NEVADA WOMEN'S ROLE MODEL AWARD NOMINATIONS
DUE MARCH 2, 1999**

Attorney General Frankie Sue Del Papa would like to ask media to remind the public that nominations for the Fifth Annual Nevada Women's Role Model Award are due by March 2, 1999. The awards are set to coincide with Women's History Month which is March.

Nomination forms are available by calling the Attorney General's Office in Las Vegas at (702) 486-3420, Reno at (775) 688-1818 or Carson City at (775) 687-4170. Completed nominations should be postmarked by March 2, 1999 and mailed to Steve George with the Attorney General's Office at 100 N. Carson Street, Carson City NV 89701-4717.

Nominations may also be faxed to the following number: (775) 687-5798.

"This is an opportunity to recognize outstanding Nevada Women, their achievements, and their impact on our state," Del Papa said. "Previous recipients have included educators, health care workers, administrators, and community activists. What they have all had in common is their dedication, commitment, achievements and contributions which not only have an impact on their communities, but on the unfolding history of our state."

For further information, please call Betsy Greenspan at (775) 687-4170.

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FOR IMMEDIATE RELEASE

Contact: John Albrecht

February 9, 1999

(775) 688-1818 or 687-5024

**ATTORNEY GENERAL INSPECTS EVERY NEVADA TOBACCO
RETAILER**

Carson City ... Nevada is the first state in the nation to inspect every tobacco retailer under a contract with the U.S. Food and Drug Administration enforcing federal regulations controlling the sale of tobacco to children. Since August, 1998, approximately 1800 separate over-the-counter locations were inspected by teams consisting of an underage youth who tries to buy tobacco, supervised by an AG's investigator.

Federal regulations prohibit the sale of tobacco to children under 18 and require anyone under 27 to present an ID to purchase tobacco. The FDA has contracted with almost every state to conduct compliance checks or "stings" of locations that sell tobacco over-the-counter. The Attorney General contracted with the FDA to conduct stings in Nevada.

The contract has been completed, "at a pace nearly twice as fast as required under the State's contract," wrote Mitchell Zeller, Director, FDA Office of Tobacco Programs, in a letter to Attorney General Del Papa. Zeller continued, "One of the most common ways for kids to get cigarettes and smokeless tobacco is over-the-counter. That is why the FDA believes that a strong enforcement presence is key to preventing kids' access to these products. Because of your dedication, kids in Nevada have a more difficult time purchasing these products, which means they will have a better chance of growing up free from nicotine addiction and tobacco-related diseases."

The youth tobacco buy rate in Nevada has dropped from 63 % in 1995 to 16.8 % in a random probability study completed in September, 1998, by the Nevada Attorney General's office for all locations, both over-the-counter and vending machines. The over-the-counter buy rate is now 12.6 % and the vending machine buy rate is 50 %.

Although the buy rate from vending machines is high the overall buy rate is low because there are few

cigarette vending machines as compared to the number of over-the-counter locations. Also, many businesses have moved vending machines to adults only locations such as gaming areas. Over-the-counter violations may be prosecuted under state or federal law. Vending machine violations may only be prosecuted under state law because of court challenges to FDA regulations of vending machines.

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February 9, 1999

Contact: Keith Munro

(775) 687-3518

**ATTORNEY GENERAL SUPPORTS LEGISLATIVE
EFFORT TO REDUCE FRIVOLOUS INMATE LITIGATION**

Attorney General Frankie Sue Del Papa continued her efforts today to reduce frivolous inmate litigation. Assembly Bill 22, presented by Assemblywoman Barbara Cegavske, was considered by the Assembly Judiciary Committee this morning. Among those testifying in support of the bill was Senior Deputy Attorney General Keith Munro.

Assembly Bill 22 requires a state prisoner to pay outstanding judgments for restitution, administrative assessment fees and expenses of the defense if the prisoner is awarded a monetary judgment against the State and/or its officials from a lawsuit which accrued while the prisoner was incarcerated. If any money remains after these outstanding judgments are paid, the remaining money will be forwarded to the state prisoner.

General Del Papa noted that "Assembly Bill 22 will benefit Nevadans. Requiring prisoners to pay outstanding judgments prior to receiving any money from a civil action should help reduce the incentive for filing frivolous lawsuits. If an inmate has a legitimate claim for damages, any award received will help repay outstanding debts to state and local governments. This constitutes good public policy and promotes rehabilitation."

Assembly Bill 22 also requires non-indigent state prisoners to pay for their transportation costs for a small claims action if they wish to appear for a hearing on the case. Del Papa observed that "the cost of transporting state prisoners for small claims actions often exceeds the remedy requested. Just like the law-abiding citizens, state prisoners capable of paying for their transportation costs should be required to do so."

Del Papa previously supported both the Prison Litigation Reform Act, passed by Congress in 1996, and NRS 209.451, which provides for the loss of good time credits if an inmate is found to have filed a

frivolous civil action. These enactments have helped reduce the number of frivolous inmate lawsuits filed in this State over the last two years. In offering her office's support of AB 22, Del Papa stated that: "I am confident Assembly Bill 22 will further our efforts to reduce frivolous inmate lawsuits, which unnecessarily burden our court system and waste taxpayer money."

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FOR IMMEDIATE RELEASE

CONTACT: Steve George

February 9, 1999

(702)486-3426

Media Advisory

Attorney General Frankie Sue Del Papa is pleased to announce that Steve George has been named Executive Assistant/Public Information Officer for her office. Steve comes to the position after serving as News Director at KNUU News Radio in Las Vegas. He will be the liaison between the Attorney General's office and the media, along with being responsible for ,any other duties.

" Educating consumers and keeping the public informed of the actions of the State's largest law firm is no easy task. Steve George will work hard to contribute to the public protection agenda of the Attorney General's office," Del Papa said.

Steve will work out of the Las Vegas office until February 19 before permanently moving to Carson City. He fills the position vacated by Bob Harmon, who is now the Public Information Officer for Washoe County.

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FOR IMMEDIATE RELEASE
Contact: Veronica Boyd-Frenkel
February 6, 1999
(775) 688-1846

NEVADA DOMESTIC VIOLENCE STATISTICS RELEASED

Attorney General Frankie Sue Del Papa, who chairs the Nevada Domestic Violence Prevention Council, announced today the release of the first in a continuing series of cumulative reports of statewide law enforcement statistics regarding domestic violence. These reports are the result of a collaborative effort between the Domestic Violence Ombudsman of the Attorney General's office and the Nevada Uniform Crime Reporting Program administered by the Nevada Department of Motor Vehicle and Public Safety, Highway Patrol Division.

"Drawn from law enforcement statistics statewide, this report on domestic violence in Nevada is one of the most in-depth and comprehensive reviews of law enforcement data on this issue to date," Del Papa said. Copies of the report are being distributed statewide to law enforcement, legislators, and others interested in domestic violence prevention.

On January 1, 1998, all Nevada law enforcement agencies began utilizing a standardized domestic violence statistical form developed by the Nevada Uniform Crime Reporting Program to facilitate the collection of domestic violence statistics from throughout the state.

The report, "Domestic Violence in Nevada," covers statistics for the first two quarters of 1998. According to the report, Nevada law enforcement agencies responded to over 4,000 incidents per quarter. Arrests were made in approximately 50 percent of the responses.

The statistics also show that roughly 70 percent of the incidents occurred in Clark County and that children were present in approximately 36 percent of the reported cases.

"In order to assess the extent of domestic violence in our state, it is also important to recognize that many victims of domestic violence do not contact law enforcement," commented Sue Meuschke, Executive Director of the Nevada Network against Domestic Violence. Meuschke said that 7,321

victims contacted domestic violence programs in Nevada during the first quarter and 7,559 during the second quarter. Programs also documented that, for each quarter, 2,956 and 3,609 of those individuals had also contacted law enforcement.

"These domestic violence statistics indicate that we are dealing with a problem of epidemic proportion in Nevada," stated Attorney General Del Papa. "Anything that anyone of us can do to break the cycle of violence is important."

Veronica Boyd-Frenkel, Nevada's Domestic Violence Ombudsman said that she and Highway Patrol Officials continue to work to modify, update, and improve the "Domestic Violence in Nevada" report. She also indicated that efforts are ongoing to streamline the process of compiling and analyzing the statistics with the goal of improving the timeliness of the report. For more information about the report, please contact Boyd-Frenkel in the Reno office of the Attorney General at: (775) 688-1846. Or you may visit the Attorney General's website at <http://ag.state.nv.us/>

For more information on how to help with efforts to reduce domestic violence in Nevada, call Nevada's toll free domestic violence information and referral line at 1-800-230-1955. If you are being abused, or know someone who is, call Nevada's Domestic Violence Hotline at 1-800-500-1556, 24 hours a day, to get help.

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FOR IMMEDIATE RELEASE
CONTACT: Charlie Stokes
February 5, 1999
(775) 684-8931

Caveat Emptor on the World Wide Web

The following consumer advisory concerning Internet fraud is offered by the Nevada Office of Attorney General as part of an ongoing effort to educate consumers during National Consumer Protection Week.

Fraud on the Internet is increasing as bargain hunters flock to online auction sites to trade in goods ranging from baseball cards to grand pianos. These online auction sites provide an electronic venue for buyers and sellers to meet and negotiate the sale of goods, often at a deep discount. Usage of these sites is increasing at an astonishing pace. Membership at eBay, considered by most to be the market leader in an industry consisting of dozens of sites, grew by nearly one million to 2.1 million in the last quarter of 1998. Over 40 million auctions have been conducted on eBay since its inception - 13.6 million in the last quarter alone.

With the popularity of these auction sites soaring, and the enormous amounts of money involved, it is inevitable that the criminal element would be attracted. "One of the reasons the Internet is so compelling is that the information it holds is free flowing, and the information flows freely because there are few checks on its veracity or the identity of those providing the information", said Frankie Sue Del Papa. This atmosphere of anonymity is the perfect cloak for the crook, who now can assume multiple false identities with relative impunity. Posing as legitimate dealers, these criminals take the buyer's money and fail to send the promised items, falsely characterize items, or market defective or counterfeit goods. Once the innocent buyer is defrauded, tracking down the crook is often exceedingly difficult because his true identity may be unknown. Since the dealer may often reside in another state, or even in another country, detection and prosecution of the dealer may be slowed by jurisdictional issues.

Recently, as many as several hundred buyers have allegedly been defrauded by a man using a Las Vegas postal address to receive checks and money orders for rare Beanie Babies he advertised but did not deliver. One New York man bid \$663 for a rare Beanie Baby collectible called "Web" on eBay. He won the auction and soon after the money was sent the dealer shut down his Email account and ceased contact with the buyer. Alarmed, the defrauded buyer contacted Federal authorities, who are now

investigating the allegations. The Attorney General's Office, after receiving this and several other complaints from citizens around the country, looked into the matter and discovered that eBay records indicate that over 500 individuals may have bid on the fraudulent auction. Taking a conservative estimate of the potential bid amounts, this fraud is probably collectively in the tens of thousands of dollars.

It is happening in other states as well. The New York Department of Consumer Affairs is investigating claims that eBay was used to market counterfeit sports memorabilia - in this case autographed baseballs. According to the New York Post, one of the baseballs sold was purportedly signed by Roberto Clemente. Investigation revealed that the ball was manufactured in 1978. Clemente was killed in an airplane crash in 1972. In Pennsylvania, Jamison Piatt avoided prosecution by signing an agreement with the Bureau of Consumer Protection to reimburse 29 consumers \$2,600 and pay a \$1,000 fine for promising Furbys and never delivering them. In Oklahoma, Federal Postal authorities are investigating a suspended eBay user for allegedly defrauding buyers of at least \$30,000.

The Attorney General's Office wants Nevadans to be aware of the pitfalls of dealing in online auctions. "Buying on the Internet auction sites can be fun and money can be saved. The vast majority of transactions occur without a hitch. But don't let your guard down. Be aware that most Internet auction sites do not act as a guarantor of a user's honesty. Traditional auction houses take rigorous measures to insure that the merchandise they handle is as depicted and the individuals they represent are honest. Few auction sites on the Internet do so, although the trend is improving", said Del Papa.

Here are a few tips to decrease your exposure to auction fraud:

- Ask yourself if it is appropriate to buy the item from an online auction site. Should you buy this item sight unseen and not knowing the identity of the seller?
- See if you can acquire the item locally at a similar price. Don't get caught up in the bidding frenzy.
- Try to find out as much as you can about the seller.
- Take advantage of the anti-fraud measures that many of these auction sites are now adopting.
- For large dollar purchases, consider using an Internet escrow service.
- Pay by credit card. While many small dealers cannot process credit cards, a demand for cash should raise a red flag.
- If it sounds too good to be true, it probably is.

To report Internet fraud or to obtain more information about how to protect yourself, consumers may contact the Nevada Attorney General's Office at (775) 687-4170, or the National Fraud Information

Center, a program operated by the non-profit National Consumer League, at 1-800-876-7060.

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**FOR IMMEDIATE RELEASE
CONTACT: Matthew Gabe
February 5, 1999
(702) 486-3793**

CONSUMER ALERT: RENT-TO-OWN FRAUD

In observance of National Consumer Protection Week, February 1-7, 1999, the Nevada Attorney General's Bureau of Consumer Protection offers the following consumer awareness information.

Approximately 3 million people a year chose to rent-to-own property such as furniture and appliances. Rent-to-own stores are appealing to many consumers who believe that they have enough money to make monthly payments on an item that they could not purchase outright from a retailer. Presently, there are approximately 7,500 rent-to-own stores in the United States. It is important for a consumer to be aware that many rent-to-own stores actually over inflate the total cost of an item. Renting-to-own may not be such a good economic bargain. In fact, rent-to-own prices can sometimes be two to five times that of retail prices. For example, a new microwave oven that sells for only \$140.00 in an appliance store may cost a consumer \$360.00 to rent-to-own after 12 monthly payments of \$29.99.

The federal Consumer Leasing Act and the Nevada Lease of Personal Property With Option to Purchase Act both require that leasing companies inform consumers the facts about the cost and terms of a leasing contract. The consumer must receive a written statement of the items cost which includes the amount of any advance payment, as well as the number, the amount, and the dates that the regular payments are due. In addition, the consumer must be told certain terms of the lease such as what insurance is required, any express warranty on the property, who is responsible for maintaining and servicing the property, any penalty for default or late payment, how one may cancel the lease and the charges for doing so, and whether or not one can buy the property and if so, when and at what price.

It is important to know that if the leasing company fails to give you the required information or does so improperly, the consumer may sue the leasing company

Persons who believe that they have been the victim of rent-to-own fraud should call the Nevada Consumer Affairs Division in Las Vegas at 486-7370. Consumer protection information is also available on the Attorney General's website at <http://ag.state.nv.us/>

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FOR IMMEDIATE RELEASE
CONTACT: Matthew Gabe
February 4, 1999
(702) 486-3793

CONSUMER ALERT: HOME EQUITY FRAUD

In observance of National Consumer Protection Week, February 1-7, 1999, the Nevada Attorney General's Bureau of Consumer Protection offers the following consumer awareness information.

A home is the most important investment that most consumers will ever make. If you are thinking about using your home as collateral for a loan, be careful. Unless you can make the loan payments out of your current income, you may lose your home as well as the equity that you have already built up. Certain unscrupulous lenders target homeowners who are elderly or who may have low income or credit problems. These lenders take advantage of the homeowner by using deceptive trade practices.

Some lenders give loans based on the equity in the home, not on the homeowner's ability to repay the loan. This is known as "equity stripping."

Another scam may occur when the lender encourages the homeowner to repeatedly refinance the loan and borrow more money. Each time you refinance, there is a good possibility that there are additional fees and interest points which the lender collects, and increases the debt. This is known as "loan flipping."

Another scam to watch out for occurs when the lender does not provide the homeowner with accurate account statements and payoff figures. This makes it almost impossible for the homeowner to determine how much is actually owed on the debt. The homeowner may end up paying more than owed. This scam is known as "deceptive loan servicing."

The following are some tips to remember if you are thinking about using your home as collateral for a loan:

* Make sure that you can make the loan payments out of your current income.

* Do not sign a loan agreement if the terms are not what you were given when you applied.

* Ask for an explanation of any dollar amount, term, or condition that you do not understand.

* Shop around for the best loan rates and interest rates.

It is also important to know that the federal Truth in Lending Act permits the homeowner three business days to reconsider a signed credit agreement and cancel the deal in writing without a penalty.

Persons who believe that they have been the victim of home equity fraud should call the Nevada Consumer Affairs Division in Las Vegas at 486-7370. Consumer protection information is also available on the Attorney General's website at <http://ag.state.nv.us/>.

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FOR IMMEDIATE RELEASE

CONTACT: Matthew Gabe

February 3, 1999

(702) 486-3793

CONSUMER ALERT: CAR TITLE LOAN FRAUD

In observance of National Consumer Protection Week, February 1-7, 1999, the Nevada Attorney General's Bureau of Consumer Protection offers the following consumer awareness information.

When a consumer is short on cash, pawning the title to one's vehicle may be appealing to persons who need both instant cash and the use of their vehicle. However, consumers must be aware of the downside to pawning one's auto title. When an individual turns over the title of his or her vehicle to a lender, he or she will receive some cash and continued use of the vehicle. However, in some instances, the lender will set extremely high monthly payments that the consumer cannot possibly meet. Some lenders actually charge up to 200 percent annual interest on the loan. The lender then repossesses the consumer's vehicle if the consumer misses a monthly payment.

Persons who have questions about a car title loan company should call the Nevada Consumer Affairs Division in Las Vegas at 486-7370. Consumer protection information is also available on the Attorney General's website at <http://ag.state.nv.us/>

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FOR IMMEDIATE RELEASE

CONTACT: Matthew Gabe

February 1, 1999

(702) 486-3793

CONSUMER ALERT: IDENTITY THEFT

In observance of National Consumer Protection Week, February 1-7, 1999, the Nevada Attorney General's Bureau of Consumer Protection offers the following consumer awareness information.

Identity thieves are individuals who steal your personal information and then wreak havoc with your personal finances. Since the most common method of identity theft occurs when the perpetrator finds or steals a victim's wallet, then uses the identity to open charge accounts in the victim's name, the following are some helpful tips to follow if your wallet is ever lost or stolen. To protect yourself, the following steps should be taken immediately; delay may lead to unnecessary loss.

- * File a report with the police. Make sure that you obtain a copy of the police report for proof.
- * Cancel every credit and charge card and request new account numbers.
- * Report missing credit and charge cards to the major credit reporting agencies. Also, request to add a "victim statement" to your credit report file.
- * Report the loss to your bank. Cancel checking and savings accounts and open new ones and order stop payments on outstanding checks.

These are ways to minimize your vulnerability and protect yourself from becoming a victim of identity theft. First, minimize the identification information and the numbers of cards that you carry to what you really need. For example, do not carry your Social Security Card or birth certificate if you do not actually need to. Also, keep items with personal information in a safe place and destroy these items when you do not need them anymore.

Persons who believe that they have been the victim of identity fraud should call the Nevada Consumer

Affairs Division in Las Vegas at 702-486-7370. Consumer protection information is also available on the Attorney General's website at <http://ag.state.nv.us/>

**STATE OF NEVADA
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FOR IMMEDIATE RELEASE
CONTACT: Steve George
March 31, 1999
(775) 687-3512

APRIL IS CHILD ABUSE PREVENTION MONTH

--NORTH--

Attorney General Frankie Sue Del Papa would like to remind the community that April is designated as Child Abuse Prevention Month, a time to promote public awareness of child abuse, as well as address steps that can be taken by every family to help prevent it.

"This is a good time to reflect on the need for parents to be extra conscious of their relationship with their children," Del Papa said. "Our words, our actions and our deeds speak volumes and impact our children's future health and development."

The 1998 KidsCount Data Book ranks Nevada 34th among states in overall level of child well-being. Statistics show that nationwide, 90% of juvenile offenders and adult prisoners report being abused as children. Research indicates that parents who were abused as children are far more likely to abuse their own children.

Del Papa says, "These disturbing realities bring to light the importance of continuing to take individual and collective action to help reduce child abuse and neglect in our State."

In Northern Nevada, blue ribbons and information cards regarding child abuse will be distributed throughout the month of April by the Child Assault Prevention Program and Children's Cabinet, and by CAN-Prevent, The Child Abuse and Neglect Prevention Task Force. The blue ribbons are the symbol of the fight against child abuse and neglect. Citizens are asked to wear the blue ribbons to show their support.

CAN-Prevent will be distributing a newly published "Parenting Tips" handbook in April, which includes signs and symptoms of child abuse, helpful tips, and resources for parents.

For an April Events Calendar, call CAN-Prevent at (775) 329-2121.

Children's Cabinet, Inc. of Reno is a clearinghouse of information regarding family services, including the State's Family-to-Family Connection, which helps strengthen families by providing services, support and education. The Children's Cabinet provides a Respite Program for parents needing a break from the day-to-day parenting of children under the age of 13, and whose children are at risk of abuse or neglect. The program is available 24 hours a day, seven days a week. During business hours, contact the Children's Cabinet at (775) 856-6200. After hours and on weekends, call the Crisis Call Center at (775) 784-8090.

"These groups attempt to strengthen families in Nevada by providing services, support and education," Del Papa said. "It is important that we recognize the need and significance that family support and strengthening programs have on the future well-being of all Nevada's children."

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

**FOR IMMEDIATE RELEASE
CONTACT: Dorene Whitworth
March 30, 1999
(775) 687-8292**

**NEVADA RECEIVES \$1,000,000 GRANT TO HELP FIGHT
DOMESTIC VIOLENCE**

Attorney General Frankie Sue Del Papa announced that her office has been awarded a \$1,178,000 grant by the Office of Justice Programs through the Violence Against Women Act. The grant will be used to develop and strengthen effective law enforcement and prosecution strategies and victim services in cases involving violent crimes against women.

This marks the 5th year in-a-row that Nevada has been awarded a grant through the Violence Against Women Act. Last year, the State received a grant of \$1,145,000.

The Attorney General's office applied for the STOP (Service-Training-Officers-Prosecution) Grant to help Nevada's efforts to encourage the development and implementation of effective methods of dealing with the rising rate of domestic violence acts against women. By federal law, 25% of the grant funds must go to law enforcement, 25% to prosecution, and 25% to victim services. The remaining 25% can be used at the Attorney General's discretion to aid programs that are designed to "break the chain of violence."

Del Papa, who chairs the Nevada Domestic Violence Council, says application kits for subgrants will be available at the end of April.

**STATE OF NEVADA
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FOR IMMEDIATE RELEASE

CONTACT: Brain Kunzi

March 26, 1999

(702) 486-3199

**ATTORNEY GENERAL WARNS OF INCREASE IN BADGE FRAUD
SCAMS**

Attorney General Frankie Sue Del Papa is warning consumers to be alert about an increased number of complaints relating to "Badge Fraud" telephone solicitation scams taking place statewide. Badge Fraud is when an organization calls suggesting they represent local law enforcement agencies.

"The tactics used by these solicitors of charitable donations is deceptive," Del Papa said. "Some Nevadans are being led to believe that the donations will be used to help local law enforcement officers, their families, or widows of law enforcement officers." Del Papa warns that suggested ties to local law enforcement agencies should be investigated very closely before any donation is made.

The Attorney General's Bureau of Consumer Protection, which has primary jurisdiction over enforcement of deceptive telemarketing practices, recently has seen an increase in the number of Badge Fraud complaints. These solicitations are designed to prey on someone's natural tendency to help local police and fire departments. Many unwary consumers are promised window decals, believing the display of these stickers will reduce the risk of traffic tickets.

"Many of these organizations are running national campaigns that will benefit no one in Nevada," Del Papa added. "If you want to help a local organization, the best thing to do is send your contribution directly to the local police, sheriff or fire department."

If you are solicited by someone telling you they are from a local agency, you are advised to get their name, badge number and department, and a phone number. You should call the local agency and verify the solicitation is being done on its behalf. Hang up if the caller cannot verify this information.

Persons who feel they have been the victim of a fraudulent telephone solicitation should contact the Attorney General's Bureau of Consumer Protection at (775) 688-1818 in Northern Nevada or (702) 486-

3194 in Southern Nevada. Complaint forms can be downloaded from the Attorney General website located at <http://ag.state.nv.us/>

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FOR IMMEDIATE RELEASE

Contact: Tim Terry

March 26, 1999

775-687-4704

FORMER NURSING ASSISTANT CHARGED WITH ELDER ABUSE

Attorney General Frankie Sue Del Papa announced today that Las Vegas resident Marsha K. Bosworth, age 43, has been charged with a single count of felony abuse of an older person. The case is being prosecuted by the Medicaid Fraud Control Unit of the Attorney General's Office.

According to MFCU Director Tim Terry, the charge stems from a May 1998 incident in which Bosworth is alleged to have struck a 92-year-old female resident at Torrey Pines Care Center in an attempt to get the woman to leave a dining room. Subsequent to the incident, Bosworth surrendered her license to the Nevada State Board of Nursing.

"My office will take every possible step to guarantee that nursing home residents are protected from abuse or neglect," said Del Papa. She noted that nursing home residents are often the most vulnerable members of society.

The charges against Bosworth are allegations only. She is presumed innocent until proven otherwise in a court of law.

Anyone suspecting the abuse or neglect of an elderly person may report it to the MFCU at 775-687-4704 (Carson City) or 702-486-3420 (Las Vegas); the Aging Services Division at 775-688-2964 (Reno) or 775-687-4210 (Carson City) or 702-486-3545 (Las Vegas); or a local law enforcement agency.

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FOR IMMEDIATE RELEASE

CONTACT: Tim Terry

March 26, 1999

(775) 687-4704

**CERTIFIED NURSING ASSISTANT CHARGED WITH ELDER
ABUSE AND NEGLECT**

Attorney General Frankie Sue Del Papa announced today that Las Vegas certified nursing assistant Marie Dennis, age 44, has been charged with one count of Felony Elder Abuse and one count of Elder Neglect, a Gross Misdemeanor. Prosecution of the case is being handled by the Medicaid Fraud Control Unit.

According to MFCU Director Tim Terry, Dennis is alleged to have mistreated a 78-year-old male resident at the El Jen Convalescent and Retirement Center in June of 1998. Specifically, it is alleged that Dennis improperly force-fed the resident a solid meal when he was on a puree diet causing repeated choking, and that she also caused further injury through a callous wheelchair transportation.

"The intentional mistreatment of the frail and infirm cannot and will not be sanctioned," Del Papa said in reiterating that the policy of her office is for zero tolerance of those who would abuse or neglect the elderly.

The charges against Dennis are allegations only. She is presumed innocent until proven otherwise in a court of law.

Anyone suspecting the abuse or neglect of an elderly person may report it to the MFCU at 775-687-4704 (Carson City) or 702-486-3420 (Las Vegas); the Aging Services Division at 775-688-2964 (Reno) or 775-687-4210 (Carson City) or 702-486-3545 (Las Vegas); or a local law enforcement agency.

**STATE OF NEVADA
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**FOR IMMEDIATE RELEASE
CONTACT: L. Scott Walshaw
March 25, 1999
(775) 687-4259**

**STATE ANNOUNCES SETTLEMENT OF DISPUTE WITH DEL MAR
MORTGAGE**

The Department of Business and Industry, Financial Institutions Division, the Office of the Attorney General, Del Mar Mortgage, Inc. and its owner, Michael Shustek, today announced a settlement agreement has been reached resolving all pending issues in dispute. At the same time, the suits brought by Mr. Shustek and by investors challenging the possession order have been withdrawn, as have allegations of sexual misconduct made against Division employees.

Under terms of the settlement, the order taking possession entered on February 11, 1999, has been vacated, and the stewardship of the conservator previously appointed has been terminated. Further, the original agreement entered into in November of 1998 has been reduced from \$100,000 to \$50,000.

Concurrent with the settlement is the approval by the Division of a request by Sunderland Acquisition Corp., a public company, for approval of its proposed acquisition of Del Mar Mortgage, Inc. and Capsource, Inc.. Del Mar and Capsource also agree to implement operating procedures intended to keep investors better informed and resolve other operating deficiencies.

All parties involved, including Messrs. Shustek, Byrne and a representative of Sunderland, indicated their satisfaction with the settlement and the approval of the proposed business combinations. Messrs. Shustek, Byrne and the representative of Sunderland stated that the company now is in a position to move forward with its expansion plans.

Commissioner L. Scott Walshaw of Financial Institutions Division stated that Del Mar's employees were successful in informing investors of the status of their investments under the stewardship of the conservator, and that the operating procedures agreed to in the settlement should ensure that investors continue to stay informed. Walshaw further indicated that while the case was not analogous to the Harley Harmon case that has received so much attention, the action taken by the Division was consistent

with its responsibility to act promptly to ensure that the interests of investors are properly safeguarded.

**STATE OF NEVADA
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Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE
CONTACT: Steve George
March 24, 1999
(775) 687-3512

**ATTORNEY GENERAL DEL PAPA ADDRESSES SENATE
COMMITTEE REGARDING
INTERIM STORAGE OF NUCLEAR WASTE IN NEVADA**

Attorney General Frankie Sue Del Papa today delivered to the U.S. Senate Committee on Energy and Natural Resources the following statement regarding Senate Bill 608, which allows for the interim storage of nuclear waste in Nevada:

Mr. Chairman Murkowski and Members of the Committee:

I appreciate the opportunity to submit this statement on S. 608 which allows for the interim storage of high-level nuclear waste on the Nevada Test Site by June 30, 2003. Proponents of this bill claim that "interim storage" on the Nevada Test Site is necessary to overcome the Department of Energy's plan to keep the nuclear waste on-site at power plants until studies are complete to determine whether Yucca Mountain should become the nation's permanent repository for the waste.

The fallacy and the danger in moving forward with this interim storage bill is that it could result in an environmental disaster beyond contemplation for both Nevadans and for all the people along the national transportation routes over which the high-level waste will travel.

Until the verdict is in on the suitability of Yucca Mountain as the permanent repository for the deadliest substance on earth, it simply does not make sense to subject the millions of citizens along the paths to Nevada to be exposed to the threat of thousands of nuclear waste shipments. Transportation risks are no doubt magnified by the possible threat of attacks against the new targets created by the thousands of shipments of radioactive waste which must travel through hundreds of urban areas to reach Nevada.

Despite the myopic assertions contained in DOE's viability assessment which ironically finds no "show stoppers," there remain serious substantive safety concerns related to Yucca Mountain's suitability to

become the nation's permanent graveyard for nuclear waste. Curiously, data contained in the viability assessment confirm the site's unsuitability under DOE's own guidelines. Evidence of rapid groundwater flow which would carry released radionuclides through Yucca Mountain to the accessible environment should disqualify Yucca Mountain under current guidelines. Under S. 608, this essential safety criterion becomes moot because the site recommendation guidelines are eliminated. The presence of upwelling hydrothermal water which periodically floods the entire subsurface area and the active seismicity of the Test Site and Yucca Mountain underscore the dangers inherent in any proposal to ship high level radioactive waste to Nevada. It is worth emphasizing that under current Nuclear Regulatory Commission regulations regarding earthquake potential, a nuclear power plant could not be licensed at either the Yucca Mountain site or the Nevada Test Site.

In addition to the apparently insurmountable safety issues at stake are the questions of fairness and equity. Nevada has no nuclear power plants and is far removed from most of the country's reactors located east of the Mississippi River. S. 608 assaults the very notion of fairness and equity by its attempt to preempt any state laws, including federally-delegated environmental protection laws, that could present an obstacle to the bill's purpose of sending nuclear waste to Nevada.

S. 608 further compromises fairness by stripping the Secretary of Energy of his statutory obligation to determine the suitability of Yucca Mountain as the permanent repository and simultaneously renders Nevada's ability to substantively disapprove of the site meaningless.

The development of interim storage and repository infrastructure will have an enormous negative socioeconomic impact on Nevada's tourism-based economy. Similar negative impacts could be experienced in the hundreds of metropolitan areas through which high-level waste shipments will pass. Rural areas, too, can be harmed in the event of accidents in transportation. S. 608 presents Nevadans and Americans, in general, with unacceptable health and safety risks. I ask you to reject this bill in the interest of protecting the citizens of my state and the country.

Thank you for the opportunity to express these views.

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FOR IMMEDIATE RELEASE

CONTACT: Tim Terry

March 24, 1999

(775) 687-4704

**LAS VEGAS ORTHODONTIST SUED FOR
DEFRAUDING NEVADA MEDICAID PROGRAM OF NEARLY
\$500,000**

Carson City -- Attorney General Frankie Sue Del Papa announced today that Las Vegas orthodontist Steven D. Yatrofsky, age 52, has been sued in Clark County District Court for defrauding the Nevada Medicaid program of nearly \$500,000.00.

The case against Yatrofsky is being handled by the Attorney General's Medicaid Fraud Control Unit. According to Tim Terry, Director of the Unit, Yatrofsky avoided state criminal charges by voluntarily coming forward and disclosing all of his program irregularities, and by allowing investigators full access to all his business and personal records.

The complaint alleges that Yatrofsky was routinely paid in full at the beginning of orthodontic treatment for Medicaid patients. But when patients failed to complete their orthodontic plan of treatment, Yatrofsky failed to make required refunds to the Medicaid program.

According to Terry, the potential restitution, costs and penalties owed by Yatrofsky could exceed \$3 million.

Anyone suspecting provider fraud in the Nevada Medicaid program may contact the Medicaid Fraud Control Unit in Carson City at 775-687-4704, or in Las Vegas at 702-486-3420.

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FOR IMMEDIATE RELEASE

CONTACT: Ann Cathcart

March 22, 1999

(775) 687-3541

**ATTORNEY GENERAL'S OFFICE TESTIFIES ON BEHALF OF
DEATH PENALTY EDUCATION BILL**

The Nevada Supreme Court recently amended Rule 250 to add continuing education requirements for Nevada attorneys who handle death penalty cases. That essentially would require the State Bar of Nevada to create an education program.

The Attorney General's office today testified in favor of SB 249, which would continue funding an existing death penalty education program developed by the Nevada Judicial College (NJC).

Currently, the NJC is the only agency offering death penalty education in the State, which began offering the courses after the 1997 Legislature created the program with a \$120,000 grant. The NJC has since conducted two, three-day, death penalty workshops, providing instruction to judges, prosecutors and the defense bar. Two additional workshops will be offered before the conclusion of the 1998-99 fiscal year.

"In light of the involvement of our staff and many others in assisting the NJC with the creation of its program, there is no question that it would be expensive and time-consuming for the State Bar of Nevada to duplicate this process," Del Papa said. "Additionally, there is some concern that due to the time it would take the State Bar to create and provide this continuing education requirement, our State system might be faced with a shortage of qualified, death penalty lawyers. Therefore, this office supports any funding which the 1999 Legislature may choose to allocate to the NJC to continue its death penalty program."

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Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE
CONTACT: Dave Sarnowski
March 19, 1999
(775) 687-3536

**ATTORNEY GENERAL'S OFFICE INTRODUCES BILL TO
REVISE STATE HABEAS CORPUS STATUTES**

Attorney General Frankie Sue Del Papa's office is testified today in favor of a bill that would revise Nevada State Statutes pertaining to an inmate's right to appeal a conviction based on his attorney's professional incompetence. SB 361 would clarify the statutes governing habeas corpus proceedings in state courts. A writ of habeas corpus is a legal action wherein an inmate claims there is no legal reason for him to be incarcerated, based on grounds that a mistake or legal problem occurred in connection with his criminal conviction or sentencing.

SB 361 would apply to capital cases. Death penalty cases are generally very complex and lengthy. They are also very expensive. Under current Nevada law, persons convicted of a capital crime have several avenues of appeal following their conviction. Inmates can appeal their conviction to the Nevada Supreme Court. They can file for a habeas corpus review in both the District Court and the Nevada Supreme Court. And if dissatisfied with the results of either of those reviews, inmates can appeal their conviction or sentencing to the Federal District, Circuit and Supreme Courts.

SB 361 clarifies that even where post-conviction attorneys are appointed in capital cases, prisoners may not assert that collateral counsel's alleged ineffective performance excuses a prisoner's failure to timely litigate any and all issues.

"What we want to accomplish with SB 361 is to minimize the number of repeated reviews a prisoner can ask for in a capital case, especially in relation to a habeas proceeding, where an inmate asks for another appeal based upon what a second set of attorneys may or may not have done while representing him," Del Papa said.

"We believe the legislative branch should clarify Nevada decisional law given the legislature's policy enactments supporting capital punishment and its members' expressed frustration over the unnecessary

and excessive delays and expense of the system as it now exists," Del Papa said. "If the legislature does not act within its authority to correct the problem, Nevada's capital cases will be characterized by even more collateral litigation, and longer delays will be the rule rather than the exception."

In part, SB 361 states:

The effectiveness or incompetence of counsel during a state or federal collateral post-conviction proceeding:

- is not grounds for relief
- is not cause to excuse the failure to raise any claim that could have been raised in a prior proceeding, but was not
- is not cause to raise an issue that was raised in a prior proceeding, unless the representation by counsel was of such low caliber as to reduce the proceedings to a sham, farce or pretense.

In addition, the Attorney General's office is seeking to clarify language contained in NRS 209.451 to include that an inmate's "good time" credits may be taken away upon a court finding that an inmate has made false or frivolous claims in a habeas corpus action. The original intent of NRS 209.451 was to include habeas actions, but the Nevada Supreme Court held that in the absence of a specific expression of legislative intent, habeas actions were not civil actions for the purpose of the statute.

There are currently 84 prisoners on Death Row in Nevada. All but one are men.

**STATE OF NEVADA
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FOR IMMEDIATE RELEASE
CONTACT: Marshall Smith
March 18, 1999
(775) 688-1977

ATTORNEY GENERAL SUPPORTS ANTI-CRAMMING CHANGES

Attorney General Frankie Sue Del Papa has joined with 27 other states' Attorneys General in supporting the Federal Trade Commission's proposed changes to what is known as the "Pay-Per-Call-Rule." Pay-per-call numbers are calls made to 900-prefix numbers, such as psychic hotline, adult entertainment, and related audio-text information services, which are charged directly to the caller's phone bill. Due to increased abuses by billing companies, and shortcomings in the current regulations, the FTC suggests the following changes to current regulations:

- Creation of a dispute resolution procedure for all non-toll, i.e., not long distance call charges
- Increase the number of remedies available to consumers who are wrongfully charged
- Require expressed authorization prior to billing a consumer
- Impose liability for vendors and billing entities for charges which were not authorized
- Expand the definition of billing companies

Del Papa also hopes to see changes which would require a full, non-misleading description of all charges, and complete information regarding the identify of the service provider responsible for each charge.

"We are receiving numerous calls from consumers who share a common complaint that once they determine they have been wrongfully charged, it is nearly impossible for them to find out whom to complain to," Del Papa said. "Consumers should not be compelled to make numerous telephone calls, or spend lengthy periods on hold, waiting for customer service representatives, to then be informed that the person whom they have reached has no authority to issue a refund or credit."

More information on what consumers can do to protect themselves from slamming and cramming can be found on the Attorney General's website at: <http://ag.state.nv.us/>, or by contacting the Bureau of Consumer Protection at (775) 688-1818.

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FOR IMMEDIATE RELEASE

CONTACT: Kate Marshall

March 17, 1999

(775) 687-1960

**NEVADA ATTORNEY GENERAL SIGNS CONGRESSIONAL
LETTER ASKING
FOR BETTER LIVESTOCK PRICE REPORTING**

Attorney General Frankie Sue Del Papa is joining forces with 19 other states' Attorneys General in asking the U. S. Congress to place tighter controls on livestock price reporting. In a letter sent today to the Congressional Leadership and Chairman/Ranking Members of Agricultural Committees, the Attorneys General state there is a great concern in the nation about competitiveness in the livestock industry. The Attorneys General state they are concerned for both livestock producers, and for consumers of meat across the nation.

The letter to Congress asks that legislation, including three key provisions, be passed this session:

1. **FULL PRICE REPORTING** that would require meat packers to electronically report to the Secretary of Agriculture information relating to prices, volume and terms of sale for all livestock transactions, including forward contracts.
2. **FULL REPORTING OF CONTRACTS.**
3. **WHISTLEBLOWER PROTECTIONS** so meat producers can feel free to report allegations of wrongful acts by meat packers without fear of reprisal.

The Attorneys General are concerned that a growing percentage of sales of fed cattle and slaughtered hogs are made through "forward contracts," the terms of which are not publicly reported. This opens the door to a disparity of information and bargaining power between packers and producers which may lead to anti-competitive practices and behaviors.

"Nevada consumers are paying more for meat, and our cattle industry is receiving less for sales of

livestock to meat packers located outside the State," Del Papa said. "The livestock improvement provisions will help reveal any anti-competitive practices in the industry. We hope these provisions will lead to lower prices for consumers, and higher sale prices for cattle producers."

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FOR IMMEDIATE RELEASE

CONTACT: Joe Vadala

March 15, 1999

(702) 486-3125

**RULING BY NEVADA SUPREME COURT SAVES TAXPAYERS
HUNDREDS OF THOUSANDS OF DOLLARS**

The Nevada Supreme Court has upheld a ruling by District Court Judge Nancy Becker that prohibited two landowners from seeking compensation for alleged damages to property located adjacent to theirs. The decision stems from an issue involving the Nevada Department of Transportation (NDOT). Attorney General Frankie Sue Del Papa says the ruling will save taxpayers hundreds of thousands of dollars.

In June of 1995, NDOT filed an eminent domain action against Nicholas and Eleanor LaMonte to acquire the access from their property to Lone Mountain Road, as part of the construction of the U.S. 95/ Lone Mountain overpass. The eminent domain action did not require the LaMontes to give up any property, and their residence located on the property retained its access to Balsam Street.

The State offered the LaMontes \$56,200 for the access to the interchange, but the LaMontes rejected the offer and sought to recover more than \$465,000 in alleged damages. The LaMontes claimed they were entitled to the compensation because they had entered into an agreement with the owners of an adjacent property, Ram V.A. and Ram Girijamma Family Trust, to market the two properties together. The LaMontes claimed the loss of access affected both properties.

But the Nevada Supreme Court ruled that the adjacent property did not have access to Lone Mountain Road and, therefore, neither the LaMontes nor the adjacent property owners were entitled to any compensation for alleged damages.

"I am extremely pleased the Supreme Court did not allow these landowners to recover moneys for alleged damages that did not occur. The people of Nevada desperately need expanded highway access, and the State cannot afford to pay frivolous claims to landowners," Del Papa said.

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FOR IMMEDIATE RELEASE
CONTACT: Gregory Salter
March 12, 1999
(775) 687-6426

ATTORNEY GENERAL BACKS OPEN MEETING LAW BILL

Attorney General Frankie Sue Del Papa's office today testified in favor of SB 312 which would make sure that private citizens do not have to pay to see what their government is up to. The bill would require that notices of public meetings be sent by first class mail without charge to those people who request notification.

The Attorney General's office received four complaints about two public bodies which were charging citizens subscription fees of up to \$40 per year to be placed on a mailing notification list. In some cases, a citizen only wanted notice of one or two meetings.

At the request of the Attorney General's office, the two bodies in question agreed to discontinue the practice, although there is a question whether they can begin charging a fee as of July 1, 1999.

Del Papa says, "NRS 241.020(3)(b) requires that public bodies mail written notices of their meetings to citizens who request them. This office believes the legislature intended for those notices to be sent free of charge."

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**FOR IMMEDIATE RELEASE
CONTACT: Dave Sarnowski
March 11, 1999
(775) 687-3536**

PLEA ON BEHALF OF CONVICTED MURDERER DENIED

United States District Judge Howard McKibben today denied Lydia Calambro the right to litigate on behalf of her son, death row inmate Alvaro Calambro.

Attorney General Frankie Sue Del Papa said, "Judge McKibben's decision is very sound, and was done in a fair but expeditious manner. The totality of the evidence presented to the Nevada courts and to Judge McKibben shows that Calambro knows he can initiate a court appeal, that counsel will be provided if he requests a lawyer, that he is being sentenced to death for the murders to which he pled guilty, and that he understands the execution will end his life."

"The evidence also shows Calambro is mentally competent to make the decision to waive further attempts to invoke the legal process. And contrary to his mother's assertions, he is not irrational merely because he refuses to cooperate with his mother's chosen psychologists, and is willing to accept the punishment imposed by the Nevada courts," Del Papa said.

Since the second death sentence was imposed in mid-1996, Alvaro Calambro has refused to challenge his conviction and the subsequent death sentences imposed by two, different three-judge panels for the January 4, 1994 murders of Keith Christopher, 21, and Peggy Crawford, 37. Calambro and his crime partner, Duc Huynh, both readily admitted to their respective roles in the Nevada murders and robbery that occurred at a U-Haul business. They also admitted to their roles in multiple felony offenses in California stemming from a kidnapping in Sacramento, and a hostage-taking incident in Los Angeles County which involved a shootout with police.

Huynh committed suicide at the Ely State Prison while awaiting the result of the Nevada Supreme Court's automatic review of his case.

"While Lydia Calambro has contended that her son is mentally ill due to schizophrenia and therefore

cannot make his own decisions, the medical evidence does not support her assertions. No medical professional has said he is incompetent even though he has had the services of two teams of lawyers in California and Nevada, and his history has been the subject of a massive review by the present team of federal lawyers representing Lydia Calambro," Del Papa said. "What it does show is that Calambro has what medical experts call an incurable personality disorder, that is, an anti-social personality. It is time to complete these proceedings and let the victims' families recover from the negative impact that this continuing litigation engenders."

Lydia Calambro has the right to seek review of Judge McKibben's ruling in the United States Ninth Circuit Court of Appeals. Del Papa vows to strongly respond to any appeal effort saying, "We will work hand in hand with District Attorney Dick Gammick to ensure that the execution is scheduled. And we will ensure that the Circuit Court and U.S. Supreme Court have all the necessary papers to conduct an expedited review."

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FOR IMMEDIATE RELEASE

CONTACT: Jane Femiano

March 11, 1999

(702) 486-3789

**NATIONWIDE INTERNET SWEEP LOOKING FOR PYRAMID
SCHEMES**

The Nevada Attorney General's office, Bureau of Consumer Protection is participating today in a nationwide Internet sweep of illegal pyramid schemes. In all, Attorneys General from 26 states are taking part in the sweep, along with officials from the Federal Trade Commission, the North American Securities Administrators Association, U.S. Postal Inspection Service, and the Securities and Exchange Commission.

Attorney General Frankie Sue Del Papa said, "Pyramid schemes have been something our office has had to deal with extensively in the past. The new twist is the use of the Internet to promote them. The Internet allows the participants to quickly contact their 'closest friends' in order to recruit them into the pyramid."

Del Papa warns, "Nevadans should be aware that if they are invited to participate in a scheme that involves a fee to join, and that requires you to recruit more participants, it probably is a pyramid scheme and should be avoided."

As part of the sweep, Nevada will participate in "Internet Surf Day" and look for pyramid schemes being advertised on the Internet. The web sites found to contain pyramid schemes will be notified that they are illegal. Future pyramid sweeps and enforcement actions are expected to be announced based on the results of today's sweep.

Nevada has prosecuted illegal pyramid schemes within this state, including those which advertise on the Internet. Most recently, the Consumer Affairs Division issued an order to a company known as "Five Star Auto Club" to cease and desist its practices in Nevada. Five Star advertised on the Internet that, for an annual fee and \$100 monthly payments, the consumer could lease their "dream vehicle" for "free" while earning between \$180 and \$80,000 per month by recruiting others to join.

"Pyramids are inherently fraudulent because mathematically only the first few participants will make any money. The pyramid will collapse because of the exponential growth that results from having to recruit friends to join," Del Papa said.

If you'd like to report what you believe is a pyramid scheme, call the Attorney General's Bureau of Consumer Protection in Las Vegas at (702) 486-3194

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FOR IMMEDIATE RELEASE

CONTACT: Steve George

March 8, 1999

(775) 687-3512

**ATTORNEY GENERAL SUPPORTS
AUTO REPAIR CONSUMER BILL OF RIGHTS**

Attorney General Frankie Sue Del Papa's office today testified before the Assembly Commerce Committee in support of a bill that strengthens Nevada law related to auto repair.

Assembly Bill 258, sponsored by Assemblywoman Vonne Chowning, requires auto repair shops to provide customers with written estimates for repairs, and customer authorization to exceed the estimated amount. The bill also includes a customer's "Bill of Rights" that must be posted in all auto repair shops. It outlines the customer's rights, and provides information and a telephone number to call for assistance with resolving disputes.

"Automobile-related complaints are among the highest number of calls received by our office," Del Papa said. "They were also ranked as the number one consumer complaint in a recent report issued by the National Association of Attorneys General. This legislation provides a valuable tool to address these problems in Nevada."

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE

CONTACT: Steve George

March 8, 1999

(775)687-3512

Attorney General Frankie Sue Del Papa announced today that the State of Nevada will join an amicus (friend of the court) brief being prepared by the State of Minnesota in support of a petition for a writ of certiorari filed by the United States in an important tobacco case.

The petition seeks review of the Fourth Circuit Court's decision in *Food and Drug Administration v. Brown and Williamson Tobacco Corp.* (98-1152 U.S.) which held that the FDA lacks jurisdiction to regulate tobacco products under the Federal Food, Drug and Cosmetic Act (FDCA).

The amicus brief argues that FDA regulations are fully consistent with the FDCA, and are an important part of the comprehensive effort which is needed to prevent children and adolescents from becoming tobacco users addicted to nicotine. The brief argues that this case is of enormous public importance, and asserts that the Court failed to give proper deference to the FDA's judgment, especially light of the compelling evidence that now exists. The brief further argues that the regulations do not impermissibly interfere with the proper role of the states in regulating to preserve public health and safety. Finally, the brief addresses why this case continues to be important despite the settlement that was recently reached between the states and the tobacco industry.

"The Federal Food, Drug and Cosmetic Act authorizes the FDA to regulate products as "drugs" or "devices" when they are intended to affect the structure or any function of the body. The FDA has found that the nicotine contained in tobacco products is a highly addictive substance that causes significant mood-altering effects, and that tobacco products are intended to have substantial effects on the structure and functioning of the human body," Del Papa said.

Del Papa says, "The national tobacco settlement only encompassed those areas over which the states have jurisdiction. It has long been contended that it is the federal government, including the FDA, which has authority to regulate tobacco products. We believe it is important the U.S. Supreme Court clarify this issue."

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FOR IMMEDIATE RELEASE

CONTACT: Kevin Higgins

March 4, 1999

(775)688-1830

**ATTORNEY GENERAL REACTS TO MICROSOFT SOFTWARE
PIRACY LAWSUITS FILED AGAINST TWO NEVADA COMPANIES**

The Microsoft Corporation today announced that it is filing software piracy lawsuits against two Nevada companies, Mirage Computers Inc. and Computer Surplus Outlet LLC of Las Vegas, and K&A LLC dba Technology Center a.k.a Computer Resource Center of Carson City. The companies are charged with allegedly distributing counterfeit copies of Microsoft software to undercover investigators.

"The challenge our State will face at the turn of the century is how to combat these new high technology crimes. As our economy and lives become more entwined with PC's, email, cell phones and the Internet we must be prepared to combat the criminals who will take advantage of these technologies," Attorney General Frankie Sue Del Papa said.

For the last year and a half, the Office of the Attorney General, in conjunction with the Nevada High Technology Crime Task Force, has worked to develop a strategy to enable law enforcement to be prepared for the crimes of the next millennium.

Del Papa says, "The solution lies in training law enforcement in these new technologies, educating the public about the crimes, drafting legislation to give law enforcement the necessary tools, and funding a high tech crime lab in Nevada. To this end, I have offered legislation to tackle these issues."

"The action by Microsoft is a warning to all of us that we need to be prepared, or we will become victims of our growing reliance on an electronic economy. If granted the tools we have asked for, we stand a fighting chance to catch and prosecute the growing specter of high technology crime," Del Papa said.

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**FOR IMMEDIATE RELEASE
CONTACT: Steve Welch
March 3, 1999
(775)687-6300**

**CONSUMER SESSION SCHEDULED ON GTE/BELL ATLANTIC
MERGER**

The public is invited to attend a consumer meeting conducted by the Public Utilities Commission of Nevada addressing the proposed merger of GTE/ Bell Atlantic.

The Attorney General's office, Bureau of Consumer Protection, urges consumers with questions or concerns to attend the meeting.

**TUESDAY, MARCH 9th
6:00 PM
CARSON VALLEY INN, DUBLIN ROOM
1627 Hwy. 395
MINDEN**

The session will include a question and answer period at which time consumers can voice their concerns regarding quality of service, and the potential impact the merger may have on GTE of Nevada customers.

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FOR IMMEDIATE RELEASE

CONTACT: Fred Schmidt

March 3, 1999

(775) 687-6300

**ATTORNEY GENERAL SEEKS TO DISMISS \$31 MILLION
TELEPHONE RATE INCREASE**

Attorney General Frankie Sue Del Papa today filed a Motion to Dismiss Sprint of Nevada's request for a \$31 million rate hike that would increase basic rates for residential and business customers \$3.90 a month. The motion filed with the Public Utilities Commission (PUC) requests the rate increase application be dismissed because it violates a legally binding stipulation between Sprint and the Attorney General's Office signed in December, 1995 that capped basic rates for five years. The motion requests the PUC to expedite its ruling on the motion so the Attorney General's office does not spend resources unnecessarily to review the application.

Del Papa says, "Southern Nevada consumers deserve to have the two more years of rate stability which Sprint promised."

If you have any questions regarding this issue, please contact Chief Deputy Attorney General Fred Schmidt at (775) 687-6300.

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**FOR IMMEDIATE RELEASE
CONTACT: Grenville Pridham
March 3 Mar Mar, 1999
(702) 486-3788**

CONSUMER ALERT: YEAR 2000 (Y2K) RELATED FRAUD

Attorney General Frankie Sue Del Papa advises consumers to be on the alert for scams involving fixes or repairs for Y2K problems. Consumers in some states report that telemarketers have tried to sell them strips of material to attach to the back of credit cards to protect them from failing in the year 2000. Attaching a strip of material to a credit card will not protect it from any failures associated with Y2K problems.

Criminals may try to use the press coverage of the Y2K issue to commit fraud. These solicitations typically involve scare tactics where the telemarketer tells the consumer that various financial and industrial sectors of society will be catastrophically affected at the end of 1999. The salesman will tell the consumer that they will not be able to withdraw money from the bank, that electricity service will be cut off, and that credit cards will not work. There is no evidence that computer problems associated with the Y2K issue will cause catastrophic problems with the financial or utility industries.

The Year 2000 computer problem arose because computer software was originally written with only the last two digits designated to represent the year. Only two digits were used in order to save memory space. As long as all dates had "19" as the first two digits, there were no problems. However, when "00" is entered to represent the year 2000, computer software may recognize this to indicate the year 1900 instead of 2000. This could impact the operation of any computer that has date-oriented data.

The Nevada Attorney General's office has provided input to the Federal Trade Commission (FTC) as part of an effort to help develop a national standard of consumer protection measures connected to Year 2000 problems. "The total scope of the Year 2000 problem is, as yet, unclear. However, what is evident is the need for all consumer-related industries to identify possible problems and solutions now before consumers are adversely affected," Del Papa said.

The State of Nevada has already taken a number of proactive steps to raise awareness of the scope and complexity of the Year 2000 problem. Under the direction of the Department of Information Technology, each state agency has established teams to identify and correct Year 2000 issues. An

inventory and assessment of all computer systems and applications has been completed and plans for establishing compliance have been developed. For more information on the State's efforts, please visit the Year 2000 Project Website: www.state.nv.us/doit/y2k/.

If you're contacted about purchasing any item that claims to protect against Y2K failures (other than updated software), please contact the Nevada Consumer Affairs Division in Las Vegas at (702) 486-7370. Consumer protection information is also available on the Attorney General's **website at <http://ag.state.nv.us/>**.

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**FOR IMMEDIATE RELEASE
CONTACT: Dianna DeBeau Hegeduis
April 29, 1999
(702) 486-3100**

**ACTING LABOR COMMISSIONER SEEKS RECOVERY OF
APPROXIMATELY
\$400,000 FOR UNDERPAID NEVADA WORKERS ON PUBLIC
WORKS PROJECTS**

Acting Labor Commissioner Gail Maxwell is considering taking an appeal before the Clark County District Court following yesterday's decision by an administrative hearing officer dismissing a complaint against Universal Electric, Inc., for alleged violation of applicable labor and wage laws on three public schools and one library project. This decision not only affects those allegedly underpaid and improperly classified Nevada workers, but also those contractors who were underbid by Universal Electric.

The Nevada prevailing wage law is patterned after the Federal Davis-Bacon Act, which was enacted to protect local citizens from the importation of foreign laborers paid at a lower rate than that ordinarily received by local workers, and to insure the safety of all concerned.

This administrative case was dismissed prior to an adjudication on the merits concerning alleged labor and wage violations by Universal Electric. The penalty for such first an offense would be a two year disqualification from bidding on public works projects. The penalty for a second violation would be disqualification from bidding for a period of three years. A similar case involving Universal Electric is already on appeal.

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FOR IMMEDIATE RELEASE
CONTACT: Gregory R. Hojnowski
April 27, 1999
(702) 486-3783

**LAS VEGAS MAN PLEADS GUILTY TO INSURANCE
FRAUD.
AGREES TO REPAY \$14,025 IN RESTITUTION**

Attorney General Frankie Sue Del Papa announced today that John Walter Abromaitis, age 54, of Las Vegas, has pleaded guilty to one count of Attempting to Submit a False Claim for Insurance Benefits before District Court Judge Sally Loehrer. Abromaitis agreed to pay restitution to State Farm Insurance Company in the amount of \$14,025. He faces up to one year in jail, as well as a fine of up to \$2000. Judge Loehrer set formal sentencing for June 29th.

Abromaitis had insured his 1992 Buick Roadmaster with State Farm in 1995. In his insurance application, Abromaitis stated that the vehicle was fully paid for and that there was no lienholder, when the vehicle had actually been financed through Glenview State Bank of Illinois. When Abromaitis became delinquent in his payments, the bank repossessed the car. But Abromaitis reported the vehicle as stolen, collecting \$14,025 from State Farm. In 1996, State Farm's Special Investigative Unit uncovered that Glenview State Bank was the legal lienholder, and referred the fraudulent claim to the Attorney General's Insurance Fraud Unit.

Insurance fraud is aggressively pursued by the Insurance Fraud Unit. It is a serious crime which usually results in felony charges. If you have any knowledge of, or suspect that someone is or has committed insurance fraud, please contact the Insurance Fraud Hotline at (800) 266-8688.

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FOR IMMEDIATE RELEASE

Contact: Richard Linstrom

April 26, 1999

(702) 486-3196

**STATE ATTORNEYS GENERAL BLOCK
FALSE "ENVIRONMENTALLY-FRIENDLY
PRODUCTS"**

The Attorney General's office today announced that it is blocking two Florida companies from selling and marketing products in Nevada that falsely claim to provide effective and environmentally superior alternatives to traditional laundry detergent.

The makers and marketers of these products, TradeNet Marketing, Inc., its president and director, L.W. Cooper, and Erwin Richard Annau, one of its owners and directors, and Top Marketing Business Consulting, Inc. and its Vice President Albert Guerrero, all of Dunedin, Florida, agreed to the terms of multi-state settlements to be filed in various states for allegedly falsely touting two of their products, "The Laundry Solution" and "The SuperGlobe" as effective substitutes for laundry detergent.

The eleven states involved in the investigation maintain that these companies do not have adequate substantiation for their claims about the environmental attributes of the products. They also allegedly fail to tell consumers of official reports that refute the makers' claims.

These settlements focus on two products: The Laundry Solution, a small plastic ball filled with "structured water," and The SuperGlobe, a product which includes a ball divided into two parts, one part containing a blue liquid marketed as "Ig crystals" or "Ig structures". Both are claimed not only to clean laundry, but to do so without polluting the Earth's waterways. Both products have been sold at retail for approximately \$75.

Specifically, the makers of these two products have made unsupported claims such as "The Laundry Solution activates your laundry water naturally through a confidential process which changes the molecular structure of your water. It forces the dirt to leave the fabric because the dirt is positively charged and the Laundry Solution is negatively charged, thus creating an electronic release of dirt." -- more--

The settlements prohibit the companies from selling these products in any of the participating states. Additionally, the companies will pay \$155,000 to the participating states and the Federal Trade Commission with whom they also have reached a settlement.

The state attorneys general who joined Nevada Attorney General Frankie Sue Del Papa in these settlements are Arizona, Arkansas, Hawaii, Idaho, Illinois, Michigan, Missouri, Nebraska, New York, and Oklahoma.

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FOR IMMEDIATE RELEASE

CONTACT: Steve George

April 23, 1999

(775) 684-1114

****MEDIA ADVISORY****

APRIL 25-MAY 1 IS NATIONAL CRIME VICTIMS' RIGHTS WEEK

****SOUTH****

April 25 through May 1, 1999 has been designated as National Crime Victims' Rights Week. Attorney General Frankie Sue Del Papa would like to remind the media and the general public that this week is a good time to acknowledge the achievements of crime victim advocates, and reflect upon the need to continue improving services for victims along with promoting their rights.

Throughout the week, residents of the Las Vegas area will have the opportunity to participate in a number of special events and activities designed to offer support for crime victims. There will also be events honoring the accomplishments of those who fight for victims' rights in our State.

A Victims' Rights Balloon Release will take place on Monday night, April 26, from 5:30-6:30, on the steps of the Clark County Courthouse.

Nearly 37 million Americans are touched by crime each year. More than nine million fall prey to some form of violence.

"Our entire community feels the impact of these crimes through feelings of increased vulnerability and fear for personal safety. We must all be committed to serving the needs and supporting the rights of victims," Del Papa said. "Crime Victims' Rights Week is a good time for people in the community to learn of ways in which each of us can help ensure our safety and aid the victims of crime, such as volunteering time to assist crime victims, or working on a Hotline or at a shelter."

The following is a schedule of events in the Las Vegas area that will be held during National Crime Victims' Rights Week. For more information on a specific event, Please contact Barbara Schell with the Citizens Committee on Victims' Rights at (702) 455-4204.

****NORTH****

Throughout the week, residents of Northern Nevada will have the opportunity to participate in a number of special events and activities designed to offer support for crime victims. There will also be events honoring the accomplishments of those who fight for victims' rights in our State.

A Victims' Rights Candlelight Vigil will take place on Sunday night, April 25, from 7-8 pm at the Victorian Square Amphitheatre in Sparks.

The following is a schedule of events in the Reno area that will be held during National Crime Victims' Rights Week. For more information on a specific event, Please contact Adriene Angelini at (775) 626-6689.

April 25 Candlelight Vigil Victorian Square Amphitheatre 7:00-8:00 pm

April 28 "Drive With Your Lights On In Remembrance Of Victims" All Day

May 1 Network of Agencies Park Lane Mall 10:00-4:00 pm

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CONTACT: Jo Anne Embry

April 23, 1999

(702) 486-3154

**RACE CAR DRIVER AND NEVADA MISSING CHILDREN
CLEARINGHOUSE
TEAM UP TO FIND MISSING HENDERSON BOY**

Attorney General Frankie Sue Del Papa announced today that the Missing Children Clearinghouse Unit of her office and racecar driver Darrell LaMoure (lah-more) and his Desert Thunder Motor Sports team are working together to increase awareness of the search for a missing Henderson boy. LaMoure will feature the image of Michael Rainey, who has been missing since August of 1996, on his blue and orange, #17, "Racing for the Missing" Chevy Monte Carlo this Saturday night at the Las Vegas Motor Speedway.

LaMoure is competing in Saturday's NASCAR Featherlight Southwest Series Las Vegas 100. A resident of Phoenix, LaMoure was drawn to the missing children issue when 11-year-old Mikelle (meh-KEL-ah) Biggs disappeared from Mesa, Arizona on January 2nd of this year. LaMoure contacted Kim Pasqualini, president and founder of the Nation's Missing Children's Organization based in Phoenix. He then had a larger-than-life color vinyl photograph of Mikelle created and placed on the hood of his racecar. Thousands saw Mikelle's image while LaMoure was competing in the U.S. Tobacco Co. "Copper World Classic" at Phoenix International Speedway on February 7th.

As a result of the positive response and intense media coverage, LaMoure and his marketing director, Martin Gray, became committed to featuring other missing children on the racecar as they compete on the Southwest Series circuit. "We lost that race," explained Gray, "but the spirit of every team member was higher than ever. In our minds we were winners and very proud that we could do something for Mikelle and her family."

Gray contacted Jo Anne Embry of the Nevada Clearinghouse and Crime Prevention Unit to coordinate the display of a Clark County missing child at Saturday's Las Vegas race.

To complement their new missing children and child safety campaign, LaMoure has invited 17 juveniles from the Clark County Division of Child and Family Services' "New Directions" intervention program to be his guests at Saturday's race. The New Directions program is designed for high-risk children or those on probation. The kids have been invited to watch the race from the pit area. Prior to the race, LaMoure will address the students.

"I have kids of my own," LaMoure said. "God forbid that anything happens to them. If I can make a difference by demonstrating the power of positive options and the consequences of poor choices, then I feel I've made a difference. I don't want them to become a missing child, an endangered runaway, or an image on my car by making the wrong choice."

LaMoure also praised the Las Vegas Motor Speedway event directors for their cooperation and assistance in the team's "Racing for the Missing Campaign."

Michael Rainey's parents, Kenneth and Susan, will be attending Saturday's race. Kenneth, who has two other children and guardianship over another teen, says he has never given up looking for Michael. He says he has put more than 106,000 miles on his car since Michael ran away, and has spent every spare cent the family has having posters made and distributed.

When contacted by the Clearinghouse, Kenneth, an electrician for TIMET in Henderson, was elated that his son's disappearance will be profiled, and that law enforcement has not given up on the search for his son.

"One of my biggest worries, though, is that Michael has tried to go home and found out we moved and doesn't know how to reach us," said Rainey. "He doesn't even know that his grandma passed away. The last couple of years have been agony."

Attorney General Del Papa praises the efforts of the Desert Thunder Motor Sports team and Darrell LaMoure to bring increased public awareness to the missing children issue.

"I applaud Darrell and all like him who are in high-profile and exciting professions, but take the extra step to give back to the community and make a difference in children's lives," Del Papa said.

In addition to the Raineys and the children of the New Directions program, Kim Pasqualini representing the Nation's Missing Children's Organization and Jo Anne Embry will be on hand for Saturday's race. Practice sessions are from 4:30 to 5:30 p.m. Qualifying runs from 5:30 to 6:30 p.m. The race begins at 8 p.m.

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**FOR IMMEDIATE RELEASE
CONTACT: Pam Del Porto**

**April 22, 1999
(775) 688-1970**

**INVESTIGATOR IN ATTORNEY GENERAL'S OFFICE RECEIVES
COMMENDATION
FROM WASHOE COUNTY SHERIFF'S DEPARTMENT**

Pam Del Porto, an investigator in the Attorney General's Insurance Fraud Unit in Reno, will be honored this evening by the Washoe County Sheriff's Department with a meritorious service award during a ceremony at Truckee Meadows Community College.

Del Porto worked for the Washoe County Sheriff's Department from 1990-1995. She was assigned to the Detention Bureau. During her tenure, she volunteered to work on a committee that was assigned the task of revamping crime reports that were in use.

Sheriff Richard Kirkland's office contacted Del Porto earlier this month and notified her that she was being recognized for her work on that project.

Del Porto has worked for the Attorney General's office since October, 1995.

Attorney General Frankie Sue Del Papa stated, "It is always meaningful for another law enforcement entity to recognize an individual's service. Law enforcement is the glue that helps keep us together. Pam has always been one to go the extra mile in her job and for other people."

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FOR IMMEDIATE RELEASE

CONTACT: Steve George

April 21, 1999

(702) 684-1114

**ATTORNEY GENERAL RE-RELEASES PAMPHLET WHICH
PROVIDES
TIPS FOR KEEPING SCHOOLS SAFE FROM VIOLENCE**

As a result of yesterday's tragic shooting in Colorado, Attorney General Frankie Sue Del Papa has re-released a brochure that was first jointly published by the Nevada Department of Education and the Nevada Attorney General's office in September, 1998, entitled, *School Safety; A Message to the Community*. The brochure includes ten steps kids can take to help prevent violence in their school, along with outlining ten basic points of a Safe School Plan. The brochure was originally released as part of the National Youth Violence and School Safety Initiative spearheaded by the National Association of Attorneys General (NAAG) and the National School Boards Association (NSBA).

"Consistently we see stories on the local news about kids bringing loaded guns to school or other acts of violence involving students on our school campuses," Del Papa said. "Yesterday's tragedy in Littleton, Colorado reminds all of us to reflect on the importance of joining together to better enhance and coordinate our efforts to reduce the chances of such an incident taking place in our State."

"Youth violence is not simply a school problem," Del Papa said. "It is a social problem that cuts across governmental sectors and socioeconomic levels. It is a health-care problem, an economic problem, a justice problem and an education problem. Schools cannot on their own eradicate the causes and consequences of violence. However, schools can be a powerful force for change, for preserving the hopes and opportunities of the children they educate, and for supporting the families in their communities."

NAAG and NSBA have launched a joint: [website](http://www.keepschoolssafe.org) (www.keepschoolssafe.org). The purpose of this website is to share ideas and information about various school safety and anti-violence programs, provide up-to-date information on successful programs and ideas that work toward safer schools, and to help communities and schools devise the most appropriate response to reducing youth violence. Each

month the website focuses on a specific aspect of youth violence and school safety problems faced by communities.

The School Safety and the Guide To Search and Seizure in the Public School Setting brochures can be accessed on the Attorney General's [website at:](http://ag.state.nv.us/) (<http://ag.state.nv.us/>). Copies may be obtained from the Department of Education or the Attorney General's office.

The Nevada Office of the Attorney General, and the Nevada Department of Education join NAAG and NSBA in congratulating the many communities which have already formed partnerships addressing the issue of youth violence and school safety and ask that parents, schools, law enforcement, and communities continue to work together to help insure Nevada's schools are a safe place for children to learn.

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CONTACT: Anne Cathcart

April 20, 1999

(775) 684-1115

**ATTORNEY GENERAL'S OFFICE BILL TO
REVISE STATE HABEAS CORPUS STATUTES PASSED OUT OF
COMMITTEE**

Attorney General Frankie Sue Del Papa's testified today in favor of a bill that would clarify Nevada State Statutes pertaining to an inmate's right to appeal a conviction, sentence or calculation of time credits. SB 361 would clear up the statutes governing habeas corpus proceedings in state courts. (NOTE: A writ of habeas corpus is a legal action wherein an inmate claims there is no legal reason for him to be incarcerated, based on grounds that a mistake or legal problem occurred in connection with his criminal conviction or sentencing.) The bill was passed unanimously today by the Assembly Judiciary Committee.

SB 361 would apply to all criminal cases, including capital cases. Death penalty cases are generally very complex and lengthy. They are also very expensive for the State to defend. Under current Nevada law, persons convicted of a capital crime have several avenues of appeal following their conviction. Inmates can appeal their conviction to the Nevada Supreme Court. They can file for a habeas corpus review in both the District Court and the Nevada Supreme Court. And if dissatisfied with the results of either of those reviews, inmates can appeal their conviction or sentencing to the Federal District, the Ninth Circuit Court of Appeals, and both the Nevada and U.S. Supreme Courts.

"We believe the legislative branch should clarify Nevada decisional law given the legislature's policy enactments supporting capital punishment and its members' expressed frustration over the unnecessary and excessive delays and expense of the system as it now exists," Del Papa said.

In addition, the Attorney General's office is seeking to clarify language contained in NRS 209.451 to include that an inmate's "good time" credits may be taken away upon a court finding that an inmate has made false or frivolous claims in a habeas corpus action. The original intent of NRS 209.451 was to include civil habeas actions, but the Nevada Supreme Court held that in the absence of a specific

expression of legislative intent, habeas actions were not civil actions for the purpose of the statute.

Over the years, the Attorney General's office has been very active in pursuing federal and state legislation aimed at limiting the number of appeals, and to establish some reasonable time limits for this process, including:

- Worked through the National Association of Attorneys General and with our own congressional delegation to accomplish habeas corpus reforms through the Anti-Terrorism and Effective Death Penalty Act of 1996
- Worked with legislators, judges, prosecutors and the defense bar in seeking funding for the Death Penalty Resource Center located at the National Judicial College in Reno. The Attorney General's office also assisted in preparing course materials.
- Participated in Fondi Commission hearings which resulted in recommendations for improving the handling of habeas corpus and death penalty cases in Nevada
- Supported legislation to establish the statewide Nevada Prosecution Advisory Council
- Worked with the Nevada Supreme Court and other members and segments of the Nevada Bar on the recently adopted Rule 250 which, among other things, now requires those attorneys handling death penalty cases to have completed certain minimum continuing education requirements

"In fact, in virtually every legislative session since I took the office of Attorney General in 1990, we have either sponsored or supported legislation at the state level to improve the habeas corpus process in Nevada," Del Papa said.

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FOR IMMEDIATE RELEASE

CONTACT: Steve George

April 20, 1999

(775) 687-3512

**GUIDE TO SEARCH AND SEIZURE IN PUBLIC SCHOOLS
BROCHURE PUBLISHED**

Attorney General Frankie Sue Del Papa and Superintendent of Nevada Public Schools Mary Peterson, in cooperation with the National Association of Attorneys General (NAAG), have joined forces to publish *School Violence: A Guide To Search And Seizure In The Public School Setting*, which outlines the do's and don'ts of searching school children's belongings.

There have been several well-publicized incidents of violence on school campuses over the last few years. Although schools continue to be among the safest places in America, Del Papa says, "Each day, serious offenses, including violent crimes and weapon and drug-related offenses, are committed by and against school children. These offenses endanger the welfare of children and teachers, and disrupt the educational process."

In response to the need of professional educators charged with the difficult responsibility of maintaining order, NAAG has published a *General School Search Reference Guide* which can be accessed on the Attorney General's website at <http://ag.state.nv.us/>, and will soon appear as well on the Nevada State Department of Education's website: www.nsn.k12.nv.us/nvdoe "These materials should prove to be particularly helpful to principals and teachers to assist them in understanding and complying with the requirements of the Fourth Amendment," Del Papa said.

Three basic areas are addressed:

- Immediate intervention
- Students' rights in search situations
- Reasons to know and comply with requirements of the Fourth Amendment

In addition to the School Search Reference Guide, a checklist developed to help school officials understand and comply with the Fourth Amendment, which places limitations on search and seizure, can be accessed at www.keepschoolsafe.org

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FOR IMMEDIATE RELEASE

April 20, 1999

CONTACT:

**Matt Dushoff
(702) 486-3195**

**Jan Murray
(702) 486-3433**

**LARGEST CASE OF INSURANCE AND WORKERS
COMPENSATION FRAUD
IN STATE'S HISTORY SUCCESSFULLY LITIGATED BY
ATTORNEY GENERAL'S OFFICE**

Attorney General Frankie Sue Del Papa announced today that the largest insurance and worker's compensation fraud case in the history of the State of Nevada has been successfully litigated by her office, resulting in the recovery of more than \$3,000,000. A combined prosecution by Deputy Attorneys General Matt Dushoff of the Worker's Compensation Fraud Unit and Jan Murray of the Insurance Fraud Unit resulted in Jamie Lynn Kemp, 38, being sentenced today in Clark County District Court by Judge Joseph Pavlikowski to one count of Conspiracy to Commit Worker's Compensation Fraud, a gross misdemeanor. Kemp was sentenced to credit for time served.

The Attorney General's investigation revealed that Kemp, a self-employed contractor, had filed a worker's compensation claim alleging that she was injured at work. She sought medical and disability benefits from the State. At the same time, Kemp filed a lawsuit against the company that built her office building alleging that the construction company was liable for failing to properly cap a drain pipe which resulted in her injury. Kemp settled with the insurance companies for \$1.925 million dollars. Worker's Compensation reserves tied up another \$1.3 million dollars for Kemp's future medical treatment. Attorney General's office investigator Pam Del Porto discovered during her examination of the case that Ms. Kemp fell at home and not at work. Kemp has agreed to pay back all monies that she received as a

result of her fraud. The Worker's Compensation reserves will be released back into the system.

Attorney General Frankie Sue Del Papa stated, "This case is a perfect example of what can be accomplished when different fraud units within our office share resources and personnel. I wholeheartedly support SB 225, legislation being sponsored by Senator Randolph Townsend, which would provide greater budgetary and fiscal flexibility between the four fraud units and Missing Children's Clearinghouse within the Attorney General's office."

If you have any information concerning insurance fraud or worker's compensation fraud, call the Insurance Fraud Hotline at 1-800-266-8688.

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FOR IMMEDIATE RELEASE

CONTACT: Brian T. Kunzi

April 19, 1999

(702) 486-3199

**ATTORNEY GENERAL WARNS OF PYRAMID SCHEME TAKING
PLACE IN PAHRUMP**

Nevada Attorney General Frankie Sue Del Papa today issued an alert concerning the spread of pyramid schemes throughout Nye County. The new twists are any number of "clubs" promising discount products, gasoline or services.

"The old game is back in town, but with a different spin," Del Papa said. "These product clubs cannot deliver what is promised. If the club requires the recruitment of new people to pay off other people in the club, it is a pyramid scheme. Although some people in the beginning may receive a pay off, all pyramids quickly collapse because new members cannot be recruited."

Pyramids collapse when the exponential growth needed to prop up their base falls short. Simple mathematics tells the story.

The clubs promise valuable discounts if you recruit two people who in turn recruit two more people willing to pay the entry fee. If the pyramid started on April 1st and you were recruited on April 2nd, with a new level being added every day, you could expect to receive your benefits on April 4th. Fifteen participants would be involved at that time.

If you got recruited on the 10th day, you would get your benefits on April 12th. The club would require 16,383 participants for you and everyone above you to receive their benefits. Every man, woman and child in Nye County would be needed to support the club if you were recruited on April 11th. More than one million people are required to support the club for people recruited on April 16th.

"These clubs are the biggest gamble in Nevada, and they are illegal," Del Papa said. "Recruiting members into these clubs is a crime in Nevada punishable by imprisonment for up to five years and a fine of \$20,000 for each violation."

Anyone having questions about pyramid "clubs" is encouraged to contact the Attorney General's Bureau of Consumer Protection in Las Vegas at (702) 486-3777, or visit the Attorney General's website at <http://ag.state.nv.us/> for more information.

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE
CONTACT: Gregory R. Hojnowski
April 19, 1999
(702) 486-3783

CO-CONSPIRATOR SENTENCED FOR INSURANCE FRAUD

District Court Judge Joseph Pavlikowski placed Michael Wayne Brown, 24, of Las Vegas, on probation for a two year period for his involvement in an insurance fraud scheme with Antonio Franciscus Curry, 23, also of Las Vegas. Brown was given a one year jail sentence that was suspended provided he attend impulse control counseling, and ordered to complete 40 hours of community service. Brown was also ordered to avoid any contact with Curry, who is currently facing a jury trial this June before Judge Pavlikowski on five felony counts of insurance fraud.

Brown and Curry were indicted by the Clark County Grand Jury last November on seven counts of insurance fraud for falsely reporting that Curry's 1992 Cadillac DeVille had been "car-jacked" at gunpoint in April of 1997. Curry went so far as to place a "911" call stating that he and Brown were in a high speed car chase with the non-existent armed robbers. Curry later reported this to his automobile insurer, Progressive Insurance Company, and attempted to collect nearly \$14,000 from the alleged theft.

Both Curry and Brown perpetuated their alleged fraud in statements made to insurance investigators and Las Vegas Metropolitan Police Officers. Brown did admit his role in the scheme when confronted by an investigator from the Attorney General's Insurance Fraud Unit. Brown is expected to testify for the prosecution at Curry's trial.

As in any criminal matter, the defendant is presumed innocent until proven otherwise.

"Insurance fraud is aggressively pursued by the Insurance Fraud Unit," Del Papa said. "In the past year there have been over 25 convictions, often resulting in significant prison sentences"

If you have any knowledge or suspect that someone is committing insurance fraud, contact the Insurance Fraud Hotline at 1-800-266-8688.

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE

CONTACT: Steve George

April 13, 1999

(775) 687-3512

**NEVADA ATTORNEY GENERAL URGES U.S. SENATE TO STIFFEN
SWEEPSTAKES CURBS**

Attorney General Frankie Sue Del Papa today joined with 54 other Attorneys General (includes four territories) in calling on the U.S. Senate Permanent Subcommittee on Investigations to toughen pending legislation targeting the unscrupulous operators of deceptive sweepstakes companies. Del Papa praised Senator Susan Collins (R-Maine) for her efforts to combat sweepstakes fraud.

"Illicit sweepstakes promotion tactics already have been the subject of investigations by this office, and will continue to be a major focus in the future," Del Papa said. "In a society that encourages open and fair competition in the marketplace, there is no place for promotion techniques that work only when they succeed in hoodwinking unwary consumers."

The Nevada Attorney General's Bureau of Consumer Protection is currently participating in the National Association of Attorneys General multi-state sweepstakes group which is looking into deceptive sweepstakes promotions. Last year, Nevada was one of the states that entered into a settlement with American Family Publishers.

The state Attorneys General are urging the U.S. Senate to make four changes to S. 335:

1. Prohibit the use of the term "winner" or similar terms to mislead consumers.
2. Require that sweepstakes mailings include a pre-printed form plainly allowing the recipient to enter the contest without making a purchase and/or to request removal from the mailer's list.
3. Give the U.S. Postal Service clear instructions about any statements, notices, or
4. Provide funding support for local- and state-level detection, investigation and prosecution of

sweepstakes fraud.

"Every advertiser should be expected to obey the laws requiring truthful claims," Del Papa said.

Del Papa reminds Nevada consumers to be wary of prize notifications arriving by bulk mail, and to make sure to read the fine print in such solicitations.

Del Papa today also called on the U.S. Senate to preserve the language in S. 335 that would allow state legislatures to adopt tougher sweepstakes laws than federal requirements.

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE

CONTACT: John Albrecht

April 13, 1999

(775) 688-1872

ANTI-TOBACCO BILLBOARDS GOING UP ACROSS NEVADA

Billboards that used to illustrate the pleasures of smoking will soon advertise the dangers of tobacco use under a provision of the Master Settlement Agreement (MSA) signed by state Attorneys General and the major tobacco manufacturers. The billboards will soon be up in many states across the nation, including Nevada. Under terms of the MSA, tobacco manufacturers are required to stop advertising on outdoor billboards as of April 22, 1999. If the leases ran longer than that date, the Attorney General of that particular state could arrange alternative anti-tobacco advertising. In Nevada, a total of eleven billboards in Reno, Elko, and Las Vegas will be used to deliver anti-tobacco messages through mid-January, 2000.

Four of the billboards feature a design which includes a depiction of the so-called Marlboro man. On the billboard, one cowboy states to another, "Bob, I've got emphysema." A second billboard has a man asking, "Mind if I smoke?" and a woman replying, "Care if I die?" A third design reminds retailers not to sell tobacco products to children. Finally, one warns that 300,000 kids become ill from second-hand smoke every year.

"This is one more step we are taking to discourage children from smoking," Attorney General Frankie Sue Del Papa said. "Outdoor billboards have long been an effective way to promote smoking. Now, thanks to the settlement agreement we reached with the tobacco manufacturers, we have some additional resources to discourage young people from using tobacco products."

Nevada was the 29th out of 40 states to file a tobacco reimbursement lawsuit against the tobacco companies. Under the settlement announced last fall, Nevada will receive a total of \$1.2 billion.

NOTE: Although tobacco advertising billboards will come down on April 22 in Nevada, due to production delays, it may be several weeks before the anti-tobacco billboards are posted.

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE

CONTACT: Brian T. Kunzi

April 13, 1999

(702) 486-3199

PROMOTER OF PYRAMID SCHEME ARRESTED IN HAWAII

Attorney General Frankie Sue Del Papa announced today that one of the promoters of an alleged pyramid scheme known as The Winning Edge has been arrested. Acting on a warrant issued by the Attorney General's office, The Honolulu Police Department arrested David Sergi on Friday, April 9, 1999. Two of the three individuals known to be promoters of The Winning Edge have now been arrested. Doug Savage, another of the promoters, was arrested during a search that took place at the Las Vegas-based business on April 7th.

"The results of that search indicate this operation was shut down at a very opportune time," Del Papa said. "Employees indicated the company was beginning a new phase of operation, which would have meant an even larger number of victims."

Although the full extent of the fraud committed by The Winning Edge is not known at this time, losses are expected to exceed \$1,000,000.

"Unfortunately, many of the victims of this pyramid scheme have been flooding our office with calls since we shut down the operation." Del Papa said. "Numerous callers have indicated they lost tens of thousands of dollars which, for many, represent their life savings."

Consumers are urged to evaluate any investment very carefully, particularly when they receive an unsolicited phone call from someone promising easy money with no risk.

Del Papa says, "Pyramid schemes are getting more sophisticated, but have one common feature: The profit depends primarily on the recruitment of other individuals. Not only is participation in these schemes risky, it is illegal in Nevada."

As in all criminal cases, the charges are merely accusations and the defendants are presumed innocent

unless and until proven guilty in court.

Consumers are urged to contact the Attorney General's Bureau of Consumer Protection in Las Vegas at (702) 486-3777, or call the statewide toll-free number at 1-800-992-0900, if they have any questions regarding a pyramid scheme. Consumers can also visit the Attorney General's website at <http://ag.state.nv.us/> for more information.

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FOR IMMEDIATE RELEASE

CONTACT: Steve George

March 30, 1999

(775) 687-3512

MEDIA ADVISORY

NEVADA WOMEN'S ROLE MODEL AWARD PRESENTATION

--NORTH--

Attorney General Frankie Sue Del Papa will recognize the Nevada Women's Role Model Award recipients from Northern Nevada during a presentation preceding Thursday's Truckee Meadows Human Services Association meeting:

THURSDAY, APRIL 8TH

11:30 AM

GIRL SCOUT HEADQUARTERS

605 WASHINGTON ST.

RENO

The Women's Role Model Awards serve to recognize some of Nevada's outstanding women, their achievements, and their impact on their community.

Del Papa says, " These women are being recognized for making a difference in their community. They were selected from among a very distinguished group of women nominated for a Women's Role Model Award by their peers."

Members of the public are invited to attend the awards presentation. Please call Dana Roblin of the United Way at (775) 333-8275 to RSVP.

The six 1999 honorees are: Kim Bradshaw, Esther Early, Idora Silver, Estela LaVario, Trudy Larson and Glenda Allen.

KIM BRADSHAW

Kim has been an officer with the Reno Police Department since 1996 after serving as a Washoe County Deputy for five years. She is currently one of fourteen officers assigned to the Downtown Bicycle Enforcement Team. She was selected as one of five Reno Police Department trainers to develop and instruct problem-solving and mentoring lesson plans for departmental personnel. Kim has also served as the Academy's coordinator, and lead trainer for the Washoe County Sheriff's Office and the High Sierra Regional Law Enforcement Academy. Kim now serves as a Department instructor, and as editor of a Departmental Problem-Solving newsletter. In 1998, Kim received the American Society of Industrial Securities Officer of the Year Award. Besides helping to keep the community safe in her role on the force, Kim visits area middle and high schools to deliver motivational talks to students and teachers. And somehow, she still finds the time to volunteer with the American Red Cross, to take part in the Special Olympics Torch Run, and to coach youth basketball. Her nominator, Sergeant Andy Kachurek, says of Kim, "Her attitude and vision for law enforcement is infectious within the Department. Kim is truly an ambassador of good will for the City of Reno."

ESTHER EARLY

According to Esther, "Helping others is the rent we pay for living." While her children were growing up, Esther served as a Brownie, Girl Scout and Cub Scout Leader, along with being an active P-T-A member. Since she wanted her children to have a religious background, she founded the Unity Ministry in Reno, became a Youth Education Director, and a licensed teacher. Esther served as a teacher in the Washoe County School District from 1970-1976, teaching sick and terminally ill children of all ages while they were hospitalized. Because she believes so strongly in the power literacy brings, Esther has been a tutor and trainer with the Laubach Literacy Action Group, a worldwide organization that works to bring literacy to adults. She is also a member of the LEIF-Northern Nevada Literacy Council. Esther is currently very active with Elder College, having served in many capacities. In her nomination letter, Patricia Zimmerman wrote, "Esther is truly a Renaissance Woman who is constantly reinventing herself. As she passes through life, Esther leaves in her wake men, women and children who are infinitely better off because she has touched their lives."

IDORA (EYE-door-ah) SILVER

Idora Silver is an author, a successful businesswoman, a community volunteer, and most importantly, a mom who has deeply touched the lives of her son and many of his friends. Idora was nominated by her son John, who in his letter explained how his mother has been single since he was one-year-old. John says even though his mom ran her own business, she always made time to be Team Mother for his football and baseball teams, and even taught some of his teammates how to hit the ball better! But John says Idora has been not just his mom, but many people's mom. Over the years, she has helped many of John's friends get through tough times, including appearing with them in court if they got in trouble, or helping them get through a difficult class. And Idora doesn't stop with just lending kids a helping hand. Idora's achievements have previously been recognized by several groups. But her biggest recognition

comes from John, who in his nomination letter explains why his mom helps so many others..."She does it because they need her. And if she can help just one person have a better life, then it's worth it!"

ESTELA LeVARIO (le-vahr-REE-oh) Estella LeVario has been a faculty member at Truckee Meadows Community College since 1991. Estella is currently the only Latino professional with tenure status at the school. Estella's thirst for knowledge began as a farm worker in California's San Joaquin Valley where she was placed in the Migrant Education Program. She learned the value of higher education, and went on to college where she received a Bachelor Degree. Upon completing her Masters Degree, she was hired at Truckee Meadows Community College. Estela has been active in the Latino Community in Reno since moving to Northern Nevada. Because of her passion for youth, she has worked part-time as Youth Coordinator for Nevada Hispanic Services since 1992. As Coordinator of Hispanic Youth Image, a program that connects youth in a mentoring program designed to direct them towards leadership and empowerment in the community, she has helped lead the group from four members to one that includes 15 executive members and five chapters with 40-50 members each. In addition, Estella participates in several local organizations. Estella has received professional recognition from several organizations since moving to Northern Nevada.

TRUDY LARSON

At the "tender" age of 47, Trudy Larson has achieved considerable success. After sewing her own clothes to save money for college, Trudy graduated from the University of California at Davis as a member of Phi Beta Kappa. She later graduated from the University of California at Irvine Medical School, receiving the American Women's Medical Association's "Outstanding Woman Graduate Award." In her professional career, Trudy has risen from an Associate Professor at the University of Nevada-Reno's School of Medicine in 1992, to becoming the chair of the Department of Pediatrics in 1995, thus becoming the first woman chair of a department in the medical school's history. This year, Trudy became the first woman Associate Dean in U-N-R Medical School history. Doctor Larson has also been an advocate for those suffering from H-I-V/AIDS. She has served on a variety of boards and task forces designed to combat AIDS, including establishing an Early Intervention Clinic for H-I-V care. For her efforts on behalf of those with H-I-V/AIDS, Trudy has received distinction from a number of agencies throughout the State. Her nominator, Carolyn Fassi (fah-SEE), says of Doctor Larson, "She is respected and liked not only for her excellent credentials and track record as a hard worker, but also for her ability to bring people together as a team."

GLENDA ALLEN

After raising three children, at the age of 40, Glenda Allen returned to school and received a Masters Degree in Marriage and Family Therapy from the University of Nevada-Reno. From there, she went into private practice in Sparks, where with her partner, she owns and manages Robison House Associates, a group of 17 individuals working collaboratively to provide services to individuals and families. Glenda's volunteer efforts have included Committee to Aid Abused Women, Child Assault Prevention Project, Northern Nevada Association for Child Abuse and Neglect, The Center of Family Enrichment, Soroptomist International of Reno, and Step-2, a transition home for recovering drug and alcoholic women with the goal of addressing the needs of the whole woman.

Glenda helped begin the non-profit STEP-2 organization in 1986, and remains an active board member. As a member of the Reno Soroptomist Club for 15 years, Glenda has held every office, served on numerous committees, and spent countless hours in working on fund-raisers and special events. Her nominator, Kathy Boyce, says of Glenda, "She is an extraordinarily shy woman who has never courted publicity and in fact, will probably be upset knowing I submitted her name. However, I believe Glenda is very worthy of being acknowledged for her efforts, and she is truly a role model for others in the community."

"These outstanding Nevada Women are being recognized for their significant contribution to our communities, our State and our history," Del Papa said. "Their unique combination of talent and effort, and their unending commitment to bettering the lives of their neighbors and the community at large, are what makes them stand out among their peers."

Media wishing to interview any of the recipients prior to the presentation ceremony may contact Steve George at the Attorney General's office at (775) 687-3512.

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FOR IMMEDIATE RELEASE

CONTACT: Steve George

April 6, 1999

(775) 687-3512

**ATTORNEY GENERAL BACKS BILL RESTRICTING ACCESS TO
CASINO ARCADE AREAS**

Attorney General Frankie Sue Del Papa's office today recommended legislation introduced to prohibit children from casino arcades during late night and early morning hours unless accompanied by a parent or responsible adult. The bill also would require casinos to maintain certain minimum security requirements, including having a security guard on duty at all times.

SB 513 is patterned after a Clark County ordinance that was adopted after the tragic murder of seven-year-old Sherrice Iverson at a Primm Valley casino arcade in May of 1997.

"The requirements of SB 513 will reduce the chances that another child will be harmed in a casino," Del Papa said.

**STATE OF NEVADA
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FOR IMMEDIATE RELEASE

Contact: Kirk D. Hendrick

April 5, 1999

(702) 486-3105

ATTORNEY GENERAL GAMING DIVISION

Attorney General Frankie Sue Del Papa announced today that Kirk D. Hendrick has been promoted to Chief Deputy Attorney General of the Gaming Division. Hendrick and a team of seven gaming deputies provide legal counsel to the Nevada Gaming Commission and the State Gaming Control Board. In addition to representing Nevada's gaming regulators, Hendrick also will continue to serve as chief legal counsel to the Nevada Athletic Commission.

Hendrick has been with the Attorney General's office for 5 1/2 years, most recently serving as the senior deputy in charge of the Gaming Division's Las Vegas office. Del Papa originally recruited Hendrick in August, 1993, to coordinate the Southern Nevada component of the state's newly-created Workers' Compensation Fraud Unit. Hendrick spent his first 2 years with the office prosecuting claimants, employers and medical providers suspected of defrauding the Employers Insurance Company of Nevada and the State's self-insured employers.

Del Papa also announced that Jeffrey R. Rodefer has been promoted to Senior Deputy Attorney General for the Gaming Division. Rodefer has been with the Attorney General's office since February, 1989, serving the last 5 1/2 years in the office's Gaming Division. Rodefer is the author of the recently published "Nevada Gaming Law Index."

"Kirk is an extraordinary attorney. He is also very committed to public service. Nevadans are fortunate to have an individual of his caliber in a position so important to the State," Del Papa said.

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FOR IMMEDIATE RELEASE
CONTACT: Ronda Clifton
April 2, 1999
(775) 688-1835

RENO MAN PLEADS GUILTY TO INSURANCE FRAUD

Attorney General Frankie Sue Del Papa announced today that Eugen Florea, age 40, has pleaded guilty in Judge Connie Steinheimer's Washoe County District Courtroom to three counts of Conspiracy to Defraud an Insurance Company.

Florea applied for car insurance with several different companies on the same day, misleading each company into believing that he was not covered by any other insurance broker, when in fact he was covered by several insurance companies at the same time.

"Even though no money was paid out, it is a crime in the State of Nevada to present to an insurer incomplete or misleading information concerning a material fact while applying for an application for insurance," Del Papa said. "Multiple insurance policies for the same vehicle, not known by all of the companies, oftentimes set up the ground work for staged accidents, which defrauds insurance companies, and cost consumers millions of dollars each year."

Florea faces the possibility of up to a three-year prison sentence, and a fine of up to \$6,000.

The Attorney General's office worked in coordination with The National Insurance Crime Bureau to make this prosecution possible.

If you have any information regarding insurance fraud, please call the Nevada Attorney General's Insurance Fraud Hotline at 1-800-266-8688.

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FOR IMMEDIATE RELEASE

CONTACT: Anne Cathcart

April 2, 1999

(775) 687-3541

**ATTORNEY GENERAL BACKS BILL TO COMBAT HIGH TECH
CRIME**

Attorney General Frankie Sue Del Papa's office today testified on behalf of a bill designed to strengthen efforts to prevent high tech crime. SB 485, the Omnibus High Tech Crime Bill, was reviewed today by the Senate Judiciary Committee.

SB 485 resulted from suggestions gathered by the Attorney General's High Technology Crime Task Force which was established in 1997. Key points included in SB 485 are:

- Creates a high tech advisory board to coordinate statewide efforts
- Defines various crimes involving advanced technology
- Increases criminal penalties and provides for restitution to victims
- Provides civil remedies for victims of high tech crime
- Prohibits "slamming and "cramming" by long-distance telephone companies
- Prohibits prison inmates from using or possessing advanced technology communications equipment
- Protects confidentiality of consumers who pay for Internet service
- Prohibits false, misleading or deceptive acts by telecommunication services
- Includes debit cards in same category as credit cards for purposes of identifying prohibited uses

- Makes it a crime to manufacture, possess or use equipment for the purpose of unauthorized interception of cable television signals

Two years ago the Attorney General made a commitment to lead an organized effort to evaluate and respond to the increasing problems facing Nevadans in the area of high technology crimes. Since then, the High Tech Crime Task Force has sponsored meetings and conferences throughout the State to help educate consumers and business owners about the challenges we face in confronting criminals who prey on our citizens with the aid of advanced technological devices.

"High Tech presentations have demonstrated how vulnerable we all are and how easily, inexpensively and anonymously criminals can penetrate our businesses, our governmental infrastructure, and our private lives with devastating and costly repercussions," Del Papa said. "Nevada is presently not fully equipped to face these intrusions, but we have made a good start in the right direction. By approving SB 485, the legislature can enhance and improve on our existing laws to take into account technological advances, while at the same time helping to provide law enforcement with more training, equipment and other resources needed to ensure an effective, coordinated effort in attacking this challenge."

Several states are currently examining legislation aimed at curbing high tech crime. The Nevada Attorney General's office has been participating in a program, sponsored by the National Association of Attorneys General (NAAG), that is considering and recommending solutions to high technology crime. In addition, a more comprehensive effort at the national level is anticipated.

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FOR IMMEDIATE RELEASE

CONTACT: Liesl Freedman

April 2, 1999

(702) 486-3268

**TRANSPORTATION SERVICES AUTHORITY PREVAILS IN
FEDERAL COURT SUIT**

Attorney General Frankie Sue Del Papa announced today that the Attorney General's Transportation and Public Safety Division has been successful in defeating a \$30,000,000 federal lawsuit filed against the Nevada Transportation Services Authority, and its predecessor, the Public Service Commission, on January 22, 1999 by Carroll "Jim" Wallace.

Wallace, who holds a Certificate of Public Convenience and Necessity to provide specified transportation of passengers in Nevada, claimed he had been intentionally harassed by the Nevada Transportation Services Authority and the Public Service Commission. He claimed the agencies interfered with his business operations preventing him from expanding, thus costing him millions of dollars in income. Wallace, who has been blind since a childhood accident, also claimed violations of the Americans with Disabilities Act.

The lawsuit came on the heels of a disciplinary action brought by the Nevada Transportation Services Authority against Wallace for numerous violations including operating his transportation business unlawfully and outside the scope of his certificate, charging unapproved rates and fares, as well as for permitting his certificate to be used by other non-certified operators.

On March 24, 1999 the United States District Court dismissed Wallace's lawsuit against the Nevada Transportation Services Authority and the Public Service Commission on grounds that he had not stated a legal claim.

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FOR IMMEDIATE RELEASE
CONTACT: Fred Schmidt or Bob Cooper
April 2, 1999
(775) 687-6300

**SENATE COMMITTEE AUTHORIZES ENROLLMENT IN FEDERAL
PROGRAM
THAT WILL CREATE SIX-TO-NINE-MILLION DOLLARS IN
DISCOUNTS
ON TELEPHONE BILLS OF LOW INCOME NEVADANS**

Attorney General Frankie Sue Del Papa's Bureau of Consumer Protection today provided testimony before the Senate Committee on Commerce and Labor on Senate Bill 487, which would automatically provide Lifeline support to Nevada's low income telephone customers. Lifeline is a federal program that provides a basic telephone service minimum discount of at least \$63 a year--maximum savings of \$99 per year--depending on the local Nevada phone company a customer is enrolled with. The discount would be provided on a monthly basis.

"This legislation would put money in the pockets of low income Nevadans without any significant cost to the State as the funding has already been set aside within the Universal Service Fund in Washington D.C., waiting for low income Nevada telephone customers to claim them," Del Papa said. "With automatic enrollment, the vast majority of low income customers will be able to take advantage of this assistance. All Nevada phone customers are benefited by having additional customers connected to the telephone system."

According to recent federal statistics, over 150,000 Nevada households are eligible for the subsidy but only 8,473 are taking advantage of the Lifeline discount. The low percentage of enrollment is primarily due to the fact the program is voluntary and many people do not know it even exists.

Additional benefits of automatic enrollment include minimizing the advertising and administrative bureaucracy associated with trying to get customers to enroll voluntarily, and maximizing the federal dollars flowing to Nevada. If automatic enrollment is implemented for every eligible customer, Senate

Bill 487 could bring 6-to-9-million dollars in federal funds annually to Nevada to help pay for low income telephone customers' service.

Senate Bill 487 also gives customers an opportunity to opt out of the program if they choose to decline the monthly benefit.

Senate Bill 487 will be scheduled for a full vote by the Senate sometime in April.

**STATE OF NEVADA
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FOR IMMEDIATE RELEASE

CONTACT: Jan Murray

April 1, 1999

(702) 486-3433

SPAULDINGS RECEIVE PRISON TIME FOR INSURANCE FRAUD

Attorney General Frankie Sue Del Papa announced today that Diana Wiczek-Spauling, 53, and Ernest Neil Spaulding, 52, were sentenced this morning to prison terms on multiple felony fraud counts by District Court Judge Joseph Pavlikowski.

In a negotiated plea agreement, Diana Spaulding admitted that she made material misrepresentations when she applied for insurance on her Las Vegas home. Diana Spaulding also pleaded guilty to defrauding a local business out of telephone long distance services. In a related case filed by Clark County District Attorney Stewart Bell, Diana Spaulding pleaded guilty to one count of theft for processing credit card reservations for tourists booking rooms at the couple's Las Vegas bed and breakfast after the business was closed.

E. Neil Spaulding pleaded guilty to three counts of making material misrepresentations in the application and claim processes with various insurance companies and to defrauding a local small business owner.

Diana Spaulding was sentenced to two concurrent prison terms of 48 months in the Nevada prison system with a minimum parole eligibility of 19 months on each of the counts prosecuted by the Attorney General's office. In addition, she was sentenced to a concurrent 30 months prison term with a minimum parole eligibility of 12 months for the District Attorney's prosecution. Diana Spaulding was ordered to pay \$20,458.60 in restitution and \$1,411.79 in extradition costs.

E. Neil Spaulding was sentenced to four concurrent prison terms of 48 months in the Nevada prison system with a minimum parole eligibility of 19 months on each of the counts prosecuted by the Attorney General's office. In addition, E. Neil Spaulding was ordered to pay \$18,560.92 in restitution and \$1,411.79 in extradition costs.

These convictions are the result of the coordinated efforts of the Nevada Attorney General's Insurance

Fraud Unit in cooperation with the Clark County District Attorney's Office, Las Vegas Metropolitan Police Department, the National Insurance Crime Bureau, Bland and Rodarte Investigative Services, and police and sheriff departments in Minnesota, California, Montana and Colorado. The yearlong investigation revealed multi-dimensional fraud schemes that included conspiracy to commit insurance fraud, insurance fraud and obtaining money and/or services under false pretenses and other fraud charges connected to the couple's business, International Laboratory Equipment Company, and an aborted bed and breakfast operation known as 'Chateau Spaulding.'

"Insurance Fraud is a growing problem in Nevada, and we are seeking and finding solutions," Del Papa said. "This case shows that we in the legislature, public, business community, law enforcement agencies, prosecutors and the insurance industry can make a difference if we work together."

If you have any information regarding insurance fraud, please call the Insurance Fraud Hotline, 1-800-266-8688.

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

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**FOR IMMEDIATE RELEASE
CONTACT: John Albrecht
April 1, 1999
(775) 688-1872**

**ATTORNEY GENERAL'S OFFICE PRESENTS BILL
DESIGNED TO CUT TEEN SMOKING RATE**

Attorney General Frankie Sue Del Papa's office today testified on behalf of Assembly Bill 549 which is designed to cut the teen smoking rate in Nevada.

As part of the historic tobacco settlement litigation, tobacco manufacturers agreed to not oppose state legislation or regulation of tobacco products designed to reduce youth access to, and use of, tobacco products. Immediately following the announcement of the settlement, the Attorney General's office requested and received approval from the Legislative Commission for a bill draft that would address this issue in Nevada. AB 549 is the result of that request.

AB 549 suggests the legislature consider the following changes in Nevada's State Laws:

- Prohibits tobacco product vending machines in areas where minors are permitted to loiter
- Prohibits the sale of cigarettes except in packs of 20 or more
- Prohibits minors from possessing or attempting to possess tobacco products, the penalty for which is up to a \$100 fine

"Restrictions on advertising and marketing to youth were major components of the National Tobacco Settlement. Under terms of the settlement, states are free to propose additional legislation focused on the reduction of teen access to tobacco products," Del Papa said.

The Attorney General's office has conducted thousands of inspections of retail businesses which sell tobacco with the goal of reducing underage access to tobacco products. The result has been that the

youth buy rate in Nevada has dropped from 63% in 1994 to 16.8% as of September, 1998.

"Although this is a significant accomplishment, the Legislature, by enacting AB 549, can further help in the fight to minimize the teen tobacco buy rate in our State," Del Papa said.

A September, 1998 study conducted by the Attorney General's office found that underage youths could buy tobacco products 50% of the time they tried from vending machines. AB 549 would ban vending machines that sell tobacco products from all areas where children are allowed to loiter.

Current Nevada law prohibits the sale of any pack of cigarettes with fewer than 20 included in the pack. AB 549 would strengthen the current requirement and prevent cigarette manufacturers from creating a pack smaller than 20, which might be more affordable to underage youth.

"In past years, the convenience stores, grocers, vending machine owners and others in the business of selling tobacco products in Nevada have been very helpful in reducing the sale of tobacco to children," Del Papa said. "These additional changes are designed to further reduce the sale of tobacco to children."

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE

CONTACT: Steve George

March 31, 1999

(775) 687-3512

APRIL IS CHILD ABUSE PREVENTION MONTH

Attorney General Frankie Sue Del Papa would like to remind the community that April is designated as Child Abuse Prevention Month, a time to promote public awareness of child abuse, as well as address steps that can be taken by every family to help prevent it.

"This is a good time to reflect on the need for parents to be extra conscious of their relationship with their children," Del Papa said. "Our words, our actions and our deeds speak volumes and impact our children's future health and development."

The 1998 KidsCount Data Book ranks Nevada 34th among states in overall level of child well-being. Statistics show that nationwide, 90% of juvenile offenders and adult prisoners report being abused as children. Research indicates that parents who were abused as children are far more likely to abuse their own children.

Del Papa says, "These disturbing realities bring to light the importance of continuing to take individual and collective action to help reduce child abuse and neglect in our State."

In **Southern Nevada**, one organization working for the prevention of child abuse is WE CAN, Inc. of Las Vegas. WE CAN is the Nevada Chapter of the National Committee to Prevent Child Abuse. During the month of April, WE CAN promotes a "blue ribbon" campaign in which people are asked to wear a blue ribbon throughout the month to show their support for the fight against child abuse and neglect.

WE CAN Executive Director Dr. Paula Ford says, "Three children die every day in the U.S. as a result of child abuse. Please wear your blue ribbon throughout the month of April to let everyone know that by working together, we can prevent child abuse and neglect."

WE CAN will be handing out blue ribbons during the Crafters Village Craft Show at Cashman Field on

April 16, 17 and 18th. In addition, WE CAN will provide parents with informational material, and children can have their picture taken with the Easter Bunny.

WE CAN also annually publishes the Nevada KidsCount Data Book which seeks to increase public awareness about the needs of children in our State.

"WE CAN attempts to strengthen families in Nevada by providing services, support and education," Del Papa said. "It is important that we recognize the need and significance that family support and strengthening programs have on the future well-being of all Nevada's children."

For more information on WE CAN, call (702) 368-1533.

In **Northern Nevada**, blue ribbons and information cards regarding child abuse will be distributed throughout the month of April by the Child Assault Prevention Program and Children's Cabinet, and by CAN-Prevent, The Child Abuse and Neglect Prevention Task Force. The blue ribbons are the symbol of the fight against child abuse and neglect. Citizens are asked to wear the blue ribbons to show their support.

CAN-Prevent will be distributing a newly published "Parenting Tips" handbook in April, which includes signs and symptoms of child abuse, helpful tips, and resources for parents.

For an April Events Calendar, call CAN-Prevent at (775) 329-2121.

Children's Cabinet, Inc. of Reno is a clearinghouse of information regarding family services, including the State's Family-to-Family Connection, which helps strengthen families by providing services, support and education. The Children's Cabinet provides a Respite Program for parents needing a break from the day-to-day parenting of children under the age of 13, and whose children are at risk of abuse or neglect. The program is available 24 hours a day, seven days a week. During business hours, contact the Children's Cabinet at (775) 856-6200. After hours and on weekends, call the Crisis Call Center at (775) 784-8090.

"These groups attempt to strengthen families in Nevada by providing services, support and education," Del Papa said. "It is important that we recognize the need and significance that family support and strengthening programs have on the future well-being of all Nevada's children."

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Contact: Dorene Whitworth

March 31, 1999

(775) 684-8292

**ATTORNEY GENERAL AWARDS GRANT FUNDS TO AID
PROSECUTIONS**

Attorney General Frankie Sue Del Papa, who chairs the Nevada Domestic Violence Prevention Council, has announced the award of a \$37,500 grant to a partnership project between the Las Vegas Metropolitan Police Department, the Las Vegas City Attorney's Office, and the Clark County District Attorney. The award is help pay for the replacement of the current 911 system with an updated digital system which will allow for the expedited retrieval of recordings to be used in prosecution of cases of domestic violence and sexual assault.

"These funds will further enhance Clark County's ability to gather the evidence necessary for successful prosecution of domestic violence and sexual assault cases," Del Papa said.

The award was made possible as a result of the grant funding provisions of the 1994 federal Violence Against Women Act.

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Contact: Tim Terry

March 31, 1999

775-687-4704

**FORMER GROUP HOME OWNER AND ADMINISTRATOR
CHARGED WITH ELDER NEGLECT**

Attorney General Frankie Sue Del Papa announced today that the former owner and former administrator of a Carson City group home have been charged with two counts of elder neglect. Nevada Cares, Inc. (former owner of Nevada Cares Home for Seniors in Carson City) and former administrator Norma Childers are scheduled to be arraigned on April 12, 1999 in Carson City Justice Court. The case is being prosecuted by the Medicaid Fraud Control Unit of the Attorney General's Office.

According to MFCU Director Tim Terry, the charges stem from the treatment of a 78-year-old female resident. It is alleged that the defendants neglected the resident by failing to provide appropriate medical care for her developing decubitus ulcers. A second count in the criminal complaint alleges that the neglect also resulted in a fungi-like mold encrusting the woman's mouth and dentures.

The charges against the defendants are allegations only. They are presumed innocent until proven otherwise in a court of law.

Anyone suspecting the abuse or neglect of an elderly person may report it to the MFCU at 775-687-4704 (Carson City) or 702-486-3420 (Las Vegas); the Aging Services Division at 775-688-2964 (Reno), or 775-687-4210 (Carson City), or 702-486-3545 (Las Vegas); or a local law enforcement agency.

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Contact: Dorene Whitworth

March 31, 1999

(775) 684-8292

**ATTORNEY GENERAL AWARDS GRANT FUNDS TO LAS VEGAS
TREATMENT CENTER**

Attorney General Frankie Sue Del Papa, who chairs the Nevada Domestic Violence Prevention Council, has announced the award of a \$30,820 grant to WestCare, Inc. to assist and expand its PEACE (Power to End Abuse Comes from Encouragement) program which focuses on counseling, education and prevention services for adult women and their families who are victims of domestic violence.

"This grant will help the PEACE Program target victims of domestic violence and abuse in WestCare's treatment programs and other treatment programs in the Las Vegas area, and encourage them to participate in counseling geared to augment positive and long-term outcomes," Del Papa said. "Additionally, the funds will help PEACE provide outreach to rural Clark County communities through weekly prevention education workshops."

The award was made possible as a result of the grant funding provisions of the 1994 federal Violence Against Women Act.

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CONTACT: Victor Schulze

May 26, 1999

(702) 486- 3110

**NEVADA INMATE LOSES FEDERAL APPEAL OF MURDER
CONVICTION**

Attorney General Frankie Sue Del Papa announced today that the Ninth Circuit U.S. Court of Appeals has denied the appeal of convicted murderer Benny Ficklin, who while never denying the murder, has consistently claimed that his conviction was unconstitutional based on the Double Jeopardy Clause of the Constitution.

Ficklin was convicted by a jury in 1983 of first-degree murder for killing Thomas Turk during a 1981 Las Vegas bar robbery. Ficklin, then 15-years-old, and two accomplices robbed Decatur Liquors and its customers during the early morning hours of August 4, 1981. Witnesses at Ficklin's trial testified that he had ordered all bar patrons to the ground. Turk, who was arthritic, was unable to lie completely prone on the floor. While screaming obscenities at his victim, Ficklin shot Turk point blank in the back of the head with a shotgun.

Ficklin was initially tried in juvenile court on seven counts of robbery. He agreed to plead guilty to one robbery count in exchange for the dismissal of the remaining counts.

Subsequent to his juvenile robbery conviction, the state pursued first-degree murder charges against Ficklin in state court. Prior to deliberations, the trial court offered the jurors two theories under which they could convict Ficklin for first-degree murder: They could either find guilt if they determined Ficklin killed Turk deliberately and with premeditation; or they could find guilt based upon a felony-murder theory, meaning the murder was committed during the course of a robbery. The jury found Ficklin guilty of first-degree murder, determining that he committed the murder deliberately and with premeditation.

Ficklin argued that since he had pleaded guilty to robbery and had been sentenced by the juvenile court for that offense, he could not be found guilty in state court of felony murder, for which the robbery was

an element, without being placed in double jeopardy.

Deputy Attorney General Victor Schulze argued that Ficklin was convicted because the jury found that the murder was deliberate and premeditated, not based on the underlying robbery. "Ficklin's assumptions and theory underlying his claim are empty and devoid of logic and factual support," said Shulze. "The state never argued a felony-murder theory. Two victim-witnesses saw Ficklin taunt and kill a handicapped victim. The jury easily came to the conclusion that those actions were deliberate and premeditated."

In its May 25 decision, the Ninth Circuit agreed and affirmed the Federal District Court's denial of Ficklin's petition. The court stated that "the [state] courts carefully avoided double jeopardy concerns in this case by instructing the jury that a first-degree murder conviction could only be supported by a finding of premeditation." The court also agreed that if Ficklin had been found guilty based on the theory of felony-murder, he would have been placed twice in jeopardy for the same crime.

Ficklin is currently serving a life sentence in the Nevada Department of Prisons without the possibility of parole.

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CONTACT: Steve George

May 26, 1999

(775) 684-1114

ANTI-TOBACCO BILLBOARD GOES UP IN ELKO

Billboards that used to illustrate the pleasures of smoking have come down across the United States, including Nevada, and are being replaced by messages that advertise the dangers of tobacco. The switch is the result of a provision of the Master Settlement Agreement (MSA) signed by state Attorneys General and the major tobacco manufacturers. Under terms of the MSA, tobacco manufacturers were required to stop advertising on outdoor billboards as of April 22, 1999. If leases ran longer than that date, the Attorney General of that particular state could arrange alternative anti-tobacco/pro-health advertising.

In Nevada, nine billboards in Las Vegas, one in Reno, and another in Elko are being be used to deliver anti-tobacco messages through mid-January, 2000. The Elko billboard appears at 2002 Idaho Street, across the street from a McDonald's restaurant and a Red Lion Inn. The board will soon have lights installed to further enhance the message. Three of the billboards are located on Las Vegas Boulevard. The billboards on the Las Vegas Strip are leased at a cost of \$10,000 to \$15,000 per month, while many other billboard locations lease for between \$1500 to \$3500 per month. The billboard located in Elko leases for \$500 per month. The total value of one month of lease time comes to \$53,000. The eight month lease period in which the billboards will be up comes to a total of \$424,000, all of which will be paid for by the tobacco manufacturers per the MSA. Across the nation, it is estimated more than 3,000 anti-tobacco billboards worth more than \$100,000,000 will be posted.

Four of the billboards located in Nevada feature a design which includes a depiction of the so-called Marlboro man. On the billboard, one cowboy states to another, "Bob, I've got emphysema." A second billboard has a man asking, "Mind if I smoke?" and a woman replying, "Care if I die?" A third design reminds retailers not to sell tobacco products to children. Finally, one warns that 300,000 kids become ill from second-hand smoke every year. The Elko billboard carries the "Mind if I Smoke" message.

"This is one more step we are taking to discourage children from smoking," Attorney General Frankie

Sue Del Papa said. "Outdoor billboards have long been an effective way to promote smoking. Now, thanks to the settlement agreement we reached with the tobacco manufacturers, we have some additional resources to discourage young people from using tobacco products."

Nevada was the 29th out of 40 states to file a tobacco reimbursement lawsuit against the tobacco companies. In all, 46 states, the District of Columbia, and several territories signed the MSA. Under the settlement announced last fall, Nevada will receive a total of \$1.2 billion.

For more information on tobacco product restrictions that came about as a result of the MSA, check out the Attorney General's website at <http://ag.state.nv.us/>

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May 25, 1999

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**ATTORNEY GENERAL ASKS NEVADANS TO ADDRESS
DEATH WITH DIGNITY ISSUES OVER THE MEMORIAL DAY
WEEKEND**

Attorney General Frankie Sue Del Papa and Dr. Larry Weiss of the Nevada Center for Ethics and Health Policy are encouraging Nevada citizens to take time over the Memorial Day weekend to engage in Compassion Discussions involving end-of-life, death with dignity issues. Over the last three years, Del Papa has chaired a task force that has examined end-of-life policies in Nevada. The task force, which includes health care professionals, representatives from the religious community, lawyers, policymakers, social workers and others, encourages a more broad-based discussion of the topic.

"Momentum is starting to build around the country to set aside some moments during this important weekend to have these types of discussions," Del Papa said. "We welcome support from Nevada's faith community and all interested parties in taking part and sharing in this developing tradition."

In January, 1999, an action plan entitled, Death With Dignity And Caring in Nevada, was distributed statewide. Its purpose is to make death more understandable, less painful, and a more peaceful process for both the person who is dying, and their family and friends.

The Nevada Center for Ethics and Health Policy (NCEHP), located on the University of Nevada Reno campus, recently received a \$450,000 grant from the Robert Wood Johnson Foundation which will be used to support broad-based, multidisciplinary coalitions that will work to improve the care of the dying. The NCEHP is the first statewide ethics center in the nation that provides an innovative linkage between government agencies, private organizations and higher education.

"The goal of Death with Dignity And Caring is to emphasize the needs of the dying person and their family, including pain management, symptom control, dignity, autonomy, spirituality and emotional

support," Del Papa said. "Many people are deeply concerned about the complex issues they face when a loved one is dying. We need to continue to provide tools to ensure everyone understands their own rights, and those of others, concerning end-of-life matters."

The NCEHP provides support for activities which address ethics and health policy issues. The Center primarily focuses on improving care at the end-of-life by offering the following services:

- Speakers bureau
- Professional education in end-of-life issues
- Consumer education in advanced planning
- Volunteer opportunities for people interested in end-of-life care
- Internet website

"Our goal is to provide community education and professional support that allows death and dying to be a caring process," said Dr. Barbara Thornton of the Executive Committee, and a founder member of the Task Force. "That requires better communication with dying persons, their families, caregivers and health care providers."

A copy of the Advanced Directives in Nevada Health Care Declarations, which outlines Nevada law concerning such declarations, is attached to the press release.

For more information on the NCEHP, contact Pamela Howle at (775) 327-2309, or visit the Center's website at www.unr.edu/ncehp

Copies of Death With Dignity And Caring in Nevada are available at all Nevada public libraries, or can be found on the Attorney General's website at <http://ag.state.nv.us/>

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CONTACT: Kate Marshall

May 25, 1999

(775) 688-1960

**\$50 MILLION ANTITRUST SETTLEMENT TO PROVIDE TOYS FOR
NEEDY KIDS**

Attorney General Frankie Sue Del Papa announced today that settlements have been reached between plaintiff states with several toy manufacturers and Toys "R" Us totaling more than \$50 million. The settlements resolve an antitrust lawsuit against the nation's largest toy retailer, Toys "R" Us, and major toy manufacturers. The agreement will provide for the distribution of toys to thousands of needy Nevada children during the next three holiday seasons (1999, 2000 and 2001).

Pursuant to the terms of the settlements, which are subject to court approval, Toys "R" Us will pay \$40,500,000 in cash and toys. Mattel, the nation's largest toy manufacturer, will pay \$8,222,900 in cash and toys, and the Little Tikes Company will pay cash and toys totaling \$1,316,250. Toy manufacturer Hasbro, also a defendant in this lawsuit, previously agreed to pay \$5,950,000 in cash and toys. In settling the suit, the defendants admit no wrongdoing in this matter.

The toys provided as part of the settlements will be distributed to children in all 50 states, the District of Columbia and Puerto Rico by the U.S. Marine's "Toys for Tots" program. The toys and the cash payments will be divided among the states in shares based on each state's population.

Nevada's share of toys to be distributed is valued at \$194,699. Cash payments of more than \$76,000 will be used to provide toys, books and other educational materials to Nevada children. The total settlement Nevada will receive in this matter, including the previous Hasbro settlement, is \$215,965 in toys and \$90,258 in cash.

Last holiday season, the Nevada Attorney General's office was able to provide more than \$21,000 in toys to the "Toys For Tots" program as a result of the settlement with Hasbro.

"I am pleased to be able to offer needy children a bit of joy by providing them with toys, books and

other educational materials," Del Papa said. "This is a good, just result of our lawsuit against these companies that will directly benefit those who need it the most."

The agreements settle an antitrust lawsuit that was originally filed by the state of New York, and later joined by Nevada and 43 other states, as well as the District of Columbia and the Commonwealth of Puerto Rico. The lawsuit charged that Toys "R" Us orchestrated illegal agreements among toy manufacturers to restrict or limit the supply of certain popular toys to warehouse clubs such as Costco and Sam's Club.

The complaint alleges that in an attempt to limit the competitive threat posed by low price warehouse clubs, Toys "R" Us used its market power to obtain agreements with and among toy manufacturers to limit the sale of certain popular toys to clubs, or to sell toys to clubs only in "combination packs" to ensure that consumers could not easily compare the retail prices charged by the clubs to those charged by Toys "R" Us.

Senior Deputy Attorney General Kate Marshall from the Bureau of Consumer Protection handled this case for the state of Nevada.

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CONTACT: John Albrecht

May 24, 1999

(775) 688-1872

**ATTORNEY GENERAL'S OFFICE RELEASES BROCHURES
ADDRESSING
TOBACCO MARKETING RESTRICTIONS**

Attorney General Frankie Sue Del Papa announced today that two brochures which outline the national tobacco settlement, including marketing restrictions in Nevada, have been released.

How Nevada's Tobacco Settlement Can Help Cut The Teen Smoking Rate: And How You Can Help Enforce The Sponsorship Restrictions, outlines the restrictions placed on tobacco manufacturers regarding outdoor advertising, and event sponsorship and advertising. The brochure provides information on how someone can report a possible violation of the Attorney General's agreement with the Tobacco Industry.

"The state Attorneys General Master Settlement Agreement (MSA) severely limits Tobacco Manufacturers from sponsoring special events," Del Papa said. "These restrictions are designed to reduce the appeal that cigarettes and smokeless tobacco have on minors. This brochure summarizes the restrictions on event sponsorship and asks individual citizens to take an active role in helping us spot possible violations."

A second brochure with the caption, " Attorney General Frankie Sue Del Papa Wants Your Help In Enforcing The Youth Marketing Restrictions In The Tobacco Industry Settlement," goes into greater detail regarding advertising restrictions placed on Tobacco Manufacturers as part of the MSA. Those restrictions include:

- Use of cartoon characters in tobacco product advertising, promotion or packaging
- Payment for tobacco product placement in media

- The sale of merchandise which bears a tobacco brand name
- The distribution of free samples to youth
- Bans proof-of-purchase or coupons which are used in exchange for tobacco products, unless sufficient proof is obtained that the individual is an adult
- Most forms of outdoor advertising
- Restrictions on event sponsorship by Tobacco Manufactures

The brochures are being distributed to all county school superintendents, to individual schools through the State Department of Education, to all health districts, and to members of the media. Brochures may also be obtained by contacting the Attorney General's office, or on the Attorney General's website at <http://ag.state.nv.us/> Individuals are encouraged to make copies of the brochures for further distribution.

"We have come a long way in Nevada in our efforts to restrict tobacco product access by minors," Del Papa said. "Nevada was the first state in the nation to inspect every tobacco retailer during stings designed to lower the teen over-the-counter buy rate. As a result of the sting operations, the youth tobacco buy rate in Nevada has dropped from 63% in 1995 to 16.8% in 1999."

For more information on the MSA, tobacco product restrictions, or on the youth tobacco product buy rate, call (775) 688-1872, or visit the Attorney General's website at <http://ag.state.nv.us/>

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CONTACT: Jan Cohen

May 24, 1999

(702) 486- 3455

****MEDIA ADVISORY****

**FAMILIES OF MISSING CHILDREN TO OBSERVE
NATIONAL MISSING CHILDREN'S DAY**

Attorney General Frankie Sue Del Papa announced today that the families of three Nevada missing children will meet in the lobby of the Grant Sawyer State Office Building on Tuesday, May 25, National Missing Children's Day, at 10:00 AM, to bring attention to the plight of missing children and their families.

Richard Carsello will discuss his 11-year search for his missing son, Brandon, which ended when Scotland Yard authorities arrested the non-custodial mother in London on May 20. The arrest of Melody Carsello ended the longest-standing family abduction case in Nevada. Mr. Carsello, who flew to England after receiving word of an imminent arrest, has yet to see his son because English authorities have refused to let him make contact. According to sources familiar with the case, sixteen-year-old Brandon Carsello, who was five-years-old when he last saw his father, was told that his father was alive and had arrived in London to see him. Brandon, whose mother had told him that his father was dead, allegedly did not want to see his father. Authorities there respected his wishes since he has reached the age of majority according to English law.

"Although I am eternally grateful to Attorney General Investigator Maria Emeterio for her tireless efforts to locate my son, I now feel absolutely heartbroken that I couldn't see him or even give him letters and photo albums to prove my existence," Mr. Carsello said. "I don't know what's worse, not knowing where he was for 11 years, or finding him and hearing that he refuses to see me."

Brandon Carsello's decision not to see his father will have no effect on the criminal case pending against his mother, who eventually will be extradited back to Nevada to face charges of felony violation of child custody rights.

Larry Lee, the father of Michelle Lee, now 11-years-old, will also be present at tomorrow's meeting. Michelle was abducted from Las Vegas by her non-custodial mother, Mi Lee, on July 15, 1992. Mr. Lee has been searching for his daughter for the last seven years. He has been in constant contact with the Nevada Attorney General Missing Children Clearinghouse. Efforts are currently underway to release an age-enhanced picture of Michelle through the National Center for Missing & Exploited Children in Arlington, Virginia.

Joining Richard Carsello and Larry Lee will be Bianca Perez, the mother of one-year-old Jacob Perez who was abducted by his father, Desmond Moreland. Moreland kidnapped his son from Las Vegas on August 14, 1998, after learning that he had been issued no-contact orders by the family court system for substantiated charges of child abuse involving Jacob.

Ms. Perez is particularly concerned for her son's welfare due to Moreland's history of violence. "I'm scared to death about Jacob's welfare considering Desmond's past history with him. How can he take care of a one-year-old boy while hiding somewhere and running from the law?" asked Perez.

Joining the parents will be Senior Deputy Attorney General Jan Cohen, the state's children's advocate and prosecutor, and Investigator Maria Emeterio, both of whom are handling the abduction cases listed above. Also present will be Nevada Child Seeker's Executive Director Jill LeMasurier.

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CONTACT: Anne Cathcart

May 24, 1999

(775) 684-1115

**NEVADA TO RECEIVE ADDITIONAL \$88 MILLION
FROM TOBACCO SETTLEMENT**

Attorney General Frankie Sue Del Papa has received word from the National Association of Attorneys General (NAAG) that Nevada's share of the Strategic Contribution Fund money to be allocated to states under the Master Settlement Agreement will be \$88,711,462.90. The sum will be payable over a nine-year period beginning in the year 2009, and ending in the year 2017. The Strategic Contribution Fund, which totals \$8.6 billion, was intended to be allocated to states primarily on the basis of their involvement and participation in the national tobacco litigation settlement negotiations.

"I believe Nevada did quite well based upon the variety of factors taken into account by the allocation committee," Del Papa said. "Our share was the equivalent of 1.0303306%." A total of 52 states and territories who were eligible for some portion of those funds."

The percentages ranged from 5.7647432% for Washington, which played a substantial role at the national level and had taken its case to trial, to 0.1800232% for each of several territories.

Among factors considered by the allocation committee were: when each state commenced litigation; the extent to which a state participated in national settlement negotiations; when a state signed on to the Master Settlement Agreement; the stage of each state's own tobacco litigation; participation in the Liggett Settlement and the June 20, 1997 accord; and the expenditure of a state's own resources in the above activities.

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May 21, 1999

(702) 486-3154

**ATTORNEY GENERAL'S OFFICE WILL ASSIST IN PROVIDING
FREE CHILD IDENTIFICATION PACKETS**

To commemorate the 16th annual observance of National Missing Children's Day on May 25, the Nevada Missing Children Clearinghouse, a Division of the Attorney General's office, will partner with Nevada Child Seekers to provide free child identification packets to Clark County parents and children during "Child Safety Day" on Saturday, May 22, from 10 a.m. to 2 p.m., at the Boulevard Mall.

The packets include photograph and fingerprint kits, along with a parent resource envelope containing emergency and resource numbers. "Guide to Child Safety" brochures, which contain tips for helping to keep children safe and ways to better prevent a family abduction, will be distributed. The National Center for Missing & Exploited Children's "8 Rules For Safety" will also be available.

In addition to Clearinghouse and Nevada Child Seekers personnel, representatives and police officers from various Clark County law enforcement agencies will be on hand to provide crime prevention and school safety information.

In 1998, there were more than 7700 children reported missing in Nevada. In Clark County last year, the Clearinghouse investigated 331 cases of family abductions, 262 of which were resolved with the children being returned to their legal parent.

The Clearinghouse has previously provided free child ID packets to more than 7,000 Clark County parents and children. This is the fourth year that the Clearinghouse has teamed up with area law enforcement and other child service organizations to provide child identification.

"One of the most tragic situations that any parent can face is the disappearance of a child, no matter what the circumstances," Attorney General Frankie Sue Del Papa said. "If a parent takes reasonable and necessary precautions, including the preparation of an identification packet and teaching their child

safety rules, they increase the odds that their child will not become a victim of an abduction. If their child should end up missing, precious moments are saved in the search for the child when a complete child identification packet is ready to be delivered to law enforcement."

For more information on the Nevada Missing Children Clearinghouse, call (702) 486-3154, or visit the Attorney General's website at <http://ag.state.nv.us/>

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CONTACT: Steve George

May 21, 1999

(775) 684-1114

**ATTORNEY GENERAL UPDATES INVESTIGATION INTO
HIGH GAS PRICES IN NEVADA**

Attorneys General Frankie Sue Del Papa of Nevada and Bill Lockyer of California met on Thursday, May 20, at Lake Tahoe to discuss several issues involving the two states.

The Attorneys General have been partnering in an investigation into the high gas prices being charged at West Coast stations. Lockyer's office is heading up an intensive examination into prices charged by the gasoline industry. Two areas that are being focused on are the effects recent petroleum industry mergers are having on prices at the pump, and the margin of profit refineries recently have been making. The investigation is centering on whether oil companies are engaging in unfair business practices.

The investigation by the Attorneys General has found that refineries were making a profit of 27 cents per gallon of branded gasoline as of March 1, 1999. At the height of the rising prices in mid-April, that figure had jumped to 70 cents per gallon. Unbranded gasoline profits rose during the same period from 26 cents per gallon to 58 cents per gallon.

"Our office is working closely with General Lockyer and other western states to determine if the dramatic increase in refinery profits is justified," Del Papa said. "The Nevada Attorney General's office has also joined in the Federal Trade Commission (FTC) investigation into the ramifications of the proposed merger of Exxon and Mobil Oil Companies."

Past mergers of oil companies have resulted in less competition in the market, and in some areas, higher prices at the pump.

Attorneys General Lockyer and Del Papa will be available for interviews about the investigation into high gas prices today at the Eldorado Hotel in Reno, between 11:30 and noon, during the Common Ground Antitrust meeting taking place at the hotel. For more information, call Steve George at (775)

684-1114.

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FOR IMMEDIATE RELEASE
CONTACT: Matthew Gabe
May 21, 1999
(702) 486-3793

MAN ORDERED TO PRISON FOR PROBATION REVOCATION

Attorney General Frankie Sue Del Papa announced today that former telemarketer, Michael J. Kiley, age 27, of Las Vegas, Nevada, has been ordered to serve ten years in prison for violating the terms of his probation. On February 16, 1995, Kiley pleaded guilty to being involved in a telemarketing scam which targeted the elderly. At that time, the Clark County District Court sentenced Kiley to a term of five years in prison for commission of theft, and a consecutive term of five years for theft against persons over the age of 65.

Execution of Kiley's confinement was suspended. He was placed on probation for a period not to exceed five years. As a condition of his probation, Kiley was ordered to pay \$61,213 in restitution to the victims within four years.

But Clark County District Court Judge Sally Loehrer found that Kiley had not made a good faith effort in paying off the restitution. To date, Kiley had only paid a total of \$1200 over the four year period. Loehrer ordered Kiley's probation revoked and reinstated the original ten year sentence.

If you believe that you have been a victim of telemarketing fraud, contact the Attorney General's Bureau of Consumer Protection at (702) 486-3194. Consumer protection information is also available on the Attorney General's website at <http://ag.state.nv.us/>

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE

May 20, 1999

CONTACT:

Jan Cohen

(702) 486-3455

or

Maria Emeterio

(702) 486-3456

**FUGITIVE MOM WANTED IN LONGEST-STANDING FAMILY
ABDUCTION
CASE IN NEVADA IS ARRESTED IN ENGLAND**

Attorney General Frankie Sue Del Papa announced today the capture and arrest of a former Las Vegas resident charged with felony violation of child custody rights and unlawful flight to avoid prosecution. Melody Carsello was arrested on May 19, 1999 by Scotland Yard authorities on an international fugitive warrant from the Nevada Attorney General's office.

Carsello, also known as Francine Masshar and Francine Siegel, had abducted her then 5-year-old son, Brandon, from his daycare center in Las Vegas on June 10, 1988. The child's father, Richard Carsello, was awarded custody of the little boy in 1987 during bitter divorce proceedings lasting over two years. Melody Carsello disappeared with Brandon and embarked on an 11-year international flight that authorities believe included the eastern United States, Canada, France and finally England.

After his wife and son's disappearance, Richard Carsello was granted a divorce by default. According to Carsello, he has spent over \$100,000, hired eight private investigators, flown all over the world and has gone bankrupt in the process of searching for his son. "No one can imagine what it's like to have your child stolen from you unless it's happened to you. I've been robbed of his childhood and nothing will ever replace that."

Efforts are being made to reunite Mr. Carsello with his son in England after coordination and confirmation of the proper paperwork with the appropriate English authorities.

The Las Vegas Metropolitan Police, the FBI, and the Nevada Attorney General have all been involved in the Carsello case over the past eleven years. Late in 1988, the Oregon Missing Children Clearinghouse called Nevada Missing Children Clearinghouse investigator, Maria Emeterio, with an anonymous tip that a woman who had abducted her son ten years ago from Las Vegas had been living in London under an assumed name. Ms. Emeterio immediately recognized the factual pattern as that of the oldest long-standing family abduction case in Nevada, Melody and Brandon Carsello. Subsequent investigation and cooperation between the FBI, the U.S. Department of Justice and New Scotland Yard confirmed that Carsello was living in London, and that her son was enrolled in high school.

"The majority of those who abduct their children from another parent often do so out of revenge, anger or a desire to regain control," Del Papa said. "The ones most traumatized by these abductions are the children. This category of missing children is increasing at alarming rates and too frequently turns violent and fatal to one, both or all of the family members."

Melody Carsello will be extradited back to Las Vegas to face charges of violation of custody rights, a felony for which she could receive up to six years in prison.

In 1998, the Nevada Clearinghouse investigated 331 cases of family abductions. Of those, 262 were resolved with the children returned to their legal custodial parent. Nationally, over 354,000 children are abducted by a family member each year.

For more information on the Nevada Missing Children Clearinghouse, call (702) 486-3539, or visit the Attorney General's website at <http://ag.state.nv.us/>

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CONTACT: Steve George

May 12, 1999

(775) 684-1114

**ATTORNEY GENERAL EXPRESSES SUPPORT FOR U.S. SENATE
BILL THAT WILL BETTER PROTECT CONSUMERS**

Attorney General Frankie Sue Del Papa has written to U.S. Senators' Richard Bryan, Diane Feinstein-CA and Carl Levin-MN to express her support for S.678, the Salvaged and Damaged Motor Vehicle Information Disclosure Act.

In her letter, Del Papa said , "My office is very aware of the harm caused to consumers who unwittingly purchase used cars that have sustained major damage. Consumers not only pay far more than the vehicle's market value, they may also be placing themselves and their families in danger."

"Despite efforts in Nevada to vigorously enforce state laws requiring car sellers to provide salvage and damage disclosures, the problem continues to top our nation's consumer complaints regarding used car sales," Del Papa said. "The time is right for Congress to act in order to protect consumers, while also ensuring that the states retain the flexibility needed to deal with this growing problem.

S.678 achieves two major goals. The bill's strong disclosure requirements will put consumers on notice, before they agree to buy a car, concerning any prior collision or flood damage. The bill also contains definitions that will provide strong baselines of protection, while permitting individual states to impose tougher standards if they so choose. S.678 effectively deals with the problem of "title-washing" by ensuring that information about prior collisions or flood damage remains on vehicle titles, regardless of the state of titling.

S.678 would also provide stronger remedies by subjecting violators to criminal penalties, civil actions by state attorneys general, and substantial private civil remedies.

"I especially appreciate that this bill tracks the Resolution adopted in 1994 by the National Association of Attorneys General" Del Papa said. "That Resolution calls for strong national standards and remedies

which this bill provides."

Del Papa says another reason she supports this bill is that it follows the successful model of the federal odometer law, originally enacted in the 1970's. That law provided for the same types of strong national standards and remedies found in S.678. States have relied on the federal odometer law to file many civil and criminal law enforcement actions against odometer spinners and have recovered millions of dollars in restitution for consumers. Strong federal and state enforcement, plus the private actions brought under the odometer law, have put a real dent in odometer fraud.

"Under the provisions of S.678, we can look forward to similar results as we join forces to tackle auto salvage fraud," Del Papa said.

Persons who believe they may have been a victim of consumer fraud are urged to call the Attorney General's Bureau of Consumer Protection Bureau at (702) 486-3777. Information regarding consumer fraud can also be found on the Attorney General's website at <http://ag.state.nv.us/>

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FOR IMMEDIATE RELEASE

CONTACT: Matt Gabe

May 4, 1999

(702) 486-3793

KATHRYN E, LANDRETH, United States Attorney for the District of Nevada, and FRANKIE SUE DEL PAPA, Attorney General of the State of Nevada, announced the federal grand jury indictment of Eric Stein, Ruth Garcia Stein, Ina Liberty Bell, Gary Litt, Charles Randall Lazer, Glen Schaefer, Michael Anderson, Denyse Anderson, David Hoptar and Vem Epstein on charges of conspiracy, money laundering, mail fraud, and securities fraud for their roles in the sale of Media Units offered by The Sterling Group, a company that conducted business in Las Vegas, Nevada, in 1997 and 1998. This indictment marks the culmination of a year-long combined state and federal investigation into criminal conduct that victimized numerous Nevada and out-of-state investors.

The one hundred and nineteen count indictment alleges that the defendants engaged in a Ponzi scheme by selling investment contracts called Media Units from The Sterling Group, while representing that ne Sterling Group was using the proceeds from the sales of Media Units to purchase television commercial time to advertise and sell products to generate profits for purchasers of the Media Units. According to the indictment, The Sterling Group induced investors to part with approximately thirty-four million dollars. If convicted, the defendants face a statutory maximum sentence of 20 years per money laundering count. The indictment alleges thatme Sterling Group did not in fact use the funds invested to sell products, but instead used proceeds from later sales of Media Units to pay earlier investors. By funneling the funds received from new investors to previous investors in the guise of profits, the defendants cultivated the illusion that a legitimate profit-making business opportunity existed, which in turn attracted more investors.

The case is being prosecuted by Assistant United States Attorney Joseph E. Sullivan and Deputy Attorney General Matthew S. Gabe, who has been cross-designated as a Special Assistant United States Attorney for purposes of the case. The case has been investigated by Marie Timms, United States Postal Inspection Service, Mark Medina, State of Nevada, Securities Division, and the Federal Bureau of Investigation.

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CONTACT: Steve George

May 9, 1999

(775) 684-1114

**STATE RELEASES LATEST DEADBEAT PARENTS "MOST
WANTED" POSTER**

The Nevada Office of Child Support Enforcement and the Attorney General's office have released the latest in a series of "Most Wanted" posters which feature information about and photographs of, selected deadbeat parents.

The newest poster includes six notable deadbeat parents whose whereabouts are unknown. This is the 7th poster distributed by the two offices. The program has proved to be very successful in helping to locate individuals wanted for failure to pay child support.

"Since May of 1996, these posters have enabled the Child Support Enforcement Program of Nevada's Welfare Division to collect thousands of dollars in previously uncollectable money, along with helping to raise public awareness as to the seriousness of non-payment of child support," Attorney General Frankie Sue Del Papa said. "District Attorneys' and their staffs are on the front lines and also deserve credit for increased collections. This money goes directly to help the well-being of children in our state who rely on financial support from non-custodial parents."

The posters are distributed throughout Nevada to all state agencies, district attorneys' offices, and most post offices. They are also sent nationally to all Attorneys General and Child Support Enforcement offices. Additionally, copies of the poster are sent to every district attorney, child support office, and to larger branch post offices located in the five states bordering Nevada.

The information and pictures of the individuals appearing on the latest poster will also be available on the Attorney General's website at <http://ag.state.nv.us/>

The following is a breakdown illustrating how the "Most Wanted" poster program has helped locate deadbeat parents, and in turn collect child support payments:

Released May, 1996; 5 names owing a total of \$124,455.16 4 people found, one case closed

Released October, 1996; 8 names owing a total of \$278,314.67 all 8 people located

Released May, 1997; 5 names listed owing a total of \$87,624.52 1 found

Released October, 1997; 9 names listed owing a total of \$305,895 4 people found, including one repeat offender

Released May, 1998; 10 names listed owing a total of \$123,316.78 2 found

Released November, 1998 7 names listed owing a total of \$221,254.16 1 found

Total collected as of May, 1998: \$64,198.12

The names and descriptions of this year's six most wanted individuals are:

KEVIN JOSEPH UNKELBACH

Owes his two children \$41,296; DOB 7/30/50; age 48; 6'0"; 185 pounds; blue eyes; brown hair; works as an auto salesman; last known address is 5600 Boulder Hwy., Las Vegas

MICHAEL ROBERT O'NEILL, JR.

Owes his three children \$36,934; DOB 1/10/60; age 39; 5'5"; 155 pounds; hazel eyes; brown hair; works as a maintenance/restaurant porter; last known address is 501 Nevada Hwy., Boulder City

CHARLES CLEVELAND

Owes his child \$25,746; DOB 7/11/66; age 32; 6'2"; 187 pounds; brown eyes; brown hair; construction worker; last known address is 101 Miller Lane, Yerington

WILLIE SIAVAO LELEUA

Owes his two children \$46,138; DOB 3/14/59; age 40; 6'4"; 165 pounds; brown eyes; black hair; works as an entertainer; last known address is 2543 Karen St., Las Vegas

RUSSELL EUGENE PERCY

Owes his three children \$56,692; DOB 7/17/57; age 41; brown eyes; black hair; kitchen worker; last known address is 915 Silverman Way, Las Vegas

JAMES CARL MARRIOTT

Owes his four children \$11,264; DOB 12/12/63; age 35; blue eyes; blonde hair; truck driver; last known address is 236 Center Street, Yerington

The Nevada Child Support Enforcement Program provides services including: location of absent parents; establishment of parentage; and collection and distribution of support payments. They can be reached at 1-800-992-0900, or in Carson City at (775) 687-4744.

The Attorney General's office has published a brochure entitled, "Tips For Collecting Child Support; Working with the Child Support Enforcement Program," which helps to answer questions such as who is eligible to receive child support, how to collect payments, and how child support is enforced in Nevada. Copies of the brochure are available by calling the Attorney General's office in Las Vegas at (702) 486-3420, in Reno at (775) 688-1818, or in Carson City at (775) 684-1100. The brochure can also be found on the Attorney General's website at <http://ag.state.nv.us/>

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FOR IMMEDIATE RELEASE
CONTACT: Dianna DeBeau Hegeduis
May 7, 1999
(702) 486-3100

**NEW DAG APPOINTED FOR THE
OFFICE OF LABOR COMMISSIONER AND LOCAL GOVERNMENT
EMPLOYEE-MANAGEMENT RELATIONS BOARD**

Attorney General Frankie Sue Del Papa has appointed Dianna Hegeduis as the Deputy Attorney General for the Labor Commissioner's office and the Local Government Employee-Management Relations Board.

Hegeduis has been an associate with the Las Vegas firms of Alverson, Taylor, Mortensen, Nelson & Sanders; and Cohen, Johnson, Day & Clayson. Hegeduis was appointed to the position based upon her experience in litigation, with an emphasis on administrative law.

"As a twenty-three year resident of Clark County, Dianna has witnessed the tremendous growth in the Las Vegas Valley, and the accompanying problems that rapid growth has created." Del Papa said. "Dianna is eager to assist these client agencies in their endeavors to enforce prevailing wage laws, collective bargaining rights, wage claims, and other employee-employer issues."

According to Acting Labor Commissioner Gail Maxwell:

- There are approximately 19,000 current/active wage claims for Nevada workers
- 938 of those claims were filed in 1999 alone
- Five compliance investigators and two auditors are assigned to monitor all public work projects in the state. There are approximately 7,200 contractors completing such projects and submitting approximately 30,000 certified payroll reports statewide per month.

"The appointment of Dianna will assist in expediting the resolution of claims filed by Nevada workers,"

Del Papa said.

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CONTACT: Steve George

May 7, 1999

(775) 684-1114

**ATTORNEY GENERAL WARNS OF SCAM SWEEPING ACROSS
NEVADA**

Attorney General Frankie Sue Del Papa is warning Nevadans to be on the alert concerning an age-old, worldwide scam involving a group referring to themselves as representing the Nigerian Federal Ministry of Finance, Foreign Contract Department.

A message sent via fax machine or letter to scores of people around the world states that the group is secretly contacting you about a large sum of money (\$96,000,000) that you can lay a 30% claim to, if you send the group your bank and residential information. In fact, what happens is that victims who fall prey to this "get rich quick" scam have their bank accounts wiped out.

Although it is illegal in Nevada (NRS 207.325) to make or cause to be made an unsolicited electronic or telephone transmission to a fax machine to solicit a person to purchase real property, goods or services, it is almost impossible to stop this type of activity.

"Unfortunately, Nigerian government officials have not been cooperative with law enforcement agencies throughout the world in putting a stop to this illegal scam," Del Papa said. "Nevadans should beware of this decades-old scam, as they should any so-called deal that sounds too good to be true."

The Attorney General's Office has received another major round of complaints regarding the scam being perpetrated by the group referring to themselves as the Nigerian Federal Ministry of Finance. Complaints should be directed to the U.S. Secret Service office.

If you believe someone may be perpetrating consumer fraud in Nevada, call the Attorney General's Bureau of Consumer Protection in Las Vegas at (702) 486-3420; in Reno at (775) 688-1818; or in Carson City at (775) 687-6300. Consumer protection information and complaint forms can also be found on the Attorney General's website at <http://ag.state.nv.us/>

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CONTACT: Ronda Clifton

May 6, 1999

(775) 688-1835

**CALIFORNIA MAN SENTENCED FOR COMMITTING
INSURANCE FRAUD IN RENO**

Attorney General Frankie Sue Del Papa announced today that Eugene Florea, age 42, of Hayward, California, has been placed on probation and ordered to pay reimbursement costs relating to an insurance fraud scheme committed in the Reno area. Washoe County District Court Judge Connie Steinheimer suspended Florea's two year prison sentence, and instead placed him on three years probation. One of the conditions of Florea's probation mandates that he pay \$1,000 to the Attorney General's office to cover investigative costs.

Florea had obtained five different insurance policies on the same vehicle, telling each company that he was not insured by any other agency.

"Even though no money was paid out, it is a crime in the State of Nevada to present to an insurer incomplete or misleading information concerning a material fact while applying for insurance," Del Papa said. "Obtaining multiple insurance policies on the same vehicle sometimes paves the way for staged accidents, which defrauds insurance companies, and costs consumers millions of dollars each year in higher premiums."

A study conducted by the Coalition Against Insurance Fraud found that fraud in Nevada amounted to an estimated \$824.6 million in 1996. Insurance fraud is one of the costliest forms of white collar crime in the United States, ranking second only to income tax evasion. The National Crime Bureau and the Insurance Information Institute estimate insurance fraud adds as much as 15-20% to every consumer's insurance premiums.

A cooperative investigation by the Attorney General's Insurance Fraud Unit and the National Insurance Crime Bureau discovered Florea's multiple applications and thwarted the possibility of fraudulent claims being filed.

"This case illustrates that when law enforcement agencies work in a collaborative and cooperative way, they can achieve more efficient results in fighting crime," Del Papa said. "As insurance fraud cases become more sophisticated and complex, it is becoming more imperative that we in law enforcement work even more closely together."

If you have any information regarding insurance fraud, contact the Attorney General's Insurance Fraud Hotline at 1-800-266-8688.

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CONTACT: Steve George

May 5, 1999

(775) 684-1114

**78% OF NEVADANS POLLED SAY THEY WANT STATE OFFICIALS
TO DO MORE TO COMBAT INSURANCE FRAUD**

A recent survey conducted by Mason-Dixon Polling and Research, Inc. of Washington D.C. found that 78% of Nevada citizens polled say they want state officials to do more to fight insurance fraud. The survey was conducted the week of April 22 through April 26, 1999. A total of 631 registered Nevada voters who regularly cast their ballot in state elections were asked two questions via telephone:

1. How serious of a problem do you feel insurance fraud is in Nevada?

51% answered very serious, 23% somewhat serious, and 22% said they were not sure. Only 2% said insurance fraud was not too serious a problem in Nevada, and another 2% answered it was not a problem.

2. Do you feel state officials need to do more to fight insurance fraud in Nevada?

A whopping 78% of those polled answered yes, 8% said no, and 14% said they were not sure.

NOTE: THE ENTIRE RESULTS OF THE POLL ARE INCLUDED AT THE END OF THIS RELEASE.

Since January 1, 1996 The Attorney General's Insurance Fraud Unit (IFU) has received more than 880 new complaints of suspicious fraudulent claims from insurance companies. The

IFU has reviewed, screened and/or closed 890 cases through April 30, 1999. There are currently 352 open referrals which need to be reviewed to determine if they should be closed or investigated.

Since July of 1998, 27 people have been arrested and charged with insurance fraud, and 23 have been

convicted. Prosecutions by the IFU have resulted in criminal courts ordering more than \$2,000,000 in restitution to insurance companies.

"Insurance fraud continues to be a major problem in this state, and the citizens of Nevada are paying the price for this crime through increased cost of obtaining and maintaining their insurance policies," Attorney General Frankie Sue Del Papa said. Nevada was recently listed among the top ten states with the highest auto insurance rates. One of the factors leading to higher premiums is fraud.

A 1996 study conducted by Conning and Company estimates fraud cost the entire insurance industry \$120 billion in 1995. A study conducted by the Coalition Against Insurance Fraud found that fraud in Nevada amounted to an estimated \$824.6 million in 1996. Insurance fraud is one of the costliest forms of white collar crime in the United States, ranking second only to income tax evasion.

According to estimates by the United States Chamber of Commerce, at least 10% of claims submitted to insurance companies annually contain some element of fraud. The National Crime Bureau and the Insurance Information Institute estimate insurance fraud adds as much as 15-20% to every consumer's insurance premiums.

Nevada state legislators are currently looking at two bills being supported by the Attorney General's office which are designed to strengthen insurance fraud laws in Nevada.

SB 225 would provide subpoena power during the investigative stage of an insurance fraud case, allows reimbursement for the cost of the investigation and prosecution at the time of sentencing, establishes that insurance companies are victims for the purpose of restitution, broadens the immunity section of the law, and verifies that the Attorney General's office has primary jurisdiction to prosecute insurance fraud.

SB 224 would increase the current fixed \$500 assessment that an insurance company is charged to a pro-rata sliding scale amount based upon the total amount of premiums written by a particular company. The minimum would be \$500, the maximum, \$2,000.

This increased funding would help support the IFU which needs additional staffing and resources to keep up with its burgeoning caseload and backlog of investigative referrals. The IFU is entirely funded through fraud assessment collections from insurers. No general fund money is used to support the unit. - more-

"Over the last three years, our office has worked closely with the Insurance Commissioner, the insurance industry, legislators, law enforcement, the public and others to draft and submit SB 224 and SB 225 to the legislature for consideration," Del Papa said. "SB 224 would create a more equitable system than the current one because each insurer now pays the same flat fee regardless of their premiums written, while SB 225 will give the IFU the tools necessary to more effectively fight this serious crime."

If you have any knowledge or suspect that someone is or has committed insurance fraud, please contact

the Insurance Fraud Hotline at (800) 266-8688.

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CONTACT: Marshall Smith

May 4, 1999

(775) 688-1977

**ATTORNEY GENERAL FILES CIVIL COMPLAINT AGAINST
EXCEL TELECOMMUNICATIONS, INC.**

Attorney General Frankie Sue Del Papa's office has filed a civil complaint in Washoe County District Court against Dallas, Texas-based Excel Telecommunications, Inc. for allegedly engaging in "slamming," in which a consumer's long distance telephone company is switched without authorization. Excel is a long distance telephone service provider.

The Attorney General's office has received numerous slamming complaints regarding Excel.

The allegations in the complaint include:

1. Excel failed to inform consumers that it would be switching the customer's long distance carrier from the consumer's preferred long distance carrier to Excel.
2. Excel failed to inform local telephone companies that it did not have authorization from the consumer to switch his long distance carrier.
3. Excel submitted requests to local telephone companies to switch consumers' long distance provider with invalid authorizations.

The complaint seeks an order from the court prohibiting Excel from engaging in such practices, as well as civil penalties provided in the Nevada Deceptive Trade Practices Act. If Excel is proven to have engaged in the alleged deceptive trade practices, the company could be subject to penalties of up to \$2,500.00 for each violation.

For more information on how you can help prevent the illegal practices of cramming and/or slamming, check out the Attorney General's website at <http://ag.state.nv.us/>; click on "publications," then on

"consumer issues," or call the Attorney General's office at (775) 684-1100.

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CONTACT: Tracey J. Brierly
May 3, 1999
(702) 486-3128

**ATTORNEY GENERAL ANNOUNCES SECOND SWEEP
TARGETING CREDIT REPAIR SCHEMES**

Attorney General Frankie Sue Del Papa announced today that the Bureau of Consumer Protection is taking part in a nationwide effort to combat fraudulent credit repair schemes by raising public awareness.

This is the second phase of the sweep dubbed "Operation New ID - Bad Idea," which is targeting credit repair fraud this year. As part of a multi-state effort, the Bureau surfed the Internet to find companies which offered "file segregation" credit repair services. The companies claim they can improve consumers' credit histories, credit records, or credit ratings by assisting them in segregating their credit files, and then establishing "new" credit profiles with credit bureaus. The companies advocate that consumers obtain an Employer Identification Number ("EIN") or a Taxpayer Identification Number ("TIN") from the Internal Revenue Service, and then use these numbers in place of their Social Security number on credit applications. The companies almost always claim that these types of file segregation practices are legal in order to entice unknowing consumers to purchase their products and services.

As part of the first phase of the sweep completed on February 2, 1999, the Bureau filed federal lawsuits against two Las Vegas individuals and their corporations. Aretta Coffelt and her company, C & A Adventures, and David Walter Hulet, Jr. and his company, E-Z Technologies, Inc., LLC., were sued in U.S. District Court for violations of the federal Credit Repair Organizations Act and Nevada Deceptive Trade Practices Act, in connection with their offer and sale of "file segregation" credit repair services on the Internet.

"The fact is, consumers cannot legally alter their identifications to conceal adverse credit information with the intent to defraud a prospective creditor," Del Papa said. "Consumers need to be aware of the fact that use of methods allegedly promoted by these defendants may subject them to prosecution for violations of both state and federal criminal law."

According to the complaint filed by the Bureau, defendant Coffelt encouraged consumers to create a new credit file by fabricating a business, registering a "DBA" (Doing Business As), and then using the DBA to open checking accounts, and to contact commercial credit reporting agencies to track the fraudulent accounts.

In the complaint filed against defendant Hulet and his company, the Bureau alleges that, in addition to the use of an EIN, Hulet wrongfully advised that consumers could legally use an altered or fabricated social security number for banking and credit purposes.

Both complaints ask the Court to permanently enjoin the defendants from violating the federal Credit Repair Organizations Act and the Nevada Deceptive Trade Practices Act, and to order defendants to pay restitution to victims living in Nevada. The Court may also order the defendants to pay civil penalties of up to \$2,500.00 for each willful violation of the Nevada Deceptive Trade Practices Act.

Both phases of "Operation New ID - Bad IDEa" have been a joint effort of the Federal Trade Commission and 21 state attorneys general, including Nevada's. The second part of the sweep coincides with the first day of Law Week, which runs May 3-9.

CONSUMER TIPS

To help Nevadans avoid becoming victims of similar scams, the Attorney General's Bureau of Consumer Protection offers the following consumer awareness tips:

- Beware of companies that want you to pay for credit repair services before such services are provided.
- Beware of companies that do not inform you of your legal rights and what you can do by yourself for free.
- Be advised that accurate, non-obsolete information cannot be removed from your credit report.
- Beware of credit repair companies that advocate that you try to create a "new" credit report by applying for an EIN, TIN or new Social Security Number.
- All credit repair companies that offer credit repair services in Nevada must be registered with the Consumer Affairs Division (CAD) of the State Department of Business and Industry. You can reach CAD at (800) 326-5202, or in Las Vegas at (702) 486-7355.

Persons who believe they have been victims of these or other credit repair scams should contact the Attorney General's Bureau of Consumer Protection. In Las Vegas call (702) 486-3420; in Reno call (775) 688-1818, and in Carson City call (775) 687-6300.

Consumer Protection information and complaint forms are also available on the Attorney General's website: <http://ag.state.nv.us/>

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CONTACT: Steve George

May 3, 1999

(775) 684-1114

ATTORNEY GENERAL ADDRESSES "DATE-RAPE" DRUGS ISSUE

Attorney General Frankie Sue Del Papa recently participated in a roundtable discussion on the proliferation of so-called "Date-Rape" drugs while attending the National Association of Attorneys General spring meeting in Washington D.C.

The Attorney General's office has sent a brochure, "A Guide To Protecting Yourself From Date-Rape Drugs," to all Nevada junior highs and high schools, U.N.L.V., U.N.R., the various community colleges, and all pharmacy owners in the State. It can also be found on the Attorney General's website at www.state.nv.us/ag/; click on "publications," and then on "other" to find it. The brochure describes the three main drugs that are being used by potential rapists, and offers tips on how to best avoid becoming a victim.

In a letter that accompanied the brochure, Del Papa asks college student body officers and school administrators to look over the information and think about what plans can be formulated to combat this problem. Del Papa will host several meetings in the fall with those groups to discuss a plan of action against the proliferation of date-rape drugs.

There are presently three date rape drugs that are being targeted by law enforcement agencies around the nation:

ROHYPNOL (row-HIP-nawl); also known as "Roofies"

GHB (chemical name "gamma hydroxybutyrate acid"); also known as "Grievous Bodily Harm," "Easy Lay," "Liquid G," or "G"

KETAMINE (KEET-ah-MEAN, or, ket-ah-MEAN); also known as "Special K," "Vitamin K," "K," and "CAT"

It is illegal in the United States to possess either Rohypnol or GHB for personal use. But because Rohypnol is legal in Mexico and Canada, it is reportedly being smuggled into the United States. Ketamine is an anesthetic legitimately used by veterinarians as an animal tranquilizer.

In 1997, the State Legislature made it a felony in Nevada to possess, use or sell Rohypnol and/or GHB.

Rohypnol comes in tablet form and may be slipped into someone's drink. GHB is a chemical compound that is often made in someone's home using easily purchased materials and an oven. The recipe for making GHB is readily available on the Internet. Ketamine is marketed in liquid, powder, or capsule form. Ketamine produces PCP or LSD-like effects.

Of the three drugs, GHB is the most dangerous in several respects:

- Because the recipe calls for paint thinner as one of the ingredients, GHB is both a threat as a date rape drug and is also highly combustible and can cause an explosion and resulting fire.
- GHB can more easily be masked in someone's drink since it is a colorless, odorless liquid that looks like water.
- Whereas Rohypnol comes in a measured form (tablet), the dosage of GHB someone can be exposed to varies according to the maker. One amount can cause euphoria and sexual arousal, but a little more can cause epileptic-type seizures, and just a little more can cause coma and death.
- GHB erases the victim's memory, so after someone has been assaulted, they may not be able to remember any of the details about their assailant or the assault.
- Unless an emergency room knows to test for GHB specifically, it will not be found, and thus the assailant can often claim that the sex was consensual.

NOTE: GHB has a slightly salty taste

NOTE: The makers of Rohypnol are now manufacturing the drug with a blue dye that instantly dissolves in a drink, discoloring the liquid in which the drug was placed

The Attorney General's office offers the following suggestions to avoid becoming a victim of a date rape drug:

- **ALWAYS KNOW WHAT YOU ARE DRINKING.** If you are drinking a bottled beverage, watch it being opened or open it yourself. If you are drinking mixed drinks, make it yourself or watch it being made.
- **DRINK WITH A FRIEND.** Women especially should always have a friend looking out for

them. It is much more difficult to victimize a pair of women than a single woman.

- **PASS ON THE PUNCH BOWL.** Date rape drugs are more easily masked in a bowl, carton or an open bottle.
- **DON'T DO SHOTS.** Strong-tasting shooters that are downed quickly mask GHB's slightly salty flavor.
- **HOLD ON TO YOUR DRINK.** Once you have your drink, don't let it leave your hand until you've finished it. A potential rapist needs only a millisecond to place a date rape drug in your drink.
- **IF SOMEONE PASSES OUT, GET MEDICAL ASSISTANCE IMMEDIATELY!**
- **TEST FOR GHB.** Rape Crisis Centers and emergency rooms should routinely test for GHB. Because it leaves the blood stream so fast, quick testing is essential. Rohypnol stays in the blood longer and will show up in many drug screens.

If you've been the victim of a sexual assault, you're urged to call police and report the crime. You can also seek counseling and assistance from the following organizations:

Carson City; S.A.R.A. (Sexual Assault Response Advocate) at 775-883-7654

Las Vegas; C.A.A.R. (Community Action Against Rape) at 702-385-2153

Reno; Crisis Care Center at 775-784-8090

Elko; The Committee To End Domestic Violence at 775-738-9454

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE

CONTACT: John Albrecht

May 3, 1999

(775) 688-1872

**NEWS CONFERENCE WILL HIGHLIGHT ANTI-TOBACCO
BILLBOARDS**

Attorney General Frankie Sue Del Papa will be in Las Vegas on Wednesday, May 5th, to unveil one of the anti-tobacco/pro-health billboards being placed around the city and state. A news conference will take place at:

The intersection of Las Vegas Blvd. and Spring Mountain Rd. (across from the Fashion Show Mall) at 11:30 AM

****one of the billboards will have been placed, or will be in the process of being put up****

Billboards that used to illustrate the pleasures of smoking have come down across the United States, including Nevada, and are being replaced by messages that advertise the dangers of tobacco. The switch is the result of a provision of the Master Settlement Agreement (MSA) signed by state Attorneys General and the major tobacco manufacturers. Under terms of the MSA, tobacco manufacturers were required to stop advertising on outdoor billboards as of April 22, 1999. If leases ran longer than that date, the Attorney General of that particular state could arrange alternative anti-tobacco/pro-health advertising.

In Nevada, nine billboards in Las Vegas, one in Reno, and another in Elko will be used to deliver anti-tobacco messages through mid-January, 2000. Three of these billboards will appear on Las Vegas Boulevard--one at the intersection of Sahara, another at the intersection of Spring Mountain Road, and the third at the intersection of Main Street. The billboards on the Las Vegas Strip are leased at a cost of \$10,000 to \$15,000 per month, while the other billboard locations lease for between \$1500 to \$3500 per month. The total value of one month of lease time comes to \$53,000. The eight month lease period in which the billboards will be up comes to a total of \$424,000, all of which will be paid for by the tobacco manufacturers per the MSA. Across the nation, it is estimated more than 3,000 anti-tobacco billboards worth more than \$100,000,000 will be posted.

Four of the billboards located in Nevada feature a design which includes a depiction of the so-called Marlboro man. On the billboard, one cowboy states to another, "Bob, I've got emphysema." A second billboard has a man asking, "Mind if I smoke?" and a woman replying, "Care if I die?" A third design reminds retailers not to sell tobacco products to children. Finally, one warns that 300,000 kids become ill from second-hand smoke every year.

"This is one more step we are taking to discourage children from smoking," Attorney General Frankie Sue Del Papa said. "Outdoor billboards have long been an effective way to promote smoking. Now, thanks to the settlement agreement we reached with the tobacco manufacturers, we have some additional resources to discourage young people from using tobacco products."

Nevada was the 29th out of 40 states to file a tobacco reimbursement lawsuit against the tobacco companies. In all, 46 states, the District of Columbia, and several territories signed the MSA. Under the settlement announced last fall, Nevada will receive a total of \$1.2 billion.

For more information on tobacco product restrictions that came about as a result of the MSA, check out the Attorney General's website at <http://ag.state.nv.us/>

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FOR IMMEDIATE RELEASE

CONTACT: Matthew Gabe

June 28, 1999

(702) 486-3793

FRAUD VICTIMS WILL RECEIVE RESTITUTION

Attorney General Frankie Sue Del Papa announced today that the office's Bureau of Consumer Protection (BCP) has successfully recovered \$545,710 in restitution that will be returned to more than 200 fraud victims.

According to a Civil Complaint filed by the BCP, Infinity Capital Group, BBDS Alliance, James Ivy Dean of Texas, and Anthony Burton and Sanford Lowell Campbell of California sold investments known as the "United Foundation for Life Enhancement Programs." The complaint alleges that the defendants misrepresented to potential investors in the United States and Canada that in return for a minimum investment of \$1,000, the investors would receive a return of \$60,000 over a three-month period.

The BCP alleges that the defendants made misrepresentations and failed to disclose material facts when promoting the investments. The complaint further alleges the defendants failed to comply with state laws requiring the registration of the securities and licensing of the individuals as broker-dealers and/or sales representatives.

Prior to filing the complaint, the Attorney General's office executed a search and seizure warrant of the defendants' bank accounts where the proceeds of the investment scheme had been deposited. The seized funds will be disbursed to the investors as part of a Consent Judgment and Stipulation that has been entered into between the state and the defendants.

Persons who believe they have been victims of securities fraud are encouraged to contact the Nevada Secretary of State's Securities Division at (702) 486-2440. Consumer protection information and complaint forms can be found on the Attorney General's website at: <http://ag.state.nv.us/>

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FOR IMMEDIATE RELEASE

CONTACT: Steve George

June 25, 1999

(775) 684-1114

**NEVADA HOSTS FOUR-STATE CONFERENCE FOCUSING
ON PREVENTING TEEN PREGNANCY**

Attorney General Frankie Sue Del Papa and the National Campaign to Prevent Teen Pregnancy will host the first in a series of regional meetings focused on supporting and stimulating additional work in preventing teen pregnancy at the state and local level. The Getting Organized conference will take place June 28-30 at the Silver Legacy in Reno, Nevada. Representatives from California, Arizona, New Mexico and Nevada will be in attendance.

The objectives of the regional conferences will comply with basic tenets of the National Campaign, including: involving states and communities in the process; making sure that everyone's efforts are based on the best facts and research available; enlisting the help and support of the media; and attracting new and powerful voices to this issue

During the Reno conference, *Get Organized: A Guide for Preventing Teen Pregnancy*, will be made available for the first time. The guide is a three-volume, 17-chapter publication developed by the National Campaign and the U.S. Department of Health and Human Services. The guide will be released to the general public in mid-July, but Reno conference participants, including the media, will be the first to see and receive the guide.

On Tuesday, June 29, Del Papa will conduct a news conference to further outline the goals of the regional meetings and of the *Get Organized Guide*. The news conference will take place at:

**THE SILVER LEGACY
CATCH A RISING STAR SHOWROOM
11:30 am**

During the conference, several topics will be discussed, including: promising approaches to teen

pregnancy prevention; how to enlist and involve new leaders; and how to better work with the media on this important issue. Another major theme of the conference will be working with Hispanic/Latino populations. Latina teens currently have the highest teen birth rate among racial/ethnic groups in the United States.

Although teen pregnancy and birth rates across the nation have recently been in decline, the U.S. still has the highest rates of teen pregnancy and birth of any industrialized nation. Four out of ten girls become pregnant in the U.S. at least once by the age of twenty. Nevada currently has the highest teen pregnancy rate in the nation. California, Arizona and New Mexico are also in the top ten.

"The consequences of teenage pregnancy are often serious," Del Papa said. "The public is deeply concerned about how our families function, and what can be done to prevent this significant problem. More than one million teenage girls in the U.S. become pregnant each year. Unfortunately, Nevada has the highest teen pregnancy rate in the nation. On any given day in Nevada, 13 girls become pregnant, five of whom are 10-17 years old."

In 1995, Del Papa's office worked with the State Health Division on an Action Plan responding to Nevada's teen pregnancy rate. Data released by the Nevada State Health Division indicates progress is being made toward the goal of reducing pregnancies among girls ages 15-17.

As part of Nevada's Action Plan, more than 30 Community Action Teams have been formed, with each group looking for strategies and programs to combat teenage pregnancy in their community.

"This is an issue of great public concern as the consequences of teenage pregnancy and child-bearing contribute to many of society's enduring social problems," Del Papa said. "Although there are differences of opinion on how to approach reducing the teenage pregnancy rate, the National Campaign seeks more constructive dialogue on the part of the public, as well as finding more effective ways of working with teenagers to help them understand the importance of delaying pregnancy and child-bearing until they are truly ready for parenthood. We are always interested in adding more partners in the battle to reduce our teen pregnancy rate. One thing we know for sure, there is not one solution that works for everyone."

The National Campaign to Prevent Teen Pregnancy was established in 1996 as an independent nonprofit initiative. It is funded by three major foundations: The Carnegie Corporation of New York, the Robert Wood Johnson Foundation; and an anonymous private foundation.

You can find more information on teen pregnancy and what can be done to combat it at: www.teenpregnancy.org, or on the Attorney General's website at: <http://ag.state.nv.us/>

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FOR IMMEDIATE RELEASE

CONTACT: Marta Adams

June 24, 1999

(775) 684-1237

**GOVERNOR AND ATTORNEY GENERAL SEEK TOUGHER
PROTECTIONS
AGAINST NUCLEAR WASTE TERRORISM**

On behalf of Nevada Governor Kenny Guinn, Attorney General Frankie Sue Del Papa today filed a petition with the U.S. Nuclear Regulatory Commission asking that the existing regulations governing the security and safety of spent nuclear fuel transportation be reexamined and strengthened. Specifically, the petition seeks to have the NRC reevaluate its requirements for safeguarding spent fuel shipments in light of the changing nature of threats involving domestic terrorism and sabotage, including the greater accessibility of new and powerful armor piercing weapons.

"It has been nearly two decades since the Commission reviewed the regulations designed to ensure the physical protection of spent fuel shipments, and we believe that many of the assumptions these rules are based upon no longer reflect real world conditions", explained Del Papa.

The Nuclear Regulatory Commission has the responsibility, under federal law, to certify that shipping containers and other elements of the transportation system used to ship spent nuclear fuel and high level radioactive waste on highways and railroads can, in fact, protect the public and the environment from the very real and evolving threat of attacks by terrorists. These rules have not been revised since the 1970s and do not take into account the availability of modern weapons and delivery systems that could be used by terrorists and others not only on the shipments themselves, but also on bridges, tunnels and rail lines throughout the country.

In addition, the U.S. Department of Energy and commercial shipping container manufacturers are striving to place larger payloads (a four-fold increase in the amount of spent fuel) in nuclear waste shipping casks in order to reduce the number of shipments required. However, the use of these new, larger casks may result in weaker containers due to the need to meet legal weight restrictions for use on highways and rail lines, thereby making shipments even more vulnerable to attack.

Del Papa pointed out that the purpose of the petition is to encourage the NRC to conduct needed risk and consequence assessments of existing safeguards and security regulations to determine if changes need to be made, publish new proposed rules for public comment, and ultimately make necessary modifications to the rules.

"I would encourage other states, local governments, Indian tribes, and public interest groups concerned about the security and safety of nuclear materials transportation to join with us in this rulemaking process. In our opinion the current regulations expose the public - not just in Nevada, but in almost every state in the country - to potentially unacceptable levels of risk when it comes to the transportation of highly radioactive materials."

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CONTACT: Dale Liebherr

June 23, 1999

(775) 684-1152

PRISON ESCAPEE APPREHENDED

Attorney General Frankie Sue Del Papa announced today that investigators from her office have successfully apprehended Jeffrey W. Burk, who escaped from Carlin Conservation camp located in Carlin, Nevada in 1993 while serving a four-year sentence for Burglary.

The investigators, working in cooperation with local law enforcement officers in Redding, California, were able to arrest Burk at his residence without incident. Burk waived extradition and has been transported back to Nevada to serve out his sentence. The investigators from the Attorney General's office utilized newly obtained computer technology to locate Burk.

"It is through advanced technology and the cooperative and collaborative efforts of law enforcement agencies throughout the United States that help make the apprehension of escapees possible," Del Papa said. The Attorney General's office is responsible for the apprehension of all Nevada escaped prisoners.

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**FOR IMMEDIATE RELEASE
CONTACT: JANE FEMIANO
June 23, 1999
(702) 486-3789**

FRAUDULENT CANADIAN SOLICITATIONS ON THE RISE

Attorney General Frankie Sue Del Papa is warning consumers to not fall prey to promises being advertised in Nevada newspapers by fraudulent Canadian loan companies. The ads promise cash prizes or loans if the consumer pre-pays Canadian taxes or other fees.

The Attorney General's Bureau of Consumer Protection (BCP), which has primary jurisdiction over deceptive telemarketing practices, has recently received numerous complaints regarding this type of scam. The BCP has heard from several consumers who responded to loan company advertisements, paid the loan fees, but never received the promised funds. These solicitors prey on unwary consumers by promising cash and providing reasonable explanations for why the consumer must pay money before receiving the prize or loan.

"When in doubt, please check out an organization which solicits you before sending them any money or information," Del Papa said. "Legitimate sweepstakes and loan companies generally do not require money before awarding prizes. If they do, that amount is usually subtracted from the loan amount before disbursement to the borrower."

The BCP offers these tips if you receive a phone solicitation informing you that you have won a sweepstakes: ask questions until you are comfortable that the call is legitimate; check out a loan company before doing business; verify the information through other sources; or simply hang up on the solicitor if the offer seems too good to be true.

If you feel you have been a victim of telemarketing fraud, contact the Attorney General's Bureau of Consumer Protection in Northern Nevada at (775) 688-1818, or in Southern Nevada at (702) 486-3194. Complaint forms and consumer protection information can be found from the Attorney General's website at: <http://ag.state.nv.us/>

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FOR IMMEDIATE RELEASE
CONTACT: Kathleen Marshall
June 22, 1999
(775) 688-1960

**ATTORNEY GENERAL OBTAINS BETTER DEAL FOR LAS VEGAS
CONSUMERS**

Attorney General Frankie Sue Del Papa announced at a news conference in Las Vegas today that her office has reached an agreement with two grocery store chains, which will result in better competition in the marketplace. Albertson's and American Stores, d/b/a Lucky's, each hold a significant share of the grocery retail market in the Las Vegas metropolitan area. On August 2, 1998 Albertson's and Lucky's entered into a merger agreement. That prompted an investigation by the Antitrust Unit of the Nevada Attorney General's Office to find out how that merger might affect competition and grocery prices in Las Vegas. Under terms of the agreement announced today as a result of that investigation, Albertson's will divest all nineteen of its existing stores in the Las Vegas metropolitan area, as well as one future store site, while acquiring all existing Las Vegas-area Lucky's stores. The Albertson's stores and future site will in turn be acquired by Raley's, a northern California-based grocery chain, which currently operates 14 stores in northern Nevada.

The retail grocery market in metropolitan Las Vegas is highly concentrated. Without the divestiture of all existing Albertson's stores, a merger between Albertson's and Lucky's in Las Vegas would have significantly increased market concentration and substantially lessened competition in the area. By requiring this divestiture, the Nevada Attorney General's Office has effectively helped increase competition in the Las Vegas area.

"The price of groceries affects everyone," Del Papa said. "We want to insure that consumers are offered fair prices at the grocery store, and robust competition is one of the best ways to guarantee that. By divesting all nineteen Albertson's stores to a new competitor, the Las Vegas market will maintain its current level of competition and diversity among grocery stores. We think this is a good deal for consumers and the business community."

The Antitrust Unit worked in cooperation with the Federal Trade Commission in its investigation of the

merger. They also partnered with the Attorneys General of California and New Mexico, where overlap of competition would also have existed due to the merger, in reaching an agreement with Albertson's. Senior Deputy Attorney General Kathleen Marshall of the newly formed Antitrust Unit, who handled this case for the Nevada Attorney General's office, can be reached at (775) 688-1960.

Raley's expects to open the stores they have acquired by mid-September. You may contact Raley's at (916) 373-6211. Roberta West, President of the United Food and Commercial Workers Union, Local 711, can be reached at (702) 648-7677.

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CONTACT: Steve George

June 18, 1998

(775) 684-1114

**"UPBEAT" PARENTS RECOGNIZED FOR THEIR SUPPORT TO
CHILDREN**

In honor of Father's Day, the Attorney General's office and the Nevada Division of Child Support Enforcement would like to recognize and publicly thank those non-custodial parents who make sure they keep up with their duty to provide for their children through support payments. As in years past, it is important to publicize the fact that many absentee parents do meet their child support obligations.

One such "upbeat" parent, Mark Andrews from Humboldt County, summed it up this way, "You have to take responsibility for your own children. It is very important that both parents take an active role in their children's lives. Raising children is a hard enough job for two parents, let alone a single parent."

Douglas Mean, also from Humboldt County, puts it rather poetically. "Fifteen years ago, I helped bring a perfect little girl into a not so perfect world. But I knew from the start that no matter what her Mom and I did, I was going to be a stable part of my daughter's life. My little girl soon left, but I didn't stop loving her, or try to get out of my responsibility. Now she's older and the time and money are paying off. She calls me and asks for my help and advice, things that make me feel like the parent I need to be regardless of where or who she lives with. She will always be my child, and I will always love her. I'll keep working hard to keep her love and respect by being the best friend and Father to her that I can be."

"Besides supporting a child financially, it is important to stay emotionally connected by remaining a part of their life," Attorney General Frankie Sue Del Papa said. "Parents need to remember it is their spouse that they have divorced, not their children. Children can bear many scars from a divorce, including sometimes feeling that it is their fault that their parents have split up. By taking part in your child's life, both financially and emotionally, you can help heal those scars."

The staff of the Attorney General's office and the State Child Support Enforcement Program salute those non-custodial parents who have maintained a valuable connection with their children, and whose

children remain a priority in their lives.

A brochure entitled, "Tips for Collecting Child Support and Working with the Child Support Enforcement Program," is available from the Attorney General's office. The brochure offers advice on how to collect child support, explains how child support is enforced in Nevada, and outlines who is eligible to receive child support Spanish language copies of this brochure are also available. To obtain a copy, call the Attorney General's office in Las Vegas at (702) 486-3420, in Reno at (775) 688-1818, or in Carson City at (775) 684-1100.

The following is a list of "upbeat" parents from throughout the state. The names were provided by Child Support Enforcement programs within County District Attorney offices. Each person listed has given their permission to publicize his/her name.

WHATEVER YOUR NEWS AGENCY CAN DO TO HELP WITH THE PUBLIC ACKNOWLEDGMENT OF THESE INDIVIDUALS AND THE IMPORTANT ROLE THEY PLAY ON BEHALF OF THEIR CHILDREN WOULD BE APPRECIATED.

PARENT - COUNTY/TOWN

RONALD LEE FISHER, JR. - ELKO

SCOTT BAUERS - ELKO

RAYMOND A. COSTA - ELKO

ROBERT CLEVELAND - ELKO

CARL MITCHELL HARMAN - ELKO

MITCHELL MATOVINA - ELKO COUNTY

SCOTT A. ROGERS - ELKO COUNTY

ANTHONY EVERTS - ELKO COUNTY

RENTERIA, JOSEPH JAMES - ELKO COUNTY (SPRING CREEK)

MARK ANDREWS - HUMBOLDT COUNTY

DOUGLAS MEANS - HUMBOLDT COUNTY

ELIAS MANZO - HUMBOLDT COUNTY

DAVID HALL - LYON COUNTY

JERALD WEBB - LYON COUNTY

JUVENAL PINEDA - LYON COUNTY

ERNEST TULLER - LYON COUNTY

TIM FITZPATRICK - LYON COUNTY

BOYD DANKS - LYON COUNTY

RICHARD REYMERS - LYON COUNTY

JESUS "JESSE" JUIZ - LYON COUNTY

STEVE ATEN - LYON COUNTY

DON BARTLETT - LYON COUNTY

RICHARD HANLEY - LYON COUNTY

BRENT JONES - LYON COUNTY

KEVIN CHISM - LYON COUNTY

RICKY HASTIN - LYON COUNTY

HOWARD HILL - LYON COUNTY

FRANCISCO OVIES - LYON COUNTY

MIKE SEAL - LYON COUNTY

JOSE GUTIERREZ - LYON COUNTY

CHARLES MAYNARD - LYON COUNTY

STEVEN LEE - LYON COUNTY

DANIEL CALLIN - NYE COUNTY (SILVERPEAK)

IVAN BROWN - NYE COUNTY (ROUND MOUNTAIN)

SCOT F. GALVIN - NYE COUNTY (BEATTY)

RAYMOND ALONZO - NYE COUNTY (PAHRUMP)

DAVID WOLVINTON - NYE COUNTY (PAHRUMP)

JOSE ZUBIA - NYE COUNTY (TONOPAH)

JAMES DEYOE - NYE COUNTY (TONOPAH)

DOUGLAS BAKER - NYE COUNTY (TONOPAH)

DAVID HAMILTON - NYE COUNTY (TONOPAH)

GLENN KENNEDY - NYE COUNTY (AMARGOSA VALLEY)

ALAN PETTIS - NYE COUNTY (TONOPAH)

BENJAMIN SCHIBI - NYE COUNTY (PAHRUMP)

CURTIS POTTS - NYE COUNTY (TONOPAH)

ANTHONY ANDERSON - PERSHING COUNTY (LOVELOCK)

LORI CHOAT - PERSHING COUNTY (LOVELOCK)

CURTIS SIEKERT - PERSHING COUNTY (LOVELOCK)

WILLIAM STEVENS - CLARK COUNTY (LAS VEGAS)

JAMES REDMOND - CLARK COUNTY (HENDERSON)

DANA ALLEY - CLARK COUNTY (LAS VEGAS)

JERRY ENGLEHART - CLARK COUNTY (LAS VEGAS)

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FOR MORE INFORMATION

CONTACT: John Albrecht

June 17, 1999

(775) 688-1872

**ATTORNEY GENERAL TO RECEIVE ADDITIONAL FUNDING TO
CONDUCT
OVER-THE-COUNTER YOUTH TOBACCO BUY STINGS**

Attorney General Frankie Sue Del Papa announced today that her office has signed a new contract with the U.S. Food and Drug Administration (FDA) to continue conducting over-the-counter sting operations of businesses which sell tobacco. The stings are intended to make sure the businesses are in compliance with federal regulations prohibiting the sale of tobacco to children. Under terms of the new contract, the FDA will pay the Nevada Attorney General's office \$242,920 over the next year to conduct some 300 inspections per month.

"We are very pleased to work in cooperation with the FDA in conducting these inspections, which are intended to better protect children," Del Papa said. "We also want to make sure we are treating Nevada tobacco retailers fairly and consistently."

The stings are conducted with the aid of a person under the age of 18 who is supervised by an adult investigator. The underage minor enters a store and attempts to buy a product such as cigarettes or smokeless tobacco. The young person is required to tell the truth if asked how old he or she is. If a tobacco product is sold to the young person, the store initially receives only a warning by the FDA. A second violation is subject to a fine of \$250. If a store commits multiple violations, the fine can increase to as much as \$10,000.

Since 1995, the Attorney General's office has conducted inspections of retail locations that sell tobacco. The youth buy rate, or the percentage of times underage youths are able to buy tobacco products, has dropped from 63% in 1994 to 16.8% in a study conducted in September, 1998. According to a Youth Risk Behavior Survey conducted by the Nevada Department of Education, tobacco use by Nevada youths under the age of 18 has also begun to decrease.

For more information on how the Attorney General has been working to curtail the youth buy rate in Nevada, visit the office's website at: <http://ag.state.nv.us/>. Brochures addressing the Master Settlement Agreement and its stipulations on tobacco product advertising are available from the Attorney General's office by calling (775) 684-1100, or can be found on the office's website.

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FOR IMMEDIATE RELEASE

CONTACT: Pam Roberts

June 17, 1999

688-1870

**FEDERAL GRANT AWARDED TO NEVADA TO COMBAT
MEDICARE FRAUD AND WASTE**

Attorney General Frankie Sue Del Papa and Carla Sloan, Administrator for Division of Aging Services, announced today that Nevada has been awarded a three-year federal grant totaling \$410,000 from the U. S. Administration on Aging (AoA). At a news conference in Washington D.C. this morning, Health and Human Services Secretary Donna Shalala, Assistant Secretary Jeanette Takamura and U.S. Senator Tom Harkin announced the selection of Nevada's Project SNAG as one of 34 new projects that will receive federal funding. The AoA held a competition to determine grant awards for model projects that demonstrate effective ways of utilizing retired persons as volunteer expert resources and educators in community efforts to better prevent health care waste, fraud and abuse.

Project SNAG (Senior Nevada Advocates on Guard) is a joint undertaking by the Attorney General's Office and the Division for Aging Services. The Department of Human Resources, Division for Aging Services submitted an application in March, 1999, detailing a three-year plan of action. The Attorney General's Office will administer Project SNAG through an interlocal agreement with the Division for Aging Services. Other partners in Project SNAG include the American Association of Retired Persons (AARP), who will assist in recruiting senior volunteers, the Attorney General's Medicaid Fraud Control Unit, and the U.S. Attorney's Office.

Project SNAG will recruit, train and place senior volunteers throughout the state who will assist seniors in better understanding their Medicare statements, along with assisting seniors with billing problems that may be contributing to millions of dollars of Medicare waste, fraud and abuse. A public information campaign to urge Medicare beneficiaries to review their Medicare statements will also be initiated.

The anticipated start up date for Project SNAG is July 1, 1999. During the first year of the grant, Project SNAG will place 25 volunteers in Southern Nevada. The second year, 25 volunteers will be trained to work in Northern Nevada. In the third year, ten additional volunteers will be recruited to work in

Nevada's rural communities.

Del Papa says the Project SNAG grant award will be a great benefit to the citizens of Nevada. "Our office has a history of successful partnerships with the Division for Aging Services that help protect our ever growing senior population. Project SNAG will provide an excellent opportunity for our Medicaid Fraud Control Unit to work jointly with the Division of Aging Services and the U.S. Attorney's Office in the battle against Health Care Fraud - which effects all Nevadans, not just our seniors."

"We are very excited about working closely with AARP to find and train senior volunteers who will play a critical role in implementing this endeavor," Sloan said. "We also look forward to coordinating efforts with the Attorney General's office and the U.S. Attorney's office in making Project SNAG work effectively to address the needs of our seniors."

Information on the Attorney General's Medicaid Fraud Control Unit can be found on the office's website at: <http://ag.state.nv.us/>. Brochures addressing Medicaid Fraud are available by calling (775) 684-1100. If you suspect Medicaid Fraud, call the Attorney General's Medicaid Fraud Control Unit at (775) 687-4704.

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CONTACT: Jane Femiano

June 16, 1999

(702) 486-3789

**NEVADA ATTORNEY GENERAL ASSISTS CANADIAN POLICE IN
SHUTDOWN OF TELEMARKETING SCHEME**

The Attorney General's Bureau of Consumer Protection assisted Canadian authorities in shutting down a telemarketing scheme that was operating out of Toronto, but was victimizing American citizens. The Toronto Police Service took action on June 15 by closing down Starrline Traders, a loan company that was placing ads in the United States which offered consolidation loans. It is alleged that Starrline Traders requested an up front fee, and then did not honor the loan. Victims were told they were approved for loans and to send money by courier to a Las Vegas address. That mail was then forwarded to a Toronto address on a weekly basis.

Canadian authorities requested the assistance of the Bureau of Consumer Protection in their investigation of the company. "We believe that more and more fraudulent telemarketers are setting up business in Canada to try and avoid US laws," Del Papa said. "Fraudulent telemarketers continue to target U.S. citizens. The cooperative efforts of Canadian and U.S. authorities is necessary to combat cross-border telemarketing scams."

The Bureau of Consumer Protection recommends that consumers ignore any solicitation that requires an advance fee in exchange for a guaranteed loan. Consumers should also never give credit card information, bank account numbers, or Social Security numbers to someone over the telephone without being familiar with the company and understanding why that information is necessary.

"Legitimate lenders rarely guarantee an extension of credit before evaluating a consumer's creditworthiness," Del Papa said. "It is also against state and federal law for a lender to require payments in advance of performing services."

As in all criminal cases, the charges against the defendants are merely accusations. The defendants should be considered innocent until or unless proven guilty in court.

If you suspect possible advance fee loan fraud, please send a written complaint to the Consumer Affairs Division of the State of Nevada's Department of Business and Industry, 1850 E. Sahara Ave., Suite 101, Las Vegas, NV 89104. Consumer protection information can be found on the Attorney General's website at: <http://ag.state.nv.us/>

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE

CONTACT: Steve George

June 15, 1999

(775) 684-1114

WORKPLACE DOMESTIC VIOLENCE INITIATIVE UNVEILED

Attorney General Frankie Sue Del Papa and Employers Insurance Company of Nevada Chief Executive Officer Douglas Dirks were joined today by several business leaders, public officials, and members of the Nevada Domestic Violence Council, to unveil a new Workplace Domestic Violence Initiative. At news conferences in Reno and Las Vegas, a plan developed at the national level by the National Association of Attorneys General (NAAG) for use by individual states was introduced.

Del Papa and Dirks also released plans for a workplace domestic violence initiative that is being set up in Nevada, in which Employers Insurance will offer to assist companies through its Loss Prevention program and on-site safety evaluations.

Del Papa who co-chairs, with Utah Attorney General Jan Graham, NAAG's Committee on the Prevention of Domestic Violence, released a new brochure entitled, "Domestic Violence: Improving Your Business's Response," which is a public/private partnership that includes a number of top employers throughout the nation. The brochure includes a Checklist of Strategies aimed at helping businesses better protect their employees, their customers, and themselves from the adverse effects of domestic violence in the workplace. Those strategies include:

- Developing and carrying out management training
- Developing an educational plan for employees
- Making changes to improve security
- Providing counseling and/or referrals
- Developing policies that address domestic violence
- Developing strategies that connect a business's response to a larger community-based response

In 1990, the Bureau of National Affairs estimated that American businesses pay \$3 billion to \$5 billion annually in medical expenses associated with domestic violence.

"Domestic violence does not stay home when its victims go to work," Del Papa said. "Domestic violence is recognized today as having a tremendous impact on the workplace in terms of productivity, increased absenteeism, and the higher risk of violence taking place on the job. Statistics show very clearly how domestic violence has an effect not only on the individual being battered, but on the victim's employer."

A 1994 survey of Fortune 1000 senior executives found that:

- 66% said they believe their company's financial performance would benefit from addressing domestic violence among their employees
- 49% said domestic violence has a harmful effect on the company's productivity
- 44% said that domestic violence increases health care costs

"Domestic violence results in hundreds of millions of dollars in health care costs in the United States, much of which is paid for by employer benefits," Del Papa said. "It is estimated that American employees miss 175,000 days per year of paid work due to domestic violence."

In 1990, the Bureau of National Affairs estimated that American businesses pay \$3 billion to \$5 billion annually in medical expenses associated with domestic violence.

"Domestic violence affects management policies in safety planning, hiring, benefits, discipline and confidentiality, as well as productivity and welfare of employees," Dirks said. "Every Nevada employer should take positive steps to protect their businesses from this growing problem."

"Nevada now has fifteen major domestic violence organizations which sponsor counseling, prevention education and victim shelter programs," Del Papa said. "I urge employers to become as familiar as they can with these agencies and to take as proactive a stance as possible on domestic violence in the workplace. Everyone can make a difference and help save lives in Nevada, while at the same time better safeguarding their business."

Domestic Violence Resources

National Workplace Resource Center on Domestic Violence: (415) 252-8900

Nevada Network Against Domestic Violence: 1-800-230-1955

Nevada Domestic Violence Ombudsman: (775) 688-1846

Nevada Domestic Violence Prevention Council: www.state.nv.us/ndvpc

Nevada Attorney General's Website: <http://ag.state.nv.us/>

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FOR IMMEDIATE RELEASE

June 14, 1999

CONTACT: Steve George

(775) 684-1114

*****MEDIA ADVISORY*****

**NEWS CONFERENCE CONCERNING NEW WORKPLACE
DOMESTIC
VIOLENCE INITIATIVE WILL TAKE PLACE ON TUESDAY, JUNE
15TH**

News conferences will be held in Reno and Las Vegas on Tuesday, June 15th, regarding a new Workplace Domestic Violence Initiative. The program is being generated through the National Association of Attorneys General (NAAG) at the national level. Individual states are being encouraged to develop similar programs. Nevada Attorney General Frankie Sue Del Papa who co-chairs, with Utah Attorney General Jan Graham, NAAG's committee on the prevention of domestic violence, will be joined by several local business leaders and public officials in unveiling a new brochure and program entitled, **Domestic Violence: Improving Your Business's Response**, which outlines a public/private partnership that includes a number of top employers throughout the nation. The program also addresses how domestic violence impacts businesses in terms of productivity, increased absenteeism, and the higher risk of violence taking place on the job. The brochure includes several strategies aimed at helping businesses better protect their employees, their customers, and themselves from the adverse effects of domestic violence in the workplace. An initiative involving Nevada businesses will also be discussed.

LOCATION OF NEWS CONFERENCES ON TUESDAY, JUNE 15

RENO: 9:00 am

**CAAW (Committee To Aid Abused Women) Bldg.
1735 Vasser St. (between Harvard and Kietzke)
--in the front parking area--**

LAS VEGAS: 1:00 pm

HOTEL SAN REMO
115 E. TROPICANA
(in the Chateau II Room)

Refreshments will be served, courtesy of Employers Insurance Company of Nevada

For more information, please contact Steve George at (775) 684-1114.

[DOMESTIC VIOLENCE IN NEVADA - THE NEXT MILLENNIUM CONFERENCE](http://www.state.nv.us/ag/domestic_v/dv_mill.htm) (www.
state.nv.us/ag/domestic_v/dv_mill.htm).

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FOR IMMEDIATE RELEASE
CONTACT: John Albrecht
June 11, 1999
(775) 688-1872

**ATTORNEY GENERAL ASKS TOBACCO WHOLESALERS TO SET
UP ESCROW ACCOUNTS**

Attorney General Frankie Sue Del Papa has sent a letter to some sixty cigarette wholesalers asking them to begin to set up an escrow account for the purpose of saving funds to pay for the possible sale of "gray market" cigarettes (which are defined as those intended to be exported from the U.S.).

AB 667, proposed by the Attorney General and passed by the legislature, assures that cigarette manufacturers who did not sign the Master Settlement Agreement (MSA) with the state attorneys general would be required to set up an account in order to pay any later judgment obtained by the state against such a company. The escrow account is intended to cover the sale of gray market cigarettes after May 24, 1999. The account must be established no later than April 15, 2000. Non-MSA participating manufacturers are required to pay into the escrow account about one-cent per cigarette sold.

"AB 667 assures the State that it will be able to recover damages from non-participating manufacturers," Del Papa said. "This law gives Nevada the assurance that if gray marker cigarettes are not actually exported, but instead are sold in the U.S., the State may recover money from the wholesaler."

Manufacturers, including wholesalers who buy gray market cigarettes, may sign the Master Settlement Agreement and pay their fair share towards the State's costs of tobacco-related health care at any time.

A company that does not pay into an escrow account may face fines of up to three times the amount due. More than one violation can cause the wholesaler to be banned from selling cigarettes in Nevada.

Del Papa joined 46 other state attorneys general in signing the historic MSA with the Tobacco Industry in November, 1998. That settlement provided for \$206 billion to be paid by the Tobacco Industry to the settling states over the next 25 years. Nevada's share is about \$1.2 billion.

For more information on Nevada's settlement with the Tobacco Industry, visit the Attorney General's website at <http://ag.state.nv.us/>

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FOR IMMEDIATE RELEASE
CONTACT: Ann Zimmerman
June 11, 1999
(702) 486-3126

GRAND JURY INDICTS MESQUITE MAN ON FELONY CHARGES

Attorney General Frankie Sue Del Papa announced today the Clark County Grand Jury indictment of Dean A. Ward, age 46, of Mesquite, Nevada, on felony charges of Obtaining Money Under False Pretenses and Making False Statements To Obtain Benefits. The 16-count indictment alleges that the defendant was collecting disability benefits from the Employers Insurance Company of Nevada while employed as a dealer in a casino located in Mesquite. If convicted, Ward faces up to six years in prison on each count of Obtaining Money Under False Pretenses, and up to four years in prison on each count of Making False Statements To Obtain Benefits.

"Insurance fraud is aggressively pursued by the Insurance Fraud Unit," Del Papa said. "Each case of fraud that goes undetected and unchecked can result in higher premiums for Nevada consumers."

As in any criminal matter, the defendant is presumed innocent until or unless proven otherwise.

Individuals with information regarding possible worker's compensation fraud are encouraged to contact the Attorney General's Fraud Unit Hotline at 1-800-266-8688.

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CONTACT: Ronda Clifton

June 11, 1999

(702) 688-1835

**RENO BUSINESSWOMAN PLEADS GUILTY TO CONSPIRACY TO
COMMIT INSURANCE FRAUD**

Attorney General Frankie Sue Del Papa announced today that Megan McKenna Burau, age 44 of Reno, Nevada, pled guilty to conspiracy to Commit Insurance Fraud in Washoe County District Court in front of the Honorable Judge Brent Adams. The defendant was sentenced to one year in jail (suspended) and three years probation.

According to the investigation, Burau made a claim with Century National Insurance company claiming that her Jeep Cherokee had been stolen when in fact Burau had sold the Jeep Cherokee to a person who lives out of state. Burau received a check for more than \$10,000 from the insurance company, which the state will seek to have repaid at the time of sentencing. The National Insurance Crime Bureau assisted the insurance Fraud Unit of the Attorney General's office in solving this crime.

"It is the culmination of law enforcement agencies working together that achieves the most efficient results in crime solving," Del Papa said. "Insurance Fraud is getting more sophisticated. The ability to network with other agencies on an investigation often amplifies the results."

If you have any information regarding insurance fraud, contact the Attorney General's Insurance Fraud hotline at 1-800-266-8688. Insurance Fraud information can also be found on the Attorney General's website at: <http://ag.state.nv.us/>

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CONTACT: Bill Taylor

June 11, 1999

(702) 486- 3430

**THREE PRISONERS INDICTED IN SEPARATE GRAND JURY
PROCEEDINGS**

Attorney General Frankie Sue Del Papa announced today that three prisoners have been indicted by the Clark County Grand Jury for crimes involving escape, battery by a prisoner and possession of a controlled substance.

Sheila Green, an inmate at the Southern Nevada Women's Correctional Facility in North Las Vegas, was indicted on escape charges for walking away from an outside work detail on October 29, 1997. Green, 41, surrendered to authorities the day after the escape. She is currently serving a sentence for two counts of grand larceny.

Steven Becker, 35, was indicted on charges of battery by a prisoner in lawful custody, and for possession of a controlled substance. On August 13, 1998, Becker allegedly struck a correctional lieutenant while attempting to dispose of a syringe containing heroin. At the time, Becker was an inmate at the Southern Nevada Correctional Center in Jean, Nevada. Becker is currently serving sentences for second-degree murder and attempted robbery with use of a deadly weapon.

Roy Burney Bell, 39, was indicted for escaping from the Southern Desert Correctional Center in Indian Springs, Nevada, on January 22 of this year. Bell allegedly crawled under the frame of a produce truck delivering supplies inside the prison compound. Becker hid between the fuel tank and truck frame while camouflaging himself with a blanket to avoid being spotted by prison inspectors using undercarriage mirrors. The truck then drove to its Las Vegas home base. Las Vegas Metropolitan police later arrested Bell on charges, in addition to the escape.

When interviewed by prison authorities about his precarious 50-mile ride under the truck, Bell reportedly replied "it's pretty comfortable up there, really." At the time of the escape, Bell was serving a sentence for two counts of robbery with the use of a deadly weapon against a victim 65 years or older.

All three were indicted on June 4. They will each be arraigned in Clark County District Court on July 8. The state attorney general's office prosecutes crimes committed by state prisoners.

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CONTACT: Anne Cathcart

June 7, 1999

(775) 684-1115

**NEVADA RECEIVES FIRST SHARE OF TOBACCO MASTER SETTLEMENT
AGREEMENT FUNDS IN AN ESCROW ACCOUNT**

Attorney General Frankie Sue Del Papa has announced that Nevada has received into an escrow account its first payment by tobacco manufacturers as a result of the Master Settlement Agreement (MSA). Tobacco manufacturers made their first payment to the general MSA fund on December 28, 1998. Based upon information provided to Del Papa by Price Waterhouse Coopers, the independent auditor selected through the National Association of Attorneys General, the net amount deposited into Nevada's escrow account was \$14,799,265.16 (after deductions for federal tax withholding \$37,489.20, and investment manager fees of \$856.25), which amounts to 0.6099351% of the national settlement.

The money will stay in the escrow account until certain preconditions under the MSA are met. All state specific payments will be held in escrow accounts administered by Price Waterhouse Coopers.

Specifically: more than 80% of the states participating in the settlement must achieve what is called "State Specific Finality" in their tobacco litigation (meaning the litigation must be concluded, including appeals); and at least 80% of the states with 80% of the anticipating money allocation must have achieved State Specific Finality. But even if these preconditions have not been met by June 30, 2000, all states which have achieved State Specific Finality will be entitled to receive their share of tobacco settlement payments as of that date. In other words, if the preconditions are met, states will be free to access the funds in the escrow account at that time. Otherwise, the funds will be available on June 30, 2000 at the latest.

Until now, all payments made by the tobacco companies have been lumped into one account pending decisions concerning tax status, interest, selection of the Independent Auditor, and other concerns. Effective June 4th, money which properly belongs to each individual state was deposited into individual escrow accounts for each state which has already achieved State Specific Finality. Nevada has concluded its state tobacco litigation and no appeals were taken.

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**FOR IMMEDIATE RELEASE
CONTACT: GRENVILLE PRIDHAM
June 7, 1999**

(702) 486-3788

TELEMARKETING FUNDS FORFEITED

Attorney General Frankie Sue Del Papa announced today that almost \$13,000 from a fraudulent telemarketing scheme has been forfeited.. The funds were obtained from a bank account used by a fraudulent telemarketer who conducted solicitations on behalf of the Space Universal Life Church, Inc. ("SULC") between 1993 and 1994. The forfeited money will be used by law enforcement to help combat telemarketing fraud in the state.

Telemarketing salespersons for SULC told victims that if they made a contribution, they would win thousands of dollars in prizes commensurate with their donation. But, in fact, more than 99% of the victims received only an inexpensive item. The telemarketers made false and misleading representations designed to make victims believe that SULC was a religious charity that had selected a limited number of individuals to receive a valuable "gift" if the person donated money.

Although SULC and its telemarketers were required to register with the Consumer Affairs Division ("CAD") of the State of Nevada, as telephone sellers and/or salespersons, none of the parties involved were registered with CAD as either a seller or salesperson.

Typical of fraudulent telemarketing schemes, salespeople for SULC would re-contact persons who had already donated and request another donation. During this solicitation, salespersons told victims they were from SULC's accounting department, and that the victim had unclaimed prize money. Salespersons went on to tell the victim that all he or she had to do to claim the prize was to make another donation.

Investigators with the Southern Nevada Telemarketing Task Force discovered records which revealed that between September, 1993 and October, 1994, a total of \$840,403.51 was deposited into a bank account on behalf of SULC. By the time investigators learned of the account, only \$12,790.06 remained.

"Consumers should always exercise caution when asked to send money in advance," Del Papa said. "It is illegal to require a consumer to pay money in advance or to make a donation to collect a prize."

If you are contacted about receiving a gift or prize from any person who requests that you send money to them in advance, please contact the Attorney General's Fraud Hotline in Las Vegas at 486-3777, or toll-free at 1-800-992-0900. Consumer protection information can be found on the Attorney General's website at <http://ag.state.nv.us/>

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CONTACT: Fred Schmidt

June 7, 1999

(775) 687-6300 ext.225

SPRINT TELEPHONE RATE CASE SETTLED

Attorney General Frankie Sue Del Papa announced a major breakthrough today involving telephone rates and service in Southern Nevada. The Attorney General's Bureau of Consumer Protection jointly presented a stipulation with Central Telephone Company/Sprint of Nevada ("Sprint"), MGC Communication Inc. and the Regulatory Operations Staff of the Public Utilities Commission to the Public Utilities Commission ("PUC") at the first day of Sprint's rate hike hearing in Carson City. The agreement would allow Sprint to begin to collect rates in line with recent cost of service studies, while at the same time giving each customer a one-time credit of \$30.60 to reflect the remaining 18 months of an existing rate agreement.

"Customers will get the benefit of the prior agreement in the form of an up-front \$14.5 million dollar credit," Del Papa explained.

Under terms of the agreement, Sprint will get rate relief in the form of a \$1.95/month rate increase applied to each residential and business line, along with higher service connection charges. New customers, who have helped stimulate Sprint's rising costs, will pay their fair share of the cost of growth.

"National precedent was set in the agreement by Sprint's willingness to pay a residential competition credit of \$3.65 per month for each residential customer receiving telephone service from a competitor using Sprint's wires," Del Papa said. "The first of its kind credit is expected to stimulate slow developing competition in the residential telephone market.

Major terms of the agreement include:

- A \$30.60 one-time credit for each primary residential line and business customer account to be applied to a customer's July telephone bill. If unused credit remains after July, or a customer leaves, the credit will carry over to the next month, or the customer will receive a refund check for the difference.
- Sprint would be allowed to increase local residential and business lines \$1.95 per line, per month

beginning July 1. Residential rates would increase from \$7.10 to \$9.05, and business rates would increase \$16.30 to \$18.25.

- Sprint will increase its connection charge for new residential lines from \$18.65 to \$29.25.
- Sprint will increase its directory assistance charge from \$.38 to \$.50. Residential and business customers will still be allowed two free directory assistance calls per month.
- The new prices remain in effect through June 30, 2002.
- Sprint will pay a residential market entry incentive credit for each local residential line served by a competitive telephone company in an amount of \$3.65 per month if they utilize Sprint's lines to provide the service. This amount is capped at \$2.5 million per year for each of the next three years.
- MGC will withdraw its antitrust lawsuit against Sprint.

The agreement still requires approval by the Public Utilities Commission.

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Contact: Tracey J. Brierly

June 7 , 1999

(702) 486-3128

**ATTORNEY GENERAL WARNS CONSUMERS ABOUT
TWO NEW INVESTMENT SCAMS**

Attorney General's Bureau of Consumer Protection is warning consumers about two prevalent investment scams: viatical settlement contracts; and investment seminars, that have been attracting many victims lately.

Viatical settlement contracts, also known as life insurance investments, are where investors are told they can earn money by helping terminally ill people get an early payoff on their life insurance policies. Investors buy the policies through a broker. A portion of the money is allegedly paid to the policyholder, who the investor is often told has AIDS or cancer. The investor is told they will receive the difference of what was paid to the policyholder, minus broker fees and costs, when the policyholder dies.

"Unfortunately, the viatical industry is not regulated and experts estimate that investors have lost more than \$400 million in these types of investments since the industry started in the 1980's." Attorney General Frankie Sue Del Papa said. "Although many brokers operate legally, the industry is ripe for fraud. In some cases, the policyholder is not really dying, or they do not even exist. In other cases, the viatical company promises big returns of 25% or more to investors, but never has the insurance policies to back that claim up."

Viatical investing is highly speculative and risky. Even when the policyholder exists and is terminally ill, there is a high degree of uncertainty in predicting when the policyholder will die. New AIDS drugs and cancer treatments have compounded the risk for investors because they help policyholders live longer. Viatical investors should also be aware that they will often have to pay the policy premiums for the duration of the policyholder's life.

Another prevalent scam involves high-priced investment seminars which promise to teach consumers how to get rich quick. These seminars are often marketed through newspaper, radio and TV informercials. The ads often promise to turn consumers into successful "day traders" (day trading is the rapid-fire buying and selling of stocks over the Internet).

"Consumers should be wary of expensive, get rich quick seminars," Del Papa said. "Many times the only people getting rich are the ones running the seminars, collecting the admission fees, and selling the books and tapes."

Tips to Avoid Investment Fraud

- Be wary of "get rich quick" investments, or those which seem too good to be true. Remember to be cautious if the investment offers you "high returns with little risk."
- Look with doubt on promises that you can double your money or expect a high return on your investment within a short amount of time.
- Turn down money requests accompanied by high-pressure warnings like: "Tomorrow will be too late"; or "Act now because soon there will be a long waiting list of others who want to take advantage of this golden opportunity."
- Always demand written information about the organization behind the investment plan, including its past track record. But bear in mind that printed documents can easily be created, forged, or falsified.
- Call the Secretary of State, Securities Division to verify that the security is registered. Be extremely cautious of those securities that are not.

If you believe that you have been a victim of investment fraud, or want to verify that a security is registered, contact the Secretary of State, Securities Division in Las Vegas at (702) 486-2440 or in Reno at (775) 688-1855.

For more information on how to better protect yourself from becoming a victim of fraud, visit the Attorney General's website at <http://ag.state.nv.us/>

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CONTACT: Jo Anne Embry

June 4, 1999

(702) 486-3154

**ATTORNEY GENERAL TEAMS UP WITH CLARK COUNTY
COMMUNITY ORGANIZATIONS TO HELP LAUNCH SAFE
SUMMER**

Attorney General Frankie Sue Del Papa is partnering with two local efforts designed to promote community peace and safety during the summer months.

"Summer Peace in America's Streets," sponsored by Las Vegas radio station KCEP Power 88, will kick off with a news conference in the gym at Cheyenne High School, 4200 West Alexander Road on Saturday, June 5, at 1:00 PM. Nevada Attorney General Crime Prevention & Special Projects Coordinator Jo Anne Embry will join KCEP General Manager Sherman Rutledge and other community leaders to help launch the summer peace initiative.

The youth peace campaign, now in its fifth year, has the goal of eliminating violence, weapons and drugs among the city's youth. Representatives from Power 88 and other volunteers seek out youth from throughout the Las Vegas Valley and ask them to sign a pledge promising to engage in activities that promote peace and harmony in their community. The kids are asked to reject activities that involve violence, drugs or weapons.

"More than 5,000 children from all over the valley have previously signed this pledge," Rutledge said. "As we meet these kids on the street, we offer them alternative activities that will help keep them safe and busy, reducing the chances that their idleness will result in harm to themselves or others."

Following Saturday's news conference, a celebrity coed "Summer Power Slam 99" basketball game will be played. Acting and recording artists Herculeez & Bigtime will also make a special appearance.

Saturday evening, the Nevada Attorney General's Missing Children Clearinghouse will join forces with the Clark County Dept. of Parks & Recreation and the New Directions Program of Family & Youth

Services as part of the national "Safe Night Out" initiative. The event will take place at the Cambridge Community Center located at 3827 Maryland Parkway.

Safe Night Out is designed to give local youth a safe, planned party while at the same time teaching conflict resolution and anger management skills, explaining the straight story on drugs and alcohol, and how to build a better sense of community. The Clearinghouse staff and volunteers will provide free child identification and safety information at the event from 6 p.m. to 8 p.m. The Cambridge event is one of approximately 20 planned in Nevada to observe Safe Night Out.

"The goal of these initiatives is to work towards eliminating violence, drug use and gang activity in our cities. Everyone must do his or her part to help break the cycle of violence. It is these types of grass roots and individual efforts, more than legislation and policy-making, that have the greatest impact on our kids," Del Papa said. " I urge everyone to participate by showing their support and doing their part in making our communities a better and safer place to live."

For more information on the Missing Children Clearinghouse, visit the Attorney General's website at <http://ag.state.nv.us/>

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CONTACT: Ronda Clifton

June 4, 1999

(702) 688-1835

**ZIP NUT PROMOTERS ORDERED TO PAY DEFRAUDED
INVESTORS FULL RESTITUTION**

The Attorney General's Bureau of Consumer Protection announced today that Robert Lee Fullerton, age 63, and Corinne Frances Bennett, age 35, both of Reno, have been ordered to pay full restitution plus interest to investors after being found liable for unlawfully selling unregistered securities, unlawfully transacting business as an unlicensed sales representative, and for fraud committed in the offer and sale of securities, related to the sale and marketing of the zip nut device.

An investigation by the Secretary of State's Securities Division from June, 1989 through September of 1990, found that Fullerton and Bennett had solicited Reno residents to invest in Fullerton's zip nut, a fastening device Fullerton patented in 1983, while knowing stock in the defunct corporation was worthless.

On January 22, 1998, a Washoe District Court jury convicted Fullerton and Bennett of 21 felony criminal charges for selling stock in the defunct Nevada corporation First Phoenix, Inc., without registering with the Securities Division of the Nevada Secretary of State, and without qualifying for an exemption from the registration requirement.

In November of 1998, Washoe District Court Judge Steven Kosach found the defendants civilly liable for defrauding investors and granted summary judgment in favor of the State of Nevada after reviewing the undisputed evidence against the defendants.

Thirteen investors testified at the criminal trial. More investors have since come forward. The total amount requested by the state to reimburse the investors is more than \$400,000.

If you believe you have been a victim of fraud, contact the Attorney General's Bureau of Consumer Protection at (702) 486-3194. Consumer protection information can also be found on the Attorney

General's website at <http://ag.state.nv.us/>

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CONTACT: Jan Cohen

(702) 486-3455

June 3, 1999

Maria Emeterio

(702) 486-3456

**ABDUCTED CHILDREN RECOVERED FROM NORTH LAS VEGAS
MOTEL**

Attorney General Frankie Sue Del Papa announced today that as a result of a routine traffic stop by a Nevada Highway Patrol trooper, four California missing children have been recovered, and their non-custodial mother has been arrested.

Trooper Brian Watson arrested Tanya Cherise Cokely, age 37, after stopping the vehicle yesterday on southbound U.S. 95 at I-15 for an unsafe lane change. A criminal records check revealed that the vehicle was reported stolen in California, with Cokely being the prime suspect.

The information on the California warrant also listed four children as involuntarily missing. Cokely allegedly kidnapped the two girls, ages 13 and 9, and the two boys, ages 4 and 2, from a foster home in California. Cokely refused to give the trooper any information regarding herself or the whereabouts of the children.

Cokely was placed under arrest and booked into the Clark County Detention Center on the stolen vehicle charge. At the time of her arrest, Cokely was wearing a Capriottis Sandwich Shop uniform. Trooper Watson contacted the manager of the restaurant who confirmed Cokely was employed there. The owner told authorities he believed Cokely was living in a weekly motel somewhere on Las Vegas Boulevard. Trooper Watson began calling weekly/monthly hotels on Las Vegas Boulevard at random before discovering that Cokely and the four children were registered at the Squadron Executive Suites at 5200 East Craig Road.

Sacramento District Attorney Investigator Ron Cleveland contacted Nevada Attorney General Investigator Maria Emeterio for assistance in locating and recovering the children. Trooper Watson and Investigator Emeterio met at the Squadron Suites where they discovered the four children alone in a studio apartment. There was no food in the refrigerator, and it was discovered that the 13-year old was in need of medication. One of the younger children complained of hunger and the two-year-old had no diapers.

Although Cokely was not wanted for the abductions, the Sacramento district attorney had four judicial warrants for the protective custody of the four children. The children were taken to Child Haven in Las Vegas where Sacramento authorities today assumed custody and returned them to California.

"I praise Trooper Watson for his professionalism and initiative in taking the extra steps which resulted in the recovery of four seriously neglected children living in deplorable conditions," Del Papa said. "He exemplifies all that is laudable and admirable in our state law enforcement personnel."

For ore information on the Attorney General's Missing Children Clearinghouse, visit the office's website at <http://ag.state.nv.us/>

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE
CONTACT: Leslie A. Nielsen
June 1, 1999
(702) 486-3102

**AGENCY TO HEAR DISCIPLINARY CASE INVOLVING DOUBLE
ESCROWS**

Attorney General Frankie Sue Del Papa announced today that District Court Judge Michael Cherry has ruled that the Nevada Real Estate Commission may hear a professional disciplinary case brought by the Department of Business and Industry, Real Estate Division against real estate licensees Robert Brinton, Albert Flangas and Michael Sarkis.

The charges stem from a series of double escrow transactions in which the licensees allegedly used investors' money to purchase vacant land which was resold for a higher price to the same investors. The Division alleges, among other things, that the licensees received undisclosed commissions and compensation in violation of Nevada laws regulating the real estate profession.

The District Court ruling came in response to the licensees' request that the court stay the disciplinary proceedings pending the outcome of two separate lawsuits filed by several of the investors in which they seek damages in excess of \$1,000,000. Judge Cherry allowed the licensees a short stay to enable them to prepare for a hearing before the Real Estate Commission, which may occur as early as this September. If it finds the licensees guilty of the charges, the Commission can revoke, suspend or condition their real estate licenses or impose fines.

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FOR IMMEDIATE RELEASE

CONTACT: Leslie Nielsen

June 1, 1999

(702) 486-3102

AGENCY SUSPENDS MOBILE HOME DEALER'S LICENSE

Attorney General Frankie Sue Del Papa announced today that the Nevada Manufactured Housing Division has suspended the licenses issued to mobile home dealer S. C. Homes, Inc. effective immediately. The action was prompted by questions of the dealer's solvency, and allegations that S. C. Homes accepted a buyer's \$35,000 cash payment for a home but never supplied the buyer with the title.

The home's owner had contracted with S. C. Homes to sell the home with the understanding the owners would receive cash for their equity, along with their loan being satisfied through the finance company. But S. C. Homes allegedly failed to apply any of the \$35,000 cash payment to the seller's outstanding loan. A finance company is reportedly preparing to repossess the home, leaving the buyer with little recourse.

The suspension will prohibit S. C. Homes from conducting any sales activities until a hearing on July 12, 1999, to determine whether the licenses should be permanently revoked.

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FOR IMMEDIATE RELEASE
CONTACT: Anne Cathcart
June 1, 1999
(775) 684-3541

OMNIBUS HIGH TECH CRIME BILL GOES TO GOVERNOR

The Omnibus High Technology Crime Bill, which was sponsored by the Attorney General's office, has been passed by the Senate and Assembly and now goes to Governor Kenny Guinn for his signature.

SB 485 addresses many areas of high tech crime, including:

- Creates a high tech advisory board to coordinate statewide efforts
- Defines various crimes involving advanced technology
- Increases criminal penalties and provides for restitution to victims
- Provides civil remedies for victims of high tech crime
- Prohibits "slamming and "cramming" by long-distance telephone companies
- Prohibits prison inmates from using or possessing advanced technology communications equipment
- Protects confidentiality of consumers who pay for Internet service
- Prohibits false, misleading or deceptive acts by telecommunication services
- Makes it a crime to manufacturer, possess or use equipment for the purpose of unauthorized interception of cable television signals
- Prohibits transmission of computer viruses
- Provides for forfeiture of a computer used in the commission of a crime

- Prohibits forgery advanced through technological means
- Prohibits false e-mail header information

"SB 485 will provide the citizens of Nevada greater protection from being victimized as the result of technology advances," Attorney General Frankie Sue Del Papa said. "It will help level the cyberspace playing field."

Two years ago, the Attorney General's office made a commitment to lead an organized effort to evaluate and better respond to the increasing problems facing Nevada in the area of high technology crime. In July of 1997, the first meeting of the Nevada High Technology Crime Task Force was held. More than 75 representatives from the public and private sector attended. Since then, the Task Force has sponsored meetings and conferences throughout the state to help educate Nevadans about the challenges to be faced in confronting criminals who prey on our citizens with the aid of advanced technological devices. In 1998, the Task Force adopted a Strategic Action Plan, identifying measures that if taken would ensure that Nevada benefits from, rather than become a victim of, technological advances.

"I am extremely pleased and grateful that the legislature has moved forward on this important measure," Del Papa said. "SB 485 was the result of many hours of hard work and cooperative efforts not only of the Nevada High Technology Crime Task Force and other law enforcement agencies, but also of representatives of the cable and telephone industries."

SB 485's creation of a High Tech Crime Advisory Board is one of the measure's key components. The Board will consist of nine members, including the Attorney General. The Board will be responsible for:

- Facilitating cooperation between local, state and federal agencies in detecting, investigating and prosecuting technological crimes
- Establishing two multi-agency technology crime units--one in Reno and one in Las Vegas--which will consist of investigators, prosecutors and persons from the private sector knowledgeable in high technology crimes
- Coordinating and providing education on high tech crime to the public, private industry, government agencies and law enforcement
- Evaluating and recommending changes to existing laws and law enforcement techniques

As part of SB 485, "slamming" and "cramming" by telecommunication companies will now become a violation of the Nevada Deceptive Trade Practices Act. Slamming is the unauthorized switching of a consumer's long distance phone service provider. Cramming is when a consumer is billed for services or charges which were not requested. Under provisions of SB 485:

- Slamming and cramming practices such as making false, misleading or deceptive representations to consumers are prohibited
- Every consumer will now have the right to freeze his or her long distance provider
- Telecommunication companies will be required to comply with federal law concerning verification of a consumer's long distance carrier switch

Under SB 485, state prison inmates will not be permitted any access to a telecommunications device, except for use of a telephone monitored and maintained by the Nevada Department of Prisons. This includes, but is not limited to, telephones, cell phones and a computer connected to a network. State prison inmates would also not be permitted to engage in a business which requires the inmate to telemarket or conduct opinion polls via telephone.

"High Tech presentations have demonstrated how vulnerable we all are and how easily, inexpensively and anonymously criminals can penetrate our businesses, our governmental infrastructure and our private lives with devastating and costly repercussions," Del Papa said. "By approving SB 485, the legislature has taken a giant step in enhancing and improving our existing laws, while at the same time helping to provide law enforcement with more training, equipment and other resources needed to ensure an effective and coordinated effort in attacking this challenge."

For more information on how the Attorney General's office is working to combat high tech crime, visit the office's website at <http://ag.state.nv.us/>

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FOR IMMEDIATE RELEASE

CONTACT: Eric Witkoski

June 1, 1999

(702) 486-3129

**ATTORNEY GENERAL SUPPORTS THE ACQUISITION OF
SOUTHWEST GAS COMPANY BY ONEOK INC.,
WITH KEY CONDITIONS IN PLACE**

Attorney General Frankie Sue Del Papa announced today that her office has reached an agreement with ONEOK, Inc. concerning its intended acquisition of Southwest Gas Company. The agreement calls for none of the \$131-million acquisition cost to be passed on to Nevada consumers.

"The Bureau of Consumer Protection has completed its review of the proposed merger of Southwest Gas Company and ONEOK Inc. and supported the move if certain key conditions were in place," Del Papa said. "The agreement we have reached will mean that Nevada consumers will not be charged with incurring the cost of ONEOK's acquisition."

Acquisition costs include transition and transaction fees, and the amount paid by ONEOK Inc. over book value for Southwest Gas.

The agreement was entered into by the Attorney General's Office, ONEOK Inc., Southwest Gas Company and the staff of the Public Utilities Commission (PUC). The agreement will now be filed with the PUC for their consideration.

Southwest Gas Company provides natural gas service to Nevada residents in Las Vegas, Carson City, Winnemucca and Elko. ONEOK Inc., based in Tulsa, Oklahoma, owns natural gas distribution operations in Oklahoma and Kansas.

For more information regarding the agreement, please call Deputy Attorney General Eric Witkoski at (702) 486-3129.

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FOR IMMEDIATE RELEASE

CONTACT: Fred Schmidt

July 29, 1999

(775) 687-6300

**SETTLEMENT WITH DRUG-MAKER WILL RESULT IN \$766,000
AWARD TO STATE OF NEVADA**

Attorney General Frankie Sue Del Papa announced today that her office has joined with the Attorneys General from 36 other states in reaching an agreement with Knoll Pharmaceutical Company and BASF Corporation that will result in an award of \$766,000 to the State of Nevada. In all, Knoll has agreed to pay the settling states \$41.8 million dollars.

The settlement is a result of action taken by the Attorneys General in relation to the marketing practices involving the sale of Synthroid, Knoll's brand of synthetic thyroid hormone product. Synthroid is used to treat Hypothyroidism, a medical condition in which a person's thyroid gland does not produce sufficient thyroid hormone. More than eight million patients in the United States take a form of levothyroxine sodium daily to treat hypothyroidism. Synthroid is the dominant and most expensive brand of levothyroxine sodium product on the market.

The Attorneys General alleged that Knoll had violated various Consumer Protection Laws in promoting the use of Synthroid, including:

- Knoll's attempt to prevent the publication of a study which claimed to show that Synthroid and some generic levothyroxine sodium products were bioequivalent.
- Knoll's claims that Synthroid was a reference product or the standard for levothyroxine sodium products, and was unique or superior to competing brands.
- Knoll's claim that no other competing brand of levothyroxine sodium product was equivalent to or useful in place of Synthroid.

Knoll entered into the settlement without admitting any wrongdoing, without admitting any fact alleged by the Attorneys General, and without admitting any violation of state or federal law, rule or regulation.

The settlement document, called an Assurance of Voluntary Compliance and Discontinuance, requires that in the future, Knoll not make any false, misleading or deceptive claims regarding Synthroid or any other levothyroxine sodium product in advertising, promotion or labeling.

Joining Nevada in reaching the settlement were the Attorneys General of the states of Arkansas, Arizona, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Missouri, Nebraska, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, Washington, West Virginia and Wisconsin.

In a related matter, Knoll has also reached tentative settlement in a number of class action lawsuits in which consumers allege they suffered monetary damages as a result of Knoll's conduct in the sale of Synthroid. If approved by the courts, individual consumers who purchased Synthroid between January 1, 1990 and the date the court approves the class action settlements will be eligible for restitution. That settlement, before attorneys fees and costs, is reportedly in the range of \$84 million dollars.

In announcing the settlement with Knoll, the Attorneys General pointed out that safety and efficacy of Synthroid or any other synthetic thyroid hormone replacement product was never at issue, and that individuals who currently use Synthroid should not stop taking it in light of today's announcement. Individuals who use Synthroid should continue their current medically recommended regimen, and should check with their physician if they have any questions.

For more information on the Attorney General's public protection agenda and the Bureau of Consumer Protection, visit the office's website at: <http://ag.state.nv.us/>"Protecting Citizens, Solving Problems, Making Government Work"

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

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FOR IMMEDIATE RELEASE

CONTACT: Steve George

July 26, 1999

(775) 684-1114

**ATTORNEY GENERAL WILL ADDRESS RURAL
TELECOMMUNICATIONS CONFERENCE**

Teacher and Students From McDermitt Will Share Success Story

The Attorney General's Bureau of Consumer Protection and the Commission on Economic Development will be hosting a telecommunications conference on Tuesday, July 27, from 8:30 am till 4:00 pm, in Carson City at the Nevada State Library and Archives located at 100 N. Stewart Street. The "Reaching Out: Connections for Community Challenges" conference will present an opportunity for consumers to find out what the hot topics in telecommunications are, what is new and interesting in the field, and how rural Nevadans can get better connected. Among those who will address the conference is Attorney General Frankie Sue Del Papa.

In 1997, the Nevada Legislature recognized many of the important and ongoing issues that will be discussed during the conference, and gave the Attorney General's Office a mandate to help find solutions to the telecommunication problems facing Nevada's rural communities.

Two areas the Legislature emphasized were outreach programs, and for the Attorney General's office to act as an advocate for public schools, medical facilities, business and consumers before the Public Utilities Commission (PUC), especially relating to access to universal service.

In working towards fulfilling that mandate, Jean Murray and other representatives from the Attorney General's Bureau of Consumer Protection have held more than 40 meetings in small communities across Nevada.

Last year's conference emphasized the identification of all the telecommunications networks that exist throughout the state, and began the process of establishing protocols for rural customers to share those networks. This year's conference will focus on continuing the momentum for delivering access to telecommunications in rural Nevada.

"The importance of moving forward with our efforts is underscored by a report released earlier this month by the Department of Commerce regarding the deepening of the digital divide in rural America," Del Papa said. "The report entitled, *Falling Through the Net*, found that 30% of rural Americans do not have the ability to locally access the Internet in their homes. Given our geography, the percent of rural Nevadans who have no local access to the Internet in their home may be even higher than the national average."

"No local access is effectively no access at all if the only alternative is to pay long distance charges for every minute of Internet time. That's why the Attorney General's office has given a high priority to helping communities that do not have local access to the Internet. Through the combined efforts of the United States Department of Agriculture (USDA), Rural Telecommunications Task Force (RTTF), the Department of Education and other key groups, Nevada is steadily moving forward in this effort," Del Papa said.

Last year, the Attorney General's office was able to push through a stipulation with the help of Nevada Bell and the PUC Staff requiring Nevada Bell to spend \$4.3 million dollars in rural improvement funds to enhance the telecommunications infrastructure in rural Nevada areas served by Nevada Bell. Through outreach efforts, numerous projects were identified and procedures developed for spending the \$4.3 million.

"The Nevada Bell funds have been a real catalyst for infrastructure improvements," Del Papa said. "The agreement designated \$1 million to be provided to the Nevada Commission on Educational Technology to help rural schools gain access to the Internet as well as the distance learning programs that are currently unavailable in many rural communities. This money provides an important bridge linking the comprehensive statewide telecommunications backbone of the university system, and the less extensive Kindergarten through 12th grade network that schools currently have."

An additional \$1.3 million will go to hook up rural customers who not only do not have Internet access, but do not have access to even basic dial tone service. This includes areas like Lower Smokey Valley, Amargosa Valley, Sarcobatus Flats, and Adobe Heights near Elko. The remaining funds will be spread among nine Nevada counties to provide schools, libraries, health care facilities and businesses with enhanced ability for two-way video conferencing, distance education, telemedicine and use by the criminal justice system.

One of the best examples of a town getting Internet access comes from McDermitt, where students took it upon themselves to find a solution. Instead of waiting for the Internet to come to McDermitt, the high school technology class, with help from their teacher, Pat Goff, decided to do something about it.

After applying for and receiving a grant from the Northeast Nevada Technology Council, the students created and now run their own Internet service company, the first of its kind in Nevada, and possibly the country.

The students in McDermitt have not only worked to find a solution for their community, but are learning how to run a small business, including how to market that business since they had to attract some 50 customers just to break even.

"Because these students went door-to-door to publicize the possibility of Internet access and the benefits to be achieved by the rest of the community, the students will not be the only ones in McDermitt gaining access to the Internet's wealth of current information," Del Papa said.

Mr. Goff and two of his students will be attending the conference and sharing their experiences.

For more information about the conference, call Jean Murray at (775) 687-6300. For more information on the Attorney General's Bureau of Consumer Protection, visit the office's website at: <http://ag.state.nv.us/>

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FOR IMMEDIATE RELEASE
CONTACT: Marilyn Skibinski
July 22, 1999
(775) 687-6300

**STATE CONSUMER ADVOCATE TESTIFIES AT CONGRESSIONAL
HEARING ON ELECTRIC INDUSTRY RESTRUCTURING**

State Consumer Advocate Fred Schmidt, who heads the Nevada Attorney General's Bureau of Consumer Protection, testified today at a Congressional hearing in Washington D.C. that is examining the specific components of electric industry restructuring. The House Commerce Subcommittee on Energy and Power is currently considering legislation that would significantly change the way consumers purchase power. The Committee is currently examining eight bills on electric restructuring, from which one final comprehensive bill will be developed.

Schmidt asked the Committee not to mandate retail competition to begin in every state by a certain date, and to allow individual states to determine whether and to what extent utilities should recover costs that are a result of retail competition. Schmidt's remarks emphasized the importance of putting adequate consumer protections in place prior to moving forward with deregulation. He urged the Committee to adopt policies and principles that are fair and beneficial to all electric consumers, not just large commercial and industrial customers.

"The truth is that we will have accomplished very little if the end result of our labors is to bring competitive benefits to only a small segment of the electricity market, while rendering basic service less affordable and less reliable for all other Americans," Schmidt testified.

Schmidt provided the committee with a 12-point checklist for electric industry restructuring adopted by the National Association of State Utility Consumer Advocates (NASUCA), of which he currently serves as president. The guidelines represent policies consumer advocates believe are essential to any plan for retail choice in the electric utility industry.

"What happens on the federal level will directly affect what happens in Nevada and the price consumers pay for electricity in the future," Attorney General Frankie Sue Del Papa said. "It is imperative that

federal legislation is crafted in a way that allows for competition while at the same time protects consumers as the new competitive market develops."

For more information on the Attorney General's Bureau of Consumer Protection, visit the office's website at: <http://ag.state.nv.us/>

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CONTACT: Jane Femiano

July 14, 1999

(702) 486-3789

**ATTORNEY GENERAL PREVAILS IN PYRAMID SCHEME
LAWSUIT**

Attorney General Frankie Sue Del Papa announced today that the Nevada Supreme Court has dismissed an appeal filed by Roseann Dipasquale and Christopher Grant, thereby upholding the district court judge's order that they each pay to the State of Nevada a \$1,000 civil penalty for their participation in an illegal pyramid scheme.

In 1996, the Attorney General's office filed a total of fifteen lawsuits against 57 defendants for their participation in a pyramid known as Co-Opportunities International. When soliciting people to join Co-Opportunities International, promoters of the scheme commonly described it as a "social" or "gift" club where participants could exchange their talents and ideas with each other. To become one of the eight members, a new recruit was required to make a "gift" of \$2000 in cash to the "resource chair". Once the resource chair received the \$16,000 in gifts, he was to leave that position and the pyramid was divided into two separate pyramids, with each participant moving up into the next level.

Clark County District Court Judge Stephen Huffaker also enjoined Dipasquale and Grant from ever participating in another illegal pyramid scheme, and to pay attorney's fees to the Office of the Attorney General.

"Pyramid schemes are inherently fraudulent because of the number of new victims that must be added in order to make the promised payoffs to the people at the top of the pyramid," Del Papa said. "Consumers have to remember that every pyramid scheme must and will fail."

Anyone having questions about pyramid "clubs" is encouraged to contact the Attorney General's Bureau of Consumer Protection in Las Vegas at (702) 486-3777, or visit the office's website at: <http://ag.state.nv.us/> for more information.

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**FOR IMMEDIATE RELEASE
CONTACT: GREGORY R. HOJNOWSKI,
Deputy Attorney General
Insurance Fraud Unit**

**July 14, 1999
(702) 486-3783**

TWO LAS VEGANS SENTENCED FOR INSURANCE FRAUD

Attorney General Frankie Sue Del Papa announced today that two Las Vegas residents have been sentenced for committing insurance fraud. In the past year, the Attorney General's Insurance Fraud Unit has obtained 29 convictions, with many of the defendants receiving significant prison sentences. The convictions have resulted in judges ordering more than \$2,000,000 in restitution to the various insurance companies defrauded by the false claims.

Clark County District Court Judge Joseph T. Bonaventure sentenced Gayola Allen-Berry, 39, to ninety days in county jail for her role in an insurance fraud scheme. Judge Bonaventure suspended the sentence providing Allen-Berry pay \$2000 in restitution to Farmer's Insurance Company. Allen-Berry's daughter was involved in a car accident in August of 1995 while driving Allen-Berry's 1995 Hyundai. Allen-Berry, who went to the scene of the accident after it had occurred, later filed an injury claim with Farmers stating that she was hurt in the collision. A joint investigation by the Insurance Fraud Unit and the National Insurance Crime Bureau determined that the daughter was the sole occupant in the car at the time of the accident. Clark County District Court Judge John S. McGroarty accepted the negotiated guilty plea of Steven Mark Gilreath, 37, for his filing of a false insurance claim. Gilreath had paid restitution of \$1275 to Progressive Insurance Company for falsely claiming that his 1989 Ford Aerostar Van was damaged by an unknown vehicle in December of 1997. A joint investigation by the Insurance Fraud Unit and Progressive Insurance Special Investigative Unit revealed that the damage was actually caused from an accident in October of 1997 when Gilreath only had liability coverage. Gilreath later changed his coverage to include comprehensive benefits and then updated the date of the alleged accident to fall within the period of full coverage.

"Insurance fraud is aggressively pursued by our office because it impacts the price every consumer pays for insurance coverage," Del Papa said. "While the insurance companies are the initial victims of fraud, consumers in this state end up footing the bill through higher premiums."

If you have any information regarding insurance fraud, please call the Nevada Attorney General's Insurance Fraud Hotline at 1-800-266-8688.

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FOR IMMEDIATE RELEASE
CONTACT: Veronica Boyd-Frenkel
July 13, 1999
(775) 688-1846

**CONFERENCE IN ELKO WILL FOCUS ON IMPROVING THE
ENFORCEMENT OF DOMESTIC VIOLENCE PROTECTION ORDERS**

The Nevada Office of the Attorney General, in collaboration with the Inter-tribal Council of Nevada and the Nevada Network Against Domestic Violence (NNADV), will conduct a conference in Elko aimed at improving the enforcement of domestic violence protection orders for victims who cross jurisdictional lines.

The Full Faith and Credit Project of Nevada conference will take place on Thursday and Friday, July 22 and 23, at the High Desert Inn in Elko. The project is being funded by a grant from the Rural Domestic Violence and Child Victimization Enforcement Program of the U.S. Department of Justice.

The project was formed with the following goals:

- To provide information and education about the Full Faith and Credit provisions of the Violence Against Women Act regarding enforcement of domestic violence protection orders from sister states and tribes.
- To identify obstacles to enforcement of the Full Faith and Credit provision.
- To provide a forum for dialogue and problem solving with individuals from throughout the region and state.
- To allow for community participation in the generation of a State Plan for the implementation of Full Faith and Credit.

"The Federal Full Faith and Credit Provision of the Violence against Women Act states that a protective order issued in/by any state or tribe should be honored by all other states and tribes," said Attorney General Frankie Sue Del Papa, who chairs the Nevada Domestic Violence Prevention Council. "For

example, if a batterer pursues a victim from Utah into Nevada, and violates a Utah protective order, the Utah order should be enforced by Nevada law enforcement. However, actual implementation of the law is presenting challenges throughout the country. This conference will help law enforcement better protect victims of domestic violence."

National experts will be on hand to provide education on federal laws. There will also be dialogue about current experiences and obstacles to enforcement in various communities. The conference will provide an opportunity for the development of concrete strategies for making Full Faith and Credit a reality that will be included in a statewide Plan of Action.

"One of the highlights of the Elko summit is that it will bring together representatives from our sister states of Idaho, Utah, and Oregon, as well as numerous neighboring tribes, allowing for a unique inter-jurisdictional dialogue about border-issues related to domestic violence," Del Papa said.

Additional conferences will be held in Carson City on August 19-20, and in Laughlin on October 7-8.

For more information on the conference, please contact the Attorney General office's Domestic Violence Ombudsman, Veronica Boyd-Frenkel, at (775) 688-1846. To obtain registration information, contact Nicole Davis at NNADV at (775) 828-1115.

For more information on the Attorney General's role in helping to reduce domestic violence in Nevada, visit the office's website at: <http://ag.state.nv.us/>

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CONTACT: Jo Anne Embry

July 12, 1999

(702) 486-3154

**RACE CAR TEAM AND NEVADA MISSING CHILDREN
CLEARINGHOUSE TEAM UP TO FIND ABDUCTED LAS VEGAS
BOY**

Attorney General Frankie Sue Del Papa announced today that the life-size image of a missing Las Vegas toddler will be featured on the hood of a local race car this weekend at the Las Vegas Motor Speedway (LVMS) as part of a continuing partnership designed to draw attention to the plight of missing kids.

Wayne Jacks of Jacks Motor Sports will be racing his late model Chevy Monte Carlo, #89, at this Saturday's NASCAR Winston Racing Series at the Speedway. This marks the second time that the Attorney General's Missing Children Clearinghouse has teamed up with a race crew and the LVMS to bring awareness to the search for Nevada's missing kids as part of the "Race for the Missing" campaign.

Bianca Perez will be joining Jacks Motor team and Speedway officials to bring awareness to her two-year-old son's disappearance. Jacob Perez was kidnapped by his non-custodial father, Desmond Moreland, on August 14, 1998. Moreland abducted his son after learning that he had been issued no-contact orders by the family court for substantiated charges of child abuse involving Jacob. Ms. Perez is concerned for her son's welfare due to Moreland's history of violence. "I'm scared to death about Jacob's safety. Desmond constantly told me that if he were stopped from seeing Jacob then I would never see him again," Perez said.

The Clearinghouse began teaming up with Jacks Motor Sports marketing director Martin Gray on April 24, when they collaborated to feature Michael Rainey, an endangered missing teen from Henderson, on a race car competing in the Featherlight Southwest Series 100 at the Speedway.

As a result of the positive response and media coverage, Gray has committed his team to feature a missing child from every state in which his team races. So far, the Nevada Clearinghouse has worked with Gray as a liaison with authorities in California, Oregon, and Washington states to feature a missing

child at each event in the NASCAR Winston West Series.

"I would like to sincerely thank the good people at Jacks Motor Sports and the agents of the Las Vegas Motor Speedway for their dedication and efforts in helping us find Nevada's missing children," Del Papa said. "Increased public awareness is our best chance of recovering these children. Someone, somewhere has seen something. Partnerships such as these will hopefully help to bring Jacob Perez home soon."

Joining Jacks Motor Sports and the Las Vegas Motor Speedway in assisting the Clearinghouse in bringing Nevada's missing kids to the racing forum are Adera Corp., which has donated the photographic imaging, and Unifirst Corp., a uniform supply company which has furnished the racing gear for the team.

The July 10 racing event begins at 7:45 pm. Gates open at 5 pm.

For more information on the Attorney General's Missing Children Clearinghouse, visit the office's website at: <http://ag.state.nv.us/>

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FOR IMMEDIATE RELEASE
CONTACT: Veronica Boyd-Frenkel
July 8, 1999
(775) 688-1846

NEVADA DOMESTIC VIOLENCE STATISTICS RELEASED

Attorney General Frankie Sue Del Papa, who chairs the Nevada Domestic Violence Prevention Council, today announced the release of statewide law enforcement statistics regarding domestic violence for the third and fourth quarters of 1998. These reports, part of a continuing series, are the result of a collaborative effort between the Domestic Violence Ombudsman of the Attorney General's office and the Nevada Uniform Crime Reporting Program administered by the Nevada Department of Motor Vehicles and Public Safety, Highway Patrol Division.

"Drawn from law enforcement statistics statewide, this report on domestic violence in Nevada is one of the most in-depth and comprehensive reviews of law enforcement data on this issue to date," Del Papa said.

Copies of the report are being distributed statewide to law enforcement, legislators, and others interested in domestic violence prevention.

On January 1, 1998, Nevada law enforcement agencies began utilizing a standardized domestic violence statistical form developed by the Nevada Uniform Crime Reporting Program to facilitate the collection of domestic violence statistics from throughout the state.

The report, "Domestic Violence in Nevada," which covers statistics for the third and fourth quarters of 1998, found that Nevada law enforcement agencies responded to approximately 4,000 incidents per quarter during the second half of 1998, slightly less than during the first two quarters of that year. Arrest rates of 50% during the third and fourth quarters are consistent with those of the first half of 1998.

Statistics show that more than 75% of domestic violence incidents during the second half of 1998 occurred in Clark County, a slight increase from the first half of the year (73%). The report indicates that children were present in approximately 39% of the reported cases during the third and fourth quarters,

representing an increase of three percent from the first two quarters. There was also an increase in the number of two-offender incidents, and in the number of reported female offenders and male victims.

"Domestic violence continues to present challenges for law enforcement," commented SUE MEUSCHKE, Executive Director of the Nevada Network against Domestic Violence. "We are particularly concerned about the barriers encountered in implementing Nevada's primary aggressor law."

As a reminder that many victims of domestic violence do not contact law enforcement, Sue Meuschke, Executive Director of the Nevada Network against Domestic Violence, also said that 8,000 victims contacted domestic violence programs in Nevada during the third quarter and 6,896 during the fourth quarter,

"We must work together to send a clear message, there is no excuse for domestic violence," Del Papa said. "We must all do our part to break the chain of violence. How can you make a difference as an individual? Educate yourself about the realities of violence. Find out what your rights are, and what you can do to help protect others from becoming a victim of crime. Assist others in the education process, at work, in your neighborhoods, and in your own families. Take a stand. Let people know how you feel. Together we can make a difference."

Veronica Boyd-Frenkel, Nevada's Domestic Violence Ombudsman, said that she and Highway Patrol officials continue to work to modify, update and improve the "Domestic Violence in Nevada" report. She also indicated that efforts are ongoing to streamline the process of compiling and analyzing the statistics with the goal of improving the timeliness of the report.

For more information about the report, please contact Boyd-Frenkel in the Reno office of the Attorney General at (775) 688-1846. Or you may visit the Attorney General's website at: <http://ag.state.nv.us/> For more information on how you can help with efforts to reduce domestic violence in Nevada, call the state's toll free domestic violence information and referral line at 1-800-230-1955. If you are being abused, or know someone who is, you can get help 24 hours a day by calling Nevada's Domestic Violence Hotline at 1-800-500-1556.

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CONTACT: Jean Murray

July 6, 1999

(775) 687-6300

TELECOMMUNICATIONS CONFERENCE SET FOR JULY 27TH

The Attorney General's Bureau of Consumer Protection and the Commission on Economic Development will be hosting a telecommunications conference on Tuesday, July 27, from 8:30 am till 4:00 pm, in Carson City at the Nevada State Library and Archives located at 100 N. Stewart Street. The conference will present an opportunity for consumers to find out what the hot topics in telecommunications are, what is new and interesting in the field, and how rural Nevadans can get better connected.

Featured speakers at the Reaching Out: Connections for Community Challenges conference will include Attorney General Frankie Sue Del Papa and Lieutenant Governor Lorraine Hunt. These state officials will be joined by community leaders from across Nevada in presenting telecommunication challenges, uses and successes. Other topics will include: success stories from connected communities; innovations in education, the arts and telemedicine; and economic and community development programs that are working.

A pre-conference grant writing workshop focusing on how to finance telecommunication projects will take place on Monday, July 26, from 1:00-5:00 pm.

The advance registration fee (before July 16) for the conference and the grant writing workshop is \$80. The registration fee after July 16 is \$125. The fee to attend only the conference is \$40. For more information about the conference, call Jean Murray at (775) 687-6300, Brenda Trainor at (702) 656-8656, or e-mail your questions to REACHOUT@ FrontierTrail.com.

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

**FOR IMMEDIATE RELEASE
CONTACT: Grenville Pridham
July 2, 1999
(702) 486-3788**

**ATTORNEY GENERAL SUPPORTS FEDERAL TRADE
COMMISSION RULE THAT WILL BETTER PROTECT CHILDREN
ON THE INTERNET**

Attorney General Frankie Sue Del Papa today added her support to a growing list of state attorneys general who are supporting a Federal Trade Commission rule that would provide greater protection of children's privacy on the Internet. The Children's Online Privacy Act (COPPA) of 1998 would heighten rules regarding the collection of information from children on the Internet. It would also give the state attorneys general office the power to prosecute offenders.

According to Forrester Research, Inc., the percentage of North American households with Internet access will nearly double between 1998 and 2003. The total number of web users globally is projected to grow from 16.1 million in 1995, to nearly 500 million by 2003.

As the Internet market continues its explosive growth, online commerce is also rapidly expanding and with that, online collection of consumers' personal identifying information continues to expand. Widespread collection of this information in turn increases the risk that personal data will be used in identity theft crimes, and crimes against children.

Concerns over the gathering of personal information from children have been greatly heightened. During the 1997 Public Workshops on Consumer Information Privacy, a survey found that 97% of parents whose children use the Internet believe that websites should not sell or rent personal information relating to children. The survey also found that 72% of parents object to websites that request a child's name and address when the child registers at the site, even if such information is used only by the website itself.

But an FTC study conducted in 1998 found that a high percentage of websites were collecting personal identifying information from children, while providing little or no explanation about how that information would be used. The FTC found that:

- As many as 89% of children's sites surveyed collected personal identifying information from children.
- Only 46% of children's sites surveyed contained any disclosure of information collection and use practices.
- Only 24% of children's sites surveyed contained a comprehensive privacy policy.
- Only 23% of the sites surveyed warned children to get their parents' consent before providing personal identifying information.
- Fewer than 10% provided for some type of parental control over the collection of information from children.

Under the FTC's rules, operators of Internet sites would be required to establish and maintain reasonable procedures to protect the confidentiality, security and integrity of personal information collected from children. In addition, the attorneys general who have signed on as supporters, are recommending the following:

- that operators use secure webservers when collecting information from children;
- that information be placed behind firewalls where it would be appropriate to do so;
- that information be retained in retrievable form only as long as necessary;
- that information is deleted as soon as it is no longer being used;
- and that only employees who are authorized to access data be permitted to do so.

"The protections contained in the proposed Rule will help protect the privacy of our children from those who might use personal identifying information to harm them," Del Papa said.

So far, the attorneys general from Nevada, Washington, Maryland, Hawaii, Illinois, Oklahoma, Vermont and New York have committed their support. July 12, 1999 Page 2 "Protecting Citizens, Solving Problems, Making Government Work"

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE

CONTACT: Leslie Nielsen

July 2, 1999

(702) 486-3102

STATE SUSPENDS MOBILE HOME DEALER LICENSES

Attorney General Frankie Sue Del Papa announced today that the Department of Business and Industry, Manufactured Housing Division has suspended state licenses issued to mobile home dealers AA Manufactured Homes, Inc. and Advantage Homes and principals Timothy Woods, Timothy Wirth and Wesley Boyd.

The enforcement action was prompted by allegations that the licensees had used identities and credit histories obtained from would-be buyers and forged the individuals' signatures on retail installment contracts. The phony mobile home purchases were financed by The CIT Group and Green Tree Financial Corporation, yet neither finance company is registered as a lienholder on the home titles. The two finance companies report that they have a combined total of approximately \$1,500,000 in questionable transactions involving these dealers.

The would-be buyers first found out that they were obligated for mobile home purchases they had not made through telephone calls from the finance companies demanding payment. Other buyers have complained that the dealers sold them mobile homes with serious title problems including unsatisfied prior liens.

The suspension will prohibit the dealers from conducting any sales activities until a hearing before the Division on August 16, 1999, which will determine whether the licenses should be permanently revoked.

**STATE OF NEVADA
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Protecting Citizens, Solving Problems, Making Government Work

**FOR IMMEDIATE RELEASE
CONTACT: Dorene Whitworth
July 2, 1999
(775) 684-1124**

**ATTORNEY GENERAL ANNOUNCES MORE THAN \$1,000,000 IN
GRANT ALLOCATIONS FOR DOMESTIC VIOLENCE PREVENTION**

Attorney General Frankie Sue Del Papa, who chairs the Nevada Domestic Violence Prevention Council, has announced the recipients of approximately \$1,100,000 in grants awarded in the fight against domestic violence and related issues.

The grants, awarded in accordance with 1999 federal funding provided under the Stop Violence Against Women Act, will be distributed statewide. The "VAWA" funds will be used to better coordinate law enforcement and prosecution strategies to combat violent crimes committed against women. Funds have also been awarded to assist in developing and enhancing governmental and private advocacy programs that aid such victims.

"Dozens of entities and organizations from throughout Nevada submitted proposals seeking more than \$2.6 million in grant funds," Del Papa said. "Although the funding decisions were very difficult -- we are confident that the approximately \$1,100,000 in grants will be very valuable in helping to provide additional services to victims and more training for law enforcement, which will enhance Nevada's overall response to domestic violence."

Priority was given to areas showing the greatest need. The formula for choosing grant recipients was based on the availability of existing domestic violence and sexual assault programs in the population and geographic area to be served in relation to the availability of such services in other populations and areas. Preference was also given to services for underserved populations, including: elderly; disabled and minority victims; geographically isolated victims; and those victims who are isolated for reasons such as homelessness or drug and alcohol dependence.

"It is our hope and intended purpose to better reach Nevada's underserved population groups," Del Papa said. "Each grant recipient is required to extend whatever training is offered to rural and tribal

communities. Recipients are also encouraged, whenever appropriate, to make publications available in Spanish as well as English."

A list of funded organizations, the amount of funding they will receive, and an abbreviated description of the purpose of each project are outlined below:

Law Enforcement

Committee Against Domestic Violence/
\$ 5,500 Elko County Sheriff's Department
(Law enforcement training)

Carlin Police Department
\$ 4,500 (Security Equipment)

Hispanic Association for Bilingual Literacy and Education
\$20,000 (Las Vegas - Law Enforcement Liaison)

Las Vegas Metropolitan Police Department
\$ 27,800 (Victim advocate to respond with officers
on domestic violence calls within Clark County)

Mineral County Sheriff's Department
\$ 8,900 (Surveillance equipment)

No To Abuse (Nye & Esmeralda Counties)
\$20,000 (First Responder Advocacy Program)

Safe House, Inc.
\$ 9,350 (Victim Advocate to work with Henderson Police
Department)

Safe Nest
\$20,400 (Part-time advocates located within North Las
Vegas, Mesquite & Boulder City Police Departments)

UNR Police Department
\$100,000 (Training project involving 15 law enforcement agencies
in Northern Nevada)

WestCare Nevada
\$26,500 (Partial funding for a law enforcement advocate
working with Las Vegas Metro Police in Laughlin)

White Pine County Sheriff's Department

\$ 4,500 (Equipment purchase for evidence collection)

Prosecution

Clark County District Attorney

\$ 45,714 (Fund the hiring of prosecutorial & support staff)

Henderson City Attorney

\$ 40,000 (Funding for one domestic violence victim advocate)

Las Vegas City Attorney

\$ 50,000 (Partially fund one victim advocate position and a part-time investigator)

Sparks City Attorney

\$ 10,000 (Partial funding of a domestic violence victim advocate position)

Washoe County District Attorney

\$45,709 (Funding for a victim advocate position and equipment)

Reno Municipal Court

\$60,800 (Funding for a warrants service officer)

WestCare Nevada

\$26,500 (Partial funding for a prosecutorial advocate working with Clark County District Attorney in Laughlin)

Victim Services & Discretionary Awards

Advocates to End Domestic Violence [Carson City area]

\$ 13,000 (To partially fund victim advocate)

Carson City Center for Independent Living

\$ 23,000 (Outreach to disabled victims of domestic violence and training of other service providers)

Clark County Pro Bono Project

\$ 35,000 (To hire a staff attorney to assist victims of domestic violence)

Committee to Aid Abused Women [Northern Nevada]

\$ 16,645 (To strengthen existing protection order project)

Community Action Against Rape [Clark County]

\$ 16,144 (To provide training to crisis intervention counselors for

victims of sexual assault)

Crisis Call Center, Inc. [Washoe County/Carson area]
\$ 5,500 (To enhance existing program aiding sexual assault victims)

Committee Against Domestic Violence [Elko]
\$ 15,000 (Funding for Victim Court Advocate)

Economic Opportunity Board [Clark County]
\$24,000 (Counseling services for domestic violence victims
with chemical addiction)

Family and Child Treatment [Clark County]
\$ 20,000 (Partial funding for domestic violence therapist)

Family Support Council of Douglas County [Douglas County area]
\$ 11,000 (Partial funding for a case worker to assist
victims of domestic violence)

Greater Light Christian Center [Washoe County]
\$ 34,000 (Assistance geared toward underserved African-American
victims of domestic violence)

Mineral County Advocates to End Domestic Violence
\$ 7,600 (To partially fund a domestic violence victim's court advocate)

Nevada Network Against Domestic Violence [Statewide]
\$ 30,000 (Statewide domestic violence training program involving
medical providers)

Nevada Public Health Foundation
\$24,150 (Funding to assist in the establishment of a statewide
Coalition Against Sexual Violence)

No to Abuse [Central-Southern Nevada]
\$ 12,400 (To partially fund Frontier Outreach Project providing
victim services throughout Nye and Esmeralda Counties)

Nevada Urban Indians [Northern Nevada]
\$20,000 (Emergency shelter and advocacy services for Native
American victims of domestic violence)

Safe House, Inc. [Clark County]
\$ 15,000 (Domestic violence victim advocate program)

Step 2 [Washoe County]

\$17,000 (Partial funding for counseling services for domestic violence victims with substance dependencies)

Support, Inc.

\$22,434 (Creation of a Sexual Assault Response Team in White Pine, Eureka and Northern Nye Counties)

Tahoe Women Services [Incline and surrounding Tahoe areas]

\$ 10,000 (Domestic violence victim advocacy services)

Temporary Assistance for Domestic Crisis [Clark County]

\$ 10,650 (Advocacy services at the emergency shelter for domestic violence victims in Laughlin and N. Las Vegas)

UNLV - Jean Nidetch Women's Center

\$ 16,000 (Partial funding for domestic violence programs on UNLV Campus)

UNR Psychological Services

\$ 7,600 (Counseling for student victims of domestic violence and sexual assault, intern training & self-esteem classes)

Volunteer Lawyers for Washoe County

\$ 10,000 (To enhance lawyer services to victims of domestic violence seeking protective orders)

WestCare Nevada

\$ 20,000 (Advocacy services for domestic violence victims who also suffer from substance abuse in Las Vegas and North Las Vegas)

HELP of Southern Nevada

\$ 8,332 (Statewide training program for case managers of Family Resource Centers)

For more information on how the Attorney General is working to help prevent domestic violence, visit the office's website at: <http://ag.state.nv.us/>

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE

CONTACT: Brian T. Kunzi

July 2, 1999

(702) 486-3199

**ATTORNEY GENERAL RAIDS ALLEGED CHARITY FRAUD
PHONE ROOM**

Investigators from Attorney General Frankie Sue Del Papa's Bureau of Consumer Protection this morning executed a search warrant at a local Las Vegas office believed to be used to run a fraudulent charity scam. The search was initiated in response to inquiries concerning telephone solicitations for donations to veterans' groups.

The telemarketers convinced an organization known as the Veteran's Opportunity and Service Center (VOSC) to let them solicit for donations in the group's name. VOSC was to receive only 10% of the total amount of money collected. The telemarketers run their operations without any supervision or control from the charity. The Attorney General believes donations from individuals and businesses in the Las Vegas metropolitan area over the past several months averaged approximately \$12,000 per month. Individuals are told most, if not all, of the proceeds will directly benefit veterans.

"Charity fundraising is becoming big business," Del Papa said. "Unfortunately, as more charities rely on professional telemarketers for fundraising, a fertile environment for fraud is sometimes created. These types of telemarketers are not bashful about saying whatever it takes to get a donation. The claims are often totally false or at least misleading. The most effective means of getting a donation is to create the false impression that the charity is linked to other legitimate, more familiar, organizations. The donations also are almost always described as being tax deductible."

The Attorney General advises all consumers, both individuals and businesses, to closely scrutinize any solicitation for donations made over the telephone. "The person on the other end of the line could be anyone," Del Papa said.

The Bureau of Consumer Protection offers the following tips to help avoid being ripped off in the name of a charity:

- Ask to be sent documentation explaining the work done by the charity
- Contact the IRS and verify whether the donation is tax deductible
- Do not be pressured into making the donation immediately
- If they cannot wait, do not take the risk
- Contact the named sponsoring organizations and verify the association with the fund-raisers
- Ask how much the fund-raiser is receiving and how much is going directly to the charity

The Attorney General's office was assisted in its investigation by representatives from the American Legion and the Veterans of Foreign Wars (VFW). It is emphasized that the American Legion and VFW have no connection or affiliation with VOSC.

Anyone who has questions about donations to VOSC is urged to contact the Attorney General's Bureau of Consumer Protection in Las Vegas at (702) 486-3777. Consumer protection information and complaint forms can be found on the Attorney General's website at: <http://ag.state.nv.us/>

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FOR IMMEDIATE RELEASE

CONTACT: Jane Femiano

July 1, 1999

(702) 486-3789

**ATTORNEY GENERAL WARNS PARENTS ABOUT GERBER
SETTLEMENT CLAIM SCAM**

Attorney General Frankie Sue Del Papa today issued an alert to parents concerning persistent rumors pertaining to a cash settlement involving Gerber Baby Foods that is still being circulated. Consumers are misled to believe they can receive a \$500 savings bond from the Gerber Products Company if their children were born between 1985 and 1997 if they send in a copy of their child's birth certificate and social security number to a post office box in Minneapolis, Minnesota.

In a company statement, Gerber said it is not involved in any settlement involving reimbursements to customers, and that rumors of any alleged settlement are completely false.

"This is an old hoax that has surfaced once again," Del Papa said. "These rumors and false claim about a settlement with Gerber Foods have been circulating for some time. Our Bureau of Consumer Protection office has received numerous inquiries about this settlement over the last year. I want to strongly caution parents that they should never release birth records or other personal information about their children unless they know that information is going to a legitimate company."

Gerber is not aware of the source of the rumor. Consumers with questions or concerns may find the Gerber statement and warning on their Home Page: www.gerber.com, or consumers may write to the Gerber Products Company at 445 State St., Fremont, MI 49413-1056, or telephone the company at 1-800-4-GERBER.

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OFFICE OF THE ATTORNEY GENERAL**

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**FOR IMMEDIATE RELEASE
CONTACT: Grenville Pridham
July 1, 1999
(702) 486-3788**

**ATTORNEYS GENERAL PROTECTS CONSUMERS BY BLOCKING
"FALSE" ENVIRONMENTALLY-FRIENDLY PRODUCTS**

Attorney General Frankie Sue Del Papa announced today that her office has successfully blocked a Texas company from selling and marketing products in Nevada that falsely claim to provide effective and environmentally superior alternatives to traditional laundry detergent. One Source Worldwide Network, Inc. and its Chief Executive Officer and Chairman of the Board, James M. Fobair, have agreed to the terms of a multi-state settlement involving six states for allegedly falsely touting its laundry aid product, "Laundry CD," as an effective substitute for laundry detergent.

One Source Worldwide Network claimed that the "Laundry CD" product not only cleaned laundry, but also did so without polluting the Earth's waterways. But the states involved in the investigation maintain that the company did not have adequate substantiation for its claims that the product cleaned clothes as well as detergent, or about the environmental attributes of the products. Tests performed by the states showed that the "Laundry CD" product was merely a plastic shell filled with blue-colored, ordinary water. The "Laundry CD" was sold via multi-level or "network" marketing.

The advertising and promotional material of One Source Worldwide Network made several unsubstantiated claims, including:

- "It replaces laundry detergent with quantum physics and a structured water technology."
- "Fabrics stay new-looking longer."
- hypoallergenic."
- "Chlorine is a chemical that is frequently added to rid water of excess phosphates and other chemicals found in detergents. But that doesn't mean chlorine is good for you. . . . Chlorinated water contains carcinogens, which, when inside cells, may cause mutations of DNA. . . . When

you use the Laundry CD(tm) . . . You are eliminating the phosphates from your wastewater. A significant decrease in the phosphate content of our rivers and lakes will decrease the need for chlorine to make them suitable for drinking. Not only will our clothes and dishes benefit from softer water, but our bodies will, too. . . . Chlorine bleach is a major enemy to the environment. Chlorine destroys the ozone layer and is a known carcinogen."

- "With so many problems today, every real solution helps. The Earth Smart products from One Source Worldwide Network(tm), Inc. have the potential to reduce the amount of pollution that is pumped into the environment by the five billion wash loads in the U.S. every year, from the Laundry CD(tm) product alone. If we can show enough people about this eco-conscious invention, we can do wonders. But not only will you feel good about what you are doing to help save the world we live in, leaving clean water and healthier eco-systems for generations after you, you will also feel good about the products, because they work."

The multi-state settlements prohibit the company from making any false representations in connection with the advertising, promotion, offering for sale, sale or distribution of the Laundry CD. The company is specifically enjoined from representing in any manner, expressly or by implication:

- that the product cleans as well as a conventional laundry detergent;
- that the product cleans laundry by emitting a negative charge that forces positively charged dirt to leave fabric;
- that the product helps to protect the environment because there is no need for detergents, fabric softeners, or extra rinse cycles;
- that the product is a viable alternative to detergents and other laundry agents.

As part of the settlement, One Source Worldwide Network, Inc. will pay \$50,000 to the participating states, and to the Federal Trade Commission with whom they also have reached an agreement. The state attorneys general who joined Del Papa in these settlements are Arkansas, Illinois, Michigan, Missouri and Texas.

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FOR IMMEDIATE RELEASE
CONTACT: Grenville Pridham
August , 1999
(702) 486-3788

**ATTORNEY GENERAL'S OFFICE ISSUES WARNING ABOUT
DEFECTIVE WATER HEATERS**

Attorney General Frankie Sue Del Papa announced today that the office's Bureau of Consumer Protection is issuing a warning to consumers regarding defective water heaters that were manufactured between 1993 and 1996.

"Defective plastic dip tubes were installed in some water heaters that were sold across the country," Del Papa said. "Many of those dip tubes are now deteriorating, causing damage and requiring repair. Pieces from the defective dip tubes break off and clog faucets, reducing the operating efficiency of affected water heaters. This problem has already affected more than 11,000 water heaters."

Dip tubes are used in water heaters to force cold water to the bottom of the tank. The defect occurs when the dip tubes react with hot water and begin to deteriorate, resulting in chips or a white sludge that sticks to the interiors of water heaters and pipes. When the dip tube breaks away, the cold water enters the top of the tank, reducing temperatures and requiring the thermostat to be adjusted upward.

Local plumbers may also receive calls from consumers complaining of white chips that float through the plumbing systems. These particles may get trapped in dishwasher filters, clothes washer filters, faucets and showerheads. If the problem is not properly diagnosed as a plastic dip tube defect, the consumer may end up bearing the cost of water heater replacement or other repairs not covered under a warranty.

It should be noted, a dip tube problem may not be the sole diagnosis for consumers with complaints of low pressure or not enough hot water. A faulty or incorrectly set thermostat or other non-plastic sediments in the tank could cause similar problems.

If you think you may be experiencing a problem with a defective dip tube, the Bureau of Consumer Protection suggests you contact the manufacturer of your hot water heater. Listed below are phone

numbers for the most common manufacturers of hot water heaters. You should know the model and serial number of your hot water heater before calling.

| MANUFACTURER PHONE NUMBER ALSO SOLD UNDER THE BRAND NAME OF: | A.O. Smith 1-800- 323- 2636 *** | Rheem 1-800-621- 5622 Sears, Montgomery Ward | Bradford 1-800- 523-2931 *** | White State 1-800-365- 0024 Kenmore, Reliance, Master Plumber and Penfield | American 1-800-999- 9515 *** | Richmond 1-800-432- 8373 *** |
|--|--|---|---------------------------------------|---|---------------------------------------|---------------------------------------|
|--|--|---|---------------------------------------|---|---------------------------------------|---------------------------------------|

If a dip tube problem is suspected, you may be instructed to contact your plumber. If you have questions or complaints about plastic dip tubes, contact the Bureau of Consumer Protection at (775) 486-3786. Consumer protection information can also be found on the Attorney General's website at: <http://ag.state.nv.us/>

**STATE OF NEVADA
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FOR IMMEDIATE RELEASE
CONTACT: Marshall Smith
August 27, 1999
(775) 688-1977

**ATTORNEY GENERAL'S OFFICE ISSUES WARNING ABOUT
TELEPHONE SCAMS**

The Nevada Attorney General's Bureau of Consumer Protection is issuing a consumer advisory about two telephone scams. One concerns the use of an "809" area code number. The other is in regards to "90#" telephone toll fraud scam.

Some consumers are getting stung by "emergency" and cryptic telephone calls, and/or e-mail and pager messages urging them to call an "809" area code number for information about an injured or sick relative, prize opportunities, or debt collectors. The messages tell recipients to call an "809" number for more information. But in reality, the number is an international pay-per-call line.

"Consumers should be cautious of messages from unfamiliar sources with a return telephone number using an 809-prefix, or any other unfamiliar area code," Del Papa said.

According to the Federal Communications Commission (FCC), a number of consumers have received bogus e-mail messages or calls regarding a "90#" telephone toll fraud scam.

The targets for this scam are businesses, hospitals, government agencies and other organizations that use telephone switching equipment called private branch exchanges (PBXs) to handle their calls. Home telephone lines are generally not a target of this scam.

The scam is perpetrated by someone claiming to be an AT&T telephone company employee who is investigating possible technical problems with the organization's/business's telephone line, or is checking on calls supposedly placed to other states or countries from this particular line. The caller asks for the organization's cooperation by dialing "90#" before hanging up, or to transfer the call to an outside line. The caller then uses the victim's line to place fraudulent calls that are billed to the business.

"Telephone company employees checking for technical and other types of telephone service or billing problems do not call and ask consumers to dial a specific series of numbers," Del Papa said. "These types of calls are made to trick consumers into taking actions that will end up costing them money. If you receive such a call, hang up and call your local phone service provider to determine if any such problem exists with your telephone lines."

You can find information about telephone fraud scams on the FCC's website at: www.fcc.gov/ccb/consumer_news, or by calling the FCC's toll-free voice number at 1-800-225-5322. Information on the "90#" scam can be found on AT&T's website at: www.att.com/features/0398/90pound.html, or by calling AT&T's Business Customer Care Center at 1-800-222-0400.

For more information on the Attorney General's consumer protection agenda, visit the office's website at: <http://ag.state.nv.us/>, or call the Bureau of Consumer Protection office in Las Vegas at (702) 486-3777.

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FOR IMMEDIATE RELEASE

CONTACT: Steve George

August 27, 1999

(775) 684-1114

**TEEN PREGNANCY PREVENTION COMMUNITY FORUMS WILL
TAKE PLACE IN NORTHERN AND SOUTHERN NEVADA**

The Nevada State Health Division and the Nevada Attorney General's office will be hosting community forums to discuss teen pregnancy prevention August 31st through September 2nd. State Health Division Administrator Yvonne Silva, Health Division staff, and Attorney General Frankie Sue Del Papa will be conducting discussion groups. The forums are open to the public. They will be held on the following dates:

TUESDAY, AUGUST 31st

Grant Sawyer Building

555 E. Washington Ave., Rm. 4412

Las Vegas

1:00-2:30pm

WEDNESDAY, SEPTEMBER 1ST

Jeanne Dini Yerington Cultural Center

120 N. California St., Ginny Baker Theater

Yerington

10:00 am-12:00pm

THURSDAY, SEPTEMBER 2ND

Washoe County Complex

1001 E. Ninth St., Commissioner's Chambers

Reno

9:00am-10:30am

Despite recent progress, Nevada continues to have the highest teen pregnancy rates in the nation.

"The State Health Division and the Attorney General's office are in the process of drafting a Teen Pregnancy Prevention Action Plan for 2000-2005," Del Papa said. " We need support and input from community members so that we can create a plan that will serve all members of our society as best as possible."

For more information the forums, call the State Health Division at (775) 684-4245. For more information on what is being done to combat teen pregnancy in Nevada, visit the Attorney General's website at: <http://ag.state.nv.us/>, or call the State Health Division at (775) 684-4245. "Protecting Citizens, Solving Problems, Making Government Work"

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FOR IMMEDIATE RELEASE
CONTACT: Mark N. Kemberling
August 26, 1999
(702) 486-3420

HEALTH CARE WORKER PLEADS GUILTY TO ELDER NEGLECT

Attorney General Frankie Sue Del Papa announced that former care facility worker Marie Dennis, 45, of Las Vegas, today pleaded guilty to one gross misdemeanor count of Elder Neglect. Clark County District Court Judge Donald M. Mosley is scheduled to sentence Dennis on October 14, at 9:00 am. Dennis could receive a sentence of up to one year incarceration and a fine of up to \$2,000.00.

Medicaid Fraud Control Unit Director (MFCU) Tim Terry said the charge stems from a June, 1998 incident at a Las Vegas long-term care facility. During the incident, Dennis negligently force fed a 98-year-old resident, causing him to choke and gasp for air. She compounded her negligence by forcefully pushing his wheelchair out of the dining room, which resulted in his feet being entangled beneath the wheelchair.

"Crimes against the elderly are some of the most serious and under-reported," Del Papa said. "The Medicaid Fraud Control Unit aggressively pursues cases in which the safety of an elderly person is put at risk."

If you suspect someone of abusing or neglecting an elderly person, please report it to the MFCU in Carson City at (775) 687-4704; in Las Vegas at (702) 486-3420; or to the Division for Aging Services in Reno at (775) 688-2964; in Carson City at (775) 687-4210; in Las Vegas at (702) 486-3545; or a local law enforcement agency.

Information about how to prevent elder abuse and neglect can be found on the Attorney General's web site at: <http://ag.state.nv.us/>

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FOR IMMEDIATE RELEASE

CONTACT: Steve George

August 25, 1999

(775) 684-1114

**ATTORNEY GENERAL ANNOUNCES NEW LAW AIMED AT
BETTER PROTECTING BUSINESSES FROM SHOPLIFTING**

While addressing a Las Vegas-area group of business and professional people on August 25th, Attorney General Frankie Sue Del Papa described how a new law sponsored by her office in the 1999 Nevada Legislature will help crack down on shoplifting. Del Papa told those gathered at the monthly "Business Watch" luncheon that the new law clarifies that merchants may detain people within their store who they observe concealing merchandise.

Many small store owners had asked the Attorney General's office to sponsor the new law because under previous statutes regarding shoplifting, store personnel could not stop a person who they believed had concealed stolen merchandise until after he/she was outside the business's door.

"AB 85 gives business people another tool to help reduce shoplifting losses that we all pay for through higher retail prices," Del Papa stated. "It clarifies that merchants may detain people concealing merchandise without waiting for them to go outside the store."

Businesses are being asked to post signs notifying people about the new law:

Any merchant or his agent who has reason to believe that merchandise has been wrongfully taken by a person may detain such person on the premises of the merchant for the purpose of recovering the property or notifying a peace officer. An adult, or the parents or legal guardian of a minor, who steals merchandise is civilly liable for its value and additional damages. NRS 597.850, 597.860 and 597.870.

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FOR IMMEDIATE RELEASE

CONTACT: Brett Kandt

August 25, 1999

(775)684-1204

YOUNG LAWYERS SECTION LAUNCHES "NEVADA COMING OF AGE" PROJECT

The State Bar of Nevada Young Lawyers Section has published a 15-page booklet, entitled "Coming of Age in Nevada," which is designed to better educate Nevada high school seniors about the legal responsibilities of becoming an adult. Topics addressed in the booklet include: voting; jury duty; military service; driving; alcohol consumption; criminal law; contracts; consumer credit; property leases; employment; and marriage, divorce and children.

With the assistance of the Nevada State Education Association and the Nevada Department of Education, the Coming of Age publication will be distributed annually to all Nevada high school seniors. "Coming of Age in Nevada" can also be found on the Attorney General's website at: <http://ag.state.nv.us/>. Classroom presentations by attorneys volunteering their time will follow. The Young Lawyers Section believes that such volunteer efforts further the aspirational goals of Nevada Supreme Court Rule 191 regarding pro bono service by Nevada attorneys.

"This booklet can serve as an invaluable tool to seniors who are making the move from high school into the world of being a responsible adult," Attorney General Frankie Sue Del Papa said. "It covers a variety of topics that 18-year-olds will soon face, and offers sound advice on how to best become a responsible citizen in our society."

State Superintendent of Public Instruction Mary Peterson applauds the effort of the Young Lawyers Section. "Entering adulthood can be frightening and overwhelming. This booklet offers a concise and readable overview of the legal aspects of adulthood."

The booklet, a first of its kind in Nevada, was drafted and edited by members of the Young Lawyers Section. Funding for the project came in part from the American Bar Association Young Lawyers Division through a grant from the American Bar Association Fund for Justice and Education.

For more information, please contact the project coordinator, Nevada Deputy Attorney General Brett Kandt, at 775-684-1204.

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE
CONTACT: Liesl K. Freedman
August 25, 1999
(702) 486-3420

DEPARTMENT OF TRANSPORTATION WINS CONTRACT CASE

Clark County District Court Judge Gary L. Redmon has granted a Motion for Summary Judgment filed by the Nevada Department of Transportation (NDOT) against Andrew L. Leavitt d/b/a Leavitt Landscape & Lawn Care (Leavitt). Leavitt was an unsuccessful bidder for a landscape maintenance contract. Leavitt sued NDOT for negligence and breach of contract.

Leavitt's claim was that NDOT had no discretion to allow the lowest bidder extra time to obtain a performance bond. Judge Redmon disagreed finding that this was a classic case when the government should exercise its discretion. In exercising its discretion NDOT saved the State approximately \$67,488.00 over the life of the contract. After finding that NDOT was properly exercising its discretion, the court then found that NDOT had governmental immunity from suit. Thus, NDOT was entitled to judgment in its favor as a matter of law.

On Leavitt's claims for breach of contract Judge Redmon found that no reasonable jury could find that Leavitt had a contract with NDOT. By the Court finding that no contract existed between Leavitt and NDOT, all of Leavitt's claims for breach of contract failed and NDOT was entitled to judgment in its favor as a matter of law.

Attorney General Del Papa stated, "I am pleased to see that the court was willing to quickly dismiss such a frivolous case that might have otherwise cost the taxpayers time and money defending a case so clearly without any merit."

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE

CONTACT: Jo Ann Gibbs

August 25, 1999

(702) 486-3782

**NEVADANS WILL RECEIVE NOTICE OF PROPOSED SETTLEMENT
OF PUBLISHER'S CLEARING HOUSE CLASS ACTION LAWSUIT**

Attorney General Frankie Sue Del Papa announced today that Nevada citizens who received mail solicitations or ordered and paid for subscriptions from Publisher's Clearing House ("PCH") during the period of February 3, 1992 to June 30, 1999, will be receiving a federal court-ordered, direct mail pamphlet entitled "Notice of Class Action, Proposed Settlement and Final Fairness Hearing" in connection with a private class action lawsuit filed in the Southern District of Illinois. The most recent class action complaint, filed in June of 1999, involves claims against PCH related to deceptive acts in their advertising, marketing and business practices. The class action sought money and punitive damages as well as a permanent injunction prohibiting PCH and "Campus Subscriptions" from engaging in the alleged misconduct.

The settlement has yet to be approved by the court. Under the terms of the proposed settlement, PCH has agreed to provide an "Ironclad Guarantee" to all consumers who received PCH solicitations advising them that no purchase is necessary to enter or win a PCH sweepstakes, as well as additional information including: an estimate of the odds of winning; PCH's cancellation and refund policies; and ways to obtain additional sweepstakes entry opportunities.

Those consumers who purchased magazines or products from PCH during the period in question may be eligible for a refund of monies paid to PCH. The Notice of Class Action details the terms and conditions that must be met in order to be eligible for a refund. Those consumers who wish to participate in the settlement and believe they are eligible for a refund must contact PCH by letter postmarked by October 18, 1999, and received by PCH no later than November 2, 1999.

Consumers wishing to exclude themselves from the terms of the settlement must submit a written request for exclusion to the Class Counsel no later than October 18, 1999. If the consumer has no objection to the proposed settlement, no further action is necessary. The Notice of Class Action lays out

the specific requirements for exclusion.

This consumer alert is intended to give Nevadans notice of the pending settlement. Additional information regarding the settlement and release is available on PCH's website at <http://www.PCH.com/cust/consumer1.asp>

The Nevada Attorney General's Bureau of Consumer Protection is currently participating in the National Association of Attorneys General multi-state sweepstakes group, which is looking into deceptive sweepstakes promotions.

"Illegal sweepstakes promotion tactics have already been the subject of investigations by this office and will continue to be a major focus in the future," Del Papa said.

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

**FOR IMMEDIATE RELEASE
CONTACT: Grenville Pridham
August 24, 1999
(702) 486-3788**

**DEFENDANT SENTENCED FOR UNREGISTERED
TELEMARKETING**

Attorney General Frankie Sue Del Papa announced that 25-year-old Darin Notaro, aka Darin Sasser, of Las Vegas, was sentenced today by Clark County District Court Judge Sally Loehrer to one year in the Clark County Detention Center for his role in an unregistered telemarketing scheme. Notaro was further ordered to pay restitution in the amount of \$12,230.04.

Notaro pleaded guilty to conspiracy to commit unregistered telemarketing. His plea arose from his involvement with Century Pacific Group, an illegal telemarketing boiler room that operated at 6985 W. Sahara Avenue in Las Vegas. Salesmen at Century Pacific Group targeted elderly victims who were told that they had won various sweepstakes prizes, but that they first had to pay \$699. If someone balked at that figure, the salesman would tell that victim that they could have the prize for \$499.

In reality, the victims did not win any prizes. In fact, they were sent a package from Century Pacific Group that contained a list of companies that offered prize promotions of some kind, and envelopes to send in their name to be entered in the different companies' promotions. The victims also received an inexpensive camera and coupons to buy film. The total value of the package was less than \$40.00.

Investigators from the Office of the Attorney General and the FBI searched the offices of Century Pacific Group on August 13, 1998. They arrested Notaro, who was on probation for federal felony convictions for telemarketing fraud by wire, at that time.

At his sentencing, Notaro claimed that he was only a "runner" for the business. But Judge Loehrer noted that his previous convictions belied his claims that he did not know that the business was engaged in any illegal telemarketing activity. Notaro was given until September 8, 1999, 8:30 A.M., to surrender himself. Co-defendants, James Edward Smith, age 26, and Jeffrey S. Klingenberg, age 28, will be sentenced on August 31, 1999 by Judge Loehrer.

For more information on this and other consumer matters, contact the Bureau of Consumer Protection Division of the Attorney General's office at (702) 486-3786, or call the Attorney General's office statewide by calling Nevada's toll free switchboard at 1-800-992-0900. TDD service is available for the hearing impaired. Consumer protection information can also be found on the Attorney General's website at: <http://ag.state.nv.us/>.

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE

CONTACT: Steve George

August 23, 1999

(775) 684-1114

**ATTORNEY GENERAL OFFERS ADVICE AND TIPS FOR PARENTS
AND STUDENTS AS ANOTHER SCHOOL YEAR BEGINS**

As thousands of school children throughout Nevada head back to the classroom, Attorney General Frankie Sue Del Papa would like to remind parents, faculty and students that everyone plays an important role in creating a safe environment in which to grow and learn.

"The tragedies that have taken place across America on our school campuses remind all of us to reflect on the importance of joining together to better enhance and coordinate our efforts to reduce the chances of violence taking place in our state," Del Papa said. "Schools cannot on their own eradicate the causes and consequences of violence. However, schools can be a powerful force for change, for preserving the hopes and opportunities of the children they educate, and for supporting the families in their communities."

The Nevada Attorney General's office has partnered with Nevada Superintendent of Public Education Mary Peterson, the National Association of Attorneys General (NAAG), and the National School Boards Association (NSBA) to develop several brochures aimed at providing better protection against violence in our schools. The brochures have been sent to all Nevada junior and senior high schools.

"SCHOOL SAFETY: A Message to the Community," includes ten steps kids can take to help prevent violence in their school, along with outlining ten basic points of a Safe School Plan.

"Protecting Students From Harassment and Hate Crimes: A Guide For Schools," provides a five-point plan on how schools can better prevent these types of violent acts: identify the hate crime laws that apply in the school's jurisdiction; recognize bias-motivated crime and violence; referrals to law enforcement agencies; coordinate the school's anti-harassment activities with the larger community; and enforce the district's anti-harassment policies consistently and vigorously.

In response to the need of professional educators charged with the difficult responsibility of maintaining order, "School Violence: A Guide To Search and Seizure in the Public School Setting," which outlines the do's and don'ts of searching school children's belongings, has also been published.

These brochures can be accessed on the Attorney General's website at: <http://ag.state.nv.us/>. Copies of the brochures may be obtained by calling the Attorney General's office at (775) 684-1125.

NAAG and the NSBA have launched a joint website: www.keepschoolssafe.org, which shares ideas and information about various school safety and anti-violence programs, and provides up-to-date information on successful programs and ideas that work toward safer schools. The information can help communities and schools devise the most appropriate response to reducing youth violence. Each month the website focuses on a specific aspect of youth violence and school safety problems faced by communities.

"I have taken part in several television shows and community forums which brought together youth, teachers, school administrators, parents, and law enforcement personnel to discuss what can be done to help prevent school violence. The forums have proven to be very useful. Many ideas that may help reduce the chances of a violence incident from occurring have come directly from our school children," Del Papa said.

In May, attorneys general from 22 states met in Jackson, Mississippi with officials, students and parents from 38 states to discuss youth violence and school safety. They identified several barriers to reducing teen violence including:

- Students' fear of retribution if they report threatening, violent or harassing behavior, which often leads to a "code of silence" among school children.
- Alcohol and drug use among teens leads to impaired judgment, reasoning skills and self-control.
- Accessibility to weapons.

The conference also identified several potential remedies:

- Establish an anonymous way for kids to report violent or potentially violent behavior.
- Establish mandatory teacher notification when any student in their school is arrested for a violent crime.
- Development of strong partnerships between law enforcement, schools and other agencies.

"Community action and community involvement are needed now more than ever," Del Papa said. "We have no greater resource than our children."

Several other publications that address youth issues are also available from the Attorney General's office, including: Keeping Your Child Safe on the Information Superhighway: A Parent's Guide; Helping Your Children Avoid Teenage Pregnancy; A Guide To Protecting Yourself From Date-Rape Drugs; and A Guide To Child Safety, a publication of the Nevada Missing Children Clearinghouse. The brochures can also be accessed on the Attorney general's website at: <http://ag.state.nv.us/> "Protecting Citizens, Solving Problems, Making Government Work"

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE

CONTACT: Steve George

August 23, 1999

(775) 684-1114

**ATTORNEY GENERAL UPDATES INVESTIGATION INTO HIGH
GAS PRICES**

Attorney General Frankie Sue Del Papa today discussed at length the West Coast gasoline price situation with California Attorney General Bill Lockyer, whose office has been heading an investigation into why prices being charged at the pump remain so high.

"In addition to an on-going analysis, two economists have been hired by Lockyer's office to look at why gas prices at West Coast stations have remained so high over the last few months," Del Papa said. "The economists are examining the petroleum refineries' pricing policies and practices and what influence those may have on prices being paid by consumers; examining how West Coast refineries determine and control when and how the supply of gas products are distributed; and why prices go up immediately when an accident or refinery disruption occurs, but prices do not come down at the same rate when a particular situation is resolved."

On a parallel track, the Nevada and California attorneys general offices, along with several other western state attorneys general offices, have joined with the Federal Trade Commission (FTC) in a review of major gasoline companies operating in the West. California Senator Barbara Boxer recently revealed that the FTC has sent major oil producers document requests for marketing and pricing information.

Del Papa acknowledged that her office is working with the FTC but stated, "All investigations of this nature are confidential. Rest assured, any information received by the FTC will be shared with my office."

The Nevada Attorney General's office is also continuing to work with the FTC and the California Attorney General's office in a review of the proposed merger of Exxon and Mobil.

"We are investigating whether combining these refineries would lead to higher gasoline prices being

paid at the pump by Nevada consumers," Del Papa said. "Our concern is whether the proposed merger would mean reduced output, setting up a scenario where gas prices might rise due to less competition and supply."

For more information on the Attorney General's consumer protection agenda, visit the office's website at: <http://ag.state.nv.us/> August 26, 1999 Page 2 "Protecting Citizens, Solving Problems, Making Government Work"

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE

CONTACT: Steve George

August 20, 1999

(775) 684-1114

CHALLENGE AIMED AT BEAUTIFYING THE STATE IS ISSUED

Secretary of State Dean Heller and Attorney General Frankie Sue Del Papa today joined with Boulder City Mayor Bob Ferraro and Washoe County Manager Katy Simon-Singlaub in issuing the first challenge to all Nevada citizens to take part in the "Trees 2000 Project." The goal of the project is to plant drought-resistant and regionally appropriate trees and wildflowers in every part of the state, as a gift to future generations of Nevadans in celebration of the Millennium.

Mayor Ferraro issued his challenge today at the annual League of Cities meeting taking place in Fallon, calling on other communities to adopt Boulder City's plan to plant a tree for every citizen of the city. Boulder City has set a goal of planting 15,000 trees during the Nevada Millennium celebration. Boulder City will begin its planting on October 23rd.

In issuing his challenge, Mayor Ferraro said, "I believe this is a tremendous project, one that should involve all entities in our state for what it will do for all our communities."

Simon-Singlaub has pledged her support for the project, saying she plans to issue a similar challenge to all county managers at the annual Nevada Association of Counties meeting in October. Washoe County Commissioner Joanne Bond and Clark County Commissioner Erin Kenny have joined in, saying they will both be stepping up to the plate in the near future to issue a challenge to their fellow commissioners, as well as those from other counties in Nevada.

At a tree planting ceremony at Rancho San Rafael Park in Reno, Heller and Del Papa called upon all Nevadans to pick up the gauntlet and join in the Trees 2000 Project.

Details outlining the entire project, including future expected challenges, will be unveiled prior to Nevada Day in October.

"Nevada has always been uniquely beautiful, from the high desert of Southern Nevada to the rich beauty of Lake Tahoe, this state offers something for everyone," Heller said. "Please join the Attorney General and me in enhancing this splendor by participating in Trees 2000 Project. Together we can provide a higher quality of life for future generations of Nevadans."

Del Papa said, "The Trees 2000 Project will serve many purposes including, improving air quality and enhancing the environment of our state, while at the same time passing down a lasting legacy to future generations of Nevada citizens. Our hope is that businesses, groups, schools, and other entities will challenge each other to plant trees in their community as part of this project. As part of this project, the various entities will be asked to assess the value on our daily lives of the trees being planted.

The statewide Trees 2000 Project will plant its roots on October 23rd and conclude at the end of Nevada's 15-month Millennium celebration on Nevada Day Weekend, 2000. For more information, please call the Secretary of State's office at (775) 684-5703 or the Attorney General's office at (775) 684-1114.

For more information on the project, check out the Attorney General's website at: <http://ag.state.nv.us/> for future updates.

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE

CONTACT: Greg Zunino

August 19, 1999

(775) 688-1831

**GARDNERVILLE MAN FOUND GUILTY OF WORKERS' COMP
FRAUD**

Attorney General Frankie Sue Del Papa announced that Lorne Creasey (CREE-SEE), 44, of Gardnerville, has been found guilty of Workers' Compensation Fraud by a Douglas County jury. The Attorney General's office prosecuted Creasey for the felony offense of making false statements to obtain workers' compensation benefits.

On Wednesday, August 18, the jury found Creasey guilty of making false statements about his employment status and ability to work that enabled him to collect more than \$1,000 in disability benefits to which he was not entitled.

As a result of his conviction, Creasey will now forfeit a \$26,000 disability award, the payment of which was previously approved but suspended pending the outcome of the trial. Additionally, Creasey could be sentenced by Douglas County District Court Judge Michael Gibbons to up to four years in prison and a \$5,000 fine at his September sentencing hearing. Creasey could also be ordered to pay restitution to Employers Insurance Company of Nevada, and to reimburse the Attorney General's Office for its costs of investigating and prosecuting the matter.

If you suspect someone of Workers' Compensation Fraud, you're urged to call the Attorney General's Workers' Compensation Fraud Unit Hotline at 1-800-266-8688. Information can also be obtained on the Attorney General's website at: <http://ag.state.nv.us/>

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE

CONTACT: Steve George

August 19, 1999

(775) 684-1114

****MEDIA ADVISORY****

On Friday, August 20, Secretary of State Dean Heller and Attorney General Frankie Sue Del Papa will be announcing a major project aimed at beautifying the state, which will coincide with Nevada's 15-month Millennium Celebration. The news conference will take place at 9:15 tomorrow morning near the Wilbur May Museum at Rancho San Rafael Park in Reno.

Heller and Del Papa will issue a challenge to all Nevadans that will coincide with similar challenges being put forth by Boulder City Mayor Bob Ferraro, Washoe County Manager Katy Simon-Singlaub, Washoe County Commissioner Joanne Bond and Clark County Commissioner Erin Kenny.

For more information, please contact Steve George at (775) 684-1114.

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

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FOR IMMEDIATE RELEASE

CONTACT: Brian T. Kunzi

August 16, 1999

(702) 486-3199

**ATTORNEY GENERAL'S OFFICE ARRESTS AUTO EMISSIONS
INSPECTORS IN STING OPERATION**

Attorney General Frankie Sue Del Papa has announced that two auto emission inspectors were arrested today as part of the first phase of a sting operation focusing on the forging of auto emissions inspection reports. The two-month long sting operation has been a joint investigation conducted by the Attorney General's Bureau of Consumer Protection, the Las Vegas Metropolitan Police Department, and the Bureau of Enforcement of the Department of Motor Vehicles. More arrests are expected over the next few days.

The emissions inspectors are accused of generating false compliance reports. They allegedly hooked up testing equipment to a different vehicle that the inspector knew would pass, or by manipulating engine components during the test in order to achieve a passing score. The result was a clean bill of health given to a vehicle that did not meet air quality emissions standards.

The two individuals arrested today worked for "Terrible Herbst Quick Lube" and "SS Auto Swap Meet." The stations themselves have not been charged with any wrongdoing.

"The target of these investigations are individual technicians, who appear to be collecting the money for falsifying these tests under the table," stated Del Papa.

"We issued warnings last year that sting operations would be conducted, and they will continue as long as the percentage of arrests remains high," Del Papa said. "The number one complaint from consumers remains autos and auto repairs."

As in all criminal cases, the charges are merely accusations and defendants are presumed innocent unless and until proven guilty in court.

Consumers who feel that they have been the victim of consumer fraud in the repair or service of a vehicle, including emissions tests, should call the Consumer Affairs Division Auto Hotline at (800) 326-5202 outside Clark County, or (702) 486-7355 in Clark County.

Consumer protection information is available on the Attorney General's website at: <http://ag.state.nv.us/>

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE

Contact: Richard Linstrom

August 16, 1999

(702) 486-3196

**EQUINOX LOSES EMERGENCY MOTION - TRO REMAINS IN
EFFECT, ASSETS STAY FROZEN AND RECEIVER RETAINS
CONTROL OF THE BUSINESS**

The Nevada Attorney General's Bureau of Consumer Protection announced today that Las Vegas-based Equinox International Corporation; Advanced Marketing Seminars, Inc.; BG Enterprises, Inc.; and William Gould, their principal owner (collectively "Equinox"), have lost their Emergency Motion to Dissolve or Stay the Temporary Restraining Order and to Remove the Receiver. U.S. District Court Judge Johnnie Rawlinson denied their motion and, as a result, the Temporary Restraining Order (TRO) remains in effect, all assets remain frozen, and the receiver retains complete control of the business.

On Tuesday, August 3, Attorney General Frankie Sue Del Papa's office, the Federal Trade Commission (FTC) and officials from five other states filed suit under seal in Federal Court alleging that Equinox was a pyramid scheme. They asked U.S. District Court Judge Johnnie Rawlinson to halt the alleged unfair and deceptive trade violations of Equinox, its related entities and Gould. Judge Rawlinson issued a TRO that effectively froze the defendants' assets, and she appointed a receiver. The receiver served the TRO and took control of Equinox on Friday, August 6.

On Monday, August 9, Equinox filed an Emergency Stay of the TRO. Unable to obtain a hearing in U.S. District Court prior to Monday, August 16, Equinox then filed a Motion for an Emergency Stay of the TRO with the U.S. 9th Circuit Court of Appeals. The next day, Equinox filed a Writ of Mandamus with the 9th Circuit. Plaintiffs vigorously opposed both motions. On Wednesday, August 11, Equinox approached the Plaintiffs asking for an agreement that would allow the receiver to perform certain tasks. Plaintiffs agreed that the following terms could be effective until the hearing on Monday, August 16: 1) that the receiver could retain certain employees at full compensation; 2) that the receiver could fill orders (limited to \$1000 for first-time sales representatives); 3) that the receiver could fill any items on the wholesale price list; 4) that the receiver could pay rebates; and 5) that the receiver could issue

refunds. As a condition of this agreement, Equinox dropped both of its appeals to the 9th Circuit.

On Monday, August 16, at 4:00 p.m., Judge Rawlinson entertained Equinox's Emergency Motion to Dissolve or Stay the Temporary Restraining Order and to Remove the Receiver. After hearing argument from both parties, the Judge ruled that the TRO would remain in effect and thus, that all assets would remain frozen and that the receiver would retain control over the company until the Preliminary Injunction hearing. The parties agreed, and the Judge ordered, that the above five terms could remain in effect as well. Plaintiffs further agreed that limited funds could be made available for Defendant Gould to pay his reasonable living expenses. Judge Rawlinson ordered Gould to submit an accounting of all funds used to pay reasonable living expenses to the Plaintiffs on a weekly basis. The Preliminary Injunction Hearing is set for September 1st and 2nd at 8:30 a.m.

Persons with complaints against Equinox are urged to call the Attorney General's Bureau of Consumer Protection in Las Vegas at 702-486-3221. Updates on the status of the case against Equinox, as well as other consumer protection information, can be found on the Nevada Attorney General's website at: <http://ag.state.nv.us/>. Copies of the complaint are available on the FTC's web site at: www.ftc.gov.

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE
CONTACT: Veronica Boyd-Frenkel
August 16, 1999
(775) 688-1846

**CONFERENCE IN CARSON CITY WILL FOCUS ON IMPROVING
THE ENFORCEMENT OF DOMESTIC VIOLENCE PROTECTION
ORDERS**

The Nevada Office of the Attorney General, in collaboration with the Inter-tribal Council of Nevada and the Nevada Network Against Domestic Violence (NNADV), will conduct a conference in Carson City aimed at improving the enforcement of domestic violence protection orders for victims who cross jurisdictional lines.

The Full Faith and Credit Project of Nevada conference will take place on Thursday and Friday, August 19th (9:00am-5:00pm) and 20th (8:30am-noon), at The Plaza Hotel in Carson City. The project is being funded by a grant from the Rural Domestic Violence and Child Victimization Enforcement Program of the U.S. Department of Justice.

The project was formed with the following goals:

- To provide information and education about the Full Faith and Credit provisions of the Violence Against Women Act regarding enforcement of domestic violence protection orders from sister states and tribes.
- To identify obstacles to enforcement of the Full Faith and Credit provision.
- To provide a forum for dialogue and problem-solving with individuals from throughout the region and state.
- To allow for community participation in the generation of a State Plan for the implementation of Full Faith and Credit.

"The Federal Full Faith and Credit Provision of the Violence against Women Act states that a protective order issued in/by any state or tribe should be honored by all other states and tribes," said Attorney General Frankie Sue Del Papa, who chairs the Nevada Domestic Violence Prevention Council. "For example, if a batterer pursues a victim from California into Nevada, and violates a California protective order, the California order should be enforced by Nevada law enforcement. However, actual implementation of the law is presenting challenges throughout the country. This conference will help law enforcement better protect victims of domestic violence."

Chief Justice Bob Rose of the Nevada Supreme Court will be delivering opening remarks at the conference. National experts will be on hand to provide education on federal laws and tribal considerations. Participants will then engage in dialogue about current experiences and obstacles to enforcement in various communities. The conference will provide an opportunity for the development of concrete strategies for making Full Faith and Credit a reality that will be included in a statewide Plan of Action.

"One of the highlights of the Carson City summit is that it will bring together representatives from our sister states of California and Oregon, as well as numerous neighboring tribes, thus allowing for a unique inter-jurisdictional dialogue about border-issues related to domestic violence," Del Papa said.

This conference is the second of three in a series of regional summits. The first was held in Elko on July 19th and 20th. The final summit will be held in Laughlin on October 7th and 8th.

For more information on the conference, please contact the Attorney General office's Domestic Violence Ombudsman, Veronica Boyd-Frenkel, at (775) 688-1846. To obtain registration information, contact Nicole Davis at NNADV at (775) 828-1115.

For more information on the Attorney General's role in helping to reduce domestic violence in Nevada, visit the office's web site at: <http://ag.state.nv.us/>

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Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE
CONTACT: Matthew Gabe
August 16, 1999
(702) 486-3793

SOUTH LAKE TAHOE MAN ARRESTED FOR INVESTMENT SCAM

Attorney General Frankie Sue Del Papa announced today that Stephen C. Hadaway, 31, of South Lake Tahoe, California, has been arrested on charges related to a scam involving thousands of dollars invested through O.P.M. Asset Management ("OPM").

According to a three count felony complaint filed by the Attorney General's Bureau of Consumer Protection, Hadaway falsely informed prospective investors that he was a licensed stock broker in Nevada, and that as a licensed stock broker he could invest funds through "OPM" in certain initial public offerings, such as Organic Solutions, Inc., Pen Write Systems, Inc., Central European Media Enterprise Ltd., and Telesoft Corp.

The Complaint alleges that the Defendant committed securities fraud and obtained money under false pretenses by misrepresenting to investors, among other things, that the investments were guaranteed with no risk. It is further alleged that the Defendant failed to disclose material facts to prospective investors, such as that he was operating a ponzi scheme whereby he was paying off earlier investors with newer investors' funds; therefore, giving the illusion that OPM was operating profitably.

The charges were the result of an investigation conducted by the Secretary of State, Securities Division.

If convicted on the charges of Securities Fraud, Obtaining Money Under False Pretenses, and Transacting Business as an Unlicensed Broker-Dealer and/or Sales Representative, as charged in the complaint, Hadaway faces up to 20 years in state prison and/or fines. In addition to any other penalties, he will be ordered to pay restitution to the investors.

A criminal complaint is merely an accusation. The Defendant should be presumed innocent until and unless proven guilty in a court of law.

Persons who believe that they have been victims of securities fraud should call the Nevada Securities Division in Las Vegas at 702-486-2440, or in Reno at 775-688-1855. In addition, consumer protection information is always available on the Attorney General's website at: <http://ag.state.nv.us/>

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August 13, 1999

CONTACT: Candice Nichols

Aid for AIDS of NV

(702) 382-2326 or 460-7281

OR Tracey J. Brierly

Deputy Attorney General

(702) 486-3128

NEVADA LAUNCHES AIDS HEALTH FRAUD NETWORK

The Nevada AIDS Health Fraud Network (NAHFN) has been created to inform people living with HIV/AIDS how to better evaluate potential fraudulent alternative therapies, and to help fight AIDS health fraud. The NAHFN Task Force, sponsored by the U.S. Food and Drug Administration, is composed of community based organizations, State and County Health Departments, treatment advocates, health care providers, the Attorney General's Bureau of Consumer Protection, and people living with HIV/AIDS.

NAHFN's mission is to provide the resources and education necessary for each individual to make the most informed health decisions possible while, at the same time, respecting the right of individuals to pursue alternative forms of treatment in addition to traditional therapies. NAHFN recommends the following tips to avoid becoming a victim of AIDS health fraud:

- Be suspicious of any claim that a product or treatment can cure or prevent HIV or AIDS. At this time, there is no known cure for HIV or AIDS.
- Question claims that any product or treatment is "guaranteed" to cure HIV/AIDS.
- Cast a wary eye on any claims that the product or treatment is "secret" or "suppressed." Watch out if the offer advises you not to tell your health care provider about the treatment.
- Be cautious of any offer where you are asked to pay for an experimental drug or treatment.

Legitimate experimental drugs and treatments are almost always free to patients taking part in drug studies or clinical trials.

- Be extremely suspicious if the product or treatment advises you to stop your current treatment. Always check with your health care provider before you stop taking a prescribed drug or treatment.

If you believe you have been a victim of AIDS health fraud, please contact the Attorney General's Bureau of Consumer Protection at (702) 486-3194. If you would like further information about NAHFN or information about HIV/AIDS, please call 1-800-842-AIDS.

General consumer protection information can always be found on the Attorney General's website at:
<http://ag.state.nv.us/>

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FOR IMMEDIATE RELEASE

Contact: Richard Linstrom

August 12, 1999

(702) 486-3196

**EQUINOX DROPS APPEAL - RECEIVER REMAINS IN COMPLETE
CONTROL OF ASSETS AND BUSINESS**

The Nevada Attorney General's Bureau of Consumer Protection announced today that Las Vegas-based Equinox International Corporation; Advanced Marketing Seminars, Inc.; BG Enterprises, Inc.; and William Gould, their principal owner, have dropped their appeals of the Temporary Restraining Order obtained last week by federal and state authorities. As a result, the TRO remains in effect and the receiver retains complete control of the business and over the assets of both Equinox and Gould.

On Tuesday, August 3, the Attorney General Frankie Sue Del Papa's office, the Federal Trade Commission (FTC) and officials from five other states filed suit under seal in Federal Court asking U.S. District Court Judge Johnnie Rawlinson to halt the alleged unfair and deceptive trade violations of Equinox, its related entities and Gould. Judge Rawlinson issued a Temporary Restraining Order that effectively froze defendants' assets and appointed a receiver. The receiver served the Temporary Restraining Order and took control of Equinox last Friday, August 6. Judge Rawlinson set a hearing date on a preliminary injunction for Monday, August 16.

On Monday, August 9, Equinox filed an Emergency Stay of the TRO. Unable to obtain a hearing prior to Monday, August 16, Equinox then filed a Motion for an Emergency Stay of the TRO with the 9th Circuit Court of Appeals. The next day, Equinox filed a Writ of Mandamus with the 9th Circuit. Plaintiffs vigorously opposed both motions.

On Wednesday, August 11, Equinox approached the Plaintiffs asking for an agreement that the receiver could perform certain tasks up to the date of the hearing on the Preliminary Injunction, Monday, August 16. Plaintiffs agreed to the following: 1) that the receiver should retain certain employees at full compensation; 2) that the receiver should fill orders (limited to \$1000 for first-time sales representatives); 3) that the receiver should fill any items on the wholesale price list; 4) that the receiver should pay rebates; and 5) that the receiver should issue refunds. As a condition of this agreement,

Equinox dropped both appeals to the 9th Circuit. This agreement is in effect only until the Preliminary Injunction hearing set for Monday, August 16, at 4:00, before Judge Rawlinson.

Copies of the complaint are available on the FTC's web site at: www.ftc.gov. Persons with concerns regarding or complaints against Equinox should call the Attorney General's Bureau of Consumer Protection in Las Vegas at 702-486-3221. This and further updates on the status of the case against Equinox, as well as other consumer information can be found on the Nevada Attorney General's website at: <http://ag.state.nv.us/>.

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Contact: Tracey J. Brierly

August 12, 1999

(702) 486-3128

ATTORNEY GENERAL TEAMS WITH THE FTC, SEVEN OTHER STATES AND THE DISTRICT OF COLUMBIA IN CRACKDOWN ON ADVANCE FEE LOAN SCAMS

Attorney General Frankie Sue Del Papa announced today the participation of the Bureau of Consumer Protection in another aggressive sweep targeting corporations and individuals that promise loans and credit cards for an advance fee, but never deliver them. "Operation Advance Fee Loan" is a multi-agency law enforcement effort that includes the Federal Trade Commission (FTC), the attorneys general offices from eight states, including Nevada, and the District of Columbia. The sweep's goal is to better educate consumers, while at the same time shutting down advance fee loan scams. Canadian officials, who have taken criminal actions against Canadian advance fee loan scam operators who prey on American citizens, are also participating in Operation Advance Fee Loan.

Advance fee loan scams prey on particularly vulnerable consumers: the unemployed; the working poor; those who have poor credit ratings; and those in immediate need of money for emergencies. Advance fee loan con artists snare consumers through advertisements in local newspapers, cable television, radio, the Internet, handbills, direct mail or telephone solicitations. Ads promising, "money to loan...regardless of credit history," lure consumers into paying fees that range from \$25 to several hundred dollars in advance of receiving so-called "guaranteed" loans or credit cards. The advance fee credit card offers usually state that the consumer is "pre-approved" for credit and immediate cash advances.

"The sales pitch sounds great, but these phony lenders often take the advance fee money and the consumers never receive the promised loans or credit cards" Del Papa said. "In some cases, the consumers receive a company 'credit card' that can only be used to shop from the company's overpriced catalogue. Other times, when the consumer requests their promised cash advance, they are given a mere \$10."

Under the FTC's Telemarketing Sales Rule, a telemarketer who guarantees consumers a loan or other

form of credit, or who claims he or she can arrange such credit for a consumer, is prohibited from asking consumers to pay any money before they receive the loan or credit. The rule empowers each of the state attorneys general to file actions in federal district court seeking an order enjoining violations of the rule.

Nevada's Deceptive Trade Practices Act also prohibits credit service organizations from knowingly failing to disclose a material fact in connection with the sale of goods or services and from making misleading representations. Nevada law prohibits false advertising and specifically makes it a deceptive trade practice for a company or individual to receive money before the full performance of providing the loan or credit card.

The Attorney General's Bureau of Consumer Protection offers the following tips for consumers to keep in mind before responding to ads that promise easy credit, regardless of credit history:

- Legitimate lenders never "guarantee" or say that you are likely to get a loan or a credit card before you apply, especially if you have poor credit, no credit or have recently filed for bankruptcy.
- Be wary of loans that seem too easy to get.
- Watch out for ads for loans or credit cards that list a 900 number to call, but do not list how much the call will cost.
- Don't believe promises that your past credit history will not matter.
- If you need a loan, work with a local lender.

The states participating in Operation Advance Fee Loan are Connecticut, Idaho, Florida, Illinois, Nevada, New Jersey, New York and North Carolina, along with the District of Columbia.

If you believe you have been a victim of an advance fee loan scam, or would like further information, please call the Attorney General's Bureau of Consumer Protection in Las Vegas at (702) 486-3194; in Reno at (775) 688-1818; or in Carson City at (775) 687-6300. General consumer information can also be found on the Attorney General's web site at: <http://ag.state.nv.us/>

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Contact: Richard Linstrom

August 12, 1999

(702) 486-3196

**EQUINOX DROPS APPEAL - RECEIVER REMAINS IN COMPLETE
CONTROL OF ASSETS AND BUSINESS**

Attorney General Frankie Sue Del Papa announced today that Las Vegas-based Equinox International Corporation ("Equinox"); Advanced Marketing Seminars, Inc.; BG Enterprises, Inc.; and William Gould ("Gould"), their principal owner, have dropped their appeals of the Temporary Restraining Order (TRO), meaning the TRO remains in effect and the court-appointed receiver retains complete control of the business and over the assets of both Equinox and Gould.

On Tuesday, August 3rd, the Attorney General's Bureau of Consumer Protection, the Federal Trade Commission (FTC) and officials from five other states filed suit under seal in Federal Court asking U.S. District Court Judge Johnnie Rawlinson to halt the alleged unfair and deceptive trade violations of Equinox, its related entities and Gould. Judge Rawlinson issued a TRO that effectively froze the defendants' assets. Judge Rawlinson also appointed a receiver. On Friday, August 6th, the receiver served the TRO and took control of Equinox. Judge Rawlinson set a hearing date on a preliminary injunction for Monday, August 16.

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- That the receiver should retain certain employees at full compensation;

- That the receiver should fill orders (limited to \$1000 for first-time sales representatives);
- That the receiver should fill any items on the wholesale price list;
- That the receiver should pay rebates;
- And that the receiver should issue refunds.

As a condition of this agreement, Equinox dropped both appeals to the 9th Circuit. This agreement is in effect only until the Preliminary Injunction hearing set for Monday, August 16, at 4:00, in front of Judge Rawlinson.

Copies of the complaint are available on the FTC's web site at: www.ftc.gov. Persons with concerns regarding or complaints against Equinox should call the Attorney General's Bureau of Consumer Protection in Las Vegas at 702-486-3221. Updates on the status of the case against Equinox and general consumer information can also be found on the Attorney General's website at: <http://ag.state.nv.us/>

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CONTACT: Tim Terry

August 10, 1999

(775) 687-4704

NURSING ASSISTANT PLEADS GUILTY TO ELDER NEGLECT

Attorney General Frankie Sue Del Papa announced today that Marsha K. Bosworth, 43, of Las Vegas, has entered a guilty plea to one gross misdemeanor count of Elder Neglect. Clark County District Court Judge Joseph Pavlikowski is scheduled to sentence Bosworth on October 11, 1999. Bosworth could receive a sentence of up to one year in prison and a fine of up to \$2,000.

Medicaid Fraud Control Unit Director (MFCU) Tim Terry said the charge stems from a May, 1998 incident in which Bosworth struck a 92-year-old female resident at Torrey Pines Care Center in an attempt to get the woman to leave a dining room. Subsequent to the incident, Bosworth surrendered her license to the Nevada State Board of Nursing.

"My office will take every possible step to guarantee that nursing home residents are protected from abuse and neglect," Del Papa. "Nursing home residents are often the most vulnerable members of society. We must do our part to help better protect these citizens from harm."

If you suspect someone of abusing or neglecting an elderly person, please report it to the MFCU in Carson City at (775) 687-4704; in Las Vegas at (702) 486-3420; the Division for Aging Services in Reno at (775) 688-2964; in Carson City at (775) 687-4210; in Las Vegas at (702) 486-3545; or a local law enforcement agency.

Information about how to prevent elder abuse and neglect can be found on the Attorney General's web site at: <http://ag.state.nv.us/>

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**FOR IMMEDIATE RELEASE
CONTACT: J. Marty Howard
Insurance Fraud Unit
August 10, 1999
Senior Deputy Attorney General
(702) 486-3120**

PHONY CAR THEFT LEADS TO CRIMINAL CONVICTION

Clark County District Court Judge John S. McGroarty today sentenced Frank Edward Dunlap, 57, to a gross misdemeanor for attempting to conspire to defraud State Farm Insurance Company. Dunlap was given a lesser sentence due to his agreeing to cooperate in an ongoing investigation into the case.

On August 18, 1997, Mr. Dunlap reported the theft of his wife's 1991 Mitsubishi from the driveway of the couple's home to the Las Vegas Metropolitan Police Department. He subsequently provided a statement to State Farm on October 20, 1997, alleging that the vehicle, which bore "VALERIE" vanity license plates, had been stolen while his wife was in San Diego visiting her mother. Dunlap said the delay in reporting the theft to State Farm was because he thought his estranged wife, Valerie Lou Dunlap, had filed the claim. The couple was subsequently paid \$5,805.00.

Further investigation into the matter by the Insurance Fraud Unit revealed the car had been impounded by Mexican Customs Officers on July 28, 1997, while being driven into Mexico by Mrs. Dunlap's alleged boyfriend. The car was impounded because it was licensed in the United States but being driven by a Mexican citizen who did not own the car.

The Insurance Fraud Unit's case against Mrs. Dunlap is ongoing. Mr. Dunlap is cooperating with the investigation.

Attorney General Frankie Sue Del Papa says, "While the insurance companies are the victims for the purpose of restitution, consumers in this state are victimized by insurance fraud in the form of increased rates."

The Insurance Fraud Unit has obtained more than 30 convictions and arrests in the past year, some

resulting in the defendants being sentenced to prison. The Unit has obtained more than two million dollars in court-ordered restitution to insurance companies in the last year. Marty Howard, Senior Deputy Attorney General in charge of the Unit, says increased enforcement in surrounding states has sent insurance fraud criminals across Nevada's borders to ply their trade, leading to higher insurance premiums for the law-abiding citizens of this state.

If you have any knowledge of, or suspect someone is committing insurance fraud, contact the Insurance Fraud Unit at 1-800-266-8688. Information can also be found on the Attorney General's web site at: <http://ag.state.nv.us/>

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**FOR IMMEDIATE RELEASE
CONTACT: Richard C. Linstrom
Chief Deputy Attorney General
August 5, 1999
(702) 486- 3196 (office)
(702) 396-3951 (after hours)**

**ATTORNEY GENERAL'S OFFICE JOINS FIVE OTHER STATES AND
THE FEDERAL TRADE COMMISSION IN SUING EQUINOX, A LAS
VEGAS-BASED COMPANY**

Attorney General Frankie Sue Del Papa today joined with the Federal Trade Commission (FTC) and officials from five other states in asking U.S. District Court Judge Johnnie Rawlinson to halt the alleged unfair and deceptive trade violations of the Las Vegas-based Equinox International Corporation; Advanced Marketing Seminars, Inc.; BG Enterprises, Inc.; and William Gould, their principal owner. Judge Rawlinson has issued a Temporary Restraining Order (TRO), frozen the defendants' assets, and appointed a receiver, pending further court action.

In a suit filed jointly with the states of Hawaii, Maryland, Nevada, North Carolina, Pennsylvania and South Carolina, the FTC alleges that the defendants have been operating an illegal pyramid scheme, made deceptive advertising claims, and provided distributors with the means and instruments to violate federal law.

The state Plaintiffs allege violations of state laws in regards to securities, deceptive trade practices, false advertising, pyramid schemes, and licensing requirements.

Plaintiffs are seeking a permanent injunction and restitution. In addition, the state Plaintiffs are seeking civil penalties for violations of state law.

The complaint charges that Equinox operated a multi-level marketing company which offered distributorships for products including water filters, vitamins, nutritional supplements, and skin care. Equinox distributors ran classified ads in newspapers which implied salaried positions were available.

But those who responded to the ads were instead given a sales presentation in which they were told that the real way to make money in the company was to recruit new distributors, not through sales.

New recruits were encouraged to purchase \$5000 worth of products so they could enter the program at the manager level, and to rent desk space (\$300-\$500 per month), subscribe to a phone line, and to attend training seminars.

The complaint alleges that representations by Equinox regarding "earnings claims" were false and misleading. Although distributors were lured with the promise of "big bucks" to be made, the suit alleges that very few distributors actually recouped even their start-up costs. The complaint also alleges that by furnishing distributors with promotional materials that contain false and misleading information, Equinox supplied the means for the distributors themselves to violate the law.

Copies of the complaint are available on the FTC's web site at: www.ftc.gov. Persons with concerns or complaints in regard to Equinox should call the Attorney General's Bureau of Consumer Protection in Las Vegas at (702) 486-3194; in Reno at (775) 688-1818; or in Carson City at (775) 687-6300. Consumer protection information can be found on the Attorney General's web site at: <http://ag.state.nv.us/>

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CONTACT: Doug Walther

August 5, 1999

(775) 684-1213

**ATTORNEY GENERAL'S OFFICE SEEKS ORDER AGAINST
FORMER MORTGAGE COMPANY OWNER**

The Department of Business and Industry, Financial Institutions Division, and the Attorney General's office announced today that an action has been filed in Washoe County District Court seeking to permanently enjoin Jesse Ulloa (U-lol-lah) from conducting unlicensed mortgage lending activities.

Ulloa is the former owner of Continental Mortgage Company, which was placed into receivership by the Financial Institutions Division in 1987 after it found a substantial shortage in the company's trust accounts. The action alleges that Ulloa has been engaged in mortgage lending without a license.

Persons who have invested in mortgage loans or borrowed money secured by real estate through Ulloa are encouraged to contact the Financial Institutions Division at (775) 687-4259.

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CONTACT: Bill Taylor

August 5, 1999

(702)486-3430

**NEVADA PRISON ESCAPEE WHO HAD BEEN MISSING FOR
ELEVEN YEARS IS SENTENCED**

Attorney General Frankie Sue Del Papa announced today the sentencing of 51-year-old Joseph Carl Mancini, a 1987 Nevada prison escapee who was located in July of 1998 while serving time in a California prison.

Clark County District Court Judge Donald Mosely sentenced Mancini to a three-year prison term for his escape in 1987. Mancini, who was serving a life sentence with the possibility of parole for sexual assault and a 10-year sentence for grand larceny, escaped from the Southern Nevada Correctional Facility on March 19, 1987, by allegedly hiding inside a prison delivery truck. The sentence he received as a result of his escape will run consecutive to his existing sentences.

Mancini was located in a California prison where he was serving a three-year term for grand theft auto, and a four-year term for assault with the use of a deadly weapon. He was identified after his fingerprints were entered into the West Identification Network's Automated Fingerprint Identification System. Mancini was serving time in the California prison under the alias Richard Lob.

Mancini will now be extradited back to California to serve out the remainder of his California time, and will then be discharged to Nevada authorities to serve out the remainder of his sentences for the crimes he committed in Nevada. Mancini will also be required to reimburse the State of Nevada for the cost of extraditing him from California to Nevada.

Mancini had been one of the longest, outstanding prison escapees from the Nevada prison system.

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FOR IMMEDIATE RELEASE
CONTACT: Gregory R. Hojnowski
August 5, 1999
(702) 486-3783

**LAS VEGAS MAN SENTENCED FOR FRAUDULENTLY HAVING
DENTAL WORK DONE**

Clark County District Court Judge Joseph T. Bonaventure today sentenced GERARDO CESAR RODRIGUEZ, 25, to four months in the Clark County Detention Center for attempting to defraud an insurance company. Judge Bonaventure suspended the sentence, providing Rodriguez make full restitution to Dentist Cal R. Dykes of \$1916, and complete either 150 hours of community service or pay a fine of \$1000. These conditions must be satisfied by Rodriguez during the first year of his 18 month probation period.

Rodriguez's girlfriend, Floria Schilling, 22, also of Las Vegas, was working as the Office Manager for Dr. Dykes. She called Rodriguez when a scheduled patient canceled his appointment. Rodriguez proceeded to the office and received the dental treatment in November of 1997, assuming the identity of the scheduled patient.

Nevada Pacific Dental Insurance Company later notified the real patient of the bill, who contacted Dr. Dykes' office. Schilling admitted her deception when confronted, and implicated Rodriguez in the fraudulent scheme. Rodriguez was originally charged with three felonies, but negotiated a resolution with the Attorney General's Insurance Fraud Unit when he agreed to accept responsibility.

The Insurance Fraud Unit has obtained more than 30 convictions in the past year, many resulting in significant jail time. The Unit has also had more than two million dollars in restitution ordered in the past year alone.

If you have knowledge or suspect that someone has committed insurance fraud, please contact the Insurance Fraud Hotline at 800-266-8688. Information about the Insurance Fraud Unit can be found on the Attorney General's web site at: <http://ag.state.nv.us/>

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FOR IMMEDIATE RELEASE
CONTACT: Susanne M. Sliwa
August 4, 1999
(702) 486-3427

**STATE TAX ASSESSMENT AGAINST SPECIAL FUEL SUPPLIER
AFFIRMED**

Attorney General Frankie Sue Del Papa announced today that Administrative Law Judge David French has affirmed a tax assessment by the Department of Motor Vehicles & Public Safety (DMV&PS) against Rebel Oil Company (Rebel) in regards to the sale of special fuels. The assessment of \$216,90.88 includes statutory penalties and interest on the amount of unpaid tax liability.

The tax was assessed at the rate of .27 cents per gallon on the sale or use of special fuels (undyed diesel fuel) as provided by Nevada Revised Statute 366.190(1). Judge French ruled that the method of computing the tax, found in Nevada Revised Statute 366.540, was correctly followed by DMV&PS. The assessment was the result of a random special fuel supplier audit.

Judge French's decision also states that any party against whom a special fuel tax has been levied is entitled to one redetermination of the DMV&PS's tax assessment, as is provided in Nevada Revised Statute 366.405(5). In this case, Rebel was afforded a redetermination of the DMV&PS's original tax assessment. Near the completion of the redetermination, Rebel attempted to submit amended monthly returns to support its position. The amended returns were submitted six months after Rebel submitted its original information regarding the redetermination to DMV&PS. Since consideration of the amended returns would have resulted in a second redetermination, and Nevada Revised Statutes do not provide for the filing of amended returns during an audit or redetermination period, nor does the DMV&PS allow for such filings, Judge French ruled that DMV&PS's refusal to consider the amended returns was reasonable and proper, and Rebel's tax liability was affirmed.

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CONTACT: Jane Femiano

August 3, 1999

(702) 486-3789

**ATTORNEY GENERAL ASSISTS FEDERAL TRADE COMMISSION
IN SHUTDOWN OF LAS VEGAS TRAVEL COMPANY**

The Attorney General's Bureau of Consumer Protection has assisted the Federal Trade Commission (FTC) in shutting down an alleged fraudulent travel company operating in Las Vegas, Nevada. Resort World, located on East Flamingo Road, sells telemarketing vacation travel packages to consumers throughout the United States. The FTC alleges that the travel company advertised, via fax machine, exceedingly low airfares for round-trip tickets to Hawaii or Cabo San Lucas, which included a bonus complimentary vacation, such as a cruise to Mexico or a trip to Las Vegas.

But consumers who called the 800 number were told that Resort World would provide the airline tickets at the advertised fare on the condition that the consumer buy a minimum of four airline tickets and book an eight-day, seven-night stay at accommodations through Resort World. Consumers also frequently discovered that Resort World's vacation travel packages did not include lodging at competitive prices, and that Resort World did not fill consumer's vacation travel needs in a timely manner, if at all.

The FTC filed a civil complaint and obtained a court order allowing them to freeze the company's assets and effectively put them out of business. The FTC requested assistance from the Bureau of Consumer Protection in their search of the business.

Nevada Attorney General Frankie Sue Del Papa warns consumers to be wary of offers that sound too good to be true. The FTC and the Bureau of Consumer Protection offer the following tips:

- Be wary of "great deals" and low-priced offers. Few legitimate businesses can afford to give away products and services of real value or substantially undercut other companies' prices.
- Don't be pressured into buying. A good offer today will be a good offer tomorrow. Legitimate businesses don't expect you to make snap decisions.

- Ask detailed questions. Find out exactly what the price covers and what it does not. Be sure to ask about additional charges, as well.
- If you do decide to buy, get all information about the trip in writing. Once you receive the written information, make sure it reflects what you were told over the phone and the terms you agreed to.
- Do not give your credit card number or bank information over the phone unless you know the company with whom you are speaking.
- Be aware that when you place your business card or name into a drawing for a free vacation, you may be added to a telemarketing call list.
- Know that your personal information can also be collected via the Internet when you are visiting travel-related sites seeking deals on trips or airfare.
- Do not send money by messenger or overnight mail. Some "scam artists" may ask you to send them money immediately. If you pay with cash or check, as opposed to using a credit card, you lose your right to dispute any potential fraudulent charges under the Fair Credit Billing Act.
- When in doubt, say "no". If you have any doubts about the trustworthiness of a company, trust your instincts. It's less risky to turn down the offer and hang up the phone.

If you suspect possible travel fraud, please send a written complaint to the Consumer Affairs Division of the State of Nevada's Department of Business and Industry, 1850 E. Sahara Ave., Suite 101, Las Vegas, NV 89104. Consumer protection information can be found on the Attorney General's website at: <http://ag.state.nv.us/>, or on the Federal Trade Commission's website at: www.ftc.gov

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CONTACT: Steve George

August 2, 1999

(775) 684-1114

**NEW ADVERTISING CAMPAIGN ENCOURAGES RETAILERS AND
CLERKS TO CHECK ID'S IN FURTHER EFFORT TO CURTAIL
YOUTH TOBACCO BUY RATE**

The U.S. Food and Drug Administration (FDA) today launched a new advertising campaign that encourages retailers and clerks to refuse to sell tobacco to children under 18. The "For A Reason" campaign asks clerks to make sure they check age ID's. Print, radio and outdoor advertising messages echoing this theme are being used in eleven media markets in the five states, including Nevada.

The ads include one which states, "What would make you madder? A retailer selling cigarettes to a kid who's (a) 9, (b) 14, or (c) Yours?" Another features a teenage girl with a cigarette in her hand and carries the message, "She'll eventually outgrow all of her obnoxious teenage habits. Except one." A third shows the faces of eleven children and states, "Every day, 3000 new kids become regular smokers. One out of every three will die from it...will it be him, will it be her?"

The \$5 million advertising campaign that will run throughout the year will reach more than 24 million people across the United States. The ads that will run in Nevada will appear in newspapers and outdoor advertising, along with being heard on radio stations statewide, including several Hispanic and African-American publications and stations. The ad package in Nevada will cost \$306,475.

The FDA also announced its "Retail Rewards Program," an initiative which provides rewards to store staff and managers when a business passes an FDA compliance check by refusing to sell tobacco to a young person. In Las Vegas, radio stations KLUC-FM, KXTE-FM, KFMS-FM and KNSE-FM are providing free concert and sporting event tickets as part of Retail Rewards Program.

"I am elated that the FDA is encouraging compliance with Nevada law by providing rewards to those retailers and their staff who are so important in our battle to curtail the sale of cigarettes to underage children," Attorney General Frankie Sue Del Papa said. "The Retail Rewards Program, along with

continuing strict enforcement of federal and state laws prohibiting the sale of tobacco to children, will help achieve greater compliance with these very important laws, which better protect our children from the inherent dangers associated with tobacco products."

Since 1995, the Attorney General's office has been responsible for enforcement of state laws prohibiting the sale of tobacco to children. In 1998, the Attorney General's office signed a contract with the FDA to conduct compliance checks under federal regulations. According to a random study conducted by the Nevada Bureau of Alcohol and Drug Abuse, before these enforcement activities began, underage minors were able to buy tobacco products 64 % of the time at retail stores in Nevada. In the fall of 1998, a random study conducted by the Attorney General's office showed that greater enforcement of the law by retail stores had helped cut that rate to only 16.8%.

"The cooperative and collaborative efforts of the retail store owners, their associations, and the Attorney General's office, have played a significant role in the dramatic drop in the youth tobacco buy rate in our State," Del Papa said.

The FDA advertising campaign will also be run in Colorado, Michigan, New Hampshire, and Tennessee. In addition, the ads will run in eleven other markets including: Bridgeport, Connecticut; Lafayette, Louisiana; San Antonio, Texas; Springfield, Missouri; Rockford, Illinois; Rochester, New York; Roanoke, Virginia; Lawton, Oklahoma; Augusta, Maine; Washington, DC; and Macon, Georgia.

For more information on what the Attorney General's office is doing to help reduce teenage smoking in Nevada, visit the office's website at: <http://ag.state.nv.us/>, and watch for other efforts to address the problem of teenage drinking.

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FOR IMMEDIATE RELEASE
CONTACT: Jane Femiano
September 30, 1999
(702) 486-3789

**MAZDA WILL PAY STATES AND FTC \$5.25 MILLION FOR
VIOLATIONS OF LEASE ADVERTISING LAWS**

Attorney General Frankie Sue Del Papa announced today that Mazda Motors of America, Inc. has agreed to change its national ads for auto lease vehicles and to pay \$5.25 million as part of a settlement reached between the automaker, the Federal Trade Commission, and 24 states. Mazda will pay a total of \$1.2 million to the 24 states that cooperated in the action with the Federal Trade Commission. Nevada's share is \$50,000.

The states alleged that Mazda violated a 1996 court order that required the company to clearly disclose key lease terms in its advertising, such as total up-front costs and the number, amount and timing of scheduled payments. And, that despite the earlier agreement, Mazda ads continued to highlight low monthly payments while obscuring the total amount due at lease-signing. The 1996 order settled false advertising suits filed earlier by many of the states.

"The 1996 order required Mazda to clearly disclose certain terms about auto leases," Del Papa said. "We alleged that Mazda violated the order by advertising certain terms but failing to make full disclosure."

The states alleged that Mazda lease ads failed to show the total amount of payment due at lease signing for a sufficient time to be noticed, read or heard, and understood by consumers. Because of distracting sounds and small type size, the ads failed to conform to disclosures required by the 1996 settlement and court order.

The FTC worked directly with the states to obtain the settlement. The FTC announced a similar settlement with Mazda.

"We were very pleased to be partners with the FTC," Del Papa said. "The joint effort was instrumental in achieving this good result."

The settlement announced today requires Mazda to make payments to the states and abide by the permanent injunction included in the 1996 Nevada court order. It also prohibits Mazda from misrepresenting the amount of up-front costs.

The twenty-four states involved in the settlement are: AL, AZ, CA, CT, FL, HA, ID, IL, IA, KS, MD, MA, MN, NE, NV, NJ, NY, NC OH, PA, TN, WA, and WI.

Auto Leasing Tips for Consumers:

- Consider all the costs of leasing before signing a lease agreement. Most leases have mileage limits and impose substantial penalties for exceeding those limits. Other costs not imposed in auto purchases but imposed in leases may include: acquisition fees; lease-end disposition fees; and charges for excessive use.
- Never go into a dealership intending to purchase and come out having signed a lease. Always ask for written materials to take home and review before agreeing to lease.
- Lease terms are negotiable. A dealer can offer lower monthly payments.
- If you intend to operate the vehicle for five years or more, leasing is seldom a good deal.
- Do not sign a lease agreement unless you are sure you want to lease. Most leases include large penalties for terminating the lease agreement early.

Consumers with complaints about auto leases or lease advertising should send a written complaint to:

Consumer Affairs Division
Department of Business and Industry
1850 E. Sahara Ave., Suite 101, Las Vegas, NV 89104

Consumer protection information can be found on the Attorney General's website at: <http://ag.state.nv.us/>, or on the Federal Trade Commission's website at: www.ftc.gov.

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE
CONTACT: Steve George
September 28, 1999
(775) 684-1114

**MORE THAN 200 NEW LAWS TAKE EFFECT AS OF OCTOBER
FIRST**

On October First, 268 laws passed by the 1999 Nevada Legislature will take effect. The following is a summary of some of the laws that may be of greatest interest to the public at large.

AB 23---Increases the minimum fine for Driving Under the Influence to \$400 for the first offense, and \$750 for the second offense.

AB 53---Establishes as a category A felony a violent act resulting in death or substantial bodily harm committed during school-sponsored events, with a penalty of up to life without the possibility of parole.

AB 64---Provides for licensing and regulation of mortgage companies and mortgage brokers, and creates standards of care for mortgage agents and brokers. Sets forth specific disclosures which must be made to potential investors. Prohibits a mortgage broker from acting as the investor's attorney in fact or agent.

AB 71---Prohibits a person from obtaining any personal identifying information of another person, or from using the information to impersonate another or to avoid prosecution. Penalty is a felony offense. Law also allows a victim of identity fraud to bring a civil action against the perpetrator.

AB 108---Allows the Attorney General to represent persons who were either directly or indirectly damaged by unfair trade practices. Also allows such injured persons to institute civil actions to recover damages.

AB 193---Imposes requirements on devices which disseminate prerecorded messages to randomly called numbers for the purpose of soliciting the person called to purchase goods and services. The device cannot be used between the hours of 9:00 pm and 9:00 am, and no call back can be made if the person terminated the original call. Violations may be prosecuted as deceptive trade practices.

AB 258---Requires auto repair shops to display a sign describing consumer's rights in Nevada, and requires that certain information be provided in a repair estimate, including the cost of diagnosis and reassembly. Requires notification to consumer if additional charges exceed either 20% or \$100 more than the estimate, whichever is less.

AB 262---Clarifies that when a child is taken into custody for a violation of law(s), the officer must make every effort to notify the parent without delay. If the officer is unable to make a parental contact, the detention center must continue the notification efforts.

AB 267---The so-called Good Samaritan law. Requires people who witness certain violent acts, or have good reason to believe such acts are being committed, to report such crimes to law enforcement as soon as is reasonably practical. Those crimes include: the abuse, neglect, exploitation or isolation of an older person; and numerous violent and sexual offenses against children. Failure to report such crimes against children 12 or younger may subject the person to prosecution for a misdemeanor.

AB 311---Adds to prohibited employment practices the discrimination against persons based on their sexual orientation.

AB 339---Courts may appoint a master to hear actions on the issuance, extension, modification and enforcement of domestic violence protection orders. Clarifies that a Temporary Protection Order (TPO) remains in effect until the hearing on the extended order is held, as long as the application for the extended order is filed at the same time as the application for the TPO.

AB 457---Speeding included as an act of aggressive driving. Aggressive driving includes two or more of the following acts: failure to obey signals; overtaking other cars by driving off the pavement; following too closely; failure to yield the right of way; driving between vehicles or persons; creating a hazard; and speeding. Aggressive driving is a misdemeanor offense.

AB 542---Provides for penalties of up to six months in jail and up to a \$1,000 fine for a person who has had the registration of his motor vehicle suspended and continues to drive that vehicle.

SB 347---Relates to guardianship of a minor. A prior domestic abuse finding may disqualify a parent or parents from being appointed as legal guardian of a child.

SB 438---Opens up the electricity market to competition. Private companies may offer electric service in Nevada as of March 1, 2000. Rates in effect on that date are capped for three additional years.

SB 478---Expands the Nevada State Ethics Commission from six members to eight. Authorizes the appointment of an Executive Director and a commission counsel.

SB 496---Establishes Millennium Scholarship Program in which Nevada high school students who

graduate with at least a B average in core subjects are eligible for college scholarships to Nevada universities or community colleges. The scholarships will be funded with money from the tobacco settlement.

A complete list of new bills can be found on the Legislature's website at: www.leg.state.nv.us/, clicking on "Session Information" and then on "Bills & Sponsors Lists."

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

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**FOR IMMEDIATE RELEASE
CONTACT: Grenville Pridham
September 28, 1999
(702) 486-3788**

**DEFENDANT SENTENCED FOR UNREGISTERED
TELEMARKETING**

Attorney General Frankie Sue Del Papa has announced that Thomas P. O'Donnell, age 37, of Las Vegas, was sentenced today by Judge Sally Loehrer of the Eighth Judicial District Court to one year in the Clark County Detention Center for his role in an unregistered telemarketing scheme that did business under the name of Century Pacific Group. O'Donnell was further ordered to pay restitution in the amount of \$17,058.60.

O'Donnell pleaded guilty to conspiracy to commit unregistered telemarketing. His guilty plea arose out of his involvement with Century Pacific Group, an illegal telemarketing boiler room that operated at 6985 W. Sahara Avenue in Las Vegas. Salesmen at Century Pacific Group targeted elderly victims who were told that they had won various sweepstakes prizes. The victims were then told that they had to pay \$699. If a victim balked at that figure, the salesman would tell that victim that they could have the prize for \$499.

In fact, the victims did not win any prizes. Instead sent a package from Century Pacific Group that contained a list of companies that offered prize promotions and envelopes for the victims to send in their name to be entered in the different companies' promotions. The victims also received an inexpensive camera and coupons that allowed them to buy film. The total value of the package was less than \$40.00.

Investigators from the Office of the Attorney General and the FBI searched the offices of Century Pacific Group on August 13, 1998 and arrested O'Donnell at that time.

At his sentencing, O'Donnell argued that he was himself a victim because the owner of Century Pacific allegedly told him that he did not need to be registered to conduct telemarketing. However, Judge Loehrer noted that O'Donnell was no stranger to court proceedings as shown by his two previous felony convictions and six misdemeanor convictions. Co-defendants Darin Notaro, age 25, and Jeffrey S.

Klingenberg, age 28, were earlier sentenced to one year in the Clark County Detention Center. Klingenberg's sentence was suspended and he is on probation. Co-defendant, James Edward Smith, age 26, will be sentenced on November 16, 1999 by Judge Loehrer.

For further information on this and other consumer matters, contact the Bureau of Consumer Protection Division of the Attorney General's office (702) 486-3786. Or contact the Attorney General's office statewide by calling Nevada's toll free switchboard at 1-800-992-0900. TDD service is available for the hearing impaired. Consumer protection information can also be found on the Attorney General's website at: <http://ag.state.nv.us/>.

**STATE OF NEVADA
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FOR IMMEDIATE RELEASE
CONTACT: Greg Zunino
September 28, 1999
(775) 688-1831

Cabinet Maker Sentenced on Charge of Workers' Compensation Fraud

Attorney General Frankie Sue Del Papa announced today that Lorne Creasey, age 44, a cabinetmaker who resides in Gardnerville, Nevada, has been sentenced on his felony conviction for making false statements to obtain workers' compensation benefits. A Douglas County jury previously convicted Creasey on August 18, 1999, of the charge that he submitted false information to the Employers Insurance Company of Nevada regarding his employment status and ability to work. Douglas County District Court Judge Michael Gibbons sentenced Creasey to a maximum term of 32 months in the Nevada State Prison, but suspended the sentence and granted Creasey probation on the conditions that he perform 80 hours of community service; that he pay restitution to the Employers Insurance Company of Nevada in the amount of \$975.94; and that he reimburse the Office of the Attorney General for its costs of investigation and prosecution. Creasey's attorney, Nathan Tod Young, indicated at the sentencing hearing that he intends to appeal Creasey's conviction and sentence. Deputy Attorney General Greg Zunino stated that he considers Creasey's sentence to be a fair resolution of the case.

Information on workers' compensation fraud can be found on the Attorney General's website at: <http://ag.state.nv.us/>

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE
CONTACT: Veronica Boyd-Frenkel
September 28, 1999
(775) 688-1846

**ATTORNEY GENERAL'S OFFICE PLANS ACTIVITIES IN RECOGNITION OF WORK TO END
DOMESTIC VIOLENCE DAY**

October is national Domestic Violence Awareness Month. On October 1st, as part of national *Work to End Domestic Violence Day*, the Nevada Attorney General's office will hold a series of events aimed at better educating its workforce about domestic violence.

"I am encouraging other agencies, businesses and groups to join us on October 1st in calling attention to domestic violence prevention," said Attorney General Frankie Sue Del Papa, who chairs the Nevada Domestic Violence Prevention Council, and serves as co-chair, with Utah Attorney General Jan Graham, of the National Association of Attorneys General (NAAG) Committee on the Prevention of Domestic Violence.

As an example of what employers can do, the Attorney General's office will:

- Distribute bumper stickers, buttons and pens with the message, "There's No Excuse for Domestic Violence."
- Send an e-mail to all staff on October 1st regarding why it's important for people to take a stand against domestic violence
- Include information on domestic violence prevention in a paycheck memo
- Conduct brown bag lunches on October 1st, or during the month, aimed at educating employees to the growing problem of domestic violence
- Identify a contact person in each office for employees who need to speak to someone about support, or obtain referral information

NOTE: The referenced materials are available by calling the Nevada's Domestic Violence Ombudsman, Veronica Boyd-Frenkel, at (775) 688-1846.

Throughout the country, private businesses, public agencies and unions will hold programs and distribute information to call greater attention to domestic violence prevention.

Dozens of companies have participated in previous *Work to End Domestic Violence Day* events, including Bell Atlantic Mobile, Blue Shield of California, Kaiser-Permanente, Liz Claiborne, Polaroid, The Gap, Wells Fargo Bank, and Levi Strauss and Company.

Nevada now has fifteen major domestic violence organizations which sponsor counseling, prevention education and victim shelter programs. “I urge employers to become as familiar as they can with these agencies and to take as proactive a stance as possible on domestic violence in the workplace,” Del Papa said. “Everyone can make a difference and help save lives in Nevada, while at the same time better safeguarding their business.”

In 1990, the Bureau of National Affairs estimated that American businesses pay \$3 billion to \$5 billion annually in medical expenses associated with domestic violence.

“Domestic violence does not stay home when its victims go to work,” Del Papa said. “Domestic violence is recognized today as having a tremendous impact on the workplace in terms of productivity, increased absenteeism, and the higher risk of violence taking place on the job. Statistics show very clearly how domestic violence has an effect not only on the individual being battered, but on the victim’s employer.”

A 1994 survey of Fortune 1000 senior executives found that:

- 66% said they believe their company’s financial performance would benefit from addressing domestic violence among their employees
- 49% said domestic violence has a harmful effect on the company’s productivity
- 44% said that domestic violence increases health care costs

“Domestic violence results in hundreds of millions of dollars in health care costs in the United States, much of which is paid for by employer benefits,” Del Papa said. “It is estimated that American employees miss 175,000 days per year of paid work due to domestic violence.”

In June, Attorney General Frankie Sue Del Papa was joined by several other dignitaries in unveiling a new Workplace Domestic Violence Initiative developed by the National Association of Attorneys General. A brochure entitled, “**Domestic Violence: Improving Your Business’s Response**,” has been mailed to various organizations and businesses throughout the state. The brochure includes a Checklist of Strategies aimed at helping businesses better protect their employees, their customers, and themselves from the adverse effects of domestic violence in the workplace. The brochures are available through the Attorney General’s office by calling

(775) 684-1125. The brochure can also be found on the Attorney General’s website at: www.state.nv.us/ag/

Domestic Violence Resources

- National Workplace Resource Center on Domestic Violence: (415) 252-8900
- Nevada Network Against Domestic Violence: 1-800-230-1955
- Nevada Domestic Violence Ombudsman: (775) 688-1846
- Nevada Domestic Violence Prevention Council: www.state.nv.us/ndvpc

- Nevada Attorney General's Website: www.state.nv.us/ag/

DOMESTIC VIOLENCE PROGRAMS IN NEVADA

CARSON & STOREY COUNTIES

Advocates to End Domestic Violence 883-7654

CHURCHILL COUNTY

Domestic Violence Intervention 423-1313

CLARK COUNTY

Temporary Assist. for Domestic Crisis/Safe Nest

(Las Vegas) 646-4981

Rural Clark County 1-800-486-7282

S.A.F.E. House (Henderson) Office 451-4203

Hotline 564-3227

DOUGLAS COUNTY

Family Support Council Office 782-7565

Hotline 782-8692

Stateline, Zephyr Cove, Glenbrook 588-7171

ELKO COUNTY

Committee Against Office 738-6524

Domestic Violence Hotline 1-888-738-9454

HUMBOLDT COUNTY

Committee Against Office 623-3974

Family Violence Hotline 623-6429

LANDER COUNTY

Lander County Committee

Against Domestic Violence 635-2500

LYON COUNTY ALIVE Office 463-5843

Hotline 463-4009

North Lyon County 1-800-453-4009

MINERAL COUNTY

Mineral County Advocates Office 945-2472

to End Domestic Violence Hotline 945-2434

PERSHING COUNTY

Domestic Violence Intervention Office 273-7373

Hotline 273-2641

WASHOE COUNTY

Committee to Aid Abused Women 329-4150

Tahoe Women's Services Office 833-4305

(Incline Village) Hotline 833-3241

WHITE PINE, NYE, LINCOLN, EUREKA

& ESMERALDA COUNTIES

Support, Inc. Ely: 289-2270

Pioche: 962-5888

Tonopah: 482-5598

No to Abuse Hotline 1-888-882-2873

Beatty: 553-9300

Pahrump: 751-1118

Round Mtn.: 377-1469

Silver Peak: 482-3016

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

**FOR IMMEDIATE RELEASE
CONTACT: Mike McCormick
September 27, 1999
(775) 688-1966**

BEN GRAHAM NAMED NEVADA "PROSECUTOR OF THE YEAR"

Ben Graham, Chief Deputy for the Clark County District Attorney's Office, has been recognized with the 1999 William J. Raggio "Nevada Prosecutor of the Year" award. Graham received the award at the Annual Prosecutors Conference held at Lake Tahoe, Nevada on Wednesday, September 22. The award is named in honor of Senator William J. Raggio, a former Washoe County District Attorney. It is given annually by the Nevada Prosecution Advisory Council and the Nevada District Attorneys Association to a Nevada prosecutor who has demonstrated exceptional ability in prosecutions, or who has significantly contributed to the role of the prosecutor in the criminal justice system.

Graham, who has been employed by the Clark County District Attorney's Office for the past 22 years, was selected for his efforts on behalf of prosecutors during the 1999 Nevada State Legislative session. In presenting Graham with the award, Attorney General Frankie Sue Del Papa stated that, "by his steadfast dedication, unselfish efforts and hard work on behalf of prosecutors at the Nevada State Legislature, Ben has significantly improved the effectiveness of Nevada's prosecutors in the criminal justice system. It doesn't stop there, however. Ben is constantly working to improve law enforcement's ability to most effectively work for Nevada's communities."

Graham graduated from American University, Washington D.C., in 1965 with a B.A. in Government and Public Administration. He graduated from Willamette University, College of Law, in 1968. He is married to Clark County Chief Deputy District Attorney Elana Hatch, who works in the Family Support Division. Graham has eight children, five girls and three boys. He is the founding member and coordinator of Nevada Lawyers Concerned for Lawyers, and is the current Secretary/Treasurer of International Lawyers Group.

The Prosecution Advisory Council was formed by the 1997 Legislature to assist Nevada's prosecutors by providing training and coordination of prosecution policies. The Council, chaired by Attorney General Del Papa, consists of District Attorneys Stewart Bell of Clark County, Robert Estes of Lyon County, and Noel Waters of Carson City; City Attorneys Brad Jerbic of Las Vegas and Patricia Lynch of Reno; and

Sheriff Richard Kirkland of Washoe County who serves as the Law Enforcement Representative.

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Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE
CONTACT: Dave Sarnowski
September 27, 1999
(775) 684-1269

**ATTORNEY GENERAL'S OFFICE WILL ARGUE HABEAS CORPUS
CASE BEFORE THE U.S. SUPREME COURT**

Attorney General Frankie Sue Del Papa announced her office has joined with other state attorneys general in support of the state of Virginia in a death penalty case before the United States Supreme Court. Death row inmate Terry Williams was convicted in 1986 for the November, 1985 fatal beating of an elderly man in Danville, Virginia. Williams appealed a U.S. Fourth Circuit Court of Appeals' ruling that the 1996 Anti-Terrorism and Effective Death Penalty Act requires federal courts in habeas cases to defer to state court interpretations of federal constitutional provisions, unless the state court interpretation of the federal law is clearly unreasonable.

"This is one of the key death penalty cases the Supreme Court will review this term," Del Papa said. "Nevada and other states worked for many years to convince Congress to reform federal habeas corpus law to cut down on the complex appeals process in death penalty cases. If inmate Williams' interpretation were adopted, that would destroy much of what we accomplished with the passage of the Anti-Terrorism and Effective Death Penalty Act."

Prisoners who want to challenge the validity of their criminal convictions have a right to file what is called "habeas corpus" petitions. But states have been frustrated by the never-ending rounds of appeals in both state and federal courts which not only are very costly and time-consuming, but which delay justice and finality for victims and their families.

"Coincidentally, the Williams' case will be argued before the Supreme Court on the same day, October 4th, that David Sarnowski, Chief Deputy of our Criminal Justice Division, argues *Slack v. McDaniel*, a Nevada case also involving complex habeas corpus issues. I am particularly pleased that the Supreme Court has agreed to hear several habeas petitions this term. Every time an inmate challenges his conviction, the impact on our system is considerable. The more this difficult process can be clarified and expedited, the more likely that justice will be served," said Del Papa.

In the Slack case, the Nevada Attorney General's office will argue that a prisoner should not be allowed more than one opportunity by the federal court to return to state court to raise issues that he ultimately wants to raise in federal court.

Slack was convicted on May 22, 1990, of Second Degree Murder and Use of a Deadly Weapon to Commit Murder. He was sentenced in Clark County District Court to two consecutive five-years-to-life sentences. Slack obtained direct review of his case by the Nevada Supreme Court. He then first sought federal relief, rather than initiating a state habeas corpus action, challenging the actions of his trial and appeal lawyers, as is normally done prior to starting one complete round of review in the Federal, District and Circuit courts.

When Slack first went to federal court, he wanted to litigate several issues he had not raised in state court. His petition to return to state court was granted. But after doing so, he returned to federal court and raised the same issues. Slack's appointed federal public defender then raised several new issues that had not been brought up previously.

The Nevada Attorney General's office argued successfully that Slack should be given only one opportunity to correct his error, and that if he did not raise all issues at the right time, the state should not be burdened with additional litigation.

The federal district judge and the Ninth Circuit Court of Appeals agreed, and summarily dismissed Slack's appeal.

"It takes a great deal of effort on the part of the state to respond to each federal petition that is filed," Del Papa said. " It is wasteful of the state's resources to allow prisoners to repeatedly file petitions that are not resolved expeditiously."

NOTE: Chief Deputy Attorney General David Sarnowski will be leaving for Washington D.C. on Wednesday, September 27. Please call him at 775-684-1269 to speak with him before he departs.

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**FOR IMMEDIATE RELEASE
CONTACT: Steve George
September 24, 1999
(775) 684-1114**

**NATIVE AMERICANS HONORED WITH SPECIAL DAY OF
RECOGNITION**

Saturday, September 25, is Nevada Native American Day. Attorney General Frankie Sue Del Papa urges all Nevadans to help commemorate this special occasion by reflecting on the effect Native Americans have had on our daily lives.

"The influence of Native American customs and their civilization on our history and our culture is extensive," Del Papa said. "We not only owe Native Americans our appreciation for their contributions to our state, we owe them the respect rightfully due their system of beliefs and way of life, which has endured for so many generations."

There are 26 tribes or bands with reservations or colonies located in Nevada. They have their own constitutions, systems of laws and tribal courts.

"I continue to support the efforts of the tribes to govern themselves and to diversify their economic base. The state as a whole benefits from vital, prosperous tribal communities," Del Papa said.

Nevada Indian Day, later changed to Native American Day, was first authorized by the State Legislature in 1989 as an annual commemoration of the Native American people and their efforts to maintain their culture, custom and traditions.

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**FOR IMMEDIATE RELEASE
CONTACT: Mariah Sugden
September 24, 1999
(775) 684-4606**

**STATE OF NEVADA WILL RECEIVE ALMOST \$4,000,000 IN
FEDERAL MONEY TO ASSIST IN CHILD SEXUAL OFFENDER
REGISTRATION AND TRACKING**

Attorney General Frankie Sue Del Papa announced today that Nevada's Department of Motor Vehicles and Public Safety (DMV/PS) office will receive \$3.95 million from the U.S. Department of Justice (DOJ) to assist with registration, tracking and identification of child sexual offenders. DMV/PS Director John Drew recently received confirmation from the DOJ that Nevada is in compliance with federal mandates in regards to: Jacob Wetterling Crimes Against Children and Sexually Violent Offenders Registration Act; Megan's Law; and the Pam Lychner Sexual Offender Tracking and Identification Act. That means the State is eligible for its full entitlement under the Edward Byrne Memorial State and Local Law Enforcement Assistance Program grant for fiscal year 2000.

"Our office has worked through three legislative sessions to bring Nevada into compliance with these federal mandates," Del Papa said. "I am very pleased that the efforts of our partners in this endeavor, such as Department of Parole and Probation Chief Carlos Concha, Dennis DeBacco from the Nevada Highway Patrol, Senator Mark James, the Legislative Counsel Bureau and the Department of Motor Vehicles and Public Safety, have come to fruition."

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FOR IMMEDIATE RELEASE

CONTACT: Jo Anne Embry

September 24, 1999

(702) 486-3154

Martin Gray

(310) 787-7367

**RACE CAR DRIVER AND NEVADA MISSING CHILDREN
CLEARINGHOUSE TEAM UP TO FIND MISSING GIRL**

Attorney General Frankie Sue Del Papa announced today that the Missing Children Clearinghouse Unit of her office and racecar driver Jason Small and his Small Motorsports Racing team are working together to increase awareness of the search for a missing girl. Small will feature the image of Sarah Skiba (SKEE-ba), who has been missing since February 7 of 1999, on his car during the Winston West Series race at the Las Vegas Motor Speedway (LVMS) this Saturday night (September 25). The partnership between the Missing Children Clearinghouse and a racing team competing at the LVMS is the latest in a series of events at the track using racecars to draw attention to the plight of missing children, called "Search for the Missing Children."

"My team and I believe this is a great cause and hope we can help in some way," Small said.

Ten-year-old Sarah Skiba disappeared along with her father, Paul Skiba, 38, and her father's employee, Lorenzo Chivers, 36, on February 7th in Thornton, Colorado while they were moving furniture. Authorities suspect foul play due to the fact that when they recovered the van that was being used for the move, there were several bullet holes and a significant amount of blood in the van and on the ground.

Sarah's mother, Michelle Russell, says her life has become a daily series of reminders of her daughter. "I want people to know that I am begging for someone who knows something about my daughter's whereabouts to give me resolution. Please tell me what happened, where she is."

Small Motorsports Racing team marketing director, Martin Gray, has made a commitment to featuring

missing children on racecars. He has been intricately involved with featuring other children on racecars in previous events at the LVMS. "I would like to thank Jo Anne Embry of the Missing Children Clearinghouse and Attorney General Frankie Sue Del Papa for their support and dedication in making this project a reality. I would also like to thank the folks at Adera Corporation of Las Vegas, who provide the imaging for the cars."

Del Papa praised the efforts of everyone involved in the Search for the Missing Children project in bringing increased public awareness to the missing children issue. "I applaud Jason, his team members and Martin and all like them who take the time from their high-profile and exciting professions to give back to the community and make a difference in children's lives."

The Nevada Missing Children Clearinghouse was created by the State Legislature in 1991 in response to the staggering number of children reported missing in the United States each year. In Nevada alone, more than 6,000 children are reported missing each year, most of which are the result of a parental abduction. The Clearinghouse not only acts as a central registry for missing children reports, but is an information resource for child protection issues. The Nevada Missing Children Clearinghouse works in tandem with the National Center for Missing and Exploited Children.

For more information on Nevada's Missing Children Clearinghouse, visit the Attorney General's website at: <http://ag.state.nv.us/>, or call (702) 486-3539.

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**FOR IMMEDIATE RELEASE
CONTACT: Steve George
September 20, 1999
(775) 684-1114**

**ELDER ABUSE PREVENTION TRAINING FOR CNAs WILL TAKE
PLACE ON SEPTEMBER 27th**

A new training program for Certified Nursing Assistants (CNAs) that reminds them about their mandatory duty to report elder abuse and their ethical duty to prevent it will take place on Monday, September 27th. The training will be held at Western Nevada Community College in Fallon and, thanks to the University of Nevada School of Medicine's Northeastern Area Health Education Center, be broadcast via teleconference in Elko, Winnemucca, Lovelock, Hawthorne and Yerington. The training initiative for CNAs is a cooperative project of the Nevada Attorney General's office, the Division of Aging Services, and the State Board of Nursing. The workshop is free, and CNAs will receive two hours credit towards their recertification.

"Certified Nursing Assistants are on the front lines providing care to older Nevadans in nursing homes or through home health agencies," Attorney General Frankie Sue Del Papa said. "They are, therefore, the most likely people to identify and report abuse, neglect or exploitation before it results in substantial bodily harm or financial loss to the older person."

"Not only are CNAs in good positions to recognize and report abuse, unfortunately, they are sometimes the ones who are abusing, neglecting or exploiting the older person," Nevada State Board of Nursing Executive Director Kathy Apple said. "We'd much rather prevent abuse than discipline CNAs for committing it."

For more information or to reserve space for the training, contact Cindy Kimball with the State Board of Nursing at (775) 688-2620, or the Attorney General's Medicaid Fraud Control Unit at (775) 687-4704.

CNA ELDER ABUSE PREVENTION TRAINING

September 27, 1999

9:00 am to 11:00 am

-or-

2:30 pm to 4:30 pm

- **Fallon**

Western Nevada Community College, Rm. 308

Via Teleconference in:

- **Elko**

Great Basin College
Technical Arts Bldg., Rm. 124

- **Winnemucca**

Humboldt General Hospital

- **Lovelock**

Pershing General Hospital

- **Hawthorne**

Mt. Grant Hospital

- **Yerington**

South Lyon Medical Center

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FOR IMMEDIATE RELEASE

CONTACT: Tim Terry

September 20, 1999

(775) 687-4704

**LAS VEGAS COMPANY VOLUNTARILY DISCLOSES IMPROPER
MEDICAID BILLINGS**

Attorney General Frankie Sue Del Papa announced today that Summit Behavioral Partners - Nevada, Inc. has entered into a civil settlement agreement with the Medicaid Fraud Control Unit (MFCU) in regards to claims of improper billings to the Nevada Medicaid program. Summit will pay \$156,702.00 as part of the settlement agreement. Summit is the former owner and operator of Hess & Associates, a Las Vegas mental health clinic.

According to MFCU Director Tim Terry, Summit disclosed the improper billings on its own initiative, and thus was able to avoid criminal charges. Terry noted that the MFCU generally foregoes criminal prosecution of self-reporting providers under the following conditions:

- That the provider makes a full disclosure of all improper claims or billings to the Nevada Medicaid program, including any and all internal audits prepared by the provider, its employees, accountants and/or attorneys.
- That the MFCU is granted complete access to inspect and copy the medical records and corresponding financial records for all Medicaid patients treated by the provider.
- That the provider and its employees cooperate fully with any MFCU requests for other information, documentation or personal interviews necessary to verify the provider's disclosure.
- That neither the provider nor its employees or agents have destroyed or concealed information or documentation relating to the involved claims and billings.
- That neither the provider nor any of its employees or agents have proffered any false or misleading information.

According to Terry, a provider which satisfies these conditions is normally handled under the State's civil monetary penalty law (CMPL).

"Given the fact that a criminal conviction automatically bars a health-care provider from participation in Medicaid, Medicare or any other federally funded health-care program for at least five years, I would encourage providers who may have crossed the billing line to seriously consider this voluntary disclosure program," Del Papa said. "Our office makes every effort to work with providers. We appreciate Summit's disclosure and cooperation in this matter."

The Medicaid Fraud Control Unit can be reached in Carson City at (775) 687-4704, or in Las Vegas at (702) 486-3420. For more information about Medicaid fraud and patient neglect, checkout the Attorney General's website at: <http://ag.state.nv.us/>.

**STATE OF NEVADA
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**FOR IMMEDIATE RELEASE
CONTACT: Thomas M. Patton
September 15, 1999
(775) 684-1116**

**ATTORNEY GENERAL SEEKS TO INTERVENE ON BEHALF OF
NEVADA CITIZENS IN COLORADO PROCEEDINGS CONCERNING
BLUE CROSS BLUE SHIELD**

Attorney General Frankie Sue Del Papa today announced that her office will request leave to intervene in proceedings before the Colorado Insurance Commissioner involving Blue Cross Blue Shield. The proceedings were triggered by a request by Blue Cross Blue Shield of Colorado (BCBSCO) to convert from a non-profit to a for-profit corporation. If the conversion approval request is granted, BCBSCO would be acquired by Anthem Insurance Companies, Inc, an Indiana mutual insurance company. Under the conversion plan currently proposed, Anthem has agreed to pay the sum of \$140 million to Colorado as part of the acquisition of BCBSCO.

In January 1998, Blue Cross Blue Shield of Nevada (BCBSNV) merged with BCBSCO. Although BCBSNV continues to do business in Nevada, it is now owned by BCBSCO and no longer exists as a Nevada Corporation. The company's business in Nevada has increased since the merger, however, by approximately 100% and now insures an estimated 20,000 Nevada subscribers. Because Nevadans comprise a significant portion of the Colorado company's business, the Attorney General's Office will argue that fairness and the law dictate that the portion of the business' value that is attributable to Nevada subscribers be committed to Nevadan citizens.

Nevada's request for intervention is due to be filed by Friday, September 17, 1999, and hearings before the Colorado Insurance Commissioner will commence in Denver on Friday, October 15, 1999.

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FOR IMMEDIATE RELEASE

CONTACT: Marta Adams

September 14, 1999

(775) 684-1237

**NUCLEAR WASTE TRANSPORTATION RULES TO BE
REEXAMINED**

Nevada's petition requesting that the existing regulations governing the security and safety of spent nuclear fuel transportation be reexamined and strengthened was docketed by the U.S. Nuclear Regulatory Commission (NRC) on July 13, 1999 and published in the Federal Register on September 13, 1999 (Volume 64, Number 176) for public review and comment. Specifically, the petition seeks to have the NRC reevaluate its requirements for safeguarding spent fuel shipments in light of the changing nature of threats involving domestic terrorism and sabotage.

"It is very important that any person concerned with the safety of spent nuclear fuel and high-level waste transportation in this country review the petition and provide comments to the NRC," Del Papa said. "Many of the assumptions the Commission's regulations are based on no longer reflect real world conditions and should be clarified to ensure the physical protection of spent fuel shipments."

"The issue of sabotage and terrorism has not been examined by the Commission in connection with nuclear waste transportation in over a decade," said Bob Loux, Director of the Agency for Nuclear Projects. "Since the Commission last addressed these regulations, the number of terrorist incidents in the United States has increased. Larger payloads proposed for future shipments, combined with the new transport container designs, create an immediate need for reexamination of the potential for sabotage and the associated impacts. Given the recent emergence of a greater domestic terrorist threat and the increased availability of sophisticated and portable armor-piercing weapons, attacks against future nuclear waste shipments could be catastrophic."

Written comments should be submitted to the NRC by November 29, 1999 and can be mailed to the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff. Comments may also be submitted electronically at: <http://ruleforum.llnl.gov>. Copies of the petition and related background materials, including studies and analyses that demonstrate

the need for the NRC to reexamine its rules, can be obtained directly from the Nevada Agency for Nuclear Projects or from the Agency's website at: <http://ag.state.nv.us/>

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FOR IMMEDIATE RELEASE
CONTACT: Gregory R. Hojnowski
September 10, 1999
(775) 486-3783

**PHONE "CAR-JACKING" CLAIM LEADS TO GUILTY PLEA ON
INSURANCE FRAUD**

Attorney General Frankie Sue Del Papa announced that Clark County District Court Judge Joseph Pavlikowski this morning accepted the guilty plea of 23-year-old Las Vegas resident, Antonio Franciscus Curry, to a felony count of Attempting to Submit a False Claim for Insurance Benefits. Curry will be sentenced on March 7, 2000. He faces up to four years in prison and a fine of up to \$5,000.

Curry and co-defendant, Michael Wayne Brown, 24, also of Las Vegas, were indicted by the Clark County Grand Jury in November of 1998 on various insurance fraud charges. Brown, earlier pleaded guilty and received probation after agreeing to testify against Curry should the case go to trial.

In April of 1997, Curry placed a "911" emergency call reporting that he had just been "car-jacked" at gunpoint, and that his 1992 Cadillac DeVille had been stolen. Curry, with Brown confirming the fraud, reported to Progressive Insurance Company the alleged theft and attempted to collect \$14,000.

But an investigation by Progressive, the Attorney General's Insurance Fraud Unit, and Metro Police revealed that the Cadillac was actually being stored by Curry in a friend's garage, and was not operational due to engine problems. Brown admitted his role in the scheme when confronted by an investigator from the Insurance Fraud Unit.

The Insurance Fraud Unit has obtained more than 34 convictions in the past year, many resulting in significant jail time. The Unit has also had more than \$2,000,000 in restitution ordered as a result of those convictions.

If you have knowledge or suspect that someone has committed insurance fraud, you're urged to call the Insurance Fraud Hotline at 1-800-266-8688. Information on how to combat insurance fraud can also be found on the Attorney General's web site at: <http://ag.state.nv.us/>

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FOR IMMEDIATE RELEASE
CONTACT: John Albrecht
September 10, 1999
(775) 688-1872

**ATTORNEY GENERAL TEAMS UP WITH BEVERAGE INDUSTRY
AND RETAILERS TO COMBAT UNDERAGE DRINKING**

Attorney General Frankie Sue Del Papa is joining forces with Anheuser-Busch and Nevada retailers in the fight against underage drinking. At news conferences in Reno and Las Vegas today, a new "Stop Underage Drinking" initiative was announced, which includes a direct mailing sponsored by Anheuser-Busch to more than 72,000 Nevada households with information on six steps that parents can take to discourage their underage children from drinking.

The "Stop Underage Drinking" initiative is supported by a broad coalition of private and public entities that includes: the retailers represented by the Nevada Petroleum Marketers; the Retail Association of Nevada; the Southland Corporation (7-11 stores); Anheuser-Busch Companies, Inc.; The Century Council (represents distilled spirits industry); and several state agencies.

"By working together, we can help reduce the problem of underage drinking in our State," Del Papa said. "I welcome the opportunity to coordinate our efforts with retailers, public and private agencies, and the beverage industry, as we search for ways to have a greater impact in reducing underage drinking."

The mailings to homes throughout Nevada began this morning (September 10th). The information offers parents tips on how to better talk with and inform their children about the dangers and legal ramifications of using alcoholic beverages before the age of 21. The "Family Talk" brochure enclosed in the mailings offers parents six guidelines designed to encourage open and honest communication between parents and children about drinking:

- Be a good role model
- Be factual
- Have clearly stated rules

- Practice good parenting
- Know your children's friends
- Get help if you need it

"There has been significant progress in reducing underage drinking over the last 20 years, but there is still more work to be done," said Francine Katz, vice president of consumer affairs, Anheuser-Busch Companies. "Government studies report that since 1982, teen drinking nationally is down 41% and teen drunk driving fatalities are down 59% in Nevada. And there is no question that much of the credit for those results goes to parents for all they have done to make preventing this problem a priority with their children. We are delighted to be part of this new partnership in Nevada which is focused on preventing underage drinking."

1997 statistics from a Youth Risk Behavior Survey conducted by the Centers for Disease Control (CDC) in Atlanta, Georgia found that 31% of American youths said they had their first drink of alcohol, other than a few sips, before the age of 13. Nevada's average was even higher, with 37% of students questioned in the survey saying they had their first drink before the age of 13: 32.6% of females; 41.1% of males. The CDC survey also found that 25.7% of 9th graders who took part in the study had consumed five or more drinks of alcohol in a row on one or more occasions in the past 30 days, while 39.3% of 12th graders said they had.

The results of a 1998 Nevada Department of Education student survey, "Safe and Drug-Free Schools and Communities," found that 3.7% of 6th graders questioned said they had consumed more than five drinks in a row at least once in the last two weeks, while 10.2% of 10th graders answered affirmatively to that question.

As part of the initiative, retailers that sell alcoholic beverages are also being sent a packet of information. The literature encourages retailers to remind their employees to check ID's so they do not illegally sell alcoholic beverages to anyone under the age of 21. Stores are being offered training on various methods of checking ID's, and on how to go about refusing to sell alcoholic beverages to minors without being intimidated. Many store owners and workers say they are often the subject of threats if they refuse to sell to someone. This information and training will be offered to retailers in the next few weeks.

Retailers are also being reminded that local law enforcement agencies are conducting stings of retailers that sell alcoholic beverages in an effort to better enforce state laws.

In Nevada, if someone under the age of 21 is found in possession of alcohol, they are subject to a \$1,000 fine and six months in jail. The penalty for selling alcohol to a minor is the same.

"We commend Attorney General Del Papa for this bold initiative," said Peter Krueger, Executive

Director of the Nevada Petroleum Marketers & Convenience Store Association. "Convenience store owners and their employees work hard to prevent the sale of alcohol to underage youth. This preemptive program will help remind young people and their parents that underage drinking is not okay."

For more information on the Anheuser-Busch Companies, Inc. role in the "Stop Underage Drinking" initiative, please contact Jim Schwartz at (314) 577-9625. To find out more about what the Nevada Attorney General's office is doing to combat underage drinking, contact Senior Deputy Attorney General John Albrecht at (775) 688-1872, or visit the office's web site at: <http://ag.state.nv.us/>

SOURCES FOR FURTHER INFORMATION:

Teen Drinking Statistics: National Household Survey on Drug Abuse, conducted by the Substance Abuse and Mental Health Services Administration, 1998. (www.health.org/pubs/nhsda)

Teen Drunk Driving Fatalities Statistics: Data compiled by the National Highway Traffic Safety Administration, Department of Transportation, 1998. (www.nhtsa.dot.gov)

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**FOR IMMEDIATE RELEASE
CONTACT: Dianna Hegeduis
September 8, 1999
(702) 486-3100**

**LABOR COMMISSIONER SEEKS ENFORCEMENT OF PREVAILING
WAGE LAWS ON DOUGLAS COUNTY REDEVELOPMENT
PROJECT**

Attorney General Frankie Sue Del Papa announced today that Labor Commissioner Terry Johnson is considering taking an appeal of Douglas County District Judge David Gamble's ruling denying the Labor Commissioner's petition to enforce prevailing wage laws in connection with the construction of a shopping center in Minden. The petition, naming Douglas County, its Commissioners, and the Redevelopment Agency, contended that the prevailing wage law applies to the project because the County is paying for \$3.5 million in improvements benefiting the shopping center at Jacks Valley Road and U. S. Highway 395. The shopping center includes Target and Home Depot as anchor stores. The Labor Commissioner alleged that early drafts of the agreements were modified to circumvent statutes requiring prevailing wages be paid to workers on the project.

"The intent of the prevailing wage law is to assure payment of the prevailing wage for local workers on projects in which developers receive financial benefits from those workers' tax dollars," Del Papa said. "The filing was never intended to halt construction on the shopping center, which will greatly benefit Douglas County residents by increasing the County's tax base, but merely to assure compliance with prevailing wage law."

Anyone with questions regarding this case is encouraged to call either the Labor Commissioner's office at (702) 486-2654, or Deputy Attorney General Dianna Hegeduis at (702) 486-3100.

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FOR IMMEDIATE RELEASE
CONTACT: Steve George
September 8, 1999
(775) 684-1114

**ATTORNEY GENERAL'S OFFICE WILL ADDRESS SIGNIFICANT
LEGISLATION THAT AFFECTS PUBLIC LAWYERS**

Three members of the Nevada Attorney General's office will conduct a training seminar aimed at updating and informing public lawyers on significant legislation that was passed during the 1999 Legislative session. The three-hour class will take place Thursday, September 9th, at the Atlantis Hotel and Casino in Reno, and on Friday, September 10th, at the Flamingo Hilton Hotel and Casino in Las Vegas.

Deputy Attorney General Brett Kandt will explain how AB 674 expands Nevada law to allow parties to enter into binding, enforceable contracts in cyberspace.

Chief Deputy Attorney General Kevin Higgins, who was one of the key people responsible for the creation of the Nevada High Technology Crime Task Force, will speak on the passage of SB 485, the Omnibus High Tech Crime Bill. Topics will include:

- Growth of Technology
- Impact on Nevada's economic future
- New high technology crimes and penalties
- Prohibition of inmate telemarketing and access to confidential information

Deputy Attorney General Rob Bony, who has been serving as the Attorney General office's legal counsel for the State Ethics Commission, will close-out the presentation with a discussion of SB 478,

which reorganizes the Ethics Commission.

"The Attorney General's office is strongly committed to public education on all fronts," Attorney General Frankie Sue Del Papa said. "If anyone needs additional help or has suggestions for future training, please let us know."

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**FOR IMMEDIATE RELEASE
CONTACT: GREGORY R. HOJNOWSKI
September 8, 1999
(702) 486-3783**

LAS VEGAS MAN PLEADS TO GUILTY INSURANCE FRAUD

Attorney General Frankie Sue Del Papa announced that 28-year-old Kevin Neal Decker of Las Vegas pleaded guilty this morning before Clark County District Court Judge Joseph T. Bonaventure to making a false claim for insurance benefits. Decker will be sentenced on October 27, 1999. He faces up to one year in jail and a fine of \$2000. Decker has agreed to pay \$11,291 in restitution to California Casualty Insurance Company.

Decker, his wife, and another couple, traveled to Ensenada, Baja California, Mexico, in February of 1998. They used two vehicles, one of which was Decker's 1996 Chevrolet S-10 pickup truck. At the conclusion of the weekend, Decker left his truck in Mexico and all returned in one car. Upon returning to Las Vegas, Decker filed a stolen vehicle report with the Las Vegas Metropolitan Police Department. Decker then contacted his insurance company, California Casualty, which paid \$12,000 to Wells Fargo Bank, the lienholder on Decker's truck.

An investigation conducted by California Casualty, the National Insurance Crime Bureau, and the Insurance Fraud Unit of the Attorney General's Office, determined that Decker had advertised the truck for sale in late 1997, and was "upside down" on the truck (owing more than the vehicle was worth). The truck was recovered in Ensenada by the State Judicial Police of Baja California, Mexico, in an abandoned and stripped condition.

The Attorney General's Insurance Fraud Unit (IFU) has had more than 30 convictions in the past year, many resulting in significant jail time. The Unit has had in excess of \$2,000,000 in restitution ordered as well.

If you have knowledge or suspect that someone has committed insurance fraud, please contact the Insurance Fraud Hotline at 1-800-266-8688. Information can also be found on the Attorney General's web site at: <http://ag.state.nv.us/>.

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**FOR IMMEDIATE RELEASE
CONTACT: Richard Linstrom,
Chief Deputy Attorney General
September 4, 1999
(702) 486-3196**

EQUINOX ASSETS REMAIN FROZEN BY COURT

Attorney General Frankie Sue Del Papa announced today that Nevada United States District Court Judge Johnnie B. Rawlinson issued a Preliminary Injunction late this morning against Las Vegas-based Equinox International Corporation, Advanced Marketing Seminars, Inc., BG Enterprises, Inc., and William Gould, their principal owner (collectively "Equinox").

The Court ordered an "overhaul" in Equinox's business practices, including 100% refunds, if requested, for products not sold by "distributors" within one year; mandatory full disclosure in advertising that Equinox is promoting a business opportunity, rather than employment, for "distributors;" approval of advertising by the court appointed receiver, along with requirements that advertising contain no claims regarding possible income to be earned by, and disclosure regarding all costs and expenses necessary to be a "distributor."

On August 3, The Nevada Attorney General's Bureau of Consumer Protection, the Federal Trade Commission (FTC) and officials from five other states filed suit in Federal Court alleging that Equinox was a pyramid scheme, in violation of federal and state laws. They requested that Judge Rawlinson immediately halt unfair and deceptive trade practices by Equinox. The Judge issued a Temporary Restraining Order ("TRO") that effectively froze the defendants' assets and appointed a receiver to allow Equinox to operate some business on a limited basis. The receiver took control of Equinox on August 6. Today's Preliminary Injunction replaces the TRO, pending Judge Rawlinson's written decision, which is within ten days.

Pending trial, scheduled for April 3-26, 2000, Equinox is allowed to incur reasonable business expenses and Gould is permitted only reasonable living expenses. The receiver is to be "a vigilant monitor" of Equinox's spending and insure that neither business nor personal assets are dissipated before the case is

resolved.

Persons with concerns regarding Equinox are urged to call the Attorney General's Bureau of Consumer Protection in Las Vegas at (702) 486-3221. Updates on the status of the case against Equinox, as well as other consumer protection information, can be found on the Nevada Attorney General's website at: <http://ag.state.nv.us/>. Copies of the government's Complaint are available on the FTC's web site at: www.ftc.gov.

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CONTACT: Tim Terry

September 2, 1999

(775) 687-4704

**FORMER GROUP HOME OWNER AND ADMINISTRATOR WILL
FACE TRIAL FOR ELDER NEGLECT**

Attorney General Frankie Sue Del Papa announced today that following a preliminary hearing, Carson City Justice of the Peace John Tatro has ordered the former group home owner of Nevada Cares, Inc., and its former administrator, Norma Childers, to face trial on two counts of elder neglect. Judge Tatro found sufficient evidence to support the criminal complaint filed by the Medicaid Fraud Control Unit (MFCU) of the Attorney General's office, which charged the defendants with neglecting a 78-year-old Nevada Cares resident who had pressure sores on her body and a fungi-like mold on her dentures and in her mouth. Attorneys with the MFCU are prosecuting the case. <http://ag.state.nv.us/>

Echoing the sentiments of former President John F. Kennedy, Del Papa said, "A society's quality and durability can best be measured by the respect and care given its elder citizens. Our office will continue to aggressively act to protect the well-being of our elderly citizens."

Anyone suspecting the abuse or neglect of an elderly person should report it to the MFCU in Carson City at (775) 687-4704, in Las Vegas at (702) 486-3420; or to the Nevada State Aging Services Division in Reno at (775) 688-2964, in Carson City at (775) 687-4210, or in Las Vegas at (702) 486-3545; or to a local law enforcement agency.

Information on how to prevent elder abuse can be found on the Attorney General's web site at: <http://ag.state.nv.us/>

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FOR IMMEDIATE RELEASE
CONTACT: Leslie Nielsen
October 29, 1999
(702) 486-3102

STATE SUSPENDS MOBILE HOME DEALER LICENSES

Attorney General Frankie Sue Del Papa announced today that the Department of Business and Industry, Manufactured Housing Division, has suspended state licenses issued to mobile home dealers Finley Mobile Home Sales and its principals, William A. Sowle and Patricia A. Sowle.

The enforcement action was prompted by allegations that Finley Mobile Home Sales stopped making payments to investors solicited by the licensees to help finance customer purchases of approximately 350 mobile homes. Finley Mobile Home Sales has acknowledged that it resold at least 23 of the mobile homes without paying off the investors who had financed the initial sales. The investors also claim that the buyers' down payments were misrepresented to the investors. One investor estimates that the licensees solicited more than \$5,000,000 from the investors over a four-year period.

The suspension prohibits Finley Mobile Home Sales and the Sowles from conducting any sales activities until a hearing before the Manufactured Housing Division on December 1, 1999, which will determine whether the licenses should be permanently revoked.

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CONTACT: Brian T. Kunzi

October 29, 1999

(702) 486-3199

**ATTORNEY GENERAL OBTAINS INDICTMENT IN CHARITY
SCAM CASE**

Attorney General Frankie Sue Del Papa announced today the unsealing of indictments, returned by the Clark County Grand Jury, against three individuals arising out of a charity scam. The three individuals, all from Las Vegas, are Antonio Anastasio, 54 years old; Edward Atwood, 71 years old; and Frank DeCarlo, 60 years old.

The indictment alleges Anastasio, Atwood and DeCarlo operated a telemarketing, fundraising "boiler room" in Las Vegas. Donations were being solicited for an organization known as the Veterans Opportunity Service Center. More than \$90,000 in donations was made over a six-month period and less than 10% was paid to the organization. Most donations were around \$50, giving an indication of the number of individuals contacted by these individuals. Although the primary office was in Las Vegas, victims in Northern Nevada were solicited through a satellite office in Carson City.

The three individuals named in the indictment are charged with felony racketeering, five counts of theft by false pretenses and one count of operating as an unregistered telemarketing seller. If convicted, each could face up to 54 years in prison and/or a fine of \$125,000.

"This operation is fairly typical of what we see with charity scam operations," said Deputy Attorney General Brian Kunzi. "These types of operations raise enormous amounts of money that are not used for the purposes that people are told. We also see donors being resolicited by the same telemarketers time and time again for donations to other questionable causes."

Many states now require fundraising telemarketers to register and disclose the amount of donations received and the amount actually paid to the charity. Nevada does not have such a law.

A recent report out of Ohio illustrates the nature of the problem. In 1998, professional telemarketers

raised \$103.6 million in Ohio, or nearly \$2 million per week. The charities received only \$48 million of the money raised. The telemarketers kept \$56 million. These figures were for only registered telemarketers. No statistics are available for telemarketers, like the three who were indicted, that do not register and keep even greater percentages of the amount collected.

The Attorney General stresses that the charges are merely accusations and the defendants are presumed innocent unless and until proven guilty in court.

Anyone with questions about charitable solicitations is urged to contact the Attorney General's Bureau of Consumer Protection in Las Vegas at (702) 486-3777, or call the statewide toll-free number, 1-800-992-0900. Consumer protection information can be found on the Attorney General's Web site at: www.state.nv.us/ag/

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FOR IMMEDIATE RELEASE
CONTACT: Gregory R. Hojnowski
October 27, 1999
(702) 486-3783

LAS VEGAS RESIDENT SENTENCED FOR INSURANCE FRAUD

Clark County District Court Judge Joseph T. Bonaventure today sentenced KEVIN NEAL DECKER, 28, of Las Vegas, for insurance fraud. Decker was ordered to serve one year in the Clark County Detention Center. Judge Bonaventure suspended that sentence, placing Decker on three years probation, provided Decker make complete restitution to California Casualty Insurance Company of \$11,291, complete a financial management counseling program, and provide eight hours of community service during each month of his probation.

Decker had insured his 1996 Chevrolet S-10 pickup truck with California Casualty, but soon became "upside down" (owing more than the truck was worth) in his payments. After trying unsuccessfully to sell the vehicle, Decker, along with his wife and another couple, drove to Ensenada, Baja California, Mexico in February of 1998. Decker left his truck in Mexico and falsely reported to the Las Vegas Metropolitan Police Department that it had been stolen in Las Vegas. Decker also reported the bogus theft to California Casualty, which paid \$12,000 to Wells Fargo Bank, the lienholder on the truck.

A joint investigation by the Insurance Fraud Unit of the Office of the Attorney General, the National Insurance Crime Bureau, and California Casualty revealed that the truck Decker claimed as stolen had actually been recovered in Ensenada by the State Judicial Police of Baja California, Mexico prior to the date of the alleged theft. When confronted by investigators from the Insurance Fraud Unit, Decker admitted his scheme and a plea agreement was reached by the Attorney General's Office, Decker and his attorney.

If you believe that someone has committed insurance fraud, please contact the Insurance Fraud Hotline at 1-800-266-8688. Information on how to combat insurance fraud can be found at the Attorney General's website at: www.state.nv.us/ag/.

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**FOR IMMEDIATE RELEASE
CONTACT: Mark N. Kemberling
October 25, 1999
(702) 486-3420**

HEALTH CARE WORKER PLEADS GUILTY TO ELDER NEGLECT

Attorney General Frankie Sue Del Papa announced that former care facility worker Marie Dennis, 45, of Las Vegas, today was sentenced after earlier pleading guilty to one gross misdemeanor count of Elder Neglect. As a result of the plea agreement, Clark County District Court Judge Donald M. Mosley sentenced Dennis to one year in jail, but suspended the sentence so long as she successfully complete two years of probation. Special conditions of Dennis' probation require that she successfully complete impulse control and anger management courses, and avoid any unauthorized contact with elderly persons.

Medicaid Fraud Control Unit Director (MFCU) Tim Terry said the charge stems from a June, 1998 incident at a Las Vegas long-term care facility. During the incident, Dennis negligently force fed a 98-year-old resident, causing him to choke and gasp for air. She compounded her negligence by forcefully pushing his wheelchair out of the dining room, which resulted in his feet being entangled beneath the wheelchair.

"Crimes against the elderly are some of the most serious and under-reported," Del Papa said. "The Medicaid Fraud Control Unit aggressively pursues cases in which the safety of an elderly person is put at risk."

If you suspect someone of abusing or neglecting an elderly person, please report it to the MFCU in Carson City at (775) 687-4704; in Las Vegas at (702) 486-3420; or to the Division for Aging Services in Reno at (775) 688-2964; in Carson City at (775) 687-4210; in Las Vegas at (702) 486-3545; or a local law enforcement agency.

Information about how to prevent elder abuse and neglect can be found on the Attorney General's web site at: www.state.nv.us/ag/

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Contact: Tim Terry

October 21, 1999

(775) 687-4704

REGISTERED NURSE PLEADS GUILTY TO MEDICAID FRAUD

Attorney General Frankie Sue Del Papa announced that Scott Louis Nellis, age 49, of Las Vegas, today entered a guilty plea to two gross misdemeanor counts of Medicaid Fraud for failing to maintain adequate records. Nellis, who could have been sentenced to one year in jail and a fine of up to \$2,000 on each count, was sentenced by Clark County District Court Judge Jeffrey D. Sobel to pay more than \$600 in restitution and a fine of \$1,000.

Tim Terry, Director of the Medicaid Fraud Control Unit (MFCU), said the plea stems from an investigation of Nellis' 1996 business practices. During that year, Nellis was simultaneously employed by two separate home health care agencies as a care nurse. Neither agency was aware that Nellis was also working for the other company. When this was discovered, an analysis of Nellis' records showed that he had billed the agencies for seeing two or more separate patients in different locations at the same time.

"Devious business practices such as these often lead to a loss of tax dollars that could be used to care for those citizens in need of assistance," Terry said.

Anyone suspecting Medicaid Fraud should report it to the MFCU in Carson City at (775) 687-4704, or in Las Vegas at (702) 486-3420.

For more information on how to stop Medicaid Fraud, visit the Attorney General's website at: www.state.nv.us/ag/

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FOR IMMEDIATE RELEASE
CONTACT: Steve George
October 21, 1999
(775) 684-1114

OCTOBER IS NATIONAL "LET'S TALK" MONTH
A Time for Parents To Speak With Their Children About Teen Pregnancy

The National Campaign To Prevent Teen Pregnancy has designated October as National "Let's Talk" Month. The National Campaign is encouraging parents to focus on parent-child communication on the subject of sexuality.

Research shows that parents can have a major influence on their teens' sexual behavior. That research indicates that parents who openly speak to their children about sex greatly reduce their children's risk of becoming pregnant or impregnating someone while they are still children themselves.

With Halloween just around the corner, here are some "scary" statistics relating to teen pregnancy in the United States:

- Nearly half of America's teenage girls will become pregnant before they turn 20.
- Children of teen mothers are twice as likely to be abused and neglected as children of older mothers.
- Boys born to teen mothers are three times more likely to end up in jail.

SOURCE: National Campaign To Prevent Teen Pregnancy (web site: www.teenpregnancy.org)

Although teen pregnancy and birth rates across the nation have recently been in decline, the U.S. still has the highest rates of teen pregnancy and birth of any industrialized nation. Nevada currently has the highest teen pregnancy rate in the nation. California, Arizona and New Mexico are also in the top ten.

"The consequences of teenage pregnancy are often serious," Del Papa said. "The public is deeply

concerned about how our families function, and what can be done to address this significant problem. More than one million teenage girls in the U.S. become pregnant each year. Unfortunately, Nevada has the highest teen pregnancy rate in the nation. On any given day in Nevada, 13 girls become pregnant, five of whom are 10-17 years old."

According to a survey of Nevada high school students conducted by the Nevada Department of Human Resources, State Health Division:

- 47% have engaged in sexual intercourse.
- 1 in 15 had sexual intercourse for the first time before the age of 13.
- 41% of sexual active students indicated that neither they nor their partner used any kind of birth control the last time they had intercourse.

In 1995, Del Papa's office worked with the State Health Division on an Action Plan responding to Nevada's teen pregnancy rate. As part of Nevada's Action Plan, more than 30 Community Action Teams have been formed, with each group looking for strategies and programs to combat teenage pregnancy in their community.

"This is an issue of great public concern as the consequences of teenage pregnancy and child-bearing contribute to many of society's enduring social problems," Del Papa said. "Although there are differences of opinion on how to approach reducing the teenage pregnancy rate, the National Campaign seeks more constructive dialogue on the part of the public, as well as finding more effective ways of working with teenagers to help them understand the importance of delaying pregnancy and child-bearing until they are truly ready for parenthood. We are always interested in adding more partners in the battle to reduce our teen pregnancy rate. One thing we know for sure, there is not one solution that works for everyone."

The National Campaign to Prevent Teen Pregnancy was established in 1996 as an independent nonprofit initiative. It is funded by three major foundations: The Carnegie Corporation of New York, the Robert Wood Johnson Foundation; and an anonymous private foundation.

You can find more information on teen pregnancy and what can be done to combat it at: www.teenpregnancy.org, or on the Attorney General's website at: ag.state.nv.us. For more information on "Let's Talk" month, contact Advocates for Youth at (202) 347-5700.

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE
CONTACT: Jane Femiano
October 19, 1999
(702) 486-3789

**ATTORNEY GENERAL ISSUES WARNING ABOUT "CAROLINA
LEMONS"**

Attorney General Frankie Sue Del Papa today issued an alert to Nevada consumers concerning buying a car that may have been damaged during the recent flooding in North and South Carolina due to Hurricane Floyd. Automobile associations and consumer advocate groups are warning that used-car dealers are buying flood-damaged vehicles for resale in areas as far away as California.

It is estimated that as many as 15,000 cars were damaged or destroyed by the storm and subsequent flooding.

"A reputable dealer will tell a consumer if a car has been damaged, but there is no law requiring disclosure, unless an insurance company has declared a car a total loss, or if the vehicle has greater than 75,000 miles," Del Papa said.

Nevada has a lemon law that applies to vehicles with more than 75,000 miles. Under the law, the used-vehicle dealer must inspect the vehicle prior to reselling it, and disclose to the buyer any defects in the vehicle's engine or drivetrain. Additionally, under federal law, a dealer is required to disclose if the vehicle has been declared "totaled" by an insurance company.

Del Papa provides the following tips to avoid buying a flood-damaged used car:

- Demand to see the title before you decide to buy. If the owner's insurance company purchased the vehicle from an insurance company, the title will read "prior salvage" if the retail cost of repairs was \$3,000 or more. Even if the vehicle was not placed on a salvage title, a title history will show if an insurance company recently took title to the vehicle.
- Inspect the vehicle carefully before you buy. If you are not an expert in auto mechanics, find

someone you trust who is and have them look at the vehicle. If the seller will not let you or someone else look at the vehicle, don't buy it!

Look for signs that a vehicle has been damaged in a flood:

- Look closely for any sand, silt, mud or salt deposits along the bottom of the car and under the seats, under the carpets, and in the trunk.
- Remove carpet mats, and even a seat cushion, to see if any debris falls out.
- Take a whiff! A flood-damaged vehicle will most likely have a mildew smell.
- Look under the car for unusual signs of rust that have formed on bare metal. Reach into nooks and crannies to check for mud and sand deposits.
- Check under the hood for deposits or debris.
- Check the oil dip stick for signs that water has gotten into the system.

If you suspect you have been a victim of consumer fraud through the purchase of a flood-damaged vehicle, call the Bureau of Consumer Protection in Las Vegas at (702) 486-3786. For more information on how to better protect yourself from consumer fraud, visit the Attorney General's website at: www.state.nv.us/ag/.

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CONTACT: Laurel Duffy

October 19, 1999

(702) 486-3433

LOAN OFFICER SENTENCED FOR INSURANCE FRAUD

Attorney General Frankie Sue Del Papa has announced that Clark County District Court Judge Jeffrey R. Sobel today sentenced Clementina Balcazar Mendoza, 49, of Las Vegas, to a gross misdemeanor as part of a negotiated plea. She had earlier pleaded guilty to Attempting To Submit A False Claim For Insurance Benefits. Mendoza was ordered to pay a fine of \$1500, and an administrative fee of \$25. Mendoza is a former loan officer of Investors Financial Network, Inc. She was originally indicted by the Clark County Grand Jury on four felony charges.

While working as a loan officer, Mendoza solicited prospective homeowners who had been unable to secure a mortgage loan because they had too many debts. She would suggest that if they would report their vehicle as stolen and collect the insurance proceeds, they would be better able to qualify for a larger home loan. Mendoza would then make the arrangements for the disappearance of the vehicle, and instruct the insured on how to file the false police report and insurance claim. Mendoza indicated to witnesses that she had successfully done this in the past by having the vehicles taken into Mexico, where they were dismantled for parts.

Del Papa credited the joint efforts of the multi-agency VIPER Auto Theft Task Force, comprised of investigators from the FBI; the National Insurance Crime Bureau; the Nevada Highway Patrol; the Las Vegas, North Las Vegas, and Henderson Police Departments; and the Insurance Fraud Unit (IFU) of the Attorney General's Office, for the successful prosecution of Mendoza.

The efforts of the IFU have resulted in more than 32 convictions in the past year, with sentences often resulting in significant prison time. The IFU has also obtained court-ordered restitution of more than two million dollars over that same period of time.

If you suspect someone is committing insurance fraud, please contact the Insurance Fraud Hotline at 1-800-266-8688. Information on what you can do to prevent Insurance Fraud can be found on the Attorney General's web site at: www.state.nv.us/ag/

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FOR IMMEDIATE RELEASE

CONTACT: Laurel A. Duffy

October 14, 1999

Deputy Attorney General

Insurance Fraud Unit

(702) 486-3433

PHONY CAR THEFT LEADS TO SECOND CRIMINAL CONVICTION

Clark County District Court Judge Sally Loehrer today sentenced Valerie Lou Dunlap, 43, for attempting to conspire to present a false claim for insurance benefits to State Farm Insurance Company, pursuant to a guilty plea agreement. The State of Nevada Attorney General's Insurance Fraud Unit's case against Dunlap's estranged husband, Frank Edward Dunlap, is completed and Mr. Dunlap was sentenced August 10, 1999 to pay restitution for attempting to conspire to defraud State Farm Insurance.

Mr. Dunlap, on August 18, 1997, reported the theft of Valerie Lou Dunlap's 1991 Mitsubishi from the driveway of the couple's home to the Las Vegas Metropolitan Police Department. He subsequently provided a statement to State Farm on October 20, 1997, alleging once again the vehicle, which bore license plates which read VALERIE, had been stolen while his wife was in San Diego visiting her mother. He explained the delay in reporting the theft to State Farm was because he thought Mrs. Dunlap had filed the claim. The couple was subsequently paid \$5,805.00.

Further investigation into the matter revealed the car had been impounded by Mexican Customs Officers on July 28, 1997, while being driven into Mexico by Mrs. Dunlap's alleged boyfriend. The car was impounded because it was licensed in the United States but being driven by a Mexican citizen who did not own the car.

The Insurance Fraud Unit has obtained more than 30 convictions and arrests in the past year, some resulting in the culprits being sentenced to prison. The Unit has obtained more than two million dollars in court-ordered restitution for insurance companies in the last year.

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FOR IMMEDIATE RELEASE
CONTACT: L. Tim Terry
October 11, 1999
(775) 687-4704

**FORMER NURSING ASSISTANT SENTENCED FOR ELDER
NEGLECT**

Attorney General Frankie Sue Del Papa announced that Las Vegas Marsha K. Bosworth, age 43, was sentenced today after pleading guilty to a single county of Elder Neglect. This offense is a gross misdemeanor punishable by up to one-year incarceration and a \$2,000 fine. The conviction should prohibit her from any future employment as a care provider for the elderly. As a result of the plea agreement, District Court Judge Mark Gibbons sentenced Bosworth to six months' incarceration suspended, plus a one-year probationary status to include an anger management class and community service.

The charge stems from an incident during May 1998, when Bosworth used unnecessary physical force on a 92-year-old female resident of a Las Vegas nursing home, in an attempt to get the woman to leave a dining room. Since the incident, Bosworth has surrendered her nurse assistant Certificate to the Nevada State Board of Nursing.

The prosecution of Bosworth is another example of the Attorney General's Medicaid Fraud Control Unit's continuous effort to protect the elderly residents of this state.

Anyone suspecting elder abuse or neglect is encouraged to report his concerns to the Office of the Attorney General at (702) 486-3420; the Office of the Aging Services Division at (702) 486-3545; or your local police department. Information on how to prevent elder abuse, neglect or exploitation can be found on the Attorney General's website at: www.state.nv.us/ag.

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FOR IMMEDIATE RELEASE
CONTACT: Ronda Clifton
October 11, 1999
(702) 688-1835

**ZIP NUT PROMOTERS ORDERED TO PAY DEFRAUDED
INVESTORS FULL RESTITUTION**

The Attorney General's Bureau of Consumer Protection announced that Robert Lee Fullerton, 63, and Corinne Frances Bennett, 35, both of Reno, were ordered to pay full restitution plus interest to investors after being found liable for unlawfully selling unregistered securities, unlawfully transacting business as an unlicensed sales representative, and fraud committed in the offer and sale of securities, related to the sale and marketing of the zip nut device.

According to the investigation by the Secretary of State's Securities Division, from June, 1989 through September of 1990, Fullerton and Bennett solicited Reno residents to invest in Fullerton's zip nut, a fastening device Fullerton patented in 1983. Unbeknownst to the investors, Fullerton and Bennett sold worthless stock in a defunct corporation.

On January 22, 1998, a Washoe District Court jury convicted Fullerton and Bennett of 21 felony criminal charges in the zip-nut case for selling stock in the defunct Nevada corporation First Phoenix, Inc., without registering the securities with the Securities Division of the Nevada Secretary of State, and without qualifying for an exemption from the registration requirement.

In November of 1998, Washoe District Court Judge Steven Kosach found the defendants civilly liable for defrauding investors and granted summary judgement in favor of the State of Nevada after reviewing the undisputed evidence against the defendants. Thirteen investors in the unregistered stock testified at the criminal trial. Since then, more investors have come forward. The total amount requested by the state to reimburse the investors is over \$400,000.

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CONTACT: John Albrecht

October 4, 1999

(775) 688-1872

**STORE CLERKS ENCOURAGED TO CHECK THE ID's OF
YOUNGER CUSTOMERS PURCHASING ALCOHOLIC BEVERAGES**

As the next step in the recently announced "Stop Underage Drinking" initiative, Attorney General Frankie Sue Del Papa today sent a letter to more than 2,000 Nevada retailers encouraging them to post in-store signs reminding minors that sales clerks will be checking the ID's of younger customers attempting to purchase alcoholic beverages. The materials include signs and posters that will assist store clerks in this task. The signs are being provided by the Century Council, an organization funded by the nation's leading distillers which is dedicated to fighting drunk driving and illegal underage drinking.

"This is the next step in trying to reduce underage drinking in Nevada," Del Papa said. "I want to thank the Century Council and the nation's distillers for recognizing the scope of this problem, and for joining us in these new initiatives to combat and curtail alcoholic consumption by underage youths."

"We are proud to be partnering with the Attorney General's office on this important effort," said John C. Lawn, Chairman and CEO of the Century Council. "We know from retailer response, law enforcement and even from the kids themselves that these material really work."

In Nevada, selling alcohol to someone under the age of 21 is punishable by a fine of up to \$1,000 and six months in jail.

On September 10th, the "Stop Underage Drinking" initiative was announced at news conferences in Reno and Las Vegas. The mailing to retailers is the second phase of a five-part plan aimed at better preventing minors from purchasing alcohol. In early October, The Century Council will make available to every Chief of Police and Sheriff in Nevada, a program called "Cops in Shops."

The Century Council is a national, not-for-profit organization that was founded in 1991. For more information on the Century Council, visit their website at: www.centurycouncil.org. To find out more

about what the Nevada Attorney General's office is doing to combat underage drinking, contact Senior Deputy Attorney General John Albrecht at (775) 688-1872, or visit the office's web site at: www.state.nv.us/ag/ "Protecting Citizens, Solving Problems, Making Government Work"

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FOR IMMEDIATE RELEASE

CONTACT: Steve George

October 4, 1999

(775) 684-1114

**ATTORNEY GENERAL HOSTS FORUMS ON DATE RAPE
PREVENTION**

Attorney General Frankie Sue Del Papa is hosting forums on the U.N.R. and U.N.L.V. campuses that will focus on the prevention of date rape. The concept of the forums is to attempt to come up with a best course of action in trying to prevent date rape. The first forum will take place on Tuesday, October 5, on the U.N.R. campus in Morrell Hall's Clark Room, from 11:30am to 1:00pm. A second forum will take place on the U.N.L.V. campus in the Moyer Student Union Building on Wednesday, October 6, from 11:30am to 1:00pm. Del Papa will act as facilitator for the open discussion on the proliferation of date rape and date-rape drugs in our society. Del Papa will be joined by several guest speakers who are experts on the subject. A new brochure, "DATE RAPE: Know The Facts," which outlines how to best avoid becoming a victim of date rape, will be discussed. Additional material from the Attorney General's office and other panelists taking part in the forums will also be available.

Invitations to take part in the forums were sent to all Nevada junior and senior high school administrators, and to the Student Body Officers and Administrators at U.N.R., U.N.L.V. and the various Community Colleges in the state. Several others involved in the women's health field will also be in attendance. The forums are open to anyone who wishes to attend.

An estimated 78% of rapes are committed by someone the victim knows. In fact, you are more likely to be sexually assaulted by someone you know than by a stranger. It could be a friend, a relative, a date, an employer, or someone you have recently met. The facts are:

- Nearly six out of ten rapes occur at the victim's home, or the home of a date, friend, relative or neighbor.
- One in every eight college women will be raped: 90% will know their assailant; more than one-third will not discuss what happened to them; and more than 90% do not report the crime to

police.

- Acquaintance/date rape occurs most frequently to women ages 15-24.
- "Certainly the times we live in have changed dramatically," Del Papa said. "It is especially important for young women and men to know the dangers that may face them in their own communities."
- Before going on a date with someone, here are few things you should think about:
- Studies show that 75% of those who committed date-rape used alcohol or drugs while on a date, while 55% of the victims had been drinking or taking drugs before the rape occurred.
- If you're going to a party, establish a "buddy system" where you watch out for each other. But you should not rely on others to take care of you.
- Avoid secluded places where you are more vulnerable. Meet in a public place, such as a movie theater or restaurant, on the first couple of dates. This will give you an opportunity to get to know your date better and decide if this is someone you wish to be with.
- You may think that you can "make out" and then decide whether to go farther. The problem with this kind of thinking is that it gives too much control to the other person. Be sure to communicate what your boundaries are.
- If you are unsure of a new acquaintance, go on a group date or double date.
- If you are drinking, be sure you either open your own bottle or watch a mixed drink being made to help protect yourself from having a date-rape drug placed in your drink. Once you have your drink, do not let it leave your hands until you've finished. It takes only a millisecond to place a date-rape drug in your drink! Some date-rape drugs cause sexual sensitivity or arousal even if the intended victim is unconscious. They can put men and women at equal risk.
- Never announce that you are leaving a party alone. Whenever possible, leave with a group of people.
- Always have money for a phone call or for a taxi in your pocket in case you want to go home.
- Be careful when inviting someone to your home or going to theirs. These are the most likely places for acquaintance rape to occur.

If you've been a victim of date rape, **GET MEDICAL ATTENTION IMMEDIATELY**. Do not shower or clean yourself first as this will destroy valuable evidence. Unfortunately, many victims who have been assaulted by someone they know feel guilty or responsible, betrayed, and may question their own judgment. It is important to report the crime as soon as possible and hold the offender accountable. Rapists will often assault more than one victim! Reporting can help stop a rapist and also lead to the

victim receiving much needed counseling. Here are places to contact for help:

IN NORTHERN NEVADA

Crisis Call Center 1-800-992-5757, or (775) 784-8090

Reno Police Dept. (775) 334-2121

Sparks Police Dept. (775) 353-2231

Washoe County Sheriff's Office (775) 328-3001

Carson City Sheriff's Dept. (775) 887-2500

Douglas County Sheriff's Dept. (775) 782-9935

Univ. of Nevada, Reno Police (775) 334-2121

Sexual Assault Response Advocates (S.A.R.A) (775) 883-7654

In Elko: The Committee to End Domestic Violence (775) 738-9454

IN SOUTHERN NEVADA

Community Action Against Rape (C.A.A.R.) (702) 366-1640

Tri-State Hotline 1-800-553-8273

(Laughlin, Bullhead City, Needles)

Mesquite Hotline (702) 346-7972

Boulder City Police Dept. (702) 293-9224

Henderson Police Dept. (702) 565-8933

Las Vegas Metro Police Dept. (702) 229-3111

North Las Vegas Police Dept. (702) 649-9111

UNLV Police Dept. (702) 895-3668

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**FOR IMMEDIATE RELEASE
CONTACT: Thomas M. Patton
October 1, 1999
(775) 684-1116**

**COLORADO INSURANCE COMMISSIONER DENIES ATTORNEY
GENERAL'S REQUEST TO INTERVENE ON BEHALF OF NEVADA
CITIZENS IN COLORADO PROCEEDINGS CONCERNING BLUE
CROSS BLUE SHIELD**

Attorney General Frankie Sue Del Papa today announced that her office has received an order from the Colorado Insurance Commissioner denying Nevada's request to intervene in administrative proceedings before the Commissioner involving the non-profit corporation Blue Cross Blue Shield of Colorado (BCBS). The proceedings were triggered by a request from BCBS to convert from a non-profit to a for-profit corporation. If the conversion approval request is granted, BCBS will be acquired by Anthem Insurance Companies, Inc, an Indiana mutual insurance company. Under the conversion plan currently proposed, Anthem has agreed to pay the sum of \$140 million to Colorado for the exclusive benefit of Colorado citizens.

BCBS does business in Nevada as Blue Cross Blue Shield of Nevada, and was formerly incorporated in this state. In December 1996, the company received approval to merge with the Colorado Corporation and ceased to be incorporated in Nevada. Since the merger, Blue Cross Blue Shield of Nevada's business has approximately doubled, and currently insures more than 90,000 Nevada subscribers. Because Nevadans comprise a significant and rapidly growing portion of BCBS' business, the Attorney General's Office is arguing that fairness and the law dictate that the portion of the corporation's value that is attributable to Nevada subscribers be committed to benefit Nevadan citizens.

Nevada's effort to acquire a share of the proceeds from the conversion is being headed up by First Assistant Attorney General Thomas Patton. Patton noted that the denial of Nevada's request to intervene in the administrative proceeding came as no surprise, and brings Nevada closer to being able to assert its legal and equitable claims by way of a judicial action in the ongoing effort to ensure that Colorado is not the sole beneficiary of the conversion proceeds.

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CONTACT: Fred Schmidt

October 1, 1999

(775) 687-6300

**STATE GENERAL FUND WILL RECEIVE \$481,000 AS A RESULT OF
SETTLEMENT WITH DRUG-MAKER**

Attorney General Frankie Sue Del Papa has announced that the State General Fund today received a \$481,810 payment as part of a settlement with Knoll Pharmaceutical Company and BASF Corporation. Nevada's total award is \$766,000. Del Papa's office and the attorneys general from 36 other states reached a settlement agreement with Knoll on July 29, 1999. In all, Knoll has agreed to pay the settling states \$41.8 million dollars.

The settlement is a result of action taken by the attorneys general in relation to marketing practices involving the sale of Synthroid, Knoll's brand of synthetic thyroid hormone product. Synthroid is used to treat Hypothyroidism, a medical condition in which a person's thyroid gland does not produce sufficient thyroid hormone. More than eight million patients in the United States take a form of levothyroxine sodium daily to treat Hypothyroidism. Synthroid is the dominant and most expensive brand of levothyroxine sodium product on the market.

The attorneys general alleged that Knoll had violated various Consumer Protection Laws in promoting the use of Synthroid.

Of the remaining settlement amount, \$60,000 was used to pay the multi-state legal counsel, and the remaining \$224,190 was used to fill a special account established by the passage of AB 108 by the 1999 Legislature, which will be used for future litigation purposes involving the Attorney General's Bureau of Consumer Protection (AB 108 called for the establishment of the \$250,000 fund: \$25,810 was already in the account).

Joining Nevada in reaching the settlement were the attorneys general of the states of Arkansas, Arizona, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Missouri, Nebraska, New Jersey, New Mexico,

New York, North Carolina, Ohio, Oklahoma, Oregon, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, Washington, West Virginia and Wisconsin.

In a related matter, Knoll has also reached tentative settlement in a number of class action lawsuits in which consumers allege they suffered monetary damages as a result of Knoll's conduct in the sale of Synthroid. If approved by the courts, individual consumers who purchased Synthroid between January 1, 1990 and the date the court approves the class action settlements will be eligible for restitution. That settlement, before attorneys fees and costs, is reportedly in the range of \$84 million dollars. For more information on the status of the class action lawsuits, call 1-800-853-4853.

In announcing the settlement with Knoll, the attorneys general pointed out that the safety and efficacy of Synthroid or any other synthetic thyroid hormone replacement product was never at issue, and that individuals who currently use Synthroid should not stop taking it in light of today's announcement. Individuals who use Synthroid should continue their current medically recommended regimen, and should check with their physician if they have any questions.

For more information on the Attorney General's public protection agenda and the Bureau of Consumer Protection, visit the office's website at: www.state.nv.us/ag/

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**FOR IMMEDIATE RELEASE
CONTACT: Veronica Boyd-Frenkel
October 1, 1999
(775) 688-1846**

NEVADA DOMESTIC VIOLENCE STATISTICS RELEASED

Attorney General Frankie Sue Del Papa, who chairs the Nevada Domestic Violence Prevention Council, announced today the release of statewide law enforcement statistics regarding domestic violence for the first and second quarters of 1999. These reports, part of continuing series, are the result of a collaborative effort between the Domestic Violence Ombudsman of the Attorney General's office and the Nevada Uniform Crime Reporting (UCR) Program administered by the Nevada Department of Motor Vehicle and Public Safety, Highway Patrol Division.

"Drawn from law enforcement statistics statewide, this report on domestic violence in Nevada is one of the most in-depth and comprehensive reviews of law enforcement data on this issue to date," Del Papa said. Copies of the report are being distributed statewide to law enforcement, legislators and others interested in domestic violence prevention by Veronica Boyd-Frenkel, Domestic Violence Ombudsman for the state of Nevada.

On January 1, 1998, Nevada law enforcement agencies began utilizing a standardized domestic violence statistical form developed by the UCR Program to facilitate the collection of domestic violence statistics from throughout the state.

The report, "Domestic Violence in Nevada," covers statistics for the first and second quarters of 1999. According to the report, Nevada law enforcement agencies responded to 3,941 domestic violence incidents during the first quarter of 1999, a slight decrease from the 4,278 reported during the first quarter of 1998. Law enforcement responded to 4,431 incidents during the second quarter of 1999, a slight increase from the 4,253 incidents reported during the second quarter of 1998. Arrests were made in approximately 54 percent of the responses. The report indicates that children were present in approximately 38 percent of the reported cases, an increase of two percent from the same period in 1998.

The statistics also show that roughly 75 percent of the incidents occurred in Clark County, where 68 percent of the state's population resides. "The high incidence of reporting in Clark County is likely a

reflection of the well-developed systems in place to respond to victims of domestic violence in the region," stated Boyd-Frenkel, the author of the reports. "Additionally, some of the rural jurisdictions of our state probably experience a certain degree of under-reporting, which indicates the need to support and strengthen victim services in these regions."

"In order to better assess the extent of domestic violence in our state, it is also important to recognize that many victims of domestic violence do not contact law enforcement," commented Sue Meuschke, Executive Director of the Nevada Network against Domestic Violence. Meuschke said that 7,690 victims contacted domestic violence programs in Nevada during the first quarter of 1999, and 8,483 during the second quarter. Domestic violence programs also documented that of those individuals they were contacted by, 2,625 in the first quarter and 3,139 in the second, also contacted law enforcement.

"These domestic violence statistics indicate that we are dealing with a problem of epidemic proportion in Nevada," Del Papa stated. "Anything that anyone of us can do to break the cycle of violence is important."

Boyd-Frenkel said that she and Highway Patrol Officials continue to work to modify, update and improve the "Domestic Violence in Nevada" reports. Boyd-Frenkel and the UCR program are currently in the process of modifying the domestic violence statistical form itself to enhance the specificity and quality of the data that is gathered.

For more information about the report, please contact Boyd-Frenkel in the Reno office of the Attorney General at: (775) 688-1846, or visit the Attorney General's website at: www.state.nv.us/ag/

October is Domestic Violence Prevention Month, a time when people are asked to reflect on what they can do to help prevent domestic violence in their community. For more information on how you can help with efforts to reduce domestic violence in Nevada, call Nevada's toll-free domestic violence information and referral line at 1-800-230-1955. If you are being abused, or know someone who is, call Nevada's 24-hour Domestic Violence Hotline at 1-800-500-1556 to get help.

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**FOR IMMEDIATE RELEASE
CONTACT: Bridget Branigan
October 1, 1999
(702) 486-3108**

**JUDGE RULES FOR STATE IN SOUTHERN DESERT
CORRECTIONAL CENTER "EXCESSIVE FORCE" LAWSUIT**

Las Vegas - Attorney General Frankie Sue Del Papa announced today that her office has defeated claims in federal court by two inmates who claimed that their civil rights had been violated by officials at the Southern Desert Correctional Center in Indian Springs.

Inmates Dennie Jaso, Jr., and George Dunckhurst, III, claimed in their federal lawsuit that corrections officers used excessive force in removing them from a Native American sweat lodge. The Attorney General's office presented evidence at trial before U.S. District Court Judge Philip M. Pro that the officers used the minimum force necessary in order to diffuse what could have turned into a deadly riot situation at the state's largest prison.

Judge Pro entered judgment for seven individual defendants including the former Director of the Nevada Department of Prisons, the warden, associate wardens, and various corrections officers. The lawsuit was originally filed in December of 1996 in state court, and was subsequently removed to the federal court for trial because of claims of violation of federal civil rights, including cruel and unusual punishment under the Eighth Amendment to the United States Constitution.

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November 30, 1999

CONTACT: Candice Nichols

(702) 382-2326 or 460-7281

**NEVADA AIDS HEALTH FRAUD NETWORK ACTS TO PROTECT
CONSUMERS FOR WORLD AIDS DAY**

Aid for AIDS of NV, Jane D. Femiano Deputy Attorney General (702) 486-3789

Wednesday, December 1st is the 12th annual World AIDS Day. This year's theme is "AIDS-End the Silence, Listen, Learn, Live!"

According to the U.N. Program on HIV/AIDS and the World Health Organization, 33.6 million people worldwide carry the HIV virus. Of those, 1.2 million are children. The agencies predict that in 1999 alone, 5.6 million people will become infected with HIV. In Nevada, there were 3,995 AIDS cases reported in June.

In conjunction with World AIDS Day, the Nevada AIDS Health Fraud Network (NAHFN) offers the following tips and resources to avoid becoming a victim of AIDS health fraud:

- * Be suspicious of any claim that a product or treatment can cure or prevent HIV or AIDS.
- * Question any product or treatment that claims to be "guaranteed."
- * Cast a wary eye on any claim that the product or treatment is "secret" or "suppressed." Watch out if the offer advises you not to tell your health-care provider about the treatment.
- * Be cautious if you are asked to pay for an "experimental" drug or treatment. Legitimate experimental drugs and treatments are almost always free to patients taking part in drug studies or clinical trials.

* Be extremely suspicious if the product or treatment advises you to stop your current treatment. Do not do so without first consulting your health care provider!

NAHFN, a task force sponsored by the Food and Drug Administration, is composed of community based organizations, State and County Health Departments, treatment advocates, health care providers, the Attorney General's Bureau of Consumer Protection, and people living with HIV/AIDS. NAHFN was created to assist people living with HIV/AIDS about how to better evaluate potential fraudulent alternative therapies, and to fight AIDS health fraud. Its mission is to provide the resources and education necessary for each individual to make the most informed health decisions possible while, at the same time, respecting the right of individuals to pursue alternative forms of treatment in addition to traditional therapies.

If you believe you have been a victim of AIDS health fraud, please contact the Attorney General's Bureau of Consumer Protection at (702) 486-3194. For more information about NAHFN or about HIV/AIDS, please call 1-800-842-AIDS.

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE

November 30, 1999

CONTACT: Steve Welch

(775) 687-6300

**NEW WEB SITE ALLOWS NEVADA CONSUMERS TO ACCESS
TELECOMMUNICATIONS INFORMATION**

Attorney General Frankie Sue Del Papa today announced that a new Telecommunication Service Database is now available via the Internet to all Nevada citizens, businesses, nonprofit organizations, local governments, and state and federal agencies.

"The database provides information about the services offered by local telephone exchange carriers throughout Nevada," Del Papa said. "Included is a listing of consumer services offered, the name of the company to contact by community, and the various levels of voice and data services offered by each telephone company exchange."

The database will be updated on a regular basis. Information can be accessed by carrier name, location and service. A section describing the various services available is also included.

"This is an excellent way for individuals and organizations to quickly obtain telecommunications access information for voice and data services," Del Papa added.

The Telecommunication Service Database can be accessed through the Attorney General's Web site at <http://ag.state.nv.us/>, and then clicking on Telcom Database. For further information, please contact Steve Welch, the architect of the site and telecommunication engineer with the Bureau of Consumer Protection, at (775) 687-6300 or by email: swelch@govmail.state.nv.us.

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FOR IMMEDIATE RELEASE

November 30, 1999

CONTACT: Kate Marshall

(775) 688-1960

EXXON-MOBIL OIL MERGER APPROVED

New Company required to Divest Refinery and More Than 350 Stations

Attorney General Frankie Sue Del Papa announced today that Exxon and Mobil Oil Companies have agreed to certain concessions to improve competition in the gasoline industry as a condition of their merger.

Exxon, the largest oil company in the United States, will be required to divest an oil refinery in northern California along with 368 service stations in the Golden State as part of a merger approval agreement reached with the California Attorney General's Office and the Federal Trade Commission (FTC). In addition, Mobil, which operates a refinery in Torrance, California, must divest all of its interest in the Trans Alaska Pipeline System.

"Nevada gets virtually all of its gasoline from California," Del Papa said. "This agreement will direct us down the road towards greater competition in the marketplace. However, this is only a jump start. The bottom line is that just six oil companies account for 90% of the refining capacity from California. When you compare these figures to the Gulf coast where the top six oil companies control only 57% of the refining capacity, it becomes clear that we are still dealing with a highly concentrated market. Our office will continue working closely with the FTC and the California Attorney General's Office in reviewing the oil and gas industry's marketing and pricing practices in the western states."

The Nevada Attorney General's Bureau of Consumer Protection, Antitrust Division, has closely monitored the FTC and California Attorney General's review of the Exxon-Mobil merger. The Antitrust Division also continues to be actively involved in an FTC investigation of gasoline pricing practices in the Western states.

California Attorney General Bill Lockyer expressed similar sentiments, "Last week, my preliminary

report on gasoline prices showed Californians paid \$1.3 billion more this year for gasoline, largely as a result of low competition and high concentration in the state's gasoline market. Today, we take the first step on the road back to a consumer-friendly marketplace."

As a condition of the federal consent decree granting the merger of the two oil company giants, Exxon is required to sell its Benicia, California refinery and 368 stations to a new owner within twelve months. California was the only state to secure divestment of a refinery in the global merger of Exxon and Mobil. Additionally, Exxon-Mobil must make available to the new Benicia refinery buyer up to 100,000 barrels per day of Alaska North Slope crude oil for ten years. The new owner will be subject to approval by the FTC and the California Attorney General's office. Some output from the Benicia refinery makes its way to northern Nevada.

Mobil must divest all of its interest in the Trans Alaska Pipeline system (TAPS) within nine months. The new entity, Exxon-Mobil will be prohibited from reacquiring Mobil's interest in TAPS or entering into any joint venture without notifying the FTC. Mobil operates a refinery in Torrance near Los Angeles with a capacity to process 130,000 barrels a day. A majority of Mobil's refinery output is regular gasoline sold outside California to other states, including Nevada.

"Protecting Citizens, Solving Problems, Making Government Work"

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FOR IMMEDIATE RELEASE
November 24, 1999
CONTACT: Kevin Higgins
Chief Deputy Attorney General
(775) 688-1818

**NEVADA ADVISORY BOARD FOR TECHNOLOGICAL CRIME
MEETS FOR FIRST TIME**

The first meeting of the Nevada Advisory Board for Technological Crime was held on Friday, November 19, 1999, following the recent appointment to the board of its final members who include:

- * Attorney General Frankie Sue Del Papa, Chairman
- * Donald L. Means, Captain, Washoe County Sheriff's Department Crime Lab, Vice Chairman
- * Nevada State Senator Valerie Wiener
- * Nevada Assemblyman Bernie Anderson
- * Marlene Lockard, Director, Department of Information Technology
- * Grant Ashley, SAC, FBI
- * Merle Herman, Nevada Bell
- * Tom Pickrell, Clark County School District
- * Laura Schulte, President and CEO, Wells Fargo Bank

The Board has several responsibilities assigned to it by the legislature, including: organizing and establishing northern and southern regional High Technology Crime Task Forces; coordinating and providing training for investigators and prosecutors as well as members of the general public; and facilitating cooperation between local, state and federal law enforcement agencies.

The first major task undertaken by the Board will be the hiring of an executive director who will coordinate all of the Board's activities. While the violent crime rate in our nation decreases, Nevada will continue to enhance its efforts and capabilities to meet the growing challenges of non-violent fraud and computer crime. Only through the joint cooperation of law enforcement and private industry will Nevada be able to address the new crimes of the next millennium; only an educated general public can

avoid these crimes; and only trained investigators and prosecutors can effectively combat them.

The next meeting of the Board will be held at 10:00am on January 19, 2000, in the Airport Authority Conference Room located at Reno-Tahoe International Airport.

For further information on the Nevada Advisory Board for Technology Crime, please contact Nevada Chief Deputy Attorney General Kevin Higgins at (775) 688-1818.

The Nevada Attorney General's office will soon have two brochures available that will help businesses better protect themselves against high technology crime: **HIGH TECH CRIME: Tips For Businesses To Fight High Tech Crime**; and **HOW THE PASSAGE OF SENATE BILL 485 BETTER PROTECTS YOU FROM HIGH TECHNOLOGY CRIMES**. The brochures will be available by mid-January. Information on how to avoid becoming a victim of high tech crime can also be found on the Attorney General's site at: <http://ag.state.nv.us/>.

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FOR IMMEDIATE RELEASE
CONTACT: Matthew Gabe
November 24, 1999
(702) 486-3793

**TIPS OFFERED TO AVOID BECOMING A VICTIM OF MINING
FRAUD**

Mining is Nevada's second largest industry. In 1998, 8.9 million ounces of gold and 21.5 million ounces of silver were mined in Nevada, making the Silver State the leading U.S. producer in both commodities. Nevada is also the leading U.S. producer of magnesite, barite, and mercury. Presently, there are more than 100 companies mining or exploring for mineral resources in Nevada. Unfortunately, that makes Nevada a prime target for mining investment fraud, which has resulted in consumers being swindled out of millions of dollars.

The Nevada Attorney General's Bureau of Consumer Protection, the Nevada Office of Secretary of State Securities Division, and the Commission of Mineral Resources Division of Minerals offer the following consumer awareness information, if you plan to invest in the Nevada mining industry:

- **VERIFY THE LEGITIMACY OF THE MINING DEALER.** Mining stock is sold by licensed dealers. Legitimate mining companies usually do not solicit investors by telephone or mail.
- **MAKE SURE THE MINING FIRM IS REGISTERED WITH CITY, COUNTY, STATE AND/OR FEDERAL AGENCIES AS REQUIRED BY LAW.** In addition, check if the mine has obtained the necessary legal permits to mine in Nevada.
- **DO NOT FALL FOR CLAIMS OF NEW OR SECRET PROCESSES.** Processes used by mining companies to extract precious metals are well known.
- **PRECIOUS METALS DO NOT MIX.** Claims of a mine site with high levels of platinum-group metals (platinum, palladium, iridium, rhodium, osmium, ruthenium) that also contain gold and silver are generally an indicator of fraud. In addition, platinum-group metals have not been mined in Nevada since 1919.

- **MEASURE THE REWARD VERSUS THE RISK.** Mining is a capital-intensive industry that offers great rewards. However, mining ventures are extremely high-risk, and investments are usually long-term. Therefore, be skeptical of "guaranteed" high returns over a short period of time.

Persons who believe they have been a victim of mining fraud should contact the Securities Division in Las Vegas at (702) 486-2440. In addition, mining information is available on the Nevada Division of Minerals Web site at: www.state.nv.us/minerals/. The Nevada Bureau of Mines and Geology's Web site-- www.nbmng.unr.edu--offers information on mining fraud. The Bureau also publishes a booklet entitled, "Gold From Water: And Other Mining Scams."

Consumer protection information is also available on the Attorney General's Web site at: www.state.nv.us/ag/

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FOR IMMEDIATE RELEASE
CONTACT: Leslie Nielsen
November 22, 1999
(702) 486-3102

STATE REVOKES LICENSE OF MOBILE HOME DEALER

Attorney General Frankie Sue Del Papa announced today that the Department of Business and Industry, Manufactured Housing Division, has permanently revoked the mobile home dealership license issued to Timothy D. Woods on behalf of AA Manufactured Homes, Inc. Timothy P. Wirth, who had recently assumed control of the dealership without the Manufactured Housing Division's approval, was reportedly killed in a single-vehicle rollover accident in Henderson in September. Woods admitted to a violation of the licensing laws and agreed to the revocation.

The State's enforcement action was prompted by allegations that the dealership, using the identities and credit histories obtained from prospective buyers, had been forging the individuals' signatures on retail installment contracts. Two finance companies report they have a combined total of approximately \$1,500,000 in questionable transactions involving the dealership.

The would-be buyers first found out that they were obligated for mobile home purchases they had not actually made through telephone calls from the finance companies demanding payment. Several actual buyers also complained that the dealership sold them mobile homes with serious title problems, including unsatisfied prior liens.

Persons who feel that they have been defrauded by AA Manufactured Homes, Inc. should contact the State Manufactured Housing Division in Las Vegas at (702) 486-4135 to obtain information concerning the Account for Education and Recovery Relating to Manufactured Housing.

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FOR IMMEDIATE RELEASE
CONTACT: Ronda Clifton
November 22, 1999
(775) 688-1835

ELKO MAN PLEADS GUILTY TO INSURANCE FRAUD

Attorney General Frankie Sue Del Papa has announced that Robert Ames, age 27, of Elko, today pleaded guilty before Elko County District Court Judge Mike Memeo to the charge of Conspiracy to Defraud an Insurance Company.

Ames filed a claim with Sentry Dairyland Insurance Company after having an auto accident in his ex-wife's vehicle. He represented the vehicle as his own, and took possession of the check issued by the insurance company. After cashing the check, Ames did not give the money to his ex-wife, nor did he have the vehicle repaired.

Ames is scheduled to be sentenced on January 10, 2000. He faces up to one year in jail and a fine of up to \$2,000.

"Insurance fraud is not a victimless crime," Del Papa stated. "It effects every Nevada citizen in the form of higher premiums."

If you have any information regarding possible insurance fraud, you're urged to call the Nevada Attorney General's Insurance Fraud Hotline at 1-800-266-8688. Information about insurance fraud can be found on the Attorney General's Web site at: www.state.nv.us/ag/

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**FOR IMMEDIATE RELEASE
CONTACT: Brian T. Kunzi
November 19, 1999
(702) 486-3199**

**ATTORNEY GENERAL ISSUES CONSUMER ALERT-
TIS' THE SEASON FOR CONSUMER FRAUD**

The holiday season is fast approaching, and Attorney General Frankie Sue Del Papa reminds Nevadans the spirit of generosity shared at this time of year also spawns an increase in sweet-talking scam artists.

"The unfortunate result is that many legitimate charities lose out on millions of dollars, which are instead diverted to these scam artists and swindlers," remarked Del Papa. "Blind trust in that person on the other end of the telephone can often end up lining the pockets of a crook, instead of benefiting the needy charities."

Del Papa offers the following tips to help determine if the charity you are being solicited by is on the level:

- Give directly to a known charity of your choice. It is often better to give to someone you know from past dealings.
- Avoid sound-alike names. Many scams use names that are easily confused with well-respected charities.
- Ask questions. Do not rely upon promises made on the phone. Ask to be provided with a written description of the program, and a copy of the annual report which shows what percent of the income goes specifically to the programs and services.
- Do not be pressured. Legitimate charities will not pressure you into making an immediate donation.
- Never give out credit card, bank account or social security number information to someone over

the telephone you do not know. You may get scammed time and time again, once the thief has this information.

"Many legitimate charities use the phone to raise money," Del Papa said. "However, sometimes only a small percentage actually goes to the charity, with the vast majority of the funds going to a professional fundraiser. The Nevada Attorney General's office is currently prosecuting a case in which the charity was to receive only 10% of the total amount donated."

While this practice is not illegal unless misrepresentations are made, consumers are advised to ask the caller how much of their donation actually goes to the charity.

Consumers are advised to contact the Attorney General's Bureau of Consumer Protection in Clark County at (702) 486-3777, or statewide at 1-800-992-0900, with questions regarding a specific charity. Consumer protection information and a complaint form can be found on the Attorney General's Web site at www.state.nv.us/ag by clicking on "Bureau of Consumer Protection."

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**FOR IMMEDIATE RELEASE
CONTACT: Ann E. Zimmerman
November 19, 1999
(702) 486-3126**

**LAS VEGAS WOMAN INDICTED ON INSURANCE FRAUD
CHARGES**

Attorney General Frankie Sue Del Papa has announced that the Clark County Grand Jury today indicted Pamela A. Dawson, age 37, of Las Vegas, on felony charges of Theft and Making False Statements To Obtain Benefits. The two-count indictment alleges that Dawson was collecting disability benefits from the Employers Insurance Company of Nevada while employed as a supervisor for Team Cole Construction Cleaning, Inc. of Las Vegas. If convicted, Dawson faces up to 10 years in prison on the charge of Theft, and up to four years in prison on the charge of Making False Statements To Obtain Benefits.

The case is being prosecuted by Deputy Attorney General Ann E. Zimmerman of the Attorney General's Workers' Compensation Fraud Unit.

Individuals with information regarding possible workers' compensation fraud violations are encouraged to call the Attorney General's Workers' Compensation Fraud Unit Hotline at 1-800-266-8688.

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FOR IMMEDIATE RELEASE
November 18, 1999
CONTACT: Laurel A. Duffy
Deputy Attorney General
Insurance Fraud Unit
(702) 486-3433

**LAS VEGAS WOMAN, CONVICTED OF INSURANCE FRAUD,
VIOLATES HER PROBATION AND IS SENTENCED TO 90 DAYS IN
COUNTY JAIL**

Clark County District Court Judge Jeffrey Sobel today sentenced Candice Robinson, 49, of Las Vegas, to 90 days in Clark County Detention Center for violating her probation. Robinson was convicted on February 20, 1996 of making a false claim for insurance benefits. She was sentenced to five years probation.

Robinson's felony conviction was based on a false report she made to her insurance company on May 15, 1993, in which she stated that she was at fault in an accident involving her vehicle. Prior to making the false report, Robinson had been recruited by a group of people involved in an insurance fraud ring in Las Vegas. Robinson's insurance company paid her \$761 for damage to her vehicle, as well as \$25,229.87 to individuals alleged to have been injured as a result of the accident. Robinson received five years probation and was ordered to pay \$25,860.94 in restitution.

She was first given notice that she had violated her probation by failing to pay any restitution payments in May of 1998. After a number of compliance status checks and many admonitions by the court, Robinson was informed on November 3, 1999, that she had committed additional violations.

Pursuant to a negotiation, Robinson, who has been in custody since she was arrested on November 3, 1999, admitted to violating her probation and was sentenced by Judge Sobel to spend an additional 90 days in the county jail. Following this term of incarceration, she will be dishonorably discharged from probation.

The Insurance Fraud Unit has obtained more than 30 convictions in the past year, many resulting in significant jail time. The Unit has also had more than two million dollars in restitution ordered in the past year alone.

If you have knowledge or suspect that someone has committed insurance fraud, please contact the Insurance Fraud Hotline at 1-800-266-8688. Information about the Insurance Fraud Unit can be found on the Attorney General's web site at: www.state.nv.us/ag/

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CONTACT: Tim Terry

November 18, 1999

(775) 687-4704

**LAS VEGAS DOCTOR PLEADS GUILTY TO MEDICAID FRAUD:
AGREES TO PAY \$175,000 IN RESTITUTION**

Attorney General Frankie Sue Del Papa announced that Mitchel E. Phillips, D.O., of Las Vegas, today pleaded no contest to Medicaid Fraud charges of Failure to Maintain Adequate Records. The charge, a gross misdemeanor, meant that Dr. Phillips could have been sentenced to prison for one year and a fine of \$2,000.00. Clark County District Court Judge Michael L. Douglas accepted Dr. Phillips' plea and sentenced him to perform 50 hours of community service within the next six months. Additionally, Dr. Phillips agreed to pay \$175,000 in fines, penalties and restitution to the State of Nevada.

The plea stems from an analysis of Dr. Phillips' billing practices at two local hospitals. The Attorney General's Medicaid Fraud Control Unit (MFCU) determined his actual medical records routinely failed to support the nature of the services for which he was billing. MFCU Director Tim Terry said Dr. Phillips and his attorney, Jerome A. DePalma, were in contact with the Attorney General's office prior to charges being filed. After reviewing the items uncovered by the MFCU, Dr. Phillips agreed to today's plea.

"This is another example of the Medicaid Fraud Control Unit's determination to keep fraud in the Medicaid system in check, and better ensure that any misspent resources are recouped for use by those who are truly in need," Del Papa said.

Anyone with questions about Medicaid fraud is urged to contact the MFCU in Carson City at (775) 687-4704, or in Las Vegas at (702) 486-3420. Medicaid fraud information can also be found on the Attorney General's Web site at www.state.nv.us/ag/

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**FOR IMMEDIATE RELEASE
CONTACT: Marshall Smith
November 16, 1999
(775) 688-1977**

**MCI AGREES TO CHANGE BILLING PRACTICES
Will Pay States \$1.32 Million as part of Settlement**

Attorney General Frankie Sue Del Papa announced today that MCI WORLDCOM Communications, Inc. (MCI), has agreed to change certain billing practices and, as part of a settlement reached between the company and 24 states, will pay a total of \$1.32 million. Each state, including Nevada, will receive an equal share of \$55,000.

MCI provides a broad range of communications services, including long distance telecommunications. Starting in January 1998, MCI initiated and billed its customers for a new self-described charge called a "National Access Fee." On many MCI customers' bills, the National Access Fee was placed in the "Taxes and Surcharge" portion of the bill.

When consumers saw the National Access Fee on their bill and called MCI about it, they were often told that the fee was a tax or a charge that the Federal Communications Commission (FCC) was requiring MCI to collect. But, in fact, the National Access Fee is neither a tax nor other government-mandated charge. The FCC has not required MCI to collect this charge from consumers. "Competition works when consumers have truthful information with which to make buying decisions," Del Papa said. "MCI's calling the National Access Fee a tax when it clearly is not understates the real costs of MCI's services, particularly when a consumer attempts to compare MCI's rates to those of another long distance carrier."

While denying wrongdoing, as part of the settlement MCI has agreed with the States that it will not:

- Place its National Access Fee charge in the taxes and surcharge portion of its customers' telephone bill
- Use the term National Access Fee or other like term which has the capacity, tendency, or effect of misleading the consumer that the charge in question is a tax or other government mandated

- Represent that its National Access Fee, or any like fee or charge, is authorized or required by the FCC or any other governmental agency, if it is not
- Represent to customers that MCI is required by the FCC or any other governmental agency to collect this charge, if it is not.

For more information on the Nevada Bureau of Consumer Protection, visit the Nevada Attorney General's Web site at: www.state.nv.us/ag/

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FOR IMMEDIATE RELEASE

November 16, 1999

CONTACT: Roberta Martinoni

(775) 687-4749

Pam Del Porto

(775) 688-1970

**EVENT AT PARK LANE MALL WILL FOCUS ON CHILD SAFETY
ISSUES**

The Nevada Attorney General's office is hosting "Karing For Kids" on Saturday, November 20th, from 10:00am to 4:00pm, at the Park Lane Mall in Reno. Parents attending the event will be able to pick up free child safety information and kits, which include fingerprinting and photo I.D. cards. According to the FBI, the first two to four hours are critical to the safe recovery of an abducted child. Having up-to-date photos and fingerprints can help greatly reduce the time it takes for law enforcement to get the information about a missing child to agencies across the state and nation.

Several honored "guests" will also be in attendance, including Smokey Bear, Sally Safety, Sparky, McGruff the Crime Dog, and Darren. Santa Claus will drop in during the afternoon.

Agencies participating in "Karing For Kids" include: The Attorney General's Missing Children Clearinghouse; FBI; Nevada Division of Forestry; Nevada Highway Patrol; Nevada Military Department; Northern Nevada Medical Center; REMSA; Reno Fire Department; Reno Police Department; Truckee Meadows Fire Protection District; Washoe County School District Police; and Washoe County Sheriff's office.

The Nevada Missing Children Clearinghouse was created by the State Legislature in 1991 in response to the staggering number of children reported missing in the United States each year. In Nevada alone, more than 6,000 children are reported missing each year, most of which are the result of a parental abduction. The Clearinghouse not only acts as a central registry for missing children reports, but is an information resource for child protection issues. The Nevada Missing Children Clearinghouse works in tandem with the National Center for Missing and Exploited Children.

For more information on Nevada's Missing Children Clearinghouse, visit the Attorney General's website at: www.state.nv.us/ag/, or call (702) 486-3539.

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FOR IMMEDIATE RELEASE
CONTACT: John Albrecht
November 12, 1999
(775) 688-1872

NEVADA TO RECEIVE FIRST TOBACCO SETTLEMENT PAYMENT

Attorney General Frankie Sue Del Papa announced today that Nevada is expected to receive about \$14.6 million from the national tobacco settlement by approximately November 29, 1999. "The states of California and Virginia have just received favorable rulings in their state tobacco litigation which have not been appealed during the allowable time period," Del Papa said. "That means the settling states have met the final requirement for triggering the distribution of money paid to date by the participating tobacco manufacturers under the Master Settlement Agreement."

The \$14.6 million represents Nevada's share of an initial payment made last year by the tobacco companies into an escrow account, following the historic signing of the Master Settlement Agreement (MSA) on November 23, 1998. That payment has been earning interest while in the escrow account. According to Del Papa, "Under the agreement, Nevada should receive its share of a second initial payment to be made in January, 2000. In April, 2000, Nevada will receive its first annual payment of approximately \$39 million." She cautioned, however, that various factors could affect the precise amount, such as interest, investment fees, taxes and potential adjustments allowed in the agreement, as well as other unforeseen developments. Nevada is scheduled to receive a total of nearly \$1.2 billion through 2025 as a result of the MSA.

During the 1999 legislative session, the Nevada legislature approved two bills allocating the tobacco settlement money coming to Nevada. Assembly Bill 474 created a Task Force for the Fund for a Healthy Nevada, which will administer 50% of the money for various health-related programs. It also created a Trust Fund for Public Health, complete with a board of trustees, that will determine how to allocate the interest and income from 10% of the tobacco settlement.

"I am particularly pleased that AB 474 contemplates improving health services for children, senior citizens and persons with disabilities. Part of this money will be used to assist senior citizens in obtaining affordable health insurance," Del Papa said. "The bill also intends that the tobacco money be used to support programs to reduce and prevent tobacco, alcohol and drug use. Obviously, it is in the

best interest of all Nevadans to have healthy, educated citizens."

The legislature also approved in AB 474 several one-time appropriations for a variety of health and education-related purposes. A \$2 million allocation will help convert Nevada's public broadcasting system to digital television, requiring the public stations to broadcast more than 30,000 anti-tobacco announcements over ten years. Five million dollars is to be used by the University of Nevada School of Medicine to make health care more accessible to rural Nevadans, the elderly, and others.

"These first two appropriations will come right off the top of the tobacco money," Del Papa said. "Hopefully, these expenditures will be of tremendous benefit in bringing better health care to those who need it most, and in spreading the message that tobacco is a serious health hazard."

From the money that goes to the Fund for a Healthy Nevada, five million dollars will be used to construct housing and services for disabled persons in Clark County. Finally, one million dollars will go to the office of rural health of the University of Nevada School of Medicine to provide rural counties with enhanced emergency medical services, better billing procedures, and telemedicine technology.

The remaining 40% of the tobacco money goes to the Millennium Scholarship Fund created in Senate Bill 496, which will be administered through the University of Nevada Board of Regents. Under that bill, the Board will encourage the awarding of scholarships to students who are pursuing careers in health care or education, or who come from families with insufficient financial resources, or who have participated in anti-smoking, anti-drug or anti-alcohol programs in high school.

"I encourage any Nevadan who wants to give input on Nevada's health needs to contact the Task Force for the Fund for a Healthy Nevada, which will be holding public hearings to assess our health priorities," Del Papa said. AB 474 provides that appointments to the Task Force are to be made by the Governor and by legislative leadership.

The historic Master Settlement Agreement imposed sweeping bans on tobacco advertising, stopped the tobacco companies from targeting children, allocated funding for anti-tobacco education efforts, and paid the states a total of \$195 billion in recovery funds. Under the settlement terms, each state needed court approval of its settlement. Nevada received court approval in December, 1998 and state specific finality in January, 1999.

As a result of the MSA, more than 14,000 tobacco industry billboards have been taken down in the United States, many of which were replaced with anti-tobacco messages. The American Legacy Foundation, whose mission is to reduce tobacco use by children, was also established as a result of the settlement. For more information of the Foundation, visit their Web site at: www.americanlegacy.org

For more information on how the Nevada Attorney General's office is working to combat teen smoking, visit the office's Web site at: www.state.nv.us/ag/. Two brochures: "How Nevada's Tobacco Settlement Can Help Cut the Teen Smoking Rate," and "Attorney General Frankie Sue Del Papa Wants Your Help

In Enforcing the Youth Marketing Restrictions in the Tobacco Industry Settlement," can also be found on the Web site.

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FOR IMMEDIATE RELEASE
CONTACT: John Albrecht
November 10, 1999
(775) 688-1872

**COURT REFUSES TO STOP STATE LAWS IMPLEMENTING
TOBACCO MASTER SETTLEMENT**

Attorney General Frankie Sue Del Papa announced today that California U.S. District Judge Nora Manella has denied an application for a preliminary injunction stopping Nevada from implementing parts of the tobacco Master Settlement Agreement (MSA).

Tobacco companies that did not sign the MSA are suing Nevada and 46 other states in federal court in California to set aside the MSA, and state laws implementing that agreement, alleging that it violates anti-trust laws, as well as other federal laws and the Constitution.

"The court's decision assures that Nevada may implement important aspects of the Master Settlement Agreement," Del Papa said.

The 1999 Nevada Legislature passed two laws as a result of the MSA. The first requires tobacco companies that did not sign the MSA to pay into escrow accounts, which later may be used to pay judgments obtained against those companies for health-related lawsuits. The other bans cigarettes that are intended for export from the United States.

For more information on the MSA or what the Attorney General is doing to combat teen smoking in Nevada, visit the office's Web site at: www.state.nv.us/ag/

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**FOR IMMEDIATE RELEASE
CONTACT: Doug Walther
November 10, 1999
(775) 684-1213**

**NEVADA WILL RECEIVE MORE THAN \$80,000 FROM
SETTLEMENT WITH OIL COMPANIES**

Attorney General Frankie Sue Del Papa announced today that the Department of Energy (DOE) has distributed \$80,152.80 to the State of Nevada as part of an on-going, multi-million dollar settlement with members of the oil industry.

The settlement is a result of a series of cases known as the "Stripper Well Exemption Litigation." The cases, which were brought during the national energy crisis in the late seventies, were a result of crude oil price controls imposed by Congress. Under the settlement agreement, various claimants and states, including Nevada, share in money recovered by DOE in numerous crude oil overcharge cases.

"During the seventies, several oil companies violated the law by selling crude oil above market value," Del Papa said. "The settlement has resulted in Nevada's being compensated for those overcharges."

The Nevada Energy Office will receive the money, which is used for energy conservation related projects. Since June of 1996, Nevada has received a total of \$344,971 as part of the settlement.

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

**FOR IMMEDIATE RELEASE
CONTACT: Marilyn Skibinski
November 9, 1999
(775) 687-6300**

**NEVADA'S CONSUMER ADVOCATE RE-ELECTED HEAD OF
NATIONAL ASSOCIATION**

Nevada's Consumer Advocate Fred Schmidt has been re-elected as president of the National Association of State Utility Consumer Advocates (NASUCA). Schmidt, Chief Deputy of the Attorney General's Bureau of Consumer Protection, has been a member of NASUCA since 1988. He previously served as the organization's vice president and chairman of the electricity committee.

NASUCA, a national organization with 44 member offices in 39 states and the District of Columbia, represents the interests of millions of American consumers served by investor-owned gas, telephone, electric and water utilities. Through actions before state and federal courts and regulatory agencies, NASUCA members have helped save consumers billions of dollars in utility costs, and have established important consumer rights and legal precedents.

"The organization has significant influence in national public policymaking through testimony members provide at congressional hearings and before federal regulatory agencies," Schmidt said.

For more information on the Nevada Bureau of Consumer Protection, visit the Nevada Attorney General's Web site at: www.state.nv.us/ag/

**STATE OF NEVADA
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FOR IMMEDIATE RELEASE
CONTACT: Lyndon Evans
November 3, 1999
(702) 486-4120

**STATE TAKES POSSESSION OF INTERSTATE MORTGAGE
GROUP, INC.**

The Department of Business and Industry, Financial Institutions Division and the Office of the Attorney General announced today that an Order has been issued by the Division, taking possession of Interstate Mortgage Group, Inc., a licensed mortgage company in Las Vegas, Nevada. The Order cites the loss of collateral securing loans in the amount of \$5.7 million, among grounds for the takeover.

The Order requires David Ferradino, president and owner of Interstate Mortgage Group, Inc., and president or owner of the affiliated companies, to immediately turn over possession of the businesses to Financial Institutions Division Commissioner L. Scott Walshaw, who has appointed Las Vegas certified public accountant George C. Swarts to serve as conservator for the companies.

Investors will be notified immediately of the change in control. The conservator's first task will be to issue reports to each investor regarding the status of their investments. Under state law, the companies have 60 days to remedy the unsafe conditions that prompted the takeover. If that is not successfully completed, the Commissioner may then take the next step and request a receiver be appointed by the state district court.

For more information, contact Financial Institutions Division Deputy Commissioner Lyndon Evans at (702) 486-4120, or Senior Deputy Attorney General Doug Walther at (775) 684-1213.

**STATE OF NEVADA
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**FOR IMMEDIATE RELEASE
CONTACT: Grenville Pridham
November 2, 1999
(702) 486-3788**

**TRUCK USED TO TOW STOLEN CAR ORDERED FORFEITED TO
STATE**

Attorney General Frankie Sue Del Papa announced that Clark County District Court Judge Stephen Huffaker today ordered a 1990 GMC pickup truck that was used to tow a stolen vehicle be forfeited to the State of Nevada.

Investigators with the Department of Motor Vehicles (DMV) seized the pickup truck after their investigation determined it had been used to tow a stolen car.

The complaint for forfeiture alleged that on or about January 2, 1999, Seward Victorian used the truck to tow a stolen 1988 Chevrolet Caprice to Western Metals Recycling, Inc. under circumstances that indicated that he knew the vehicle was stolen. The complaint further alleged that an employee of the DMV had informed Victorian that the Caprice was stolen, and that the information would be turned over to investigators. But after receiving that notification, Victorian used the GMC pickup to tow the Caprice to Western Metals Recycling, Inc. to sell for scrap. Victorian presented Western Metals Recycling, Inc. with an original State of Nevada Bill of Sale bearing the name "LaVerne Elliott" as the seller of the car, and ABC Towing as the buyer. Victorian also provided Western Metals Recycling, Inc. with a State of Nevada Application for Duplicate Nevada Certificate of Title, bearing the name "LaVerne Elliott" as the applicant. The reason for the duplicate title request indicated that the original title was lost. These documents were notarized by the use of a notary stamp bearing the name Tiffany P. Gill. The same name had also been signed on the documents.

But the owner of the stolen 1988 Chevrolet Caprice said that she that she did not know Seward Victorian, and that she had not signed a bill of sale. The owner additionally said that she had not lost her title, and that she had not applied for nor signed a duplicate title document. The owner had also not signed the documents that Seward Victorian submitted to Western Metals Recycling.

Victorian admitted that he had prepared the forged documents and subsequently pleaded guilty to one count of Attempt Forgery in front of Clark County District Court Judge Donald M. Mosley. The judgment of conviction was filed on October 8, 1999.

Claimants Seward Victorian, Oliver Victorian (Seward's wife), and the Church of The Lord Jesus (record title owner), filed a motion for summary judgment to have the truck returned to one of them. The Attorney General opposed the motion and countermoved for summary judgment. The court denied the claimants' motion and granted the State's motion for summary judgment, noting that the truck was obviously used to tow cars that the owners knew were stolen because they forged the title documents to legally sell the car to a scrap dealer.

For further information on this and other consumer matters, contact the Bureau of Consumer Protection, Division of the Attorney General's office, at 555 East Washington Avenue, Suite 3900, Las Vegas, Nevada 89101. The office may be reached by calling (702) 486-3786, or contact the Attorney General's office statewide by calling Nevada's toll-free switchboard at 1-800-992-0900. TDD service is available for the hearing impaired. Consumer protection information can be found on the Attorney general's Web site at: www.state.nv.us/ag/

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE

December 30, 1999

CONTACT: Anne Cathcart

Deputy Attorney General

(775) 684-1115

**SECOND TOBACCO SETTLEMENT PAYMENT SCHEDULED TO
ARRIVE IN NEVADA BEFORE THE NEW YEAR**

Nevada is scheduled to receive part of its year 2000 tobacco settlement money on December 31, 1999, according to Attorney General Frankie Sue Del Papa. Figures prepared by the settling states' independent auditor, PriceWaterhouseCoopers, estimate that Nevada's share of the payment will be approximately \$13.1 million

"Although the first installment of next year's annual payment is not due to the states until January 10, 2000, it is our understanding the tobacco companies wish to make that payment before the end of 1999 for tax purposes," Del Papa said. "The result is that Nevada and the other states will be able to earn interest on the money by investing it for ten more days than originally expected. We have alerted State Treasurer Brian Krolicki, who is ready to receive the payment when it comes."

Under the Master Settlement Agreement, annual payments to the states are subject to upward or downward adjustments for a variety of reasons. The year 2000 payments will be approximately 13% less than the base payment amount because of the volume adjustment, which is calculated according to the increase or decrease in annual cigarette sales nationwide.

"We have consistently recommended caution with respect to relying on receiving any specific amount of money," Del Papa said. "The amount actually received will always be subject to adjustment based on a number of factors. In this case, the downward adjustment is good news from a public health standpoint because it means fewer people are smoking."

The second and last installment during the year 2000 is to be paid by the tobacco companies to the states by April 10, 2000. Final adjustments to the total amount due will be made at that time. Nevada

previously received a \$14.6 million payment on December 14, 1999.

According to Del Papa, her office receives many inquiries from the public regarding how the tobacco money will be used in Nevada. She suggests that interested persons review Assembly Bill 474 and Senate Bill 496, approved by the 1999 Legislature, which allocate the distribution of tobacco money as it comes into the state. Both bills can be accessed through the legislative Web site at: www.leg.state.nv.us.

Assembly Bill 474 makes several one-time allocations, after which 50% of all tobacco money received goes to the Task Force created to oversee the Fund for a Healthy Nevada. The Task Force is composed of nine members appointed by the Governor and legislative leadership. At its first meeting in Carson City, Assemblywomen Vivian Freeman and Barbara Buckley were appointed co-chairs. Information about subsequent meetings should be available on the legislative Web site, or by calling the Legislative Counsel Bureau at (775) 684-6800. Under Assembly Bill 474, an additional 10% of the tobacco money is to be put in a trust fund for public health purposes. A board of trustees will have the ability to award grants from the interest and income from the trust fund.

Senate Bill 496 allocates 40% of tobacco settlement money to pay for the Millennium Scholarship Fund, which will be used by qualified high school students to meet the tuition costs at Nevada's University and Community College institutions. It is to be administered under guidelines adopted by the Board of Regents. Special consideration is to be given certain applicants; those seeking careers in health care or education, those with insufficient financial resources, or those high school students who substantially participated in programs that were anti-smoking, anti-drug or anti-alcohol. Information about the program is available through the university Web site at: www.nevada.edu/index2.html.

Additional information about the history and details of the national tobacco settlement, including brochures addressing what you can do to help cut the teen smoking rate, can be found on the Attorney General's Web site at: <http://ag.state.nv.us/>.

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OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE

December 30, 1999

CONTACT: Anne Cathcart

Deputy Attorney General

(775) 684-1115

**NEVADA PREPARES FOR BATTLE AGAINST THE CRIME OF THE
NEXT MILLENNIUM**

Attorney General Frankie Sue Del Papa says she is pleased with the progress that Nevada made this past year in tackling the challenges combating of high technology crime. Through the efforts of the Attorney General's office, and with the unanimous support of the 1999 legislature, Senate Bill 485 was approved. The Omnibus High Technology Crime Bill, sponsored by the Attorney General's office in response to the growing number of these types of offenses, created the Nevada Advisory Board for Technological Crime.

"Our bill has received particular praise from other state attorney general offices for some of its provisions concerning the use of computers," Del Papa said. "We are told that a number of states are looking at it as a model for high tech crime legislation in their jurisdictions."

The Advisory Board held its first meeting in November, 1999, and plans to hire an Executive Director at its next meeting scheduled for January 19, 2000, at the Airport Authority Conference Room located at the Reno-Tahoe International Airport at 10:00 a.m. "It seems appropriate that the Executive Director, who will be responsible for coordinating statewide law enforcement, education and training efforts, starts this job at the beginning of a new century and a new millennium," observed Del Papa. "Only through the cooperative efforts of both the private and the public sectors can we effectively address high technology crime issues."

The nine-member Board represents a cross-section of people, including representatives from businesses that may be especially vulnerable to high technology crime, such as the banking and communications industry. Two legislators, who also serve on the Senate Judiciary Committee and the Assembly Judiciary Committee, as well as representatives from education and law enforcement are also on the Board.

"This is an important issue that must be addressed as we enter an age when the computer and the Internet are becoming an even more intricate part of our daily lives," Del Papa said. "Although our office works to assist other law enforcement agencies in attempting to prevent high tech crimes, our resources are very limited. I am very pleased we now have a Board that will focus on Nevada's high technology crime prevention and protection needs."

The Nevada Attorney General's office has published two brochures that provide information on how businesses can better protect themselves against high technology crime: **HIGH TECH CRIME: Tips For Businesses To Fight High Tech Crime**; and **HOW THE PASSAGE OF SENATE BILL 485 BETTER PROTECTS YOU FROM HIGH TECHNOLOGY CRIMES**. The brochures will be available on the office's Web site by mid-January. Information on how you can avoid becoming a victim of high tech crime can also be found on the Attorney General's Web site at: <http://ag.state.nv.us/>

For further information on the Nevada Advisory Board for Technology Crime or the Executive Director position, please contact Chief Deputy Attorney General Kevin Higgins at (775) 688-1818.

**STATE OF NEVADA
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FOR IMMEDIATE RELEASE

December 29, 1999

CONTACT: J. Marty Howard

Deputy Attorney General

(702) 486-3120

INSURANCE FRAUD COSTS EVERYONE IN THE POCKETBOOK

The National Insurance Crime Bureau estimates the average American household pays \$300 a year in additional insurance premiums to pay for insurance fraud. This crime has been declared to be one of the costliest white-collar crimes in the United States, ranking second to tax evasion. Due in part to the population boom in Southern Nevada, it is a growing problem in the Silver State. Nevada's average automobile insurance premiums have risen to approximately the eighth-highest in the nation, in part due to phony insurance claims being filed by unscrupulous individuals.

A survey conducted last spring by Mason-Dixon Polling and Research, Inc. of Washington, D.C. found that 78% of Nevada citizens want state officials to do more to fight insurance fraud.

The attorney general's office has been at the forefront in the fight against Insurance fraud. For years, Attorney General Frankie Sue Del Papa has reorganized and devoted additional resources within her office to fight Insurance fraud. She has also participated on task forces, testified at the legislature on behalf of bills designed to fight insurance fraud, published articles and distributed brochures on the subject, and been the speaker at numerous events devoted to better preventing insurance fraud.

The Attorney General's Insurance Fraud Unit (IFU) has worked closely with the United States Attorneys office, District Attorneys' offices, the National Insurance Crime Bureau, the Coalition Against Insurance Fraud, and other law enforcement agencies throughout the state in obtaining convictions in a number of insurance fraud cases. In 1999 alone, the IFU has received 319 referrals of suspected insurance fraud from insurance companies. There are currently 217 referrals open that need to be reviewed and screened before being either closed or investigated. The Unit has proceeded with 27 criminal actions, made 21 arrests, obtained 25 convictions, and realized in excess of \$2.1 million in court-ordered restitution. The Unit's convictions have occurred throughout the state, including the greater Las Vegas area, Elko,

Douglas, Reno, and Carson City.

R.B. Feldman, the President of Nevada General Insurance Company, has credited the efforts of the Attorney General's Insurance Fraud Unit as contributing to the reduction of the insurance rates for his company's policyholders.

Persons who suspect any type of insurance fraud may contact the Attorney General's toll-free fraud hotline at 1-800-266-8688. Insurance fraud information can also be found on the Attorney General's Web site at: <http://ag.state.nv.us/>

**STATE OF NEVADA
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FOR IMMEDIATE RELEASE

December 28, 1999

CONTACT: John Albrecht

Deputy Attorney General

(775) 688-1872

BATTLE TO CURTAIL TOBACCO USE CONTINUES

On December 14, 1999, Attorney General Frankie Sue Del Papa announced that Nevada had received its first payment as a result of the national tobacco settlement, about \$15 million.

According to Del Papa, "Under the Master Settlement Agreement, Nevada is scheduled to receive approximately \$39 million in payments that will be made in January and April of 2000." Sources have indicated that to avoid year-end tax ramifications, the settling tobacco manufacturers may make their next payment to the states by the end of December, 1999. Nevada is scheduled to receive a total of nearly \$1.2 billion through 2025 as a result of the MSA. But Del Papa has also let public officials in the state know that they should expect a reduction in annual payments coming to the state as part of the Master Settlement Agreement, due in large part to an expected decrease in the number of cigarettes being sold. Del Papa explained the reduction in the annual payments to the states beginning in the year 2000 has been estimated to be as much as thirteen percent.

Under terms of the MSA, if there is either an increase or a decrease in the nationwide consumption of cigarettes, then there will be a corresponding increase or decrease in the annual payments made by the original participating tobacco manufacturers to the states. This is referred to as the "volume reduction."

"My office has continually explained that the state should exercise caution in allocating funds that are expected to come to Nevada, as a result of the Master Settlement Agreement, before that money is actually received by the state," Del Papa said.

"Although this means the amount of money the state receives may be reduced as a result of the decreasing sales of tobacco products, it also indicates that fewer cigarettes are being consumed in the United States, thus helping to achieve the states' goal of reducing tobacco use, particularly by young

people," Del Papa said. "Decreased tobacco consumption also hopefully means that the state will ultimately pay less toward the treatment of people with tobacco-related diseases under its Medicaid program, resulting in additional savings in that state program."

Another result of the MSA was that more than 14,000 tobacco industry billboards--many in Nevada--were taken down in the United States. Eleven billboards in Nevada were replaced with anti-tobacco messages. The American Legacy Foundation, whose mission is to reduce tobacco use by children, was also established as a result of the settlement. For more information on the Foundation, visit their Web site at: www.americanlegacy.org

In August, Del Papa announced that the U.S. Food and Drug Administration (FDA) was launching a new advertising campaign that would encourage retailers and clerks to refuse to sell tobacco to children under 18. The "For A Reason" campaign asks clerks to make sure they check age ID's. Print, radio and outdoor advertising messages echoing this theme are being used in eleven media markets in five states, including Nevada.

Since 1995, the Attorney General's office has been responsible for enforcement of state laws prohibiting the sale of tobacco to children. In 1998, the Attorney General's office signed a contract with the FDA to conduct compliance checks under federal regulations. According to a random study conducted by the Nevada Bureau of Alcohol and Drug Abuse, before these enforcement activities began, underage minors were able to buy tobacco products 64 % of the time at retail stores in Nevada. In the fall of 1998, a random study conducted by the Attorney General's office showed that greater enforcement of the law by retail stores had helped cut that rate to only 16.8%.

"The cooperative and collaborative efforts of the retail store owners, their associations, and the Attorney General's office, have played a significant role in the dramatic drop in the youth tobacco buy rate in our State," Del Papa said.

For more information on how the Nevada Attorney General's office is working to combat teen smoking, visit the office's Web site at: <http://ag.state.nv.us/>. Two brochures: "How Nevada's Tobacco Settlement Can Help Cut the Teen Smoking Rate," and "Attorney General Frankie Sue Del Papa Wants Your Help In Enforcing the Youth Marketing Restrictions in the Tobacco Industry Settlement," can also be found on the Web site.

**STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL**

Protecting Citizens, Solving Problems, Making Government Work

FOR IMMEDIATE RELEASE

December 27, 1999

**CONTACT: Tim Terry
Deputy Attorney General
(775) 687-4704**

MEDICAID FRAUD CONTROL UNIT HAS PRODUCTIVE 1999

In the past five months, the Attorney General's Medicaid Fraud Control Unit (MFCU) has been particularly productive, bringing in settlements of almost \$1,000,000.

MFCU Director Tim Terry, who was elected President of the National Association of Medicaid Fraud Control Units in October, says that in 1999, the Unit received \$1,038,806 in settlements, a total of four convictions--two each for fraud and patient neglect---and two more defendants are still awaiting trial. Terry credits the expertise and diligence of the investigators and support staff connected with the MFCU for the good results the Unit has achieved.

Several big cases were settled this past year. In September, Attorney General Frankie Sue Del Papa announced that Summit Behavioral Partners - Nevada, Inc. entered into a civil settlement agreement with the Medicaid Fraud Control Unit in regards to claims of improper billings to the Nevada Medicaid program. Summit paid \$156,702.00 as part of the settlement agreement. Summit is the former owner and operator of Hess & Associates, a Las Vegas mental health clinic. Terry said that Summit disclosed the improper billings on its own initiative, and thus was able to avoid criminal charges.

In November, Del Papa announced that Mitchel E. Phillips, D.O., of Las Vegas, pleaded no contest to Medicaid Fraud charges of Failure to Maintain Adequate Records. The charge, a gross misdemeanor, meant that Dr. Phillips could have been sentenced to prison for one year and fined \$2,000.00. Clark County District Court Judge Michael L. Douglas accepted Dr. Phillips' plea and sentenced him to perform 50 hours of community service within the next six months. Additionally, Dr. Phillips agreed to pay \$175,000 in fines, penalties and restitution to the State of Nevada.

The plea stemmed from an analysis of Dr. Phillips' billing practices at two local hospitals. The MFCU

determined his actual medical records routinely failed to support the nature of the services for which he was billing. Terry said Dr. Phillips and his attorney, Jerome A. DePalma, were in contact with the Attorney General's office prior to charges being filed. After reviewing the items uncovered by the MFCU, Dr. Phillips agreed to the plea.

In mid-December, Apogee Health Services, Inc., d/b/a/ Harrie Hess Clinics, entered into a civil settlement agreement with the MFCU whereby Apogee agreed to pay \$455,000.00 to settle claims of improper billings to the Nevada Medicaid program. Apogee is the former owner and operator of the Las Vegas mental health clinic known as Hess & Associates (Another former owner, Summit Behavioral Partners, entered into a settlement in September).

"The Medicaid Fraud Control Unit has demonstrated its determination to keep fraud in the Medicaid system in check," Del Papa said. "By doing this, the Unit helps ensure that any misspent resources are recouped for use by those who are truly in need."

The Medicaid Fraud Control Unit was created in 1991 by the State Legislature to help combat Medicaid fraud and to investigate and prosecute cases of elder abuse and neglect. The Unit receives 75% of its funding from the federal government, the remaining 25% from the state. But Terry said the state-funded portion has always been met through money recovered from the prosecution undertaken by the Unit. In fiscal year 1999, the State of Nevada spent more than \$534 million on Medicaid.

Anyone with questions about Medicaid fraud is urged to contact the MFCU in Carson City at (775) 687-4704, or in Las Vegas at (702) 486-3420. Medicaid fraud information can also be found on the Attorney General's Web site at <http://ag.state.nv.us/>

**STATE OF NEVADA
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FOR IMMEDIATE RELEASE

December 23, 1999

CONTACT: Anne Cathcart

Deputy Attorney General

(775) 684-1115

**ATTORNEY GENERAL'S OFFICE HELPS PROTECT STATE
AGENCIES**

Throughout her tenure, protecting state agencies from litigation and other problems by practicing "preventive training" has been a priority for Attorney General Frankie Sue Del Papa. During 1999, deputies attorney general have provided training and special assistance for state clients on a variety of subjects; contracts, debt collection management, and personnel management to name just a few.

The Attorney General's office has also worked cooperatively with other agencies to improve state processes and provide better service to Nevada citizens. For example, joint efforts with the University of Nevada resulted in seminars for small businesses on better protecting themselves from high technology criminals. The office of the State Superintendent of Schools worked closely with the Attorney General's staff to produce brochures designed to provide students, parents and school officials with information on how to better protect themselves from harm. The brochures: School Safety: A Message to the Community; Protecting Students From Harassment and Hate Crimes: A Guide for Schools; and School Violence: A Guide To Search and Seizure in the Public School Setting, are all available on the Attorney General's Web site at: <http://ag.state.nv.us/>.

"I can give you so many examples of cooperative projects we have developed with other agencies," Del Papa said. "The advantage of working together is that no one is reinventing the wheel or duplicating resources, and the end product is usually much better. We have had great success with cooperative ventures with other state and local agencies in such areas as the prevention of elder abuse and domestic violence."

Deputies Attorney General have provided training and materials to state agency staff to assist them in developing and entering into contracts and other types of legal transactions. Numerous workshops have

been taught by deputies to assist state agencies in dealing with personnel issues that arise...from allegations of discrimination and sexual harassment, to handling requests for accommodation by persons with disabilities.

Nearly a dozen state agencies worked as a team to recommend statutory changes approved in the 1999 legislative session that will assist all state agencies in collecting debts owed to the state. The Attorney General's office, the Controller and the Department of Administration are currently preparing a training session for state agency personnel who handle debt collection to inform them about the new laws and regulations. The sessions are scheduled to begin in January of 2000.

Finally, watch for releases in early 2000 outlining a timetable relative to statewide training for public officials and groups on Nevada's Open Meeting Law.

The Web site for the Attorney General's office has developed into a great resource for public officials and private citizens. It includes information on the status of cases, publications available, Opinions from the Attorney General's office, and news releases generated from the office. Important information concerning Domestic Violence, High-Tech Crime, Juvenile Justice, Teen Pregnancy and tobacco-related issues can also be found on the site. And finally, citizens can find helpful consumer protection information, along with information about preventing and reporting Insurance, Medicaid, and Workers' Compensation fraud. The address of the Web site is: <http://ag.state.nv.us/>

**STATE OF NEVADA
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FOR IMMEDIATE RELEASE

December 23, 1999

CONTACT: Brian Kunzi

Deputy Attorney General

(702) 486-3199

**BUREAU OF CONSUMER PROTECTION RECOVERS MORE THAN
\$750,000 IN RESTITUTION IN 1999**

The Attorney General's Bureau of Consumer Protection (BCP) is responsible for providing citizens with an avenue to file formal complaints against a business, and investigating and prosecuting those businesses and individuals who perpetrate various types of fraud. In 1999, the Unit has collected more than \$250,000 in fines and penalties, and more than \$750,000 in restitution for victims.

The BCP has been particularly busy in stopping telemarketing fraud. According to US government estimates, illegal telemarketing operations bilk Americans out of \$40 billion annually, with more than half the victims being over the age of 50. The Attorney General's office has sent out numerous consumer alerts informing people how they can better protect themselves from becoming a victim of telemarketing fraud.

In November, Attorney General Frankie Sue Del Papa joined with the U.S. Postal Inspection Service, National Association of Attorneys General, Department of Justice, FBI, Federal Trade Commission, Securities and Exchange Commission, American Association of Retired Persons, and Council of Better Business Bureaus on a new project with the primary goal of helping consumers help themselves from becoming a victim of telemarketing and mail fraud. Project "kNOw" Fraud, the most ambitious fraud prevention initiative in our nation's history, is designed to teach consumers how to detect fraud and how to prevent it from entering their homes.

Project "kNOw" Fraud was spearheaded by a direct mailing from the Postmaster General to every home in America--approximately 120 million-- that consisted of a jumbo postcard complete with valuable fraud prevention tips. The card was designed to be displayed near the phone so an individual can make a more informed decision about mail and telemarketing solicitations and, therefore, better avoid becoming

victimized by deceptive offers. The card includes an address and Web site (www.consumer.gov/knowfraud) where additional information can be obtained, and consumers can submit complaints.

On December 21, 1999, the office announced that James Edward Smith of Las Vegas had been sentenced after pleading guilty to attempted theft and conspiracy to commit unregistered telemarketing. He was ordered to pay restitution in the amount of \$257,814. Like many of these types of operations, elderly victims were specifically targeted. Several other telemarketing cases investigated by the BCP this past year have dealt with organizations claiming they are connected with a charitable cause. The Unit has been very successful in putting several of these groups out of business, and in recovering restitution for victims.

The BCP also investigates and prosecutes Securities fraud. In a civil case against Infinity Capital Group, the Unit was able to successfully recover \$545,710 in restitution that will be returned to more than 200 fraud victims.

According to a Civil Complaint filed by the BCP, Infinity Capital Group, BBDS Alliance, James Ivy Dean of Texas, and Anthony Burton and Sanford Lowell Campbell of California, sold investments known as the "United Foundation for Life Enhancement Programs." The complaint alleged that the defendants misrepresented to potential investors in the United States and Canada that in return for a minimum investment of \$1,000, the investors would receive a return of \$60,000 over a three-month period.

The prosecution of people who are operating pyramid schemes in Nevada is another area where BCP has been very successful in 1999. Besides participating in a nationwide sweep of the Internet with the Federal Trade Commission and 26 other states in a search for illegal pyramid schemes, the Unit has shutdown several businesses in Nevada that were operating such schemes.

The Unit is also charged with prosecuting credit repair schemes, conducting undercover stings of car repair shops and garages, and illegal telecommunications practices.

Early next year, an update will be provided on front burner pending matters, including efforts underway by the National Association of Attorneys General to end deceptive sweepstakes promotions.

Besides sending out consumer alerts, members of the BCP regularly speak to community groups on a number of fraud prevention topics. Information about the Unit, including complaint forms and consumer protection information, can be found on the Attorney General's Web site at: <http://ag.state.nv.us/>.

**STATE OF NEVADA
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December 21, 1999

CONTACT: Jane Femiano

Deputy Attorney General

(702) 486-3789

**TELEMARKETER WHO VICTIMIZED THE ELDERLY IS
SENTENCED**

Attorney General Frankie Sue Del Papa has announced that James Edward Smith, age 27, of Las Vegas, was sentenced today by Judge Sally Loehrer of the Eighth Judicial District Court after pleading guilty to attempted theft and conspiracy to commit unregistered telemarketing. Judge Loehrer ordered Smith to pay restitution to consumers in the amount of \$257,814. He also received a sentence of 18 months in the Clark County Detention Center, which was suspended. Smith was placed on probation for six years.

Smith's guilty plea arose out of his involvement with Century Pacific Group, an illegal telemarketing boiler room that operated at 6985 W. Sahara Avenue in Las Vegas. Salesmen at Century Pacific Group targeted elderly victims who were told they had won various sweepstakes prizes. The victims were then told they first had to pay \$699 to receive their prize. If a victim balked at that figure, the salesman would tell that victim he could have the prize for \$499.

In fact, the victims did not win any prizes. Instead, they were sent a package from Century Pacific Group that contained a list of companies which offered prize promotions and envelopes for the victims to send in their names to be entered in the different companies' promotions. The victims also received an inexpensive camera and coupons that allowed them to buy film. The total value of the package was less than \$40.

For further information on this and other consumer matters, contact the Bureau of Consumer Protection Division of the Attorney General's office (702) 486-3786, or contact the Attorney General's office statewide by calling Nevada's toll free switchboard at 1-800-992-0900. TDD service is available for hearing impaired. Consumer protection information can also be found on the Attorney General's website at <http://ag.state.nv.us/>.

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FOR IMMEDIATE RELEASE

December 20, 1999

CONTACT: Laurel A. Duffy

Deputy Attorney General

(702) 486-3433

**LAS VEGAS BUSINESS OWNER PLEADS GUILTY TO INSURANCE
FRAUD**

Attorney General Frankie Sue Del Papa announced that Clark County District Court Judge Donald M. Mosley today accepted the guilty plea of Darlene Trammel, age 50, to one gross misdemeanor count of Insurance Fraud, Attempt to Make a False Claim for Insurance Benefits. Trammel, the owner of Total Woman, a Las Vegas-based business, will be sentenced on February 15, 2000.

Trammel faces up to one year in Clark County Detention Center, and may be ordered to pay reimbursement of approximately \$1,365 to the insurance companies and additional \$700 to the Attorney General's Office for investigative and prosecution costs.

As part of her plea agreement, the Attorney General's Workers' Compensation Fraud Unit has agreed to dismiss its case against Trammel. In return, she has agreed to reimburse the State of Nevada for the overpayment of temporary total disability in the amount of \$4,032.

On March 12, 1999, Trammel was indicted by a Clark County Grand Jury on two counts of felony insurance fraud and one count of theft. An investigation disclosed that Trammel, while the owner of Total Woman, twice submitted false insurance claims for silicone breast prostheses she had provided to a mastectomy patient. The fraud was revealed when the patient reviewed her explanation of benefits form and realized that in 1996, Trammel billed the insurance company \$1,000 for two silicone breast forms that had a retail value of only \$120. Trammel repeated the over billing in 1997.

The Insurance Fraud Unit has obtained more than 30 convictions in the past year alone, many resulting in significant jail time. The Unit has also had more than \$2,000,000 in restitution ordered in the past year.

If you have knowledge of, or suspect that someone has committed insurance fraud, please contact the Insurance Fraud Hotline at 1-800-266-8688. Information about the Insurance Fraud Unit can be found on the Attorney General's Web site at: <http://ag.state.nv.us/>.

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FOR IMMEDIATE RELEASE

December 20, 1999

CONTACT: Leslie Nielsen

(702) 486-3102

AGENCY REVOKES LICENSE OF MOBILE HOME DEALER

Attorney General Frankie Sue Del Papa has announced that the Administrator of the Manufactured Housing Division of the Department of Business and Industry, today permanently revoked the mobile home dealership license issued to William A. Sowle III and Patricia A. Sowle, on behalf of Finley Mobile Home Sales.

The revocation was prompted by allegations the licensees quit making payments to investors solicited by the licensees to help finance customers' purchases of approximately 350 mobile homes. The licensees acknowledged they had resold at least 23 of the mobile homes without paying off the investors who had financed the initial sales. The investors also claimed the buyers' down payments were misrepresented to the investors. One investor estimates the licensees solicited more than \$5 million from the investors over a four-year period.

Persons who feel they have been defrauded by Finley Mobile Homes Sales should contact the State Manufactured Housing Division in Las Vegas at (702) 486-4135 to obtain information concerning the Account for Education and Recovery Relating to Manufactured Housing.

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December 16, 1999

CONTACT: Tim Terry

(775) 687-4704

**SPARKS NURSING HOME RETURNS \$45,000 TO PATIENT TRUST
ACCOUNTS AS A RESULT OF SETTLEMENT WITH STATE**

Attorney General Frankie Sue Del Papa announced today that, as part of a settlement reached with the State of Nevada, Washoe Progressive Care Center, a Sparks nursing home, has refunded \$45,140.67 to patient trust accounts. In addition, the Center paid \$5,000 in investigative costs to the Medicaid Fraud Control Unit (MFCU). The settlement is the result of an investigation that began in 1998 by the MFCU into allegations that patient trust funds were being misappropriated.

According to MFCU Director Tim Terry, the investigation primarily focused on allegations the nursing home was improperly charging residents for incidental daily living costs, and then failing to deduct the correct amount of the patient's personal liability for monthly expenses.

"Nursing home residents are often of modest financial means, and what little they may have must be vigorously safeguarded," Del Papa said.

The Medicaid Fraud Control Unit can be contacted in Carson City at (775) 687-4704, or in Las Vegas at (702) 486-3420. Medicaid fraud information can also be found on the Attorney General's Web site at <http://ag.state.nv.us/>.

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December 16, 1999

CONTACT: Ronda Clifton

(775) 688-1835

RENO MAN PLEADS GUILTY TO INSURANCE FRAUD

Attorney General Frankie Sue Del Papa has announced that Flavio Evelio Miranda, age 27, today pleaded guilty before Washoe County District Court Judge Steve Elliott to the charge of Conspiracy to Defraud an Insurance Company.

Miranda and a co-conspirator had staged an accident in order to make a claim with Farmers Insurance Group. Fortunately, expert witnesses and accident reconstructionists discovered the fraud before any money was paid on the claim.

"It is a common misconception that a defendant must be paid money before the crime of insurance fraud is committed," Del Papa said. "Insurance Fraud occurs whenever a person makes a material misrepresentation in support of a claim. Staged accidents are one of the more popular methods of defrauding an insurance company."

Miranda is scheduled to be sentenced on February 1, 2000.

If you have any information regarding possible insurance fraud, please call the Nevada Attorney General's Insurance Fraud Hotline at 1-800-266-8688. For more information about Nevada's Insurance Fraud Unit, please visit the Attorney General's Web site at: <http://ag.state.nv.us/>.

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FOR IMMEDIATE RELEASE

December 15, 1999

CONTACT: Tracey J. Brierly

(702) 486-3128

**ATTORNEY GENERAL WARNS CONSUMERS ABOUT HOLIDAY
SHOPPING ON THE INTERNET**

With holiday shopping in full swing, Attorney General Frankie Sue Del Papa is asking consumers to be alert to the risks involved with on-line buying.

"For many consumers, online shopping is becoming a more and more attractive alternative to in-store or catalogue shopping," Del Papa said. "But just like traditional shopping, virtual shopping must be approached with sufficient caution."

The Attorney General's Bureau of Consumer Protection offers the following tips to help consumers shop on-line with more security and peace of mind:

1. Deal only with established, reputable retailers. An impressive-looking Internet site does not guarantee legitimacy. Whether shopping in a store, by phone or in cyberspace, it's safer to shop with companies you already know through either their reputation, or through previous experience.
2. Learn the company's refund and exchange policies. Each business sets its own refund and exchange policies. They can vary considerably. Prior to your purchase, find out about that company's specific policies, and be sure to save the sales receipt in case merchandise must be returned.
3. Protect your privacy. When shopping on the Internet, remember that online sellers many times collect your personal information so they can market back to you, or sell the information to other companies. Ideally, shop with a vendor that posts privacy policies online, and offers options about the use of personal information. In most cases, your password, credit card number and shipping information are all that a vendor should require.

4. Pay with a credit card and order only from a secure server when shopping online.

Beware if an online seller asks for your banking account number or offers to debit money from your account. It is best to use a credit card when ordering because credit card purchases offer protections you will not have otherwise. It is also extremely important to verify that you are ordering from a secure server prior to putting in your personal and credit card information.

Persons with concerns regarding or complaints against any Internet company should call the Attorney General's Bureau of Consumer Protection in Las Vegas at (702) 486-3194; or in Reno at (775) 688-1818; or in Carson City at (775) 687-6300. Consumer protection information can be found on the Nevada Attorney General's Web site at: <http://ag.state.nv.us/>.

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FOR IMMEDIATE RELEASE
December 13, 1999
CONTACT: Rayna Brachmann
775-688-1964

TOYS FOR NEEDY CHILDREN ARE DELIVERED

Attorney General Frankie Sue Del Papa announced today that, as a result of a settlement reached between the state, Toys R' Us and two toy manufacturers, underprivileged children across Nevada will be receiving toys this holiday season through the U.S. Marine Corps' Toys for Tots program. The total value of the toys is approximately \$111,500.

The settlement is the result of an antitrust action against Toys R' Us, the nation's largest toy retailer, and toy manufacturers Mattel and Little Tykes. Nevada, along with 43 other states, Puerto Rico and the District of Columbia, is part of the lawsuit brought against the three companies.

"We are very pleased that a key element of the settlement in this antitrust action will benefit children in Nevada by providing toys this holiday season," Del Papa said. "Partnering with the Marine Corps' Toys for Tots program in the distribution of the toys has been an effective method of ensuring that toys get to the children who need them the most."

News conferences will be held in Las Vegas and Reno to announce the toy dispersal. At the news conferences, Del Papa will be joined by a representative of the U.S. Marine Corps' Toys for Tots program, and by several families who will be receiving toys as a result of the settlement.

LAS VEGAS

Wednesday, December 15 2:00pm
U.S. Marines' Reserve Bldg.
5755 Blytheville Dr.
(cross streets: LV Blvd. & Craig Rd.)

RENO

Saturday, December 18 11:00am

Benders' Warehouse, #1
800 Stillwell
(west of North McCarran Blvd. offramp)

In rural Nevada, toys will also be distributed to children through to the efforts of Cindy Hannah of the Churchill County Welfare Department and Linda Nowell from No To Abuse in Pahrump.

According to the settlement terms, which are subject to court approval, Toys R' Us, Mattel and Little Tykes will provide toys, at manufacturers' list price, to the states, Puerto Rico and District of Columbia worth approximately \$18.675 million. Additionally, the settlement provides for a cash component that is awaiting court approval. The cash portion of the settlement will also benefit children by providing them with books, toys and other educational materials.

Toys R' Us, Mattel and Little Tykes have admitted no wrongdoing in settling the lawsuit. The states sued the three companies in an attempt to recover damages suffered by consumers, as a result of an alleged conspiracy that artificially inflated toy prices.

The complaint, filed in November 1997, alleged that Toys R' Us orchestrated an illegal agreement among the toy manufacturers to ensure that low-margin warehouse clubs could obtain certain popular toys only in "combination packs." The states allege this agreement inflated the cost of those toys to consumers, and made it difficult for warehouse clubs to compete with similar toy items sold by Toys R' Us.

This marks the second year that toys are being distributed to needy children as a result of the settlement reached by the Bureau of Consumer Protection and the three companies. Last year, \$21,266 worth of toys were distributed by Toys for Tots as part of a settlement with toy manufacturer Hasbro.

Nevada's antitrust case against the three companies has been handled by Kate Marshall, Senior Deputy Attorney General with the Bureau of Consumer Protection.

For more information on the Bureau of Consumer Protection, visit the Attorney General's Web site at: <http://ag.state.nv.us/>.

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FOR IMMEDIATE RELEASE

December 13, 1999

CONTACT: Tim Terry

775-687-4704

**LAS VEGAS COMPANY VOLUNTARILY DISCLOSES IMPROPER
MEDICAID BILLINGS**

Attorney General Frankie Sue Del Papa announced today that Apogee Health Services, Inc., d/b/a/ Harrie Hess Clinics has entered into a civil settlement agreement with the Medicaid Fraud Control Unit (MFCU) whereby Apogee will pay the amount of \$455,000.00 to settle claims of improper billings to the Nevada Medicaid program. Apogee is the former owner and operator of the Las Vegas mental health clinic known as Hess & Associates. (Another former owner, Summit Behavioral Partners, entered into a settlement in September.)

According to Tim Terry, MFCU Director, Apogee disclosed the improper billings on its own initiative and thus was able to avoid criminal charges. Terry noted that the MFCU will generally forego criminal prosecution of self-reporting providers under the following conditions:

- * That the provider makes a full disclosure of all improper claims or billings to the Nevada Medicaid program, including any and all internal audits prepared by the provider, its employees, accountants, and/or attorneys;
- * That the MFCU is granted complete access to inspect and copy the medical records and corresponding financial records for all Medicaid patients treated by the provider;
- * That the provider and its employees cooperate fully with any MFCU requests for other information, documentation, or personal interviews, necessary to verify the provider's disclosure;
- * That neither the provider nor its employees or agents have destroyed or concealed information or documentation relating to the involved claims and billings;

* That neither the provider nor any of its employees or agents have proffered any false or misleading information.

According to Terry, a provider satisfying these conditions is normally handled under the State's civil monetary penalty law (CMPL).

"Given the fact that a criminal conviction automatically bars a health care provider from participation, in Medicaid, Medicare or any other federally funded health care program for at least 5 years, I would encourage any providers who may have crossed the billing line to think about this voluntary disclosure program", stated Del Papa. "Our office makes every effort to work with providers and we appreciate Apogee's disclosure and cooperation", said Del Papa also.

The Medicaid Fraud Control Unit can be contacted at 775-687-4704 in Carson City and 702-486-3420 in Las Vegas. More information about Medicaid fraud and patient neglect can be found on the Attorney General's website at: <http://ag.state.nv.us/>.

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FOR IMMEDIATE RELEASE

December 8, 1999

CONTACT: Anne Cathcart

(775) 684-1115

**ATTORNEY GENERAL ADDRESSES POSSIBLE REDUCTION IN
PAYMENT FROM TOBACCO MANUFACTURERS**

Attorney General Frankie Sue Del Papa has sent a memorandum to the Governor, State Treasurer, State Controller and several others about an expected reduction in money coming to the state as part of the Master Settlement Agreement (MSA), due in large part to an expected decrease in the number of cigarettes being sold. Del Papa explained the reduction in the annual payments to the states beginning in the year 2000 has been estimated to be as much as twelve percent.

Under terms of the MSA, if there is either an increase or a decrease in the nationwide consumption of cigarettes, then there will be a corresponding increase or decrease in the annual payments made by the original participating tobacco manufacturers to the states. This is referred to as the "volume reduction."

"My office has continually explained that the state should exercise caution in allocating funds that are expected to come to Nevada, as a result of the Master Settlement Agreement, before that money is actually received by the state," Del Papa said.

An independent auditor will determine if there has been a volume reduction in cigarettes sold by the original participating manufacturers in the year prior to the year the annual payment becomes due. If that is the case, then the payments by the original participating manufacturers would be reduced by the same percentage as the volume of cigarettes sold.

Some of those payments would be picked up by "subsequent participating manufacturers," which are the cigarette companies that signed the agreement after it was originally announced. If their volume of cigarettes sales increased, they would make larger payments to the states by the amount of that increase.

In addition, non-participating manufacturers, those companies that never signed the MSA, are required

under Nevada law (AB 667, passed by the 1999 Legislature) to pay funds into an escrow account depending on the number of cigarettes they sell in the state. If the market share of the non-participating manufacturers increases, their payments into the escrow accounts likewise will increase. The law provides that the state may sue these companies to pay for state costs incurred in treating its citizens for tobacco related diseases, and recover the funds from these escrow accounts.

"Although this means the amount of money the state receives may be reduced as a result of the decreasing sales of tobacco products, it also indicates that fewer cigarettes are being consumed in the United States, thus helping to achieve the states' goal of reducing tobacco use, particularly by young people," Del Papa said. "Decreased tobacco consumption also hopefully means that the state will ultimately pay less toward the treatment of people with tobacco-related diseases under its Medicaid program, ultimately resulting in additional savings in that state program."

The volume reduction provision of the MSA does not affect the "good faith" initial payment made to the states by the tobacco manufacturers in December, 1998, following the signing of the agreement, which has been held in an escrow account. Thus, Nevada may expect to receive its full share of that initial payment, approximately \$14.6 million, on or about December 14, 1999.

Any reduction in the annual payments payable to the state will not begin until the year 2000. The states are in the process of evaluating the independent auditor's preliminary report regarding any projected reductions in the payment due on January 10th, 2000. As soon as we have any further information in this regard, we will provide you with an update. If you have questions, please call Anne Cathcart, Special Assistant Attorney General, at (775)684-1115 or John Albrecht, Senior Deputy Attorney General, at (775)688-1872.

Information on what the Attorney general has been doing to reduce youth smoking in Nevada can be found on the office's Web site at: <http://ag.state.nv.us/>.

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FOR IMMEDIATE RELEASE

December 3, 1999

CONTACT: Marty Howard

(702) 486-3120

OWNERS/OPERATORS OF QUALITY ICE CREAM AND ALEX'S ICE CREAM SENTENCED IN FEDERAL COURT ON MULTIPLE COUNTS

Nevada Attorney General Frankie Sue Del Papa has announced that Rena and John Kopystenski (ko-pah-stin-skee), the owners and operators of Quality Ice Cream and Alex's Ice Cream located in Las Vegas, have been sentenced in United States District Court by Judge Philip Pro, after pleading guilty to money laundering and bankruptcy fraud. They were sentenced on November 30, 1999, to confinement in federal prison for 21 months, followed by three years of supervised probation. John Kopystenski must surrender to authorities on March 7, 2000. His wife, Rena, must surrender on June 7, 2000. In addition, they must pay restitution of \$67, 149.64 and administrative court costs of \$100. They were originally charged with multiple counts of conspiracy, wire fraud, bankruptcy fraud and money laundering. The two Nevada businesses operate as distributors and wholesalers of ice cream and other frozen food products.

The case against the couple alleged they had devised a six-year long scheme to defraud insurance companies, businesses and individuals through submitting false insurance claims and credit applications through wire transmissions, such as phone calls and faxes.

The conviction results from a two-year long, joint federal and state investigation involving the United States Attorney's Office, the IRS Criminal Investigations Division, the Nevada Attorney General's Insurance Fraud Unit, and the National Insurance Crime Bureau (NICB).

"I commend United States Attorney Kathryn Landreth for her office's efforts in bringing these criminals to justice," Del Papa said. "I would also like to recognize and applaud the efforts of Senior Investigator Tom Strausbaugh of the Insurance Fraud Unit, who spent countless hours on this case and was the one individual primarily responsible for cracking this case open. These convictions are an example of the results that can be achieved when the federal government, the state and the NICB work closely

together."

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December 3, 1999

CONTACT: John Albrecht

(775) 688-1872

**ATTORNEY GENERAL CALLS FOR CRACKDOWN ON "BIDI"
CIGARETTES**

Attorney General Frankie Sue Del Papa is urging federal officials and Congressional representatives to take action to stop the importation of hand-rolled cigarettes produced primarily in India. The cigarettes, called bidis, are an even greater health risk than traditional cigarettes and are flavored to make them attractive to children.

Del Papa joined with the Attorneys General from all 50 states in signing letters to Health and Human Services Secretary Donna E. Shalala, the Federal Trade Commission, U.S. Customs Service Commissioner Raymond W. Kelly, and the Chairs of several Congressional committees detailing the dangers posed to American youth by bidis and the possibility the manufacture of bidis involves indentured children's labor.

On November 24, 1999, the U.S. Customs Service banned the importation of Mangalore Ganesh Bidis upon receipt of evidence that indentured children's labor produced the bidis.

The letter from the Attorneys General states, "We are writing to Congress and to federal agencies to urge that the federal government do everything possible to enforce laws to ensure that bidis are not available to children and youth in the United States. The states, for our part, intend to do whatever we can to stop the sale of bidis to minors and to work with the federal government in whatever way we can to end this threat to the health and safety of our children."

"Our emphasis has always been focused on reducing youth tobacco consumption in any form it may be produced," Del Papa said.

Bidis are puffed more frequently than regular cigarettes to prevent them from going out. Inhaling a bidi

cigarette requires great pulmonary effort due to its shape and poor combustibility. Consequently, bidi smokers breathe in greater quantities of tar and other toxins than smokers of regular cigarettes.*

In addition, bidis contain more than three times the amount of nicotine and more than five times the amount of tar than regular cigarette smoke.**

Studies have found that bidi smokers have two times the risk of lung cancer than those who smoke Indian filtered cigarettes, have five times the risk of suffering heart disease as non-smokers, are more at risk for cancers of the throat, oral cavity, pharynx, larynx, lungs, esophagus, stomach, and liver than regular smokers.^

The attorneys general noted that bidis produced for the American market, unlike those made for Indian consumption, are flavored to taste like strawberry, chocolate, mandarin orange, vanilla, grape, lemon-lime, clove, mint, cinnamon, wild cherry, mango, cardamon, licorice, or raspberry. The flavorings make bidis more attractive to minors.

Bidis are readily available at most smoke shops, gas stations, liquor stores, ethnic food stores, and selected health stores.

Bidis can also be purchased through the Internet and recent sting operations by numerous state attorneys general offices indicated most on-line sellers did nothing to verify the ages of the undercover minors before selling them the cigarettes. The children and youth who participated in the undercover buys ranged in age from nine to seventeen years.

A nine-year-old child successfully purchased bidis over the telephone using a toll-free number provided by a web site. In another instance, a minor who purchased bidis from the same seller received free sample packs of mango, grape, and lemon-lime bidis with her order.

The Attorneys General issued their call for action during the Winter Meeting of the National Association of Attorneys General near Phoenix, Arizona.

The Nevada Attorney General's office, with the cooperation of retail store owners, has helped reduce the teen buy rate of tobacco products in Nevada by more than 40% since 1994, partly through continuing over-the-counter sting operations of businesses which sell tobacco.

For more information on how the Attorney General has been working to curtail youth smoking in Nevada, visit the office's Web site at www.state.nv.us/ag/.

* Jayant K., Pakhale SS. Toxic constituents in bidi smoke. In: Sanghvi LD, Notani P, eds. Tobacco and health: the Indian scene. Bombay, India: Tata Memorial Center, 1989.

** Rickert WS. Determinatin of yields of "tar," nicotine, and carbon monoxide from bidi cigarettes: final report. Ontario, Canada: Labstat International, Inc., 1999.

^ Gupta PC, Hamner JE III, Murti PR, eds. Control of tobacco-related cancers and other diseases; proceedings of an international symposium. Bombay, India: Tata Institute of Fundamental Research, Oxford University Press, 1992.

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FOR IMMEDIATE RELEASE

December 1, 1999

CONTACT: Leslie Nielsen

(702) 486-3102

AGENCY REVOKES MOBILE HOME DEALER LICENSES

Attorney General Frankie Sue Del Papa announced today that a hearing officer with the Department of Business and Industry, Manufactured Housing Division, has permanently revoked the mobile home dealership licenses issued to Stephen W. Coulter and Jo A. Coulter, on behalf of S C Homes, Inc. The revocation was prompted by evidence of the dealer's insolvency, unsatisfied judgments, and failure to provide clear title to a buyer who paid \$35,000 cash for a mobile home. The hearing officer found nine separate violations of state laws, including the prohibition against deceitful, fraudulent or dishonest dealing.

Witnesses testified during a recent hearing that S C Homes accepted the buyer's \$35,000 cash payment for a home against which there remains a previously undisclosed \$22,000 lien. The owners had contracted with S C Homes to sell the home with the understanding that they would receive cash for their equity, and that their loan to a finance company would be satisfied. However, S C Homes failed to apply any of the \$35,000 cash proceeds to the sellers' outstanding loan. The finance company is reportedly preparing to repossess the home, leaving the sellers with damaged credit and the buyer with little recourse.

The Manufactured Housing Division also presented evidence that S C Homes had forged a contract obligating buyers to terms differing from those to which they had actually agreed.

Persons who feel that they have been defrauded by S C Homes, Inc. should contact the State Manufactured Housing Division in Las Vegas at (702) 486-4135 to obtain information concerning the Account for Education and Recovery Relating to Manufactured Housing.

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December 1, 1999

CONTACT: Kateri Cavin

(775) 684-1218

**NEVADA LAWS REGARDING PETITION CIRCULATORS MUST BE
CHANGED**

In an opinion released today, Attorney General Frankie Sue Del Papa clarified that Nevada laws requiring petition circulators to be registered voters are unconstitutional. The opinion was based on a U. S. Supreme Court ruling issued in January, Buckley v. American Constitutional Law Foundation, declaring that a Colorado law requiring petition circulators be registered voters violated the free speech clause and the equal protection clause of the U.S. Constitution.

Secretary of State Dean Heller had asked Del Papa for an opinion on the impact of the Supreme Court case on Nevada laws regarding petition circulators. Del Papa advised the Secretary of State that Nevada could not require a petition circulator to be a registered voter.

"The laws in this area should be changed so they are not in violation of the U.S. Constitution," Del Papa said. The Attorney General added that several laws regarding petition circulators are regulations that can be changed by the Secretary of State, while others would have to be adopted by the State Legislature. The opinion from the Attorney General clearly stated that any provisions requiring petition circulators to be registered voters are unenforceable.

Several groups have stated they are thinking about circulating petitions to have issues placed on next year's ballot. The opinion from the Attorney General, based on the U.S. Supreme Court ruling, will have an immediate impact on the way signatures are gathered on petitions, as groups will no longer be required to use only registered voters to circulate petitions in a particular county.