



STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL

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FRANKIE SUE DEL PAPA
Attorney General

THOMAS M. PATTON
First Assistant Attorney General

FOR IMMEDIATE RELEASE
January 26, 2001

CONTACT: Tara Shepperson
Executive Director
Nevada Cyber Crime Task Force
Phone: 775-688-1869 or 775-688-1813

MEDIA ADVISORY

Please assist us in getting the word out about this important conference

**LAW ENFORCEMENT WILL TURN HIGH-TECH AT
CYBER CRIME CONFERENCE**

The Nevada Cyber Crime Task Force, created by the state Legislature in 1999 to combat the growing threat of computer-based crimes in Nevada, will offer three days of presentations and workshops to teach the latest crime-fighting techniques during a *Cyber Crime Conference* at the Casa Blanca Resort in Mesquite, Nevada, February 28- March 2, 2001. One and three-day tuitions are available, and information can be found on the Nevada Cyber Crime Task Force website at cybercrime.state.nv.us, or by calling (775) 688-1813. The conference is geared towards law enforcement and prosecutors, but is also open to business people and the general public.

The Nevada Cyber Crime Task Force, housed within the Attorney General's Office, was created following the passage of the Omnibus High Technology Crime Bill during the 1999 Legislative session. Training for law enforcement, businesses and the general public is one of the main goals of the Task Force, which includes federal, state and local agencies that offer training on detecting and combating crimes involving computers, along with providing expertise to Nevada law enforcement in computer crime analysis.

According to Tara Shepperson, Executive Director of the Nevada Cyber Crime Task Force, "The increased use of computers and devises such as cell phones and computerized personal diaries has raised challenges for law enforcement. Often, evidence of a crime may not be found on paper or in file cabinets. Rather, law enforcement must enter the virtual electronic environment of the Internet and computer files to retrieve information."

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Attorney General Frankie Sue Del Papa, whose office sponsored Senate Bill 485, the Omnibus High Technology Crime Bill, said, "Everyone associated with the prosecution of high tech crimes will need to better understand how the technology works and is evolving. The Mesquite conference will be a great learning tool for law enforcement and prosecutors in the battle to stay ahead of those who would use computers illegally."

The Cyber Crime Conference is being co-sponsored by the Nevada Prosecution Advisory Council. For more information about the conference or the Task Force please call Tara Shepperson at (775) 688-1869.

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FOR IMMEDIATE RELEASE
January 26, 2001

CONTACT: Steve George
(775) 684-1114

**ATTORNEY GENERAL WARNS OF SCAM
POPPING UP ACROSS NEVADA ONCE AGAIN**

Carson City--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. Del Papa said her office has received recent copies of transmittals from concerned citizens about the scam which, unfortunately, many people have fallen prey to in the past.

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."

Key signals to look for when confronted by an offer such as this are:

- A stranger contacts you via mail, telephone, fax or email offering to share a large amount of money with you.
- The stranger is usually someone from out of state or out of the country.

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- The stranger tells you that little or no effort is required on your part to collect the money.
- The stranger tells you that you must first send him money before you can collect.
- The stranger tells you that secrecy is important.

Complaints regarding this scam should be directed to:

U.S. Secret Service Office
600 South Las Vegas Blvd.
Las Vegas, NV 89101
(702) 388-6571

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 be found on the Attorney General's Web site at <http://ag.state.nv.us>.

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FOR IMMEDIATE RELEASE
January 25, 2001

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(775) 687-6300 x239

**STATE OF NEVADA RECEIVES MORE THAN \$100,000 AS A RESULT OF
SETTLEMENT WITH NASDAQ DEALERS**

Carson City—Attorney General Frankie Sue Del Papa announced today that the State of Nevada Public Employees Retirement System (PERS) has received a check for \$101,854 as the result of her Bureau of Consumer Protection's participation in a multi-state investigation of various NASDAQ stock market dealers.

Beginning in May 1994, multiple antitrust actions were filed against more than 30 NASDAQ market makers, alleging that the defendants conspired to increase and fix the spreads paid by investors in connection with the purchases and sales of securities. This practice allegedly caused investors to pay excessive transaction costs for purchases and sales of certain securities.

Nevada's participation resulted in the award to PERS, of which PERS Investment Officer Laura Wallace stated, "We sincerely appreciate the contribution of the Attorney General's Office in assisting us in securing this settlement."

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TIMOTHY D. HAY
Chief Deputy Attorney General

FOR IMMEDIATE RELEASE
January 24, 2001

Contact: Timothy Hay
(775) 687-6300

**NEVADA CONSUMER ADVOCATE TO INFORM NATIONAL AARP STAFF AND
VOLUNTEERS ON WESTERN ENERGY ISSUES**

Carson City, Nevada – State Consumer Advocate Timothy Hay will present Nevada’s energy viewpoint to AARP’s national Utilities Issues Training in Washington, D.C. on Friday, January 26, 2001. The topic is “Electric Utility Restructuring: What’s Really Happening Out There.” The training prepares AARP’s national staff and local volunteers to address federal and state legislative developments which may affect the budgets of AARP members nationwide.

“I am pleased to be able to tell Nevada’s energy story and strategy to this group,” Hay said. “With so much attention being paid to the California energy crisis, this is an opportunity for Nevada to gain support for a proactive approach to improve our situation and perhaps help other states as they face these difficult issues.”

“Concepts such as preserving ownership of our low-cost energy resources and using them to establish a Basic Affordability Rate for Nevada’s consumers are the types of approaches that my office is advocating. Attorney General Del Papa views the western energy issues as some of the most difficult our region has faced and a proper approach to them will be critical to the lives of our citizens – especially seniors – and the continued health and development of our economy. She has asked my staff to devote all available resources to these efforts at this critical time, including a strong emphasis on developing Nevada’s abundant renewable energy resources and assistance to those consumers who simply cannot afford the rapid rise in energy prices we are now experiencing.”

Hay served as a member of Governor Kenny Guinn’s energy policy committee that recently submitted recommendations to the Governor on energy issues.

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FOR IMMEDIATE RELEASE
January 24, 2001

Contact: Timothy Hay
(775) 687-6300

**NEVADA CONSUMER ADVOCATE FORMALLY REQUESTS
MORATORIUM ON POWER PLANT SALES**

Carson City, Nevada – State Consumer Advocate Timothy Hay filed a petition today with the Public Utilities Commission calling for an immediate moratorium on the sales of Nevada’s generating plants pending a review by the Commission and interested parties to determine if such sales remain in the public interest. “Because the Public Utilities Commission has only 60 days to approve or reject the sales, the prudent approach is to call ‘time out’ immediately so that other proposals can be considered,” said Hay.

“In light of current market conditions resulting in high prices for electricity purchased at the wholesale level, we should re-examine allowing the sale of generation plants located in Nevada, especially coal-fueled generation plants that provide electricity to the citizens of Nevada at the lowest cost. Once the plants are sold, there is no guarantee that Nevada consumers will benefit from the low-cost electricity generated at the plants. New owners would be able to sell all the electricity they generate outside the state or back to Nevada at higher, market based prices,” Hay said.

Hay earlier urged the Nevada Legislature to authorize the Public Utilities Commission to establish Basic Affordability Rates tied to the cost of producing electricity from coal-fueled plants. Hay says his proposal will make the most basic, essential electric service available to consumer at the lowest available cost.

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FOR IMMEDIATE RELEASE
January 23, 2001

CONTACT: Marta Adams
(775) 684-1237

**DEL PAPA SUPPORTS GOVERNOR GUINN'S
STAND ON YUCCA MOUNTAIN**

Attorney General Frankie Sue Del Papa applauded Governor Guinn's State of the State comments last night concerning the proposed high-level nuclear waste repository at Yucca Mountain. "I am greatly encouraged by Governor Guinn's stated priorities as they relate to Yucca Mountain. Nevada's leadership needs to support the formation of strong alliances with Utah and all the other states and communities likely to be impacted by the transportation and storage of this deadly waste. These alliances will fortify Nevada's opposition to the Yucca Mountain Project. The proposed repository at Yucca Mountain represents an incalculable threat to Nevada's vibrant economy and fragile environment. On behalf of Nevada's citizens, let me reiterate that the resources of my office are totally committed to stopping this project."

"I wholeheartedly support Governor Guinn's decision to seek additional funds from the Legislature to oppose the Yucca Mountain Project," Del Papa stated. In a recent letter to the governor, Attorney General Del Papa outlined her office's strategy for opposing the repository. Such strategy includes filing legal challenges at the appropriate times to various federal rulemaking efforts relative to Yucca Mountain, including the proposed siting guidelines, the proposed Nuclear Regulatory Commission's licensing rules and the draft Environmental Protection Agency's radiation protection standards. In addition, the Attorney General is currently preparing to file a legal challenge to the Yucca Mountain environmental impact statement when it becomes final.

"My office intends to continue to work closely with the Agency for Nuclear Projects to pursue any and all available remedies for the State," Del Papa stated. "I also plan to again brief my colleagues at the upcoming meeting in March of the National Association of Attorneys General. It is traditional at that time for us to meet with the Secretary of Energy and other cabinet level officials, their schedules permitting," Del Papa added.

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January 23, 2001

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775-687-4704

**BAYER CORPORATION SETTLEMENT
ON MEDICAID DRUG PRICES**

Attorney General Frankie Sue Del Papa announced today that a team of negotiators from Medicaid Fraud Control Units in Nevada, New York, Maine and Washington, representing the National Association of Medicaid Fraud Control Units, have reached an agreement with Bayer Corporation for payment of \$14 million to 45 states and the federal government to settle allegations that Bayer caused physicians and other providers to submit fraudulently inflated reimbursement claims to state Medicaid programs. Bayer reached the agreement with the State negotiators, the Department of Justice, the United States Attorney's Office for the Southern District of Florida, and the Office of the Inspector General for the Department of Health and Human Services. The government's investigation of the allegations, contained in a qui tam whistleblower lawsuit, revealed that Bayer, beginning in the early 1990's, falsely inflated the reported drug prices – referred to by the industry as the Average Wholesale Price (AWP), Direct Price, and Wholesale Acquisition Cost – used by state governments to set reimbursement rates for the Medicaid program. By setting an artificially high AWP and, subsequently, selling drugs at a dramatic discount, Bayer induced physicians to purchase its products rather than those of competitors by enabling physicians to profit tremendously from the reimbursement paid to them by the government.

The Bayer AWP's at issue in the investigation involved Bayer's biologic products, such as Kogenate, Koate-HP, and Gamimmune, which are widely used in treating hemophilia and immune deficiency diseases. The investigation further revealed that the practice in which Bayer selectively engaged, commonly referred to by drug manufacturers as "marketing the spread", also had the effect of causing other drug companies to inflate their AWP's.

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“The Medicaid program was created to help ensure that those with lower incomes receive medical treatment – not to enrich doctors or drug companies”, said Tim Terry, MFCU Director.

In addition to the \$14 million payment, Bayer has reached a five year agreement with the Department of Health and Human Services’ Office of Inspector General that the company’s conduct will be monitored by the government under a corporate integrity agreement. Under the compliance agreement, Bayer will provide the state and federal governments with the average selling prices of its drugs in order to facilitate the government’s setting of fair reimbursement rates for Bayer’s products and, potentially, the products of any competitors attempting to take advantage of Bayer’s cooperation.

“Bayer’s agreement to enter a corporate integrity agreement with the Office of Inspector General was a key component of the settlement. Under the agreement, Bayer agrees to take prospective action to provide, for the first time, certified pricing data for use in the Medicaid programs. This settlement should send a strong message to all drug manufacturers about the scrutiny with which state and federal authorities are reviewing their practices and the appropriateness of reimbursement levels for drugs”, said Del Papa.

The parties also are settling allegations that Bayer knowingly underpaid the Medicaid program for rebates owed by it to the states. The Medicaid Rebate program requires drug companies to pay quarterly rebates to states in a way intended to account for discounts given by them to customers. Bayer was required to report to the Health Care Financing Administration the best price it offered to any commercial, for-profit customer and pay a quarterly rebate based, in part, upon the best price. Bayer understated the extent of the discounts given to certain customers thereby allowing Bayer to underpay the rebates it owed.

For further information about the Attorney General’s Office Medicaid Fraud Control Unit please visit our website at www.ag.state.nv.us.

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FOR IMMEDIATE RELEASE
January 19, 2001

CONTACT: Wayne Howle
(775) 684-1227

DEL PAPA SUES BUREAU OF LAND MANAGEMENT OVER NEW MINING REGULATIONS

Carson City—The Attorney General’s Office today filed a lawsuit on behalf of the State of Nevada against the United States Bureau of Land Management (BLM), seeking to overturn new regulations governing mining on public lands.

“The new regulations, which become effective on Saturday, January 20, 2001, in part establish a new and very strict standard for the mining industry, and nothing in the draft regulations announced that this standard would be used,” Del Papa said. She explained that state officials participated in good faith in the development of the regulations, but felt misled when the final rules gave BLM authority to deny a mining plan of operations if it would cause “substantial irreparable harm.” Del Papa explained that this term is not defined in the regulations and, therefore, its application is subject to a high degree of subjectivity and possible abuse. “Its surprise appearance deprived the state and others of any opportunity to comment about its potential impact. BLM needs to hear from the people who will be affected by the requirement before a decision is made to apply the new regulations.”

Del Papa said the lawsuit challenges BLM’s legal authority to deny a mining plan of operations on the basis of this standard, and whether or not BLM followed proper procedure when it created the final rule. “Congress has clearly recognized the right to search for and develop minerals on public lands. No one questions BLM’s ability to regulate mining activity, but an outright denial is hard to justify.”

Del Papa added that the State supports many of the changes included in the new regulations, in particular new requirements for reclamation bonding, a requirement that all surface-disturbing mining have an approved plan of operations, and new protection for natural resources, such as wildlife and its habitat. “We are not challenging many of the provisions, as we feel they should be retained. The State’s objective is simply to make sure that BLM follows the correct rulemaking procedure, and stays within its statutory authority.”

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TIMOTHY D. HAY
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FOR IMMEDIATE RELEASE
January 16, 2001

Contact: Timothy Hay
(775) 687-6300

NEVADA CONSUMER ADVOCATE SAYS STATE MUST KEEP LOW-COST ENERGY RESOURCES AND PROPOSES BASIC AFFORDABILITY RATES

Carson City, Nevada – State Consumer Advocate Timothy Hay issued a statement today calling for a delay in the sale of coal-fueled generating plants in Nevada that produce electricity at the lowest cost to consumers. Hay is urging the Nevada Legislature to authorize the Public Utilities Commission to establish basic affordability rates tied to the cost of producing electricity from these plants. Hay says his proposal will make the most basic, essential electric service available to consumers at the lowest available cost, currently less than 4 cents per kilowatt hour.

“The basic affordability rate would apply to the first block of energy consumption to ensure that the most basic and necessary level of energy consumption remains affordable for all consumers,” Hay explained. “Higher levels of energy consumption would come at higher rates, so the affordability rates have the added advantage of encouraging conservation and energy efficiency. Conceivably, the entire energy needs of the smallest households could be met from electricity within the affordability rate and there would be a large incentive for these households to conserve energy in order to remain in that rate. The affordability rate will also provide larger households that consume energy at levels that exceed the first tier a greater incentive to conserve because the higher levels of energy consumption would come at a higher cost. Therefore, the energy they conserve will result in greater savings per kilowatt hour than they would see if they were paying a blended rate for all the energy they consume.”

“The sale of Nevada’s generating assets was a condition of the merger between Sierra Pacific Resources and Nevada Power Company and was intended to ensure the companies’ control of transmission and distribution assets would not lead to higher prices for electricity,” Hay said. “However, in light of current market conditions resulting in high prices for electricity purchased at the wholesale level and high costs to generate electricity from other fuel sources, we should re-examine allowing the sale of coal-fired generation plants located in Nevada that provide electricity to the citizens of Nevada at the lowest cost. Once the plants are sold, there is no guarantee that Nevada consumers will benefit from the low-cost electricity generated at the plants. New owners would be able to sell all the electricity they generate outside the state or back to Nevada at higher market based

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prices. If deregulation moves forward, power from these plants might be sold to large customers, but not be available to small business and residential customers in the state. This moratorium on sale of the plants will provide the Governor and the Legislature an opportunity to explore alternatives to the complete deregulation of the electricity market in Nevada, such as a non-profit public power authority that could operate the plants and purchase additional power needed to meet Nevada's energy needs."

"Nevada needs to be certain that the impact of California's electric crisis does not affect our residential and small business consumers. By reconsidering the sale of the coal-fueled generation assets, Nevada can protect the long term interests of our most vulnerable consumers."

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ROLE MODEL AWARDS NOMINATION FACT SHEET

NAME:

PRESENT OCCUPATION/FIELD:

PROFESSIONAL CAREER ACHIEVEMENTS:

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*

*

VOLUNTEER WORK:

*

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*

*

FAMILY:

PERSONAL QUALITIES:

(Please write a short essay, **no more than 500 words**, that best describes why the nominee deserves to be selected as a Women's Role Model Award recipient)

Nomination forms must be postmarked no later than February 11, 2001. Please fax completed forms to (775) 684-1108.

**2001 NEVADA WOMEN'S ROLE MODEL AWARD
NOMINATION FORM
(Please print or type)**

NOMINEE INFORMATION:

Name _____

Daytime Phone: () _____ Other: () _____

Street Address: _____

City: _____ State: NV Zip: _____

NOMINATOR INFORMATION:

Name _____

Daytime Phone: () _____ Other: () _____

Street Address: _____

City: _____ State: NV Zip: _____

Affiliation with nominee: _____

ADDITIONAL REFERENCE:

Name _____

Daytime Phone: () _____ Other: () _____

Street Address: _____

City: _____ State: NV Zip: _____

Affiliation with nominee: _____

Please be sure to complete the Role Model Awards Nomination Fact Sheet, including a short essay (**no longer than 500 words**) that best describes why the person you are nominating deserves to be selected as a Women's Role Model Award recipient.

COMPLETED NOMINATION FORMS MUST BE POSTMARKED NO LATER THAN FEBRUARY 11, 2001. Forms may be faxed to (775) 684-1108, or mailed to:

**Office of the Attorney General
Attn: Steve George
100 N. Carson Street
Carson City, NV 89701-4717**

Recipients and their nominators will be notified of their status before February 23, 2001.



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FOR IMMEDIATE RELEASE
January 11, 2001

CONTACT: Steve George
(775) 684-1114

NOMINATIONS SOUGHT FOR YEAR 2001 NEVADA WOMEN'S ROLE MODEL AWARDS

Attorney General Frankie Sue Del Papa is seeking nominations for the Seventh Annual **Nevada "Women's Role Model Awards."** The recipients, five each from the north and south, will be announced during media events in March, Women's History Month.

"Every community in Nevada has a women's role model who deserves to be recognized for her contributions to the community at large, and women and young girls specifically," Del Papa said. "The Women's Role Model Awards seek to honor those women in our state who have actively worked to better the lives of others through their contribution of time, energy, devotion, spirit and community activism."

Nomination forms 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, or forms can be accessed on the Attorney General's web site at <http://ag.state.nv.us>. **Completed nomination forms should be postmarked no later than February 11, 2001. They can be mailed to:**

Office of the Attorney General
Attn: Steve George
100 N. Carson Street
Carson City, NV 89701-4717

Nominations may also be faxed to (775) 684-1108.

"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, community activists, business leaders, and individuals active in community-minded organizations.

"What they all have in common is their dedication and commitment to not only their communities, but to the unfolding history of our state," Del Papa said.

For more information, please contact Steve George at (775) 684-1114.

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FOR IMMEDIATE RELEASE
January 9, 2001

CONTACT: Laurel A. Duffy
Deputy Attorney General
Insurance Fraud Unit
(702) 486-3433

**LAS VEGAN CONVICTED FOR
ATTEMPTING TO CONSPIRE TO COMMIT INSURANCE FRAUD**

Las Vegas-Renee Nolan-Galvan, age 33, of Las Vegas, was sentenced today to probation and ordered to pay restitution to her insurance company after pleading guilty to Attempting to Conspire to Commit Insurance Fraud. Clark County District Court Judge Lee Gates placed Nolan-Galvan on probation for a period not to exceed three years, and ordered her to jointly and severally, along with her co-defendant, John Steven Langston, pay \$6, 875 in restitution to Go America Insurance Company. She was also ordered to pay \$750.00 to the State of Nevada in extradition costs. The restitution and extradition costs were part of a plea agreement between Nolan-Galvan and the Insurance Fraud Unit of the Attorney General's Office. Nolan-Galvan faced up to one year in jail and a fine of \$2000.

On September 9, 1997, Nolan-Galvan reported to GRE Insurance Company (now Go America Insurance Company) that her 1990 Toyota Celica caught fire while she and Langston were on their way to a picnic at the Lake Mead Recreational Center. She was subsequently paid \$6,875.

An investigation by GRE and the Insurance Fraud Unit revealed that Langston and Nolan-Galvan had purposely set the car on fire because it needed expensive repairs and Nolan-Galvan still owed money to the leinholder.

If you have knowledge 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 on the Attorney General's Web site at <http://ag.state.nv.us>

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FOR IMMEDIATE RELEASE
January 9, 2001

CONTACT: Jacqueline Rombardo
(775) 687-6300

**CONTACT LENS WEARERS WILL RECEIVE COMPENSATION
AS PART OF ANTITRUST LAWSUIT SETTLEMENT**

Carson City--Attorney General Frankie Sue Del Papa is reminding Nevada residents who bought replacement contact lenses made by Johnson & Johnson Vision Products, Inc. ("Vistakon"), Bausch & Lomb ("B&L"), or CIBA Vision ("CIBA") that they have until January 31, 2001, to register to be eligible to receive a cash rebate and product benefits package under a proposed partial settlement of antitrust lawsuits filed by Nevada and 31 other states. The action was based on allegations that the manufacturers prevented consumers from purchasing the products from discount suppliers, such as mail order, discount drug stores, and the internet.

Lens wearers who bought replacement contact lenses from Vistakon, B&L, and CIBA after January 1, 1988, are eligible to receive the rebate and benefits package, if the settlement receives final court approval. Some of the more popular names of these companies' replacement lenses are: Acuvue [R], SeeQuence [R], Focus [R], and NuVues [R]. Contact lens wearers may either call a toll-free number (888-811-0385) or log on to www.contactlenssettlement.com to register for the benefits package, to obtain further information, or to object to or opt out of the settlement. January 31, 2001 is the deadline for a consumer to opt out of the lawsuits or the proposed settlement, to object to the proposed settlement, and/or to register for the benefits package.

"The Antitrust Division of the Bureau of Consumer Protection has once again proven to be a valuable asset to the citizens of Nevada," Del Papa said. "Through the diligent efforts of this Division, consumers are benefiting where it often counts most, in the pocketbook."

Thirty-two state attorneys general joined with private counsel in filing lawsuits in federal district court in Jacksonville, Florida, against the American Optometric Association ("AOA"), Vistakon, B&L, CIBA and individual optometrists for violating the antitrust laws. In addition to restraints on sellers,

plaintiffs allege that restraints on patients made it difficult for many consumers to get the prescriptions or other information needed to buy from these more convenient outlets.

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A proposed settlement has been reached with one of the defendants, CIBA Vision. In late September, U.S. District Court Judge Harvey Schlesinger approved plaintiffs' motion to notify consumers of both the pending lawsuits and the terms of the settlement with CIBA Vision. The proposed settlement with CIBA includes: \$35.00 cash rebate to consumers on the future purchase of certain CIBA replacement lenses; a package of coupons for consumers for CIBA Vision products; a payment by CIBA of \$5 million; and injunctive relief. Part of the \$5 million fund will be used to pay for national newspaper ads about the pending lawsuits and the proposed partial settlement. The balance of the money is available for other purposes, subject to court review and approval. As part of the settlement, CIBA has agreed to a court order barring it for five years from changing its current policy of selling its lenses directly to pharmacies and mail order firms for resale to consumers. Vistakon and B&L continue to restrict distribution. The pending lawsuits seek to stop the continuing restrictive policies of Vistakon and B&L.

The decision whether to approve the settlement will be considered by the federal court at a hearing in Jacksonville on Tuesday, February 27, 2001. Plaintiffs are continuing to prosecute the lawsuit against the AOA, Vistakon, B&L and individual optometrists. Trial has been set for March 19, 2001 in Jacksonville.

For further information on the lawsuits or the settlement, or to register for the benefits package, contact lens wearers may log on at <http://www.contactlenssettlement.com>, or call 1-888-811-0385. Consumer protection information can be found on the Attorney General's website at <http://ag.state.nv.us>.

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FOR IMMEDIATE RELEASE
January 8, 2001

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**NEW EXECUTIVE DIRECTOR OF
PROSECUTION ADVISORY COUNCIL NAMED**

Carson City—Michael Jensen, 37, has been named the new executive director of the Nevada Prosecution Advisory Council. He replaces Michael McCormick, who has accepted a position as a deputy district attorney with the Douglas County District Attorney's Office.

Jensen has worked as a Nevada deputy attorney general for the past five years, serving in the legal division of the Department of Motor Vehicles and Public Safety, as well as on the Commission on Peace Officer's Standard and Training (P.O.S.T.). In his work with P.O.S.T., Jensen has represented numerous law enforcement agencies, including the Nevada Highway Patrol and the Nevada Division of Investigation.

Prior to his employment with the attorney general's office, Jensen was a deputy and a chief deputy district attorney with the White Pine County District Attorney's office.

"I am very excited to start this new challenge," Jensen said. "I look forward to providing quality training and resources to prosecutors throughout the State of Nevada."

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 Frankie Sue Del Papa, consists of Clark County District Attorneys Stewart Bell, White Pine County District Attorney Sue Fahami, Carson City District Attorney Noel Waters, Las Vegas City Attorney Brad Jerbic, Reno City Attorney Patricia Lynch, and Las Vegas Metro Police Department Undersheriff Richard Winget, who serves as the Law Enforcement Representative.

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FOR IMMEDIATE RELEASE
January 4, 2001

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NEWS CONFERENCE WILL SEEK TO HEIGHTEN AWARENESS OF DOMESTIC VIOLENCE PREVENTION

Las Vegas--In the wake of two domestic violence homicides that occurred in Clark County during the holiday season, the Attorney General's Office will be participating in a **10:00am news conference being organized by Safe Nest/TADC on Friday, January 5, 2000, at the Grant Sawyer Building in Las Vegas.** It's hoped the news conference will heighten community awareness about the severity of the problem of domestic violence.

"The recent homicides in Las Vegas are painful reminders that we are dealing with a problem of epidemic proportions that can be lethal," Attorney General Frankie Sue Del Papa said. "A coordinated community response is essential to effectively address domestic violence--- one that sends consistent messages about the urgency of victim safety and the importance of holding offenders accountable."

In Nevada, as in the rest of the nation, the number of women murdered by their husbands and boyfriends has declined in recent years. Nevertheless, reports issued by Domestic Violence Ombudsman Veronica Frenkel show that during the past three years there has been a steady increase in calls to Nevada law enforcement for incidents of domestic violence. In 1999, there were more than 18,000 calls to law enforcement for incidents of domestic violence. Reports from the first half of 2000 indicate a 17% increase in the number of reports from the same period during the previous year.

"Awareness is the key to prevention," stated Frenkel. "Each and every person who knows how to respond appropriately to a victim's disclosure and who knows about local resources could become a lifeline for a domestic violence victim."

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The Attorney General chairs the statewide Domestic Violence Prevention Council, whose mission is to encourage the elimination of domestic violence and sexual assault in Nevada. The NDVPC has played an instrumental role in providing guidance and direction to many agencies and groups in the state for domestic violence prevention programming, policies and funding. The Attorney General's Office has also acted as state administrator for grant funds from the STOP Violence Against Women program of the US Department of Justice, and has coordinated additional federal grant projects designed to develop a central repository for protection orders, enhance enforcement of foreign protection orders, and to organize a statewide civil legal assistance project. During the past two years, the Attorney General's Office has also launched public awareness initiatives among cosmetologists and employers.

For more information on how to aid with efforts to reduce domestic violence in Nevada, call Nevada's toll free domestic violence information and referral line at 1-800-230-1955 or the Domestic Violence Ombudsman at (775) 688-1846. Information on domestic violence prevention can also be accessed at <http://ag.state.nv.us>. If you are being abused, or know someone who is being abused, call Nevada's Domestic Violence Hotline at 1-800-500-1556, 24 hours a day, to get help.

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**NEVADA FIRST STATE TO OBTAIN JUDGMENT
UNDER TOBACCO SETTLEMENT LAW**

Carson City--- Nevada became the first state in the nation to obtain a judgment against a cigarette manufacturer under a provision of the Master Settlement Agreement (MSA) when Washoe County District Judge Jerry Polaha imposed a civil penalty of \$64,687.05 against Las Vegas firm, NTD, Inc. Judge Polaha also ordered the company to deposit \$21,562.35 into an escrow account.

The ruling is the result of a lawsuit brought by Attorney General Frankie Sue Del Papa's office under a provision of Nevada State law that cigarette manufacturers are either required to sign the MSA, or pay one penny per cigarette sold within the State into an escrow account. The money in the account remains the property of the cigarette company, but may be used to pay health care related judgments obtained by the State in future lawsuits.

One purpose of the law is to assure that cigarette companies that do not sign the MSA do not gain a competitive advantage by being able to offer lower cost cigarettes to the public.

"One condition of the MSA is that states will diligently enforce this statute against cigarette manufacturers that do not sign the MSA," stated Del Papa. "Nevada may be subject to reduced payments if we do not. I will do everything I can to assure that payments under the MSA are not reduced, due to cigarette manufacturers not adhering to the conditions set forth in the MSA."

Nevada was the second state to file a lawsuit under this law. The State of Nevada is scheduled to receive about \$1.2 billion over the next 25 years from major cigarette manufacturers under the MSA. The Legislature has allocated 40% of the receipts from the settlement to the Millennium Scholarship program: the other 60 % for health programs.

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**NEVADA JOINS AMICUS BRIEF ASKING COURT TO PROTECT MASTER
SETTLEMENT AGREEMENT MONEY**

Carson City--Attorney General Frankie Sue Del Papa's office has filed an amicus brief with the U.S. Court of Appeals for the 2nd Circuit (New York, Connecticut, and Vermont), asking the Court to affirm the dismissal of a lawsuit filed by Medicaid Recipients to obtain some of the settlement obtained by Vermont as part of the Master Settlement Agreement (MSA) with the major tobacco manufacturers. Medicaid recipients seeking a portion of the MSA funds have filed suits in 21 states, including Vermont and Nevada. The U.S. District Court in Vermont dismissed the case, deciding the recipients were entitled to no part of the settlement money.

"The States paid all the medical expenses of these individuals who are now asking for part of the tobacco settlement," Del Papa said. "The State has not collected any money that belongs to these individuals. I am working closely with other attorneys general to assure that the states decide how to spend the tobacco settlement money. Supporting Vermont in its appeal will better assure that Nevada continues to receive the money it is entitled to."

In 13 of the 21 states that have been sued, the court has dismissed the Medicaid Recipients complaints. Only in one state, Iowa, has the lawsuit been allowed to proceed. In seven states, the courts are considering Motions To Dismiss filed by the State defendants.

Twenty-seven states joined Nevada in this amicus brief. A group of Nevada Medicaid recipients have sued Nevada State officials in federal court in Reno, seeking part of the MSA funds. U.S. District Court Judge Howard McKibbin is considering a Motion To Dismiss filed by State officials in that case.

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FOR IMMEDIATE RELEASE
January 3, 2001

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ATTORNEY GENERAL APPOINTS KIMBERLY MAXSON RUSHTON CHIEF OF LAS VEGAS OFFICE

Las Vegas – Attorney General Frankie Sue Del Papa announced today the appointment of Kimberly Maxson Rushton, 32, to the position of Chief Deputy Attorney General in charge of the Attorney General’s Las Vegas office.

Rushton was formerly a deputy attorney general assigned full-time as counsel to the Nevada Gaming Commission and the State Gaming Control Board. She also serves as the Office’s Legislative Liaison. She will continue to work in these areas, in addition to her new supervisory responsibilities.

As Chief of the Las Vegas office, Rushton will be responsible for management of southern Nevada operations, including day-to-day supervision of 54 deputy attorneys general, 19 peace officers, and some 48 support staff members. She will also serve as the media contact and primary office spokesperson for southern Nevada when the Attorney General is not available.

Rushton received her undergraduate degree from the University of Nevada, Reno and her law degree from the University of Denver. She was a Clark County Deputy District Attorney for five years before joining the Attorney General’s staff in 1998. Rushton replaces Richard Linstrom, who has returned to private practice in Las Vegas.

Attorney General Del Papa also announced that Senior Deputy Attorney General Charlotte Matanane Bible will be promoted to the position of Assistant Chief Deputy Attorney General for the office’s civil division effective January 8, 2001. Bible has served in the Attorney General’s Las Vegas office since 1991 and was promoted to senior deputy in August 1998. As a senior deputy in the transportation and DMV&PS division, Matanane Bible has for the past 2 ½ years served as counsel to the Transportation Services Authority and supervisor four deputies assigned to the DMV&PS. In her new position, Matanane Bible will take over as counsel to the Board of Medical Examiners, the Board of Osteopathic Medicine, the Long Term Care Administrators and will be responsible for supervising ten deputy attorneys general who represent a variety of state agencies, boards and commissions.

Information regarding the duties and activities of the Nevada Attorney General's office can be accessed online at <http://ag.state.nv.us>.

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January 3, 2001

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**ASSEMBLYMAN JOE DINI TO SPONSOR LEGISLATION
TO FIGHT INSURANCE FRAUD IN NEVADA**

Carson City--Northern Nevada Democratic Assemblyman Joe Dini will sponsor legislation during the 2001 Legislative session designed to help fight insurance fraud in Nevada. Dini, the longest-serving legislator in the history of the state, first elected in 1966, has served as Speaker of the Assembly for a record eight sessions. He recently relinquished the most powerful job in the Assembly to Henderson Police Captain Richard Perkins, but Dini will still chair the Commerce and Labor Committee, as well as sit on other committees. He was named "Best Legislator" in a survey conducted by the Las Vegas Review-Journal at the end of the 1999 session. Both Democrats and Republicans have described Mr. Dini as a gentleman and statesman.

The National Insurance Crime Bureau estimates the average American household pays \$300 a year in additional insurance premiums due to 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. The cost of insurance-related crime in the United States exceeds \$120 billion dollars a year. It is a growing problem in the Silver State. Nevada's average automobile insurance premiums have ranked as high as seventh in the nation, in part due to phony insurance claims.

A 1999 survey 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.

"Insurance fraud legislation has been presented during the last two legislative sessions, but it has been stalled both times," Dini said. "It appears that political wrangling has held up this important legislation. It is my intent to work with everyone involved to ensure this valuable piece of legislation is passed so that we can more effectively fight insurance fraud in this State. Insurance fraud is not a victimless crime. People who fraudulently rip-off insurance companies cause the insurance rates of law-abiding Nevada citizens to rise."

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"Protecting Citizens, Solving Problems, Making Government Work"

Dini said the bills being drafted--BDR's 57-331 and 57-322--would give the Office of the Attorney General primary jurisdiction to prosecute insurance fraud, provide subpoena power during the investigative stage of an insurance fraud case, allow reimbursement for the cost of investigation and prosecution of this crime at the time of sentencing, establish that insurance companies are victims for the purposes of restitution, and broaden the immunity section of the law.

The legislation would also increase funding for the Attorney General's Insurance Fraud Unit (IFU), which is in desperate need of money just to continue operating at its current staffing level. The money will come directly from insurance companies in the form of a pro-rata sliding scale amount based upon the total amount of premiums written by the insurance company. No general fund (tax) dollars are used to support the IFU.

Attorney General Frankie Sue Del Papa said, "I wholeheartedly support and applaud 'Mr. Speaker', Assemblyman Joe Dini, for his hard work and sponsorship on behalf of this very important fraud legislation."

The Attorney General's Office has been at the forefront in the fight against insurance fraud. Del Papa has reorganized and devoted additional resources within her office to fight insurance fraud. The IFU works closely with the United States Attorney's Office, District Attorneys' offices, FBI, National Insurance Crime Bureau, Coalition Against Insurance Fraud, National Health Care Anti-Fraud Association and other law enforcement agencies throughout the state in obtaining convictions.

Governor Kenny C. Guinn recently received the Attorney General's Biennial Report for Fiscal years 1999-2000, which in part outlines the success her office has had in fighting insurance crime. The report shows that the IFU received 662 new complaints from insurance companies of suspicious fraudulent claims during the biennium. As a result of these complaints, the Unit initiated 55 criminal actions, made 61 arrests, obtained 54 convictions, and realized in excess of \$2.5 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. Del Papa noted in the report that the IFU must receive additional funds to survive intact.

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 and the Biennial Report can be found on the Attorney General's website at: <http://ag.state.nv.us>.

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**NEWLY SELECTED ASSISTANT SOLICITOR GENERAL
SERVING TERM AS SUPREME COURT FELLOW**

Carson City—Attorney General Frankie Sue Del Papa announced today that 32-year-old Senior Deputy Attorney General (DAG) Joe Vadala from her Las Vegas office has been selected as a Supreme Court Fellow by the National Association of Attorneys General. Vadala will serve as a Fellow from January through March, along with Bridget Asday from the Vermont Attorney General's Office. Vadala, who resides in Las Vegas, has served as a DAG for five years, specializing in litigation for the Nevada Department of Transportation. When he returns from Washington, D.C., Vadala will assume the position of Assistant Solicitor General within the Nevada Attorney General's Office. He will supervise the Litigation Division within the Las Vegas office.

"I am delighted to have Joe receive this very special distinction," Del Papa said. "This is a very prestigious honor, as Joe will be able to observe many of the Court's oral arguments, along with assisting in the publication of various case synopses. The experience he will attain will also be of great service to the citizens of Nevada when Joe returns to fill the position of Assistant Solicitor General."

The Fellowship is an opportunity for state appellate attorneys to obtain direct experience of Supreme Court advocacy by observing argument at the Court, participating in the Project's moot courts, and writing a state amicus brief.

The work of the Fellows can be divided into two major areas: advocacy assistance and information sharing. In the first area, the Supreme Court Project has for the past 15 Terms provided oral advocacy assistance to states by organizing moot courts for all state attorneys who are arguing before the Supreme Court. The panels are composed of Supreme Court practitioners in the Washington area, both in private practice and in the government. The Fellows are

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expected to attend all moot courts and contribute to the roundtable discussion that follows the formal moot court session. In addition, the Fellows are expected to participate as panelists in several moot courts in cases of interest to them. The Fellows also attend all arguments in state cases, and we suggest they attend as many additional arguments as possible. Finally, the Supreme Court Project assists states with their written advocacy in the Supreme Court through the state amicus working groups and otherwise. One component of the written advocacy project is that each of the Fellows writes a state amicus brief in a Supreme Court case.

In the area of information sharing, the Supreme Court Project puts out weekly *Reports* during the Term informing states of opinions issued, cases granted review and other developments of interest in the Court. The Fellows are responsible for writing these weekly *Reports*. Another responsibility of the Fellows is putting out the monthly issues of the *State Constitutional Law Bulletin*, which summarizes recent state court decisions decided on state constitutional grounds. The Fellows compile the cases and draft the summaries.

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February 26, 2001

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NEVADA CONSUMER ADVOCATE CHALLENGES LATEST RATE HIKE

Carson City, Nevada – Timothy Hay, Consumer Advocate and Chief Deputy Attorney General in the Attorney General’s Bureau of Consumer Protection, today urged the Public Utilities Commission of Nevada to overturn its decision last Friday which allows a 17% increase in electric rates for customers of Nevada Power Company and Sierra Pacific Power Company to go into effect March 1, 2001. In a motion filed today, Hay stated that the action taken by the Commission on Friday was unlawful because it violates a Nevada statute that prevents a utility from seeking an increase in rates more often than once every 30 days. Hay asked that the Commission take emergency action on its motion, prior to March 1, to ensure that the new unlawful rates are not put into effect. Hay warned that any collection of the new rates by the two utilities will be subject to refund.

“The Commission has fallen for the rhetoric and unsupported claims made by the company and as a result has overreacted by allowing a rate increase that is unlawful,” Hay said. “Nevada law is very clear, a utility cannot ask to recover fuel costs more often than once every 30 days. The rate hike that the Commission approved Friday was filed only 17 days after the previous one. It is absolutely imperative that the Commission follow the law. Otherwise, utilities throughout the state could literally file for rate increases at any time and without justification.”

The Commission’s action on Friday was in response to a so-called Comprehensive Energy Plan (CEP) filed by the two electric utilities January 29, 2001. Hay’s office filed a motion to dismiss that filing in early February, but the Commission has yet to rule on the motion.

“At this point, we have no idea if ratepayers will even get their day in court,” said Hay. For the past seven months, the utility has been filing rate increases every 30 days to recover the cost of fuel pursuant to Nevada law and the global stipulation entered into by the utility, the Bureau of Consumer Protection, and several other parties. That agreement set a cap on the amount the utility could seek to recover. Hay said the reason the utility filed its CEP out of order was to avoid its responsibility to abide by those rate caps.

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Hay also criticized the Commission for making such a hasty decision without considering any evidence from any party, except a presentation by its own staff based on a company press release.

“Approving the rate increase without any investigation or input from other parties sets an alarming precedent. It appears that the only information used by the Commission to justify its action was a press release issued by the utility. It is incomprehensible that this Commission would approve the largest rate hike in the state’s history based on what it has read in a newspaper.”

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AG'S OFFICE WILL TESTIFY ON TOUGHENING STATUTES REGARDING SCHOOL PERSONNEL WHO HAVE SEXUAL CONTACT WITH STUDENTS

Carson City—Deputy Attorney General Matthew Dushoff will testify before the Senate Judiciary Committee on Tuesday, February 27, 2001, in regards to strengthening Nevada's current statutes addressing school personnel having sexual contact with a student.

Dushoff, who is the President-Elect of the Nevada Coalition Against Sexual Violence, says that the purpose of Senate Bill 183 is twofold:

- To amend Nevada Revised Statute 201.540 to include sexual conduct with a student who is 14 or 15 years old. The present statute relates only to sexual contact with a student who is 16 or 17 years old. SB 183 will also provide an increased penalty from a class "C" to a class "B" felony for violations involving a 14 or 15 year old student, thereby increasing the penalty to 1-6 years along with a fine of not more than \$5,000.
- SB 183 would change the present language to include volunteers who work at a school. The present statute only addresses employees of a public or private school.

"Clearly, based upon the recent rash of cases involving teachers having sexual relations with their students, there is a need to increase the penalty regarding such disdainful acts," Dushoff said. "Moreover, the Coalition and many concerned citizens realize there needs to be a stronger penalty for teachers who prey on impressionable younger students. These 14 and 15 year-old students, who are just entering high school, rely on their teachers as both mentors and educators to help guide through high school. Teachers who take advantage of such a position of authority need to know that such actions will not be tolerated."

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(I KNOW THE QUOTE IS LONG, YOU ARE WELCOME TO DO WITH IT WHAT YOU WILL.)



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ATTORNEY GENERAL WILL KICK OFF CYBER CRIME CONFERENCE

Las Vegas--Attorney General Frankie Sue Del Papa will kick off a three-day Cyber Crime Conference in Mesquite, Nevada, February 28-March 2, 2001, with a news conference in Las Vegas on February 28, at which time she will unveil the plans and agenda of the newly formed Nevada Cyber Crime Task Force. **The news conference will take place at 10:00am in the Grant Sawyer Building, located at 555 Washington Avenue, in Room 4700.**

The Cyber Crime Conference will take place at the Casa Blanca Resort in Mesquite February 28-March 2, 2001. The Conference, geared towards law enforcement and prosecutors, but open to business people and the general public as well, will offer three days of presentations and workshops to teach the latest crime-fighting techniques.

In response to the growing problem of cyber crime, the Nevada Cyber Crime Task Force was formed as a result of legislation first introduced by the Nevada Attorney General's Office in 1997. The Task Force gained its official designation with the passing of the Omnibus High Technology Crime Bill during the 1999 Legislative session.

The Task Force, which pools experts from local, state and federal law enforcement agencies, is aimed at better coordinating the resources and expertise of those agencies which, in turn, can better share manpower and resources in the investigation and analysis of cyber crimes. The Task Force will also offer training to all law enforcement on how to better investigate and prosecute cyber crimes.

"The goal of the Nevada Cyber Crime Task Force is to create a coordinated law enforcement effort appropriate for the state, with its geographically dispersed population," Del Papa said. "Task Force members share resources and expertise as needed. The immediate goal of the Task Force has been the establishment of a core of computer examiners--experts in the retrieval of data and analysis of computer and electronic storage devices. These examiners will be available to offer advice or complete examinations for Nevada law enforcement."

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According to Tara Shepperson, Executive Director of the Nevada Cyber Crime Task Force, “The increased use of computers and devices such as cell phones and computerized personal diaries has raised challenges for law enforcement. Often, evidence of a crime may not be found on paper or in file cabinets. Rather, law enforcement must enter the virtual electronic environment of the Internet and computer files to retrieve information. The Cyber Crime Conference will prove useful to all law enforcement agencies, which now must learn how to more efficiently investigate and prosecute these types of crimes.”

The Cyber Crime Conference is being co-sponsored by the Nevada Prosecution Advisory Council. For more information about the conference or the Task Force, please call Tara Shepperson at (775) 688-1869.

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ATTORNEY GENERAL'S "COYOTE CASE" LEADS TO GUILTY PLEA

Las Vegas —Attorney General Frankie Sue Del Papa has announced that Rory Griffin Graham, 37, formerly of Boulder City, pleaded guilty this morning to three felony counts of Insurance Fraud stemming from the so-called "Coyote Case." Clark County District Court Judge John S. McGroarty is scheduled to sentence Graham on April 19, 2001. He faces up to twelve years in prison, as well as fines up to \$15,000. As part of a plea agreement with the Insurance Fraud Unit, Graham will make restitution of \$83,324.39 to the insurance companies defrauded by Graham and his co-defendant, Daniel James Erickson, who is currently in custody in California on unrelated charges.

The State of Nevada has filed a civil forfeiture action relating to one of Graham's bank accounts that contains \$154,000, alleging that the account contains the proceeds of Graham's criminal conduct.

According to the original charges, in April 1997, Graham & Erickson each took out separate insurance policies with various companies on a 1993 Lexus, using falsified ownership documentation and proof(s) of identification. They concealed their prior insurance coverage and claims history to falsely obtain the coverage. Each later reported to their respective companies that after swerving to avoid a coyote on U.S. Highway 93, he had been involved in a collision with a guardrail. The two were paid more than \$83,000 on these phony claims. According to National Insurance Crime Bureau (NICB) Senior Agent Tom Norton, Graham and Erickson had filed more than 15 suspect claims in Nevada and California, claiming losses in excess of \$120,000.

The scam was uncovered after an agent for Geico Insurance recognized Erickson as someone the company had insured earlier and who had made a similar claim. Geico referred the matter to NICB. An investigation that became known as the "Coyote Case" was launched, with NICB, the Insurance Fraud Unit, and special investigative units from Geico, Allstate, Farmers, Mercury Casualty, Nevada General, Progressive, and Titan Insurance all actively involved.

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"The success of this investigation, the resulting criminal charges, and the capture of both Graham & Erickson, are the result of excellent cooperation by the FBI, our office and the insurance industry," Del Papa said. "Insurance fraud perpetrated at this level can only be combated by continued partnership among law enforcement, the industry, and private citizens. It is important to keep in mind that insurance fraud is not a victimless crime. It costs the industry time and money, which in turn means that every citizen of Nevada pays the freight through increased premiums."

Graham & Erickson were originally charged in November 1998. They had been fugitives until late last year, when Graham was arrested in Wisconsin on phony credit card charges. Through information developed following Graham's apprehension, the FBI Fugitive Task Force was able to locate and arrest Erickson in southern California.

If you have knowledge 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 <http://ag.state.nv.us>.

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FOR IMMEDIATE RELEASE
February 21, 2001

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ALERT ISSUED ABOUT SCAM INVOLVING SENIOR-Rx PROGRAM

Carson City—Attorney General Frankie Sue Del Papa and the Nevada Department of Human Resources are warning consumers about a scam in which a male identifying himself as “Jamon” calls senior citizens claiming he is from the State of Nevada’s Senior Rx program. The senior citizen is asked to provide his name, address, social security number and about the sources of his income. The caller then claims the senior is enrolled in the Senior Rx program and will receive his prescription drug card in ten to twelve days.

The Senior Rx program, which is operated by the Department of Human Resources, **does not accept telephone applications**; the senior citizen must sign all applications. Unless a senior has submitted an application for the Senior Rx program, they are urged not to provide personal information to telephone solicitors. If a senior receives a suspicious telephone solicitation for the Senior Rx program, they should call the **Attorney General’s Office in Northern Nevada at (775) 687-6300, or in Southern Nevada at (702) 486-3194.**

The Senior Rx program is a state program to assist seniors with their prescription drug costs. Seniors who are interested in applying can call 1-800-243-3638 to receive an application and information packet.

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FOR IMMEDIATE RELEASE
February 20, 2001

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LOST PET SCAMMER ARRESTED BY ATTORNEY GENERAL'S OFFICE

Las Vegas---Attorney General Frankie Sue Del Papa has announced that Catharine Ann Malandish was arrested today in Reno, Nevada by investigators in the Attorney General's Bureau of Consumer Protection. Malandish's co-defendant, William Arnold Muniz, was arrested last week in Northern California on unrelated parole violations. The Attorney General's Bureau of Consumer Protection filed a Criminal Complaint against William Muniz and Catharine Malandish on February 5, 2001, charging them with illegally obtaining money from the owners of lost pets.

The three-count felony Criminal Complaint alleges that William Muniz called at least two victims and stated that he had found their pets while passing through Nevada on vacation. Muniz told his victims that he had obtained costly veterinary treatment for the pet. Muniz also stated that he had become attached to the pet and that he had prepared to fly the pet back to his hometown in Canada. Muniz told the victims that he would return their pets if they would reimburse him for costs by sending him money via Western Union Wire Transfer. In one case, a Tahoe resident sent \$400.00 to Muniz for the return of his daughter's cat. In another case, a California resident sent \$600.00 to Malandish in Reno, Nevada for the return of her beloved cat. Neither victim received their cat in return.

The Criminal Complaint also alleges that Muniz contacted a third victim and told her that he had found her lost necklace in San Francisco, California. Muniz told the victim that he would return her necklace if she would send him money. The victim sent \$500.00 to Muniz in Reno, Nevada via Western Union Wire Transfer; however, she never received her necklace in return.

Based on the allegations in the complaint, Arrest Warrants for both Muniz and Malandish were issued by the Reno Justice Court. Malandish was arrested and charged with one felony count of Theft by Obtaining Money Under False Pretenses. Muniz will be extradited to Nevada to stand trial on three felony counts of Theft by Obtaining Money Under False Pretenses.

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Theft by Obtaining Money Under False Pretenses is a Category C Felony and carries a sentence of one to five years. Muniz has prior convictions in Nevada and may be charged as a Habitual Criminal. If proven, Muniz could face a sentence from 10 years to Life Without Parole.

The Attorney General's Bureau of Consumer Protection offers the following tips to avoid becoming a victim of this type of scam:

- Use a more general description of your animal or other lost property in advertisements. This will enable you to question the person who has allegedly found your animal or property about specifics.
- Offer to pay the veterinarian or airline directly for costs associated with your pet or other lost property. Be suspicious if the caller objects to this.

If you believe that you have been a victim of a Lost Pet Scam, or would like further information, please 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 Attorney General's Web site at ag.state.nv.us.

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

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FOR IMMEDIATE RELEASE
February 20, 2001

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**BAUSCH & LOMB TO PAY \$17.5 MILLION IN CASH AND BENEFITS PACKAGES
TO CONTACT LENS WEARERS**

Carson City--Attorney General Frankie Sue Del Papa announced today that Nevada residents who bought replacement contact lenses made by Johnson & Johnson Vision Products, Inc. ("Vistakon"), Bausch & Lomb, or CIBA Vision ("CIBA") are eligible to receive a cash rebate and product benefits package worth \$120 from Bausch & Lomb under a proposed partial settlement of antitrust lawsuits filed by Nevada and 31 other states. The action was based on allegations that the manufacturers prevented consumers from purchasing the products from discount suppliers, such as mail order, discount drug stores, and the Internet.

"The Antitrust Division of the Bureau of Consumer Protection, under the direction of Consumer Advocate Timothy Hay, has once again proven to be a valuable asset to the citizens of Nevada," Del Papa said. "Through the diligent efforts of this Division, consumers are benefiting where it often counts most, in the pocketbook. Allowing consumers to purchase quality products at the best prices is essential for today's economy."

If the settlement wins final court approval, Bausch & Lomb will pay \$8 million into a settlement fund that will be used to pay for the costs of noticing the settlement, costs of suit, including reasonable attorneys' fees and/or to pay claims. Additionally, Bausch & Lomb will pay \$9.5 million in cash rebates and product benefits and has agreed to injunctive relief prohibiting it from refusing to sell its replacement contact lenses to discount suppliers.

Lens wearers who bought replacement contact lenses from Vistakon, Bausch & Lomb, and CIBA after January 1, 1988, are eligible to receive the rebate and benefits package, if the settlement receives final court approval. Some of the more popular names of these companies' replacement lenses are: Acuvue [R], SeeQUENCE [R], Focus [R], and NuVues [R]. Contact lens wearers may either call a toll-free number (888-707-5880) or log on to

www.freecontactlensrebates.com to register for the benefits package, to obtain further information, or to object to or opt out of the settlement.

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Thirty-two state attorneys general joined with private counsel in filing lawsuits in federal district court in Jacksonville, Florida, against the American Optometric Association (“AOA”), Vistakon, Bausch & Lomb, CIBA and individual optometrists for violating the antitrust laws. In addition to restraints on sellers, plaintiffs allege that restraints on patients made it difficult for many consumers to get the prescriptions or other information needed to buy from these more convenient outlets. The plaintiffs settled with CIBA Vision in November 2000. Bausch & Lomb is the second contact lens manufacturer to settle the claims.

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**LAS VEGAS PHARMACY OPERATORS
SURRENDER TO AUTHORITIES ON MEDICAID FRAUD CHARGES**

Las Vegas—Attorney General Frankie Sue Del Papa today announced that the operators of a local pharmacy have surrendered to authorities on multiple charges of Medicaid Fraud and False Prescriptions. Leroy K. Parodi, 57, and his wife Jeanette Parodi, 56, turned themselves in on Friday, February 16, 2001, on separate counts of Medicaid Fraud, a felony; Conspiracy to Commit Medicaid Fraud, a gross misdemeanor; False or Altered Prescriptions, a felony; and Conspiracy to Possess False or Altered Prescriptions, a gross misdemeanor. The Parodi's business, Bradlee Pharmacy, was also charged. The felonies carry penalties of up to four years incarceration and fines up to \$5,000.

Medicaid Fraud Control Unit (MFCU) Director Tim Terry said the charges stem from an earlier investigation in which a pharmacist pleaded guilty to Felony Medicaid Fraud. It's alleged the pharmacist was improperly billing Medicaid for drugs that were being diverted from a commercial pharmacy to Bradlee Pharmacy, which accepted the drugs and treated them like regular stock/supplies. The drugs were subsequently dispensed to Medicaid patients. A second set of bills was then submitted to Medicaid for payment. The investigation into Bradlee Pharmacy and the Parodi's actions utilized the resources of the MFCU, Nevada's Division of Investigation, and the State Board of Pharmacy.

"This is yet another example of how the cooperative and collaborative efforts of several state agencies can result in health-care fraud cases being brought to prosecution," Del Papa said.

Early in the investigation, the Parodi's and their attorneys contacted the Attorney General. Plea Agreements are expected to be forthcoming.

The charges against the Parodi's and Bradlee Pharmacy are merely allegations. They are presumed innocent until or unless proven otherwise in a court of law.

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 be found on the Attorney General's web site at <http://ag.state.nv.us>.

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**RENO CITY ATTORNEY'S OFFICE AWARDED GRANT
TO ASSIST IMMIGRANT VICTIMS OF DOMESTIC VIOLENCE**

Carson City--Attorney General Frankie Sue Del Papa announced today the award of grant funds to the Reno City Attorney's Office to help support costs associated with conducting conferences addressing issues faced by battered immigrant victims of domestic violence in Nevada. The awards, from the STOP Violence Against Women Grant Program administered by Del Papa's office, will be used for two conferences—one in the north and one in the south--, the exact dates of which will be announced in the near future. Representatives from all disciplines are welcome.

While the Reno City Attorney is the lead agency for the Battered Immigrant Victims' Task Force and will coordinate the conferences, other agencies involved are the Las Vegas City Attorney, Las Vegas Metropolitan Police Department, Nevada Network Against Domestic Violence, Nevada Hispanic Services, Safe Nest, Family Support Council of Douglas County, and the Family Resource Centers of Nevada.

"The Violence Against Women Act provides some remedies for immigrant victims of domestic violence but, unfortunately, many prosecutors, defense attorneys and service providers are unfamiliar with the unique issues facing immigrants," Del Papa said. "When immigrants who are battered become involved with the criminal justice system or social service systems, the service providers are often unaware of the impact of their actions on these victims. The goal of this project is to educate prosecutors, defense attorneys, private lawyers, victim advocates, and service providers about the remedies and options available to this underserved group of victims of domestic violence, and to provide resources to these victims."

For additional information regarding the Battered Immigrant Victims' Task Force program, please contact Patricia Lynch or Gabrielle Gillette at the Reno City Attorney's Office at (775) 334-2050.

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As a result of the Violence Against Women Act, which was first enacted in 1994, Nevada has received and distributed more than \$6 million in VAWA STOP Formula grants from the Violence Against Women Office (VAWO) of the U.S. Justice Department since 1995. Additionally, several discretionary projects in Nevada have been supported by funding from the Rural Domestic Violence and Child Victimization Enforcement Grant Program, the Grants to Encourage Arrest Policies Program, as well as the Domestic Violence Victims' Civil Legal Assistance Grant Program.

For more information on how the Attorney General's Office is working to end domestic violence in Nevada, or to find out how you can help, call Domestic Violence Ombudsman Veronica Frenkel at (775) 688-1846, or visit the office's web site at <http://ag.state.nv.us>.

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FOR IMMEDIATE RELEASE
February 16, 2001

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(775) 688-1846

DEL PAPA SENDS LETTER TO CONGRESS IN SUPPORT OF VAWA OFFICE

Carson City—Attorney General Frankie Sue Del Papa has sent a letter to the United States Congress, urging the legislative body to create a permanent Violence Against Women Office, a Division of the U.S. Department of Justice. The VAWA Office was first created in 1995 to implement the Violence Against Women Act of 1994. Since its inception, the Office has lead a national effort to end the crimes of domestic violence, sexual assault and stalking. The VAWA Office creates policy and administers grants to state government, who in turn release that funding to local community organizations, law enforcement agencies, prosecutors and courts to address violence against women.

Del Papa, who chairs the Nevada Domestic Violence Prevention Council and is co-chair of the National Association of Attorneys General (NAAG) Domestic Violence Council, said in her letter to Congress, "Our office has been honored to be the administrator of numerous VAWA grants for Nevada during the past six years, and has appreciated the invaluable support and assistance provided by staff from the Violence Against Women Office."

In the U.S., nearly 25% of women surveyed reported they had been physically and/or sexually assaulted by a current or former intimate partner at some point in their lifetime, and one-in-six women has experienced an attempted or completed rape in her lifetime.

"The establishment of a permanent VAWA Office will better ensure that federal dollars under the Violence Against Women Act of 2000 are administered in the most effective manner possible to best serve victims and help to end violence in our communities," Del Papa said.

Legislation to create a permanent VAWA Office has been introduced in the U.S. Senate (S. 161) by Senator Paul Wellstone (D-MN), and in the House of Representatives (H.R. 28) by Representatives Louise Slaughter (D-NY), Connie Morella (R-MD) and Karen McCarthy (D-MO).

For more information on what you can do to help domestic violence in Nevada, click on to the Attorney General's web site at <http://ag.state.nv.us>.

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FOR IMMEDIATE RELEASE
February 15, 2001

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CONSUMER ADVOCATE SAYS RATE INCREASE REQUEST IS UNLAWFUL

Carson City, Nevada — The Nevada Attorney General's Bureau of Consumer Protection today filed a Motion with the Public Utilities Commission of Nevada asking the Commission to immediately dismiss a joint application by Sierra Pacific Power Company and Nevada Power Company that would raise rates as much as 29% for some customers. The rate increase request is part of the companies' Comprehensive Energy Plan (CEP), filed with the Commission on January 29, 2001 as a "market stabilization plan." The rate increase request included in the CEP filing is in addition to increases the companies have been receiving since last fall from the monthly fuel and purchase power adjustments.

In asking the Commission to dismiss the CEP filing, Consumer Advocate Timothy Hay argues that the companies should not be allowed to circumvent the existing Global Settlement by filing a request for additional fuel and purchased power recovery. According to Hay, information provided in the CEP filing is deficient and deviates from established filing requirements. Hay also alleges that the CEP filing is inconsistent with existing law and regulations and violates terms of the Global Settlement from which the monthly fuel and purchase power adjustments were established.

Last week the companies were criticized for not withdrawing a federal lawsuit as they had agreed to do as a condition of the Global Settlement. In the document filed today, Hay criticizes the two utilities for failing to adequately plan for their resource requirements to mitigate the impact of the wholesale power markets during the duration of the Global Settlement.

"The companies continue to blame the California energy crisis as the sole reason for continuing rate increases and fail to recognize that their current financial situation was driven in large part by their own imprudent decisions," said Hay.

Nevada Power asks the Commission in the CEP filing to authorize them to pursue contracts for a long-term supply portfolio. "Although we agree it is critical to review Nevada Power's long-term supply strategy, the Commission has already reviewed Nevada Power's resource plan, found it deficient because it did not include any long-term power agreements and ordered the company to file a revised plan in another docket that deals with the company's resource planning issues," Hay said.

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February 15, 2001

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**ATTORNEY GENERAL PLEASSED THAT
FEDERAL COURT UPHOLDS STATE ELECTION LAW**

Carson City—Attorney General Frankie Sue Del Papa said today, in reference to the Federal District Court decision that upholds Nevada's election law prohibiting anonymous political fliers, "This is a great victory for all those who support honest and open election campaigning."

Judge David Hagen ruled that the "statute protects the integrity of the election process by promoting truthfulness in campaign advertising."

The case, filed last year by the ACLU against Del Papa and Secretary of State Dean Heller, sought to invalidate the requirement that election campaign materials identify the person paying for its publication. The situation arose over a campaign flier distributed last year against former Clark County Commissioner Lance Malone.

With the Federal Court's decision, Del Papa's office will next make a decision on whether to proceed with lawsuits filed as a result of the flier against Station Casinos, political advisor Tom Skancke, and former Station Casino employee Mark Brown.

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February 14, 2001
FOR IMMEDIATE RELEASE

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CONSUMER ADVOCATE QUESTIONS PROVISIONS OF SALE OF WATER UTILITY

Carson City--Timothy Hay, Consumer Advocate and Chief Deputy Attorney General in the Attorney General's Bureau of Consumer Protection, today asked the Public Utilities Commission of Nevada to strike a provision in the contract for sale of Sierra Pacific's water division to the newly formed Truckee Meadows Water Authority (TMWA). The provision states that any adverse condition imposed by the Commission shall be deemed a non-approval, thus prohibiting the Commission from exercising its authority to order the Company to share with water ratepayers any portion of the multi-million dollar gain on the sale.

The Commission must approve the sale and a request from the utility to discontinue serving its customers before the transfer of the assets can occur. In a legal document filed with the Commission, the Consumer Advocate claims that one provision in the contract is unlawful because it forces the Commission to approve the entire sale without imposing any conditions.

"This provision blocks the Commission's authority to determine treatment of the gains from the sale, and effectively usurps our rights and the rights of other parties to present arguments to convince the Commission to allow ratepayers to share in these gains," said Hay. "There is clear legal authority to support ratepayers keeping a fair share of this gain. For decades, ratepayers have supported these facilities and contributed to the value of those assets through the rates they pay. They are entitled to at least some of the large gain from the sale."

According to Sierra, the net book value of its water assets as of September 30, 2000 was approximately \$264 million. The TMWA intends to purchase those assets for approximately \$350 million, using long-term tax-exempt revenue bonds. After-tax net gain on the sale to Sierra is expected to be about \$50 million. Hay said his office has not yet determined the exact amount it will recommend the Commission allow ratepayers to keep from the sale. "While we do not oppose this sale, we must preserve the Commission's right to review the transaction, and our right to ensure that ratepayers are adequately protected."

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FOR IMMEDIATE RELEASE
February 14, 2001

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**CONSUMER ALERT:
ATTORNEY GENERAL WARNS CONSUMERS
ABOUT SCHEME TARGETING AFRICAN-AMERICANS**

Carson City--Attorney General Frankie Sue Del Papa is issuing a consumer alert regarding a so-called "slave reparations" program that targets African-Americans. Capital Connections, Inc., (aka CCI), is a Nevada company that claims to help people apply for slave reparations money by stating that the federal government has "billions of dollars set aside" for a program "aimed specifically at people of African-American descent." The Attorney General's Bureau of Consumer Protection has demanded that the company discontinue its slave reparations program, and the U.S. Postal Service had the company sign a Statutory of Voluntary Discontinuance, thereby diverting Capital Connections mail to the U.S. Postal Inspector General stationed in Las Vegas.

Capital Connections/CCI asks people to provide their most important personal information—social security number, date of birth, address – and to sign an IRS Power of Attorney to Capital Connections/CCI.

There is no federal slave reparations program, and there is no IRS tax credit or refund program relating to slave reparations. The Attorney General wishes to warn consumers that this type of program can be used for "identity theft," where a consumer's personal information is used to open credit card accounts, get tax records, or even obtain people's tax refunds.

The Attorney General strongly advises consumers to follow these precautions:

- Do not provide personal information—Social Security number, date of birth, address, etc.—to any person or organization that you are not familiar with.
- If you have already provided papers to Capital Connections/CCI, you can file a form to specifically cancel the IRS Power of Attorney authorization.

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- If you receive any solicitations from Capital Connections/CCI or others asking you to pay for program filings, be very skeptical and decline.
- Watch your credit card and other bills to make sure no one is making unauthorized charges.

If you believe that you may have been a victim of identity theft, or would like further information on Capital Connections, Inc., please call the Attorney General's Bureau of Consumer Protection at (702) 486-3194 in Las Vegas; (775) 688-1818 in Reno; or (775) 687-6300 in Carson City. The Attorney General's Office can be reached in Carson City at (775) 684-1100. Consumer information can also be found on the Attorney General's web site at <http://ag.state.nv.us>.

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February 14, 2001

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ATTORNEY GENERAL ISSUES CONSUMER ALERT REGARDING PHONE SCAM THAT TARGETS LATINO COMMUNITY

Carson City—Attorney General Frankie Sue Del Papa's Bureau of Consumer Protection (BCP) is warning the Latino community to be on the alert regarding a telephone scam. The BCP has recently received several complaints from Nevada residents, primarily in the Latino community, who have been victims of a collect telephone call scam.

Consumers are getting stung by "emergency" collect calls in which the "operator" states that the "caller" is a relative from outside the United States. The "operator" often gives the name of a specific relative. It is unknown as to how the scammers are finding the names of the relatives or consumers. When the consumer accepts the collect call, he discovers that the caller is not the relative they expected to talk to, but a stranger who attempts to string out the length of the telephone call as long as possible. When the customer receives his telephone bill, there is a charge for an international collect call, sometimes totaling hundreds of dollars.

"Consumers should always be cautious before accepting charges for an international collect call," Del Papa said. "If a collect call is accepted, and the caller turns out to be a stranger, hang up immediately. Then call your local telephone carrier to report the incident. When your bill comes, be sure to promptly check for long distance charges you do not recognize. If your bill contains an unauthorized call, contact your local telephone company. Your notification will help telephone companies identify telephone numbers that are the source of abuses."

If you have been a victim of this telephone scam, please contact the Nevada Office of the Attorney General, Bureau of Consumer Protection at (775) 687-6300 in northern Nevada, or at (702) 486-3194 in Las Vegas. You may also file a complaint with the Federal Trade Commission by contacting the Consumer Response Center's toll-free number at 1-877-FTC-HELP (1-877-382-4357).

Consumer protection information can also be found on the Attorney General's web site at <http://ag.state.nv.us>.

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February 9, 2001

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**MEDICAID FRAUD CONTROL UNIT'S EFFORTS
RESULT IN HUGE SAVINGS TO STATE MEDICAID PROGRAM**

Carson City—Attorney General Frankie Sue Del Papa said today that for the past two years, the Medicaid Fraud Control Unit (MFCU), a Division of her office, has been at the forefront of efforts to eliminate prescription drug price fraud by pharmaceutical manufacturers. A joint investigation by Del Papa's Office, MFCU representatives from Maine, New York and Washington, and representatives from the U.S. Department of Justice and the U.S. Attorney's Office in Miami, Florida, is looking into allegations that pharmaceutical manufacturers were misrepresenting the costs of various drugs. The end result was that Medicaid programs were grossly overpaying doctors and pharmacies that prescribed and supplied those drugs.

Nevada MFCU Director Tim Terry said the government's investigation centered on allegations that pharmaceutical manufacturers falsely inflated reported drug prices, referred to in the industry as "Average Wholesale Price (AWP)," "Direct Price," and/or "Wholesale Acquisition Price (WAC)." This practice is known as "marketing the spread." The price indexes are used by state Medicaid programs to establish reimbursement rates for drugs.

"By setting artificially high price indexes, and then subsequently selling the drugs at dramatic discounts, the manufacturers induced physicians to use their products, as opposed to less expensive equivalent products produced by other companies," Del Papa said. "It also meant that state Medicaid program were significantly overpaying for these drugs."

The investigation led to the modification of more than 400 drug prices in May 2000. As examples:

| <u>Drug Name</u> | <u>April 2000</u> | <u>May 2000</u> |
|------------------|-------------------|-----------------|
| Adriamycin | \$241.36 | \$ 33.43 |
| Amikacin | \$ 54.56 | \$ 6.75 |
| Toposar | \$ 28.38 | \$ 1.70 |

NOTE: Other examples, and a description of the drugs use, are included in this fax.

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“Due to the diligent and cooperative efforts of the various state and federal representatives involved in this investigation, these price reductions are being passed on to state Medicaid programs across the country,” Terry stated.

The Bayer Corporation settlement that was announced on January 23, 2001, was another result of the action taken by state MFCUs and the federal government. The settlement resulted in Bayer agreeing to pay \$14 million to the states and the federal government (see Nevada Attorney General’s Office web site for details—<http://ag.state.nv.us>. Look under AG News Releases, January 2001).

The Medicaid Fraud Control Unit investigates and prosecutes instances of provider fraud. Anyone wishing to report suspicions regarding fraud may contact the Medicaid Fraud Control Unit at (775) 687-4704 in Carson City, or at (702) 486-3187 in Las Vegas. Medicaid Fraud prevention information can be found on the Attorney General’s web site at <http://ag.state.nv.us>.

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THOMAS M. PATTON
First Assistant Attorney General

FOR IMMEDIATE RELEASE
February 9, 2001

CONTACT: Gianna Orlandi
(702) 486-3199

February 5-10 is National Consumer Awareness Week. In conjunction with the National Association of Attorneys General, the Nevada Attorney General's Bureau of Consumer Protection will send out a daily release designed to increase consumer understanding and knowledge on a particular subject.

**CONSUMER ALERT:
ATTORNEY GENERAL WARNS CONSUMERS
ABOUT PROTECTING THEIR PRIVACY WHEN USING THE INTERNET**

Using the Internet is an increasingly popular method for consumers to obtain information about a particular subject, or to purchase products from a web site. But consumers need to be aware that Internet sites are not just used to distribute information, they can also be used to collect information on users. For example, search engines routinely note the topic or subject matter researched by users before choosing which ads to display on the particular site.

Web consumers also need to be aware of "cookies," which are tiny files that serve as a tracking beacon of your movements throughout the Web. Some web sites will place these cookies on your computer, although the cookie cannot tell the web site the user's name or email address.

It is important for consumers to understand that every time they provide any personal information on a web site, that information is often placed on a database that could be sold to a third party for telemarketing or other sales purposes.

The Attorney General's Bureau of Consumer Protection offers the following tips for consumers to remember when using the Internet:

- Think carefully before disclosing any personal information on line. For example, when entering that "free contest," or signing up for a credit card, remember that your personal details could be distributed to others.

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- If you do decide to provide personal information on a web site, investigate what, if any, “privacy policy” the site maintains. By doing so, you will be better able to protect yourself from unwanted junk mailers and telemarketers.
- Never provide your Social Security Number, address, or other vital information in response to an e-mail or proposal in which you are contacted first by the provider.
- When shopping on line, make sure to make purchases only from those web sites that possess a secured method for making the transaction. By doing so, you decrease the chances of becoming a victim of credit card fraud or identity theft.

If you believe that you may be a victim of on line fraud or identity theft, or would like further information, please call the Attorney General’s Bureau of Consumer Protection in Las Vegas at 702-486-3194; in Reno call 775-688-1818; or in Carson City at (775) 687-6300. The Attorney General’s Office can also be reached in Carson City as 775-687-6300. Consumer information can also be found on the Attorney General’s web site at ag.state.nv.us.

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FOR IMMEDIATE RELEASE
February 8, 2001

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(702) 486- 3326

**LICENSE PLATES THAT WILL BENEFIT NEVADA
MISSING CHILDREN CLEARINGHOUSE NOW AVAILABLE**

Carson City--Attorney General Frankie Sue Del Papa wants consumers to know that special Nevada license plates that will help support the Nevada Missing Children Clearinghouse are now available.

The Clearinghouse was established by the state legislature in 1991 in response to the staggering number of children reported missing each year. In 1999, there were an estimated 8,000 children reported missing in Nevada alone. The Clearinghouse was created as a central repository for information regarding missing children. The Clearinghouse receives missing child reports from throughout the state, maintains a statewide database, works in tandem with the National Center for Missing and Exploited Children, acts as a liaison among national clearinghouses, and assists other states with missing children investigations.

“Educating the public on the plight of missing children and on how to keep our children safer is the primary function of the Clearinghouse,” Del Papa said. “The Clearinghouse is also responsible for investigating and prosecuting parental abductions, and for providing training for law enforcement agencies throughout the state. A portion of the revenue from the sale of these specially designed license plates will assist the Clearinghouse with meeting its number one priority, to better protect our children from harm.”

The plates are available at all full service Department of Motor Vehicles and Safety offices. The cost is \$51, which includes a \$1 Prison Industry Fee. The renewal fee is \$20. Personalized plates are also available for \$86, and a renewal fee of \$40. Applications for personalized plates are available at DMV/PS offices.

For more information on the Nevada Missing Children Clearinghouse, visit the Attorney General’s web site at <http://ag.state.nv.us>, or call (702) 486-3326.

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February 8, 2001

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**FUTURE OF WALKER LAKE WILL BE
DEBATED AT SUPREME COURT**

Carson City-- Attorney General Frankie Sue Del Papa's Office will present arguments before The Nevada Supreme Court on Friday, February 9, 2001, at 9:30am, regarding whether the State of Nevada can reallocate Walker River to help Walker Lake. Del Papa's Office will argue that Nevada's State Water Engineer is not authorized to unilaterally alter the river's water rights, because a federal court in Reno exclusively controls the rights, many of which were created a century ago. Historically, the lake levels at Walker Lake have declined, raising concerns among environmental organizations about the Lake's health.

The Walker River flows from the Sierras near Bridgeport, California, through Nevada, ending at Walker Lake. In the 1930s, ownership of water in the Walker River was determined by a federal court, which has controlled water diversions ever since.

Last year, Mineral County sued the State of Nevada in the Nevada Supreme Court, asserting the State must cutback long-established Walker River water rights to help the Lake. Mineral County has sought the same relief in the Reno federal court. The Attorney General's Office will argue that Nevada's Legislature never authorized the State Engineer to go back and take water away from people who have relied on the water for a century, and then reallocate it to another use. Del Papa's Office will also claim that even if the State had that authority, it could not help Walker Lake because the State has no jurisdiction over California water rights, Indian water rights, and federal water rights.

"The agricultural economy of Smith and Mason Valleys, as well as many Nevada and California communities along the Walker River, depend on their current uses of Walker River water," Del Papa said. "This case should be in the federal court. Any solution for Walker Lake requires changes to Weber Reservoir, which is located on an Indian reservation in northern Nevada. The federal court, not the State of Nevada, has authority over that reservoir. Also, the federal court, not the State of Nevada, has authority over other federal water rights and water rights in California. Mineral County's request would force only Nevada water right owners to lose water to help the Lake, and that is simply not fair and just."

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Mineral County claims the case is similar to one made for Mono Lake in the 1980s in California. Del Papa's Office disagrees, because that case involved one water right that was hardly used, while alternative water sources existed. In the Walker River case, communities were built and have relied on this water for a century, and there are no alternative water sources.

"The legislature has never authorized the State Engineer to do what Mineral County wants," said Deputy Attorney General Paul Taggart, who will argue the case before the Nevada Supreme Court. "If it did, the State Engineer could unilaterally alter long-established water rights, thereby affecting local communities, which depend on them. Since early last century, our Legislature has left unchanged Nevada's water code that allows citizens to own water rights as private property. The Legislature's system lets water rights be bought and sold if a better use for the water is found. If this system must be changed to help Walker Lake, the Legislature has to do it, not the State Engineer or the Supreme Court."

For more information, contact Deputy Attorney General Paul Taggart at (775) 684-1232, or check the Nevada Attorney General's web site at <http://ag.state.nv.us>.

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February 5-10 is National Consumer Awareness Week. In conjunction with the National Association of Attorneys General, the Nevada Attorney General's Bureau of Consumer Protection will send out a daily release designed to increase consumer understanding and knowledge on a particular subject

**CONSUMER ALERT:
ATTORNEY GENERAL WARNS CONSUMERS
ABOUT ADVANCE FEE LOAN SCAMS**

Advance fee loan schemes prey on particularly vulnerable consumers: the unemployed, working poor, those who have poor credit ratings, or those in immediate need of money for emergencies. Most advance fee loan con artists snare consumers through advertisements in local newspapers, cable television, radio, the Internet, handbills, and 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 loans or credit cards that are "guaranteed." 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. 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 his promised cash advance, he is given a mere \$10.

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 Nevada 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.

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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.
- Do not believe promises that your past credit history will not matter.
- Never give your credit card account number, bank account information or Social Security Number over the telephone or Internet, unless you are familiar with the company and know why the information is needed.
- If you need a loan, work with a local lender.
- If you do not have the offer in hand – or confirmed in writing – and you are asked to pay, don't do it. It's fraud and it's against the law.

If you believe that 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: ag.state.nv.us.

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FOR IMMEDIATE RELEASE
February 7, 2001

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(702) 486-3455

**ARREST WARRANTS ISSUED FOR PARENTS
WHO ABDUCTED CHILDREN FROM CHILD HAVEN**

Las Vegas--Attorney General Frankie Sue Del Papa has announced that arrest warrants were obtained today against the parents who illegally entered Child Haven on February 2, 2001, and abducted their children. The Attorney General filed felony charges against the parents, David Pieri and Sheryl Zohlmann, for violating a court order that restricted the parents' custody rights for the two minor children.

The parents are accused of secretly entering Child Haven and removing the children. The children had been placed in protective custody a week before the incident, because of neglect.

Senior Deputy Attorney General Brian Kunzi, the Children's Advocate with the Office of the Attorney General, commended the efforts of officers assigned to the Las Vegas Metropolitan Police Department Crimes Against Youth/Family Section. "Arrest warrants were needed only after significant efforts undertaken by Metro to locate the parents and children lead us to believe the parents may have fled the area. Parents cannot take the law into their own hands. There is a proper procedure in the courts to seek reunification with the children. Secretly removing them from protective custody cannot be tolerated."

The parents are charged with violating a provision of Nevada Law, commonly referred to as the Interference with Custodial Rights. These charges provide for possible imprisonment for up to four years and/or a fine of \$5,000. Kunzi explained that this section of Nevada law is commonly used to prosecute cases when one parent interferes with the custody rights of another parent, but is applicable also to this situation.

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Anyone with information as to the whereabouts of Pieri, Zohlmann, or the children are encouraged to contact Det. Sgt. D. McGrath at (702) 262-3047, Det. Frank Janise at (702) 262-2534, or the Las Vegas Metropolitan Police Department at (702) 229-3111

As in all criminal cases, the charges are merely accusations and the defendants are presumed innocent unless and until proven guilty in court.

The Nevada Attorney General's Missing Children Clearinghouse is responsible for prosecuting parental abductions in the State of Nevada. For more information on the Clearinghouse, go to <http://ag.state.nv.us>, or call (702) 486-3326.

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FOR IMMEDIATE RELEASE
February 7, 2001

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February 5-10 is National Consumer Awareness Week. In conjunction with the National Association of Attorneys General, the Nevada Attorney General's Bureau of Consumer Protection will send out a daily release designed to increase consumer understanding and knowledge on a particular subject.

**CONSUMER ALERT:
BEWARE OF HOME EQUITY SKIMMING**

Owning your own home is your greatest single financial asset. But beware; there are unscrupulous lenders that would like nothing better than to steal the equity in your home. Homeowners are often targets for certain abusive and exploitative lenders, who attempt to strip away the homeowner's equity on the premise of a home loan. This can cause a homeowner to default on a loan and lose his or her home to foreclosure. Homeowners can help avoid being taken in by one of these types of scams by learning how to recognize some of the practices used by these scam artists. Some of these shady loan terms include outrageously high monthly payments and/or excessive loan broker fees.

The Attorney General's Bureau of Consumer Protection offers the following tips on how to spot possible home equity scams:

Balloon Payment. At the end of the loan term, the principal, the entire amount that you borrowed, is due in one lump sum called a balloon payment. If you cannot make the payment or refinance, you risk the loss of your home through foreclosure. This type of loan is often based on repaying only the interest each month; therefore, the loan is never paid off.

Loan Flipping. Lenders may offer to refinance your home in order for you to have extra cash, take your dream vacation, or to renovate your home. But, the lender charges you high points and fees each time you refinance. With each refinancing, you increase your debt until you get over your head and cannot pay, eventually losing your home.

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Credit Insurance Packing. At the closing of a mortgage, the lender charges you for credit insurance or other benefits that you did not ask for, therefore, you are paying extra for items you did not want or need.

Home Improvement as Lender's Agent. A contractor arrives to work on your home. In the middle of the work, the contractor charges you more than you expect and will not complete the work until you finance the improvement, which may include outrageous charges and interest rates.

Deceptive Loan Servicing. The lender does not provide you with accurate or complete account statements. You may receive a letter stating that you are being charged late fees when you know your payment was on time. The lender could even tell you that your payment is higher than expected due to taxes and insurance, even though you arranged to pay those items yourself with the lender's okay.

Here are a few tips to keep in mind when dealing with a home equity lender:

- Keep careful records of what you have paid and anything you have signed
- Check the contractor's references and get more than one estimate.
- Read all items carefully. Consider all costs of financing before you agree to a loan.
- Do not agree to a loan if you do not have enough money to make the monthly payments
- Do not sign any documents you have not read, do not understand, or that have blank spaces
- Do not let anyone pressure you into signing any contract
- Do not let the promise of more money get in the way of your good judgment: If it sounds too good to be true, it probably is.

If you 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. Consumer protection information can also be found on the Attorney General's Web site at ag.state.nv.us.

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FOR IMMEDIATE RELEASE
February 7, 2001

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ATTORNEY GENERAL'S OFFICE CONDUCTS STINGS

Reno—Attorney General Frankie Sue Del Papa has announced that her office conducted compliance checks on Reno retail stores that sell tobacco on Tuesday, February 6, 2001. The compliance checks were performed at 12 stores; 8 of which refused to sell tobacco to a 16-year-old minor employed by the Attorney General's Office for use in the stings; the other four no longer sell tobacco products.

"I want to commend these stores for not selling tobacco to our minor representative, and for being a good community neighbor," Del Papa stated. "These stores have demonstrated they care about protecting our children from tobacco products."

In 1992, the United States Congress passed a law requiring every state to enforce its law prohibiting the sale of tobacco to children under the age of 18. The Nevada Legislature assigned the Attorney General's Office the responsibility of enforcing Nevada state law. Since 1994, the youth buy rate in Nevada has dropped dramatically from 64% to 22% in 2000.

For more information on Nevada's participation in the historic Master Settlement Agreement between the states and the tobacco industry, or to see what the Attorney General's Office continues to do to combat teen smoking in Nevada, go to <http://ag.state.nv.us>.

Stores In Compliance

7 Eleven
4995 7th Street
Reno

Albertson's
10500 N. McCarran Blvd.
Reno

Albertson's
525 Keystone
Reno

Sav-On Drugs
10550 N. McCarran Blvd.
Reno

Union 76
1300 7th St.
Reno

Farali AM-PM
700 Keystone
Reno

7 Eleven
770 Keystone
Reno

Sav-On Drugs
1250 7th St.
Reno

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FOR IMMEDIATE RELEASE
February 6, 2001

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February 5-10 is National Consumer Awareness Week. In conjunction with the National Association of Attorneys General, the Nevada Attorney General's Bureau of Consumer Protection will send out a daily release designed to increase consumer understanding and knowledge on a particular subject.

**CONSUMER ALERT:
ATTORNEY GENERAL ADVISES CONSUMERS
ABOUT HOME IMPROVEMENT SCHEMES**

For the third consecutive year, home repair companies ranked second on the National Association of Attorneys General "Top Ten" Consumer Complaint list. AARP reports that in 1997, Americans spent more than \$115 billion on home improvements and repairs. Thousands of these consumers were victimized by work that was shoddy, inadequate or unprofessional. Older homeowners are more likely to keep their homes longer, and are less likely to make home repairs themselves. Therefore, they are especially vulnerable to home improvement scams. But elderly homeowners are not the only victims. Increasingly, low-income and minority homeowners are also being targeted.

Because many homeowners do not have money set aside to pay for home repairs, a solicitation to make home repairs may be inviting. But this may open the door to a risky or high cost mortgage loan. In some areas, home repair contractors have the dual role of making repairs and serving as a mortgage broker for a home equity or home improvement loan.

The Attorney General's Bureau of Consumer Protection offers the following tips for anyone considering hiring a repair contractor or seeking a home improvement loan:

- **Shop around for lenders or repair companies.** Do not fall for high-pressure tactics or simply select the first company that asks for your business.

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- **Talk to several lenders.** Compare interest rates before taking out a home improvement loan.
- **Ask your neighbors.** Ask for their opinion or recommendation about a repair company.
- **If you do decide to hire a company, read the contract carefully.** Ask any questions you may have before signing, and never sign a partial or blank contract.
- **Contact the Nevada State Contractors Board** in Las Vegas at (702) 486-1100; or in Reno at (775) 688-1141, for more information about a particular contractor.

If you believe you have been the victim of unfair and deceptive lending practices or a home improvement scam, or if you would like further information, call the Attorney General's Bureau of Consumer Protection in Las Vegas at (702) 486-3194; in Reno (775) 688-1818; or in Carson City at (775) 687-6300. Consumer protection information can also be found on the Attorney General's Web site at ag.state.nv.us.

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FOR IMMEDIATE RELEASE
February 5, 2001

CONTACT: Laurel A. Duffy
Deputy Attorney General
Insurance Fraud Unit
(702) 486-3433

**LAS VEGAS CONVICTED FOR ATTEMPTING TO MAKE
A FALSE CLAIM FOR INSURANCE BENEFITS**

Las Vegas-Richard Leroy Ladd, age 39, of Las Vegas, was sentenced today after pleading guilty to Attempting to Make a False Claim for Insurance Benefits before Clark County District Court Judge Donald Mosley. He was placed on probation for a period not to exceed three years, and ordered to pay a fine of \$500. Ladd faced up to one year in jail and a fine of \$2000.

On June 30, 1998, Ladd reported to Farmers Insurance Company that his solar screens had been stolen during a home burglary on June 23, 1998. In actuality, his solar screens had been repossessed for non-payment on May 19, 1998, more than a month before he reported the burglary. Prior to repossessing the screens, on May 11, 1998, the owner of the solar screen company left a telephone message on Ladd's answering machine informing him of the pending repossession.

An investigation by Farmers and the Insurance Fraud Unit revealed that Ladd had falsely reported the home burglary primarily because the solar company had repossessed the screens.

If you have knowledge that someone has committed insurance fraud, please contact the Insurance Fraud Hotline at 1-800-266-8688. Information on how to combat insurance fraud is available on the Attorney General's Web site at <http://ag.state.nv.us>

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FOR IMMEDIATE RELEASE
February 5, 2001

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**\$486,000 JUDGMENT ENTERED AGAINST
FORMER LAS VEGAS ORTHODONTIST**

Las Vegas—Attorney General Frankie Sue Del Papa has announced that Clark County District Court Judge Steven Huffaker today rendered a partial summary judgment against former Las Vegas orthodontist Dr. Steven D. Yatrofsky, age 54, in favor of the State of Nevada in the amount of \$486,619.88.

According to Tim Terry, Director of the Medicaid Fraud Control Unit, today's partial judgment arises from ongoing civil and criminal proceedings against Dr. Yatrofsky, who is alleged to have defrauded the Nevada Medicaid program by accepting advance payments for orthodontic services and then failing to commence or complete the services. Dr. Yatrofsky has since surrendered his dental license in Nevada, and no longer resides within the state.

Dr. Yatrofsky has filed for bankruptcy, but Del Papa stated, "Our office will continue to take every appropriate legal step possible against Dr. Yatrofsky to recover these funds on behalf of Nevada's taxpayers and the Nevada Medicaid program."

Anyone suspecting provider fraud in the Medicaid program can report it to the Attorney General's Medicaid Fraud Control Unit in Carson City at (775) 687-4704, or in Las Vegas at (702) 486-3187. Medicaid fraud information can be found on the Attorney General's web site at <http://ag.state.nv.us>.

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FOR IMMEDIATE RELEASE
February 5, 2001

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Deputy Attorneys General

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**CONSUMER ALERT:
ATTORNEY GENERAL WARNS CONSUMERS
ABOUT THE HIGH COST OF PAYDAY LOANS**

Payday loan companies are common throughout Nevada. The companies make small, short-term, high interest loans that go by a variety of names, including payday loans, cash advance loans, check advance loans, post-dated check loans, or deferred deposit check loans.

The loans work like this: a borrower writes a personal check payable to the lender for the amount he or she wishes to borrow, plus a fee. The company gives the borrower the amount of the check, minus the fee. Fees charged for payday loans are usually a percentage of the face value of the check, or a fee charged per amount borrowed – for example, for every \$50 or \$100 loaned. If the borrower wishes to extend or “roll-over” the loan for more time, the borrower must pay fees for each extension.

Consumers should know that payday loans are an extremely costly way to obtain cash. There are no limits on the amount of interest and/or fees that a lender may charge in Nevada.

This often means that the fees associated with the loan and/or the annual percentage rate (APR) are substantial.

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The Attorney General's Bureau of Consumer Protection wants consumers to know that there are alternatives to payday loans. Consumers should consider these possibilities before choosing a payday loan:

- **When you need credit, shop carefully and compare offers.** Look for the credit offer with the lowest APR. Consider a small loan from a credit union, an advance on pay from your employer, or a loan from family or friends. A cash advance on a credit card also may be a possibility, but it may have a higher interest rate than other sources of funds. In all cases, find out the terms of the offer before you decide.
- **Compare the APR and the finance charge** (which includes loan fees, interest and other types of credit costs) **of all credit offers to get the lowest cost.**
- **Ask your creditors for more time to pay your bills.** Find out what they will charge for that service – a late charge, additional finance charges, or a higher interest rate.
- **If you need help working out a debt repayment plan with creditors or developing a budget, contact your local non-profit consumer credit counseling service.** These services are available at little or no cost.
- **If you decide that you must use a payday loan, borrow only as much as you can afford to pay with your next paycheck and still have enough to make it to the next payday.**

If you 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. Consumer protection information can also be found on the Attorney General's Web site at <http://ag.state.nv.us>.

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THOMAS M. PATTON
First Assistant Attorney General

FOR IMMEDIATE RELEASE
February 2, 2001

Contact: Tim Terry
(775) 687-4704

**PERSONAL CARE ASSISTANT SENTENCED
FOR COMMITTING MEDICAID FRAUD**

Carson City – Attorney General Frankie Sue Del Papa has announced that Lillie M. Bonner, age 47, today pleaded guilty to one count of Conspiracy to Commit Medicaid Fraud, a gross misdemeanor in violation of NRS 199.480(3)(g) and 422.540(1)(a). The matter was heard before Washoe County District Court Judge Brent Adams. As a term of the plea, Bonner immediately paid restitution in the amount of \$5,000 and was sentenced to time served.

According to Tim Terry, Director of the Medicaid Fraud Control Unit, Bonner provided care and assistance to homebound individuals who were unable to perform simple tasks like bathing, housecleaning and meal preparation on their own. An investigation determined that Bonner submitted numerous false billings to Nevada Medicaid between September 1999 and February 2000. The submissions included multiple “overlapping” billings in which Bonner billed Nevada Medicaid for services provided by her to two or more recipients at the same time, although each recipient resided at a different location.

“The costs of Medicaid fraud both statewide and nationally are tremendous,” Del Papa said. “This conviction shows once again that Nevada’s Medicaid Fraud Control Unit is committed to doing all it can to reduce the occurrence of Medicaid fraud here in Nevada.”

The Medicaid Fraud Control Unit investigates and prosecutes instances of provider fraud as well as patient neglect. Anyone wishing to report suspicions regarding fraud or neglect may contact the Medicaid Fraud Control Unit in Carson City at (775) 687-4704, or in Las Vegas at (702) 486-3187. Medicaid Fraud 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
February 1, 2001

CONTACT: Jacqueline Rombardo
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NEVADA JOINS \$100 MILLION SETTLEMENT WITH DRUG MAKER

Carson City—Attorney General Frankie Sue Del Papa announced today that her office has joined in a \$100 million national settlement with pharmaceutical giant Mylan Laboratories. The settlement was finalized today and filed with the U.S. District Court Judge Thomas F. Hogan in Washington D.C. State attorneys general and the Federal Trade Commission accused Mylan and other defendants of engaging in unlawful monopoly practices that led to a price increase of more than 2000 percent for two generic anti-anxiety drugs, lorazepam and clorazepate.

Under the terms of the settlement, \$28 million is earmarked to reimburse state agencies nationwide that were damaged by the price increase. Nevada will receive approximately \$18,500 to reimburse its state programs.

The remaining \$72 million of the settlement will be made available for a nationwide distribution to individual consumers injured by the price increases. Actual consumer recovery will depend on the total number of claims submitted nationwide. A plan to identify and distribute funds to consumers will be submitted to the District Court within ninety days. Once the court grants approval to the states' distribution plan, nationwide notice will be published and a settlement administrator will supervise the process of refunding claims.

“These types of multi-state actions by attorneys general have proven to be a very successful method in fulfilling our duty to protect consumers and keep the business playing field level.” Del Papa said.

In addition to the payment of restitution and damages in the settlement, Mylan has agreed to the inclusion of certain restrictions in its supplier agreements in order to restore competitive balance to the pharmaceutical market and to reimburse the litigating states for up to \$8 million in legal and investigative costs.



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FOR IMMEDIATE RELEASE
March 30, 2001

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(775) 688-1835

RENO MAN PLEADS GUILTY IN MULTI STATE INSURANCE FRAUD SCHEME

Reno--Attorney General Frankie Sue Del Papa has announced that David Paul Gagne aka Francisco A. Cardinelli, 58, today pleaded guilty before Washoe County District Court Judge James Hardesty to the felony charge of Insurance Fraud.

After filing false reports for stolen boats in Nevada, Washington, Oregon and California, Gagne collected money from National Marine Underwriter Insurance Company and State Farm Insurance Company for boats he never owned.

The joint efforts of the Nevada Attorney General's Insurance Fraud Unit, prosecutors from the other states, and the F.B.I., brought an end to Gagne's fraudulent scheme.

"Insurance Fraud is one of the costliest white-collar crimes in the United States, ranking second only to tax evasion," Del Papa said. "Ultimately, policyholders, taxpayers and the general public pick up the tab for insurance fraud through increased insurance rates, higher taxes and inflated prices for consumer goods and services."

If you have any information regarding 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 website at <http://ag.state.nv.us>.

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Protecting Citizens, Solving Problems, Making Government Work

Protecting Citizens, Solving Problems, Making Government Work



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FOR IMMEDIATE RELEASE
March 29, 2001

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(702) 486-3782

DEFENDANT INDICTED ON FRAUD CHARGES

Attorney General Frankie Sue Del Papa announced that James Dean, aka James Campbell, has been indicted on charges he defrauded a Seattle woman out of \$210,000.00.

On Tuesday, March 27, 2001, A Clark County grand jury indicted James Dean, aka James Campbell on two counts of securities fraud, two counts of obtaining money under false pretenses, two counts of offer or sale of an unregistered security and two counts of transacting business as an unlicensed sales representative. As part of his scheme, Dean solicited \$210,000.00 from a Seattle woman in order to buy shares of stock in World Series Pool (USA), Ltd, which was to build a franchise of pool tournaments throughout the country similar to baseball's World Series, to end in a final game in Las Vegas, Nevada with a one million dollar prize.

If anyone has information concerning the Defendant or World Series Pool (USA), Ltd, please contact with the Attorney General's Office at (702) 486-3420.

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

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FOR IMMEDIATE RELEASE
March 28, 2001

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TRAINING WILL HELP PREVENT SALE OF TOBACCO PRODUCTS TO MINORS

Carson City--Attorney General Frankie Sue Del Papa announced today that training classes to help sales staff check ID's of younger looking customers will be held this Thursday, March 29th, from 1:00- 3:00 p.m. at seven locations across the state. The training is available at no charge to sales staff, storeowners and managers. More than 100 people are already enrolled in the program that will be teleconferenced to the various locations across Nevada (exact locations noted on 2nd page of this release).

"This training is one more aspect in my office's efforts to reduce the sale of tobacco to minors," Del Papa said. "The training will assist storeowners and their staffs in better preventing minors from attaining tobacco products."

The training is co-sponsored by the Attorney General's Office, Nevada Petroleum Marketers and Convenience Stores, Retail Association of Nevada, and the National Coalition for Responsible Tobacco Retailers.

In 1995, the Legislature assigned the authority to conduct compliance checks of retail stores that sell tobacco to the Attorney General's Office. In part due to these stings, the youth buy rate in Nevada has dropped from 63% in 1994 to 22.2% in 2000.

For more information on what the Nevada Attorney General's Office is doing to curtail youth smoking in Nevada, go to <http://ag.state.nv.us>.

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FOR IMMEDIATE RELEASE
March 1, 2001

CONTACT: John Albrecht
(775) 688-1872

LAWSUIT FOR SHARE OF STATE TOBACCO SETTLEMENT DISMISSED

Carson City...Attorney General Frankie Sue Del Papa announced today that federal Judge Howard McKibben dismissed a lawsuit filed by Medicaid recipients asking for part of the tobacco settlement being paid by major tobacco manufacturers to Nevada. In November, 1998, Nevada along with 45 other states signed a settlement with the major tobacco manufacturers requiring the tobacco companies to pay \$206 billion over the next 25 years to the states. Nevada's share of this settlement is \$1.2 billion. Following the settlement, several Medicaid recipients filed a law suit asking that the State pay part of the settlement payments to them.

"This decision confirms the State's right to the tobacco settlement proceeds," stated Attorney General Del Papa. "The court decided that the Medicaid law provides health care to low income individuals and is not the basis for damage lawsuits against the state."

Medicaid is a program jointly funded by the state and federal governments that provides medical care to low income people without other health insurance. Nevada, along with other states, alleged that tobacco use increased the costs of the Medicaid program and sought reimbursement from the tobacco companies for that increased cost. The Medicaid recipients argued that the State recovered more than its medical costs and that additional recovery should be paid over to Medicaid recipients.

Judge Howard McKibben dismissed the complaint holding that the Medicaid recipients' lawsuit was for money damages against a state and barred by sovereign immunity. Such lawsuits are prohibited unless specifically authorized by Congress or a state agrees to be sued. Judge McKibben noted that Nevada collected only its tobacco related medical expenses and that the Medicaid recipients could sue the tobacco companies for any other damages.

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FOR IMMEDIATE RELEASE
March 23, 2001

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2001 SOUTHERN RECIPIENTS OF NEVADA WOMEN'S ROLE MODEL AWARD RECOGNIZED DURING CEREMONY AT UNLV

Las Vegas---Attorney General Frankie Sue Del Papa today recognized the 7th annual Nevada Women's Role Model Award recipients from southern Nevada during a ceremony at UNLV. The Women's Role Model Awards serve to recognize some of Nevada's outstanding women, their achievements, and their impact on society.

"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," Del Papa said.

The 2001 honorees from southern Nevada are: **Kathleen Boutin**, Special Projects Coordinator for Clark County Health District; **Doris Femenella**, Henderson Community Activist; **Mary Hausch**, UNLV Assistant Professor; **Anita Laruy**, North Las Vegas Library District Director; **Johnnie Rawlinson**, Ninth Circuit Court of Appeals Associate Justice; **Gene Segerblom**, former Boulder City Assemblywoman; and **Mary Vail**, publicist.

Kathleen Boutin (boo-TAN)

As Special Projects and Program Coordinator for the Clark County Health District, Kathleen Boutin has certainly made a big difference in the lives of countless young people. She was instrumental in developing "Baby Find," a volunteer-based program and outreach service that addresses infant mortality and the delivery challenges faced by low birth weight infants. Kathleen's other passion has been to assist homeless youth, who have often had no place to turn for help. For years, many homeless teenagers in Nevada were denied basic services such as food, clothing and shelter. Kathleen saw a need, met with members of the legal community and civic leaders, and formed the Nevada Partnership for Homeless Youth. The Partnership is a volunteer organization made up of representatives from private businesses, service groups and the public sector. The partnership is committed to advocating for the rights of Nevada's homeless youth. Kathleen also serves as Vice-Chair of the Corporate Volunteer Council of Southern Nevada, and is a Board member of "Kids Voting Nevada," and Henderson's Family-to-Family Connection. Former Governor Michael O'Callahan says of Kathleen, "She has a rare combination of a very sharp mind and a warm heart when working to help those who cannot provide for themselves."

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Doris Femenella

Despite what many would think were insurmountable obstacles, the hallmark of Doris Femenella's life has been her motto: "Progress is my most important product." Doris grew up in a time in America's history when African-Americans had to struggle for everything they attained. As an outstanding high school student, she desperately wanted to go to college to further her education. But Doris was told that her family did not have the money. Well, Doris decided that nothing was going to stand in her way. She applied to New York University, worked three jobs to support herself and pay her school bills, and at the same time played on the NYU Women's Basketball team. She graduated with honors, and later attained a Masters Degree in Educational Administration. She retired in 1982 after rising to the level of Co-Principal. After moving to Southern Nevada, Doris helped establish the Green Valley Community Association, whose goal is to attempt to make life better for all Nevadans. She has served on countless Boards and Committees, all designed to better the lives of Nevadans. Nominator Marie Soldo says of Doris, "Role Model for young women? Given her history, I can think of none better. Nevada is a better place to live because of Doris Femenella."

Mary Hausch

As an assistant professor in UNLV's School of Communication, Mary Hausch has helped prepare her students, young and old alike, for the many challenges they will face in the field of journalism. She periodically hosts lunches to bring her graduates together so they can network, and to encourage them to accept new challenges. Over the years, her former students have continued to reach out to her for advice in both their professional and personal lives. Now Mary knows something about challenges. She was the first female city editor and managing editor for the Las Vegas Review-Journal. Her efforts to break the glass ceiling that had not allowed many females to reach into upper management have been an inspiration to many women. Mary was also the founding president of the UNLV Women's Sports Foundation, and she continues to reach out to female athletes on campus, providing nurturing and advice. She was also a founding board member of the UNLV Women's Center, and continues to support its activities. Her nominator, husband and State Senator Bob Coffin, says of Mary, "I am proud of the difference she makes in the lives of her students, and of the quiet way in which she does it without seeking recognition or praise. Perhaps that is why she is so deserving of this honor."

Anita Laruy (Lah-ROO-ee)

One of the most important attributes we can pass on to younger people is a thirst for knowledge: to afford them the opportunity to expand their horizons through greater accessibility to information. Certainly one of the greatest tools in this noble cause is our county and city libraries. Anita Laruy has made a significant impact on the North Las Vegas community, especially its children, as the Director of the North Las Vegas Library District. The district had been suffering from low funding for decades before Anita became the Director. Immediately following her appointment, she undertook a massive campaign to increase funding, successfully attaining additional tax support. She also was successful in garnering almost half-a-million-dollars in grants to update materials and improve technology resources. In response to the city's increased Hispanic population, Anita has developed a diverse collection of Spanish-language books, magazines, tapes and videos. Nominator Susan Graf says of Anita, "She has helped a library that under funded and understaffed move into the forefront of outstanding library service in our state. She is a role model for young women in her commitment to literacy, and for demonstrating the importance of life-long reading and learning."

Johnnie Rawlinson

Johnnie Rawlinson's accomplishments and career milestones will serve as an inspiration to many other women and minorities for years to come. She graduated in the top 7% of her law school class, and

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later rose to the position of Clark County Assistant District Attorney. In that capacity, she supervised the office's Civil, Family Support and Administrative Divisions. Her rise to the position of Assistant District Attorney began a familiar pattern—the first woman and the first African-American to reach that level in the Clark County DA's office. After more than seven years at the DA's office, Johnnie became Judge Rawlinson, serving as a United States District Court Judge for the District of Nevada. Again, Johnnie was the first woman and the first African-American to serve as a federal judge for the District of Nevada. And after being recommended by Senator Harry Reid and nominated by President Bill Clinton, Johnnie became the first woman and the first African-American woman to serve on the U.S. Ninth Circuit Court of Appeals in 1998. Over the years, Johnnie has also somehow found time to help with numerous church, social and neighborhood activities. Nominator Stew Bell says of Johnnie, "I don't know of a single person that doesn't truly admire and respect Justice Johnnie Rawlinson."

Gene Segerblom

Gene Segerblom was a Boulder City High School teacher for 22 years before becoming a City Councilwoman from 1979-1983. She went on to become one of the most popular legislators in the state, serving as a state assemblywoman from 1993-2000. Gene believes that the future depends on how well Nevada educates its students. She always placed education at the top of her legislative agenda, voting for virtually every bill that sought to improve the quality of our schools. Gene is a native Nevadan, who moved to Boulder City in 1940. She has always been a strong and vocal advocate for the preservation of our past. She belongs to a number of museum groups throughout the state. Gene has worked tirelessly on the preservation and restoration of Nevada's historical sites, along with the development and maintenance of existing museums and parks. Her commitment to Nevada and its citizens has earned Gene many awards. Nominator, Assemblyman John Lee, says of Gene, "She exemplifies all the qualities of strength of character, resolve, self-determination and compassion that women of any age and any era should strive for. Her fierce independent spirit, coupled with her sensitivity to the needs of others, made her a great legislator and community leader."

Mary Vail

For two decades, Mary Vail has used her education, skills, talents and resources to assist others in improving their quality of life. She has used her abilities as a public relations and marketing professional to help charities and special interest groups with event planning, publicity, recruitment of sponsors, and fundraising. In fact, a mandatory policy of Mary's company is that ALL her clients be willing to support her non-profit activities through whatever means they can provide. Her efforts have resulted in the collections of hundreds of suitcases for foster kids, thousands of toys and gifts for homeless children, tens of thousands of dollars for childhood diseases, and the successful collection of thousands of non-perishable food items, toiletries and clothing for families in need. In the year 2000 alone, Mary made significant contributions of her time and expertise to such programs as Candlelighters For Childhood Cancer, the Susan G. Komen Breast Cancer Foundation, the Salvation Army Angel Tree Campaign, and a number of ventures sponsored by Fox-5 television. Her nominators, Joe Vassallo and Lillian McMorris, say of Mary, "The business community and non-profit world could use a lot more people like Mary Vail. We fight and feel good about helping others and ourselves because Mary has shown us how."

For more information on the Women's Role Model Awards, please call Steve George at (775) 684-1114.

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FOR IMMEDIATE RELEASE
March 22, 2001

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OPERATION TO ENFORCE STATE'S ANTI-SUBSTITUTION LAW ANNOUNCED

Carson City—The Nevada State District Attorney's Association and the Nevada Attorney General's Office announced today that sting operations will commence in Nevada taverns, bars, casinos and restaurants to enforce the state's anti-substitution law for beverage alcohol.

In 1991, the Legislature passed a bill making it illegal in Nevada for beverage alcohol retailers to substitute one brand of liquor, wine or beer for another brand that was ordered specifically by a customer. The law was passed to protect a consumer's right to be served the brand he or she ordered. A first offense is a misdemeanor charge, punishable by a fine of up to \$1,000, plus the cost of prosecuting the case. A second violation is a gross misdemeanor, punishable by a fine of up to \$2,000. Subsequent violations could result in license revocation.

"It has been reported that the practice of substituting another brand other than the one ordered by a consumer may be a reoccurring problem in some Nevada establishments," Attorney General Frankie Sue Del Papa said. "The District Attorneys' Association and my office hope that these targeted sting operations will help elevate the public's trust in our unparalleled hospitality industry. Simply put, we want to better assure that Nevada residents and visitors are getting what they are asking and paying for."

Local law enforcement agencies in various counties will conduct the stings. The information and evidence will then be shared with the District Attorney of that county and the Attorney General's Office for possible action.

If consumers believe they have had any liquor, wine or beer illegally substituted by a tavern, bar, casino or restaurant, they are asked to call Las Vegas Metro Police Special Investigators at (702) 229-3243, or Washoe County Sheriff at (775) 328-3033.

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FOR IMMEDIATE RELEASE
March 21, 2001

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CONSUMER ADVOCATE MOVES TO HALT SALE OF ELECTRIC PLANT

Carson City– Nevada Consumer Advocate Timothy Hay, who heads the Attorney General’s Bureau of Consumer Protection, filed a motion today urging the Public Utilities Commission to reconsider its earlier order approving the sale of the Mohave Generating Station in southern Nevada. The Commission approved the sale of the plant to AES Corporation on October 18, 2000, as part of Sierra Pacific Resources plan to divest all its generation assets.

“In light of current market conditions resulting in high prices for electricity purchased at the wholesale level, the sale of generation plants located in Nevada, especially coal-fueled generation plants that provide electricity to the citizens of Nevada at the lowest cost, should be reexamined,” Hay said. “If the Mohave plant is sold, Nevada will lose control of one of its least expensive sources of electric generation.”

In January, Hay filed a petition with the Public Utilities Commission calling for an immediate moratorium on the divestiture of all generating plants located in Nevada. The Commission is not expected to rule on the petition until April. “However, this first sale of the Company’s proposed divestiture could close any day,” Hay said. “If we are going to stop divestiture of Nevada’s electric generation assets -- which public opinion, policymakers and numerous other business interests support -- then, as a matter of public policy, we should move quickly and halt this first sale so that it is a complete moratorium.”

Hay has also urged the Nevada Legislature to pass legislation to delay divestiture for at least two years, until current market conditions improve and electricity rates stabilize. Hay’s motion asks the Commission to reopen the proceeding in which the Mohave sale was approved, and to set aside its order until the Legislature and the Commission have had the opportunity to determine whether divestiture continues to be in the public interest.

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FOR IMMEDIATE RELEASE
March 21, 2001

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DEL PAPA WILL TESTIFY AGAINST SENATE JOINT RESOLUTION 4

Carson City--Attorney General Frankie Sue Del Papa is scheduled to address the Senate Transportation Committee regarding SJR 4, a measure that provides for the transportation of high-level nuclear waste by rail that avoids Las Vegas, on Thursday, March 21, 2001, at 1:30pm.

Del Papa will urge the committee to reject the resolution because, "It sends the wrong message to those in Congress and the nuclear power industry. The wrong message is that Nevada is willing to accept a high-level nuclear waste repository at Yucca Mountain as long as transportation of deadly radioactive waste avoids Las Vegas and is accomplished by rail."

Del Papa, along with most of Nevada's elected officials, has vigorously opposed the Yucca Mountain Project, and has a team within her office dedicated to the purpose of fighting the proposed repository on all available fronts. Del Papa's office recently prevailed in United States District Court in Nevada when U.S. District Court Judge Roger Hunt abstained from considering the U.S. Department of Energy's appeal of a state engineer decision denying DOE water rights at Yucca Mountain.

"We believe siting the proposed high-level nuclear waste at Yucca Mountain is fundamentally flawed. The Nuclear Waste Policy Act intended that nuclear waste should be geologically isolated from the human and natural environment. Yucca Mountain is in an active earthquake zone and is clearly not capable of isolating this deadly waste from the human environment. Moreover, transporting nuclear waste from power plants mostly on the East coast jeopardizes citizens across the country and poses unacceptable risks to Nevada's environment and its citizens, as well as the nation's environment." Del Papa stated. "I personally believe that dry cast storage is a more economical and safer alternative."

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FOR IMMEDIATE RELEASE
March 20, 2001

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U.S. SUPREME COURT WILL HEAR IMPORTANT CASE INVOLVING STATE IMMUNITY

Carson City--The U.S. Supreme Court will hear *Nevada v. Hicks*, an important case involving state immunity and sovereignty in tribal courts, on Wednesday, March 21, 2001. Senior Deputy Attorney General Wayne Howle and Deputy Attorney General Paul Taggart will present the state's argument.

The state of Nevada has challenged the jurisdiction of tribal courts to hear civil claims brought against state officials. The case began in 1991 after a Nevada Division of Wildlife (NDOW) game warden obtained a search warrant for execution on the Fallon Paiute-Shoshone Reservation, east of Fallon, Nevada. A tribal judge also approved the warrant. A mounted bighorn sheep head was taken from Floyd Hicks, but it proved not to be evidence of criminal activity, and it was returned to its owner. A year later, another head was seized from Mr. Hicks based upon a new, tribally-approved warrant, and again was returned after examination.

Hicks sued three game wardens and the NDOW administrator in two separate lawsuits. Significantly, the suits were filed in tribal court. Originally the suits alleged violation of tribal law, and they named the State of Nevada as well as the individual officials as defendants. The present complaints, however, after several amendments, also allege violations of federal civil rights law, and name only the state officers in their individual capacities.

The U.S. District Court in Reno, and the Ninth Circuit in San Francisco, ruled against the state. They held that tribal courts have jurisdiction whenever individuals willingly enter onto reservations. The state's assertion that state sovereignty should defeat tribal jurisdiction was rejected. Instead, the federal courts ruled that sovereignty would not defeat jurisdiction, and instead would only shield officials in tribal court as a defense.

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Del Papa said the tribal court suits against state officials are unprecedented. “No court has ever suggested tribal courts have power to award judgments against state officials for doing state business. This case is obviously going to create new law significant to all the states that deal with tribes. The basis for the state’s argument is the fundamental nature of states as sovereigns. It is also necessary to consider the unique, limited nature of tribal sovereignty, and how tribal and state sovereignty historically interrelate.”

Del Papa said the state’s concern with the federal court rulings so far is that they expose state officials to liability in their individual capacities. “This result is worrisome to any state official who holds some sort of relationship with a tribe, or who conducts business for the state on a reservation.”

In stating the State’s case, Howle will speak to the fact that errant state officials whose actions harm any citizen may be called into account in either federal or state court, as opposed to tribal courts.

Howle will also state that Indian Tribes hold a unique place in the nation, and as such, are entitled to the utmost respect and fair treatment. But that does not mean that the U.S. Constitution authorizes tribes to alter, preempt or abrogate state immunity rules regarding the conduct of their public officials.

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FOR IMMEDIATE RELEASE
March 20, 2001

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**CONSUMER ADVOCATE AND OTHERS FILE LEGAL BRIEFS
STATING MARCH RATE INCREASE IS UNLAWFUL**

Carson City, NV – Nevada Consumer Advocate Timothy Hay has filed a legal brief with the Public Utilities Commission, urging the immediate dismissal of a joint application by Sierra Pacific Power Company and Nevada Power Company that raised electric rates an average of 17%, effective March 1, 2001. The rate increase was included in the companies' Comprehensive Energy Plan (CEP), filed with the Commission in January, and is in addition to the monthly fuel and purchase power adjustments that were approved last year. The Consumer Advocate was joined by Barrick Goldstrike Mines, Inc, the Department of Energy, MGM Mirage and other gaming interests in challenging the rate increase, stating that the CEP filing is unlawful, violates the Global Settlement, is not in the public interest, and should be immediately dismissed.

In early February, Hay filed a motion to dismiss the CEP application as unlawful and in violation of the Global Settlement under which the companies have been filing the monthly fuel and purchase power adjustments. On February 23, 2001, the Commission deferred ruling on Hay's motion until a later date and instead issued a procedural order implementing the full rate increase and asking parties to file legal briefs addressing several issues, including whether the CEP filing is unlawful, as argued by Hay.

According to Hay, Nevada law currently provides just two mechanisms for adjusting rates: a general rate case and a fuel case. To file a general rate case the public utility must include in its application specific financial information showing revenues, expenses, investments and costs of capital for its most recent 12 months. The CEP application contains none of this information and is not referred to as a general rate case by the company in any document associated with the filing. Nevada law also clearly states that utilities cannot file more often than once every 30 days for increased costs of fuel and purchased power. The CEP Application was filed on January 29, 2001, just 17 days after the companies filed a request for recovery of increased costs for fuel and purchased power on January 12, 2001, which was approved by the Commission.

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The filing is prohibited by Nevada law since it was filed less than thirty days after the companies' most recent request for recovery of fuel and purchased power costs. Hay maintains the Commission's ruling raising customers' rates is void and all monies collected by Nevada Power and Sierra Pacific must be refunded to customers.

"By dismissing the CEP Application, the Companies and other public utilities will understand that they must comply with the law, regardless of their financial condition," said Hay. "The public must be reassured that Nevada's electric utilities cannot continue to avoid their legal obligations."

Others, including Goldstrike Mines, urged the Commission to postpone any decision on the CEP plan until the parties have had the opportunity to conduct adequate review and a hearing to determine the utilities' financial condition, costs of service and purchasing practices. "SPPC could have acted in any number of ways to protect itself from the foreseeable risk of rising costs," stated attorneys for Barrick Goldstrike Mines, Inc. The CEP substantially reallocates those risks in favor of the utilities to the detriment of the ratepayers."

Lawrence Gollomp, Assistant General Counsel, Department of Energy stated in his brief that due to questionable aspects of the CEP, DOE believes that the filing is not in the public interest. "Sierra's and NPC's proposal is tantamount to having ratepayers underwrite a cash loan to the companies in the year 2001, which ratepayers will be required to pay back over the next nine years. The legitimacy of these backdoor financial arrangements is questionable on its face but of special concern is what the year 2001 cash infusion will be used for by the companies."

A brief filed on behalf of MGM Mirage and other gaming interests stated, "Because the CEP filing is unlawful, the Commission should dismiss the CEP, discontinue any further proceedings based upon the CEP and cause the monies already collected by the companies through the CEP to be refunded to customers."

"The majority of parties to this proceeding, including the Commission's own staff, have found the CEP subject to legal deficiencies. Since March 1, 2001, nearly \$20 million dollars has been confiscated from Nevada ratepayers and the Attorney General's Office will continue to contest this abrogation of Nevada law," said Hay.

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FOR IMMEDIATE RELEASE
March 19, 2001

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INVESTIGATION INTO CCSN FINANCIAL PRACTICES FINDS SEVERAL AREAS OF CONCERN

Carson City—The results of an investigation by the Nevada Attorney General's Office into the financial practices and affairs of the Community College of Southern Nevada (CCSN) were released today. The investigation was initiated in August 2000 at the request of Chancellor Jane Nichols, who asked the Attorney General's Office to examine contracting practices and possible nepotism allegations at CCSN.

In addition to the two items referred by Chancellor Nichols, the Attorney General's Office looked into other issues uncovered during the course of the investigation. These issues included allegations of possible misappropriation of computers, inappropriate employee bonuses, misuse of emergency hiring practices, enrollment fraud by instructors, and inflated enrollment figures generated from apprenticeship programs run by local unions.

The investigation found many instances in which policies or regulations were violated, along with other inappropriate activities, including:

- Approximately one million dollars of construction projects awarded over a two year period without using any form of competitive bidding.
- Several hundred thousand dollars worth of equipment purchases made without using any form of competitive bidding.
- Increase in the number of employees hired or transferred on an emergency basis foregoing an open and competitive hiring process.
- Failure to properly account for inventoried property and disposal of unneeded equipment
- Funding of union apprenticeship programs, closed to non-union employees, through the use of inflated enrollment figures.
- Hiring and subsequent promotions of a relative of a Vice President for positions under the control of that Vice President.

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- Awarding of bonuses at the complete discretion of the CCSN President without oversight or budgetary control of the University System Board of Regents.
- Filing of false enrollment records by an instructor to ensure enough students were registered in order for a class to be taught and salary earned by the instructor.

The investigation concluded that many of the financial practices are inappropriate and are the result of a decentralized system in which the CCSN President has been vested with complete unfettered discretion. Many of these areas of concern have been addressed by Chancellor Nichols and current administrators of CCSN.

Criminal complaints are being considered for violations of the State nepotism policy (a gross misdemeanor), and for the filing of false enrollment records as a possible theft by false pretenses (a felony).

Copies of the report are available at the Las Vegas Office of the Attorney General, located at 555 E. Washington Blvd., Suite 3900. For more information, please contact Senior Deputy Attorney General Brian Kunzi at (702) 486-3455.

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March 19, 2001

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ELY PRISONER SENTENCED FOR CELLMATE MURDER

Carson City--White Pine District Judge Dan L. Papez today sentenced Ely State Prison inmate Gilbert Jay Paliotta, 26, to life without the possibility of parole for the 1998 killing of his cellmate, Raywat Becker.

Paliotta cut Becker's throat from ear to ear on July 21, 1998. Becker bled to death in their shared cell. The murder was investigated by prison investigators and the White Pine County Sheriff's Office.

Deputy Attorney General David Neidert, who prosecuted the case, said he believes that justice was served, and that Judge Papez has sent a strong message that inmate-on-inmate violence will not be tolerated at the Ely prison.

The State originally sought the death penalty, but agreed not to seek it in return for Paliotta agreeing to plead guilty to the murder charge.

Paliotta is currently serving five consecutive 30-year sentences for a string of armed robberies he committed in Clark County in the early 1990s.

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ATTORNEY GENERAL'S OFFICE CONDUCTS TOBACCO STINGS IN LAS VEGAS

Las Vegas—Attorney General Frankie Sue Del Papa announced today that her office conducted compliance checks on Las Vegas retail stores that sell tobacco on Thursday, March 15, 2001. The compliance checks were performed at 12 stores; 11 of which refused to sell tobacco to a 16-year-old minor employed by the Attorney General's Office for use in the stings.

"I want to commend the stores that did not sell tobacco to our minor representative, and for being a good community neighbor," Del Papa stated. "These stores have demonstrated they care about protecting our children from tobacco products."

In 1992, the United States Congress passed a law requiring every state to enforce its law prohibiting the sale of tobacco to children under the age of 18. The Nevada Legislature assigned the Attorney General's Office the responsibility of enforcing Nevada state law. Since 1994, the youth buy rate in Nevada has dropped dramatically from 64% to 22% in 2000.

For more information on Nevada's participation in the historic Master Settlement Agreement between the states and the tobacco industry, or to see what the Attorney General's Office continues to do to combat teen smoking in Nevada, go to <http://ag.state.nv.us>.

Stores In Compliance

ARCO AM/PM
6102 W. Flamingo

Raley's
6150 W. Flamingo

Walgreen's
7845 W. Flamingo

Fast Track 24 & More
8615 W. Flamingo

Terrible's Chevron
4150 S. Durango

7-Eleven
W. Flamingo

ARCO AM/PM
4310 W. Flamingo

Fast Eddie's Mobil
6720 W. Flamingo

Chevron
4070 W. Flamingo

7-Eleven
6080 W. Flamingo

Green Valley Grocery
8215 W. Flamingo

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**ATTORNEY GENERAL'S OFFICE ISSUES WARNING
ABOUT TELEPHONE SCAM**

Carson City--The Nevada Attorney General's Bureau of Consumer Protection is issuing a consumer advisory about a telephone scam that asks consumers to call "90#" to check their phone service.

The scam is perpetrated by someone claiming to be an AT&T telephone company employee who is investigating possible technical problems with a customer's telephone line, or is checking on calls supposedly placed to other states or countries from this particular line. The caller asks for the consumer's cooperation by dialing "90#" before hanging up.

But when the consumer dials "90#," it allows the caller to use the line to place fraudulent calls that are billed to the victim.

"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," Attorney General Frankie Sue 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.

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**NEVADA JOINS 32 OTHER STATES IN \$6 MILLION SETTLEMENT
WITH READER'S DIGEST OVER SWEEPSTAKES MAILINGS**

Carson City--Attorney General Frankie Sue Del Papa announced today that her office has joined with attorneys general from 32 other states and the District of Columbia in entering a settlement with the Reader's Digest Association (RDA), which will require RDA to make dramatic changes in its sweepstakes mailings.

As part of the agreement, RDA will establish a \$6 million fund to be used by the attorneys general for payment to consumers who were RDA "high activity" sweepstakes customers in any one of RDA fiscal years 1998, 1999 or 2000 (approximately 7,400 customers from the settling states). In Nevada, there are approximately 105 consumers who are eligible for a refund under the settlement terms. These consumers will receive notices directly by mail by a third party administrator, to be selected by the attorneys general. RDA will also pay the states approximately \$2,160,000 for attorneys fees and costs of the investigation. Nevada's share of this fund is \$75,000.

Today's announced agreement is the fourth multi-state settlement groups of attorneys generals have entered into with major sweepstakes companies since public hearings held by the attorneys general into sweepstakes sales activities, policies and procedures took place during the Spring of 1999 in Indianapolis. Following those hearings, the National Association of Attorneys General (NAAG) issued a report in which it strongly recommended that sweepstakes marketers include a standardized "sweepstakes facts sheet" with their mailings to help consumers better understand contest odds, and that no purchase is required to win. Since then, almost all state attorneys general, including Nevada, have entered into settlements with US Sales Corporation (March 2000) and with Time, Inc. (August 2000). Additionally, Nevada and 25 other attorneys general reached a settlement with Publishers Clearing House (August 2000).

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“The state attorneys general and their consumer protection staffs have worked very diligently to better protect consumers against sweepstakes mailings that were many times misleading,” Del Papa said. “By having as part of these agreements that these promotions must include a standardized ‘Sweepstakes Facts’ disclosure sheet, consumers will be better able to understand exactly how they work, and what their real chances of winning are.”

The “Sweepstakes Facts” disclosure sheet must include a statement that buying will not help the consumer win the sweepstakes; that the consumer has not yet won; that the consumer does not have to buy anything to enter the sweepstakes; and the odds of winning a prize.

RDA, located in Pleasantville, New York, is one of the country’s largest sweepstakes mailers. The company sends out millions of pieces of mail annually, most of which offer consumers the opportunity to enter a sweepstakes. In addition to offering consumers the ability to enter a sweepstakes, the mailings also offer the chance to subscribe to the Reader’s Digest. Many of the sweepstakes mailings also offer the opportunity to buy other magazines published by RDA, or to buy one of a number of books, audio tapes or video tapes that RDA sells. And sometimes the sweepstakes offers are combined with skill contest offers that require the recipient to buy something to enter the skill contest.

Additionally, RDA will not be able to misleadingly state that a consumer is the winner or about to become the winner of a sweepstakes, misleadingly tell consumers that they have a better chance of winning a sweepstakes than they actually do, or represent that the sweepstakes package has been sent by special courier or a special class of mail, if that is not true.

Other states which also entered into today’s settlement include: Alabama, Alaska, Arkansas, California, Georgia, Hawaii, Idaho, Illinois, Indiana, Kansas, Louisiana, Mississippi, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Virginia, Washington, Wyoming, and the Corporation Counsel of the District of Columbia.

If you feel you have been a victim of sweepstakes fraud or would like tips about avoiding problems with sweepstakes promotions, check out the Nevada Attorney General’s web site at <http://ag.state.nv.us>.

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**DEL PAPA WILL TESTIFY BEFORE LEGISLATURE
ON BEHALF OF INSURANCE BILLS**

Carson City--Attorney General Frankie Sue Del Papa and members of her Insurance Fraud Unit (IFU) will testify on Monday, March 5, 2001, at 3:45 p.m. before the Assembly Commerce and Labor Committee in support of two major bills aimed at the prevention of insurance fraud.

AB 134 would make changes to the assessments that the Commissioner of Insurance may impose on insurers to fund investigations of insurance fraud. The bill establishes a sliding scale assessment against insurers to fund the program. The assessments are based on the total amount of premiums each insurer charges to customers in Nevada. The minimum assessment against an insurer is \$500; the maximum is \$2,000.00. Del Papa commented, "This is a fairer system than the current one in which all companies, big or small, pay \$50 to help fight fraud."

AB 135 would accomplish five major objectives:

- (1) Clarify the specific primary jurisdiction for the criminal prosecution of insurance fraud is within the Attorney General's Office;
- (2) Furnish the Attorney General's fraud unit with the necessary subpoena power that other criminal units within the office have, to fairly and properly perform their duties;
- (3) Clearly define defrauded insurance companies as victims entitled to recover restitution in criminal actions;
- (4) Request judges to consider having convicted insurance fraud criminals pay investigative and prosecution expenses, and;
- (5) Expand the definition of those entitled to immunity from lawsuits for performing their civic duty and reporting insurance fraud.

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"Protecting Citizens, Solving Problems, Making Government Work"

Del Papa applauded Assemblyman, Speaker Emeritus, Joe Dini and current Speaker of the Assembly Richard D. Perkins for their joint sponsorship of this significant legislation. "The citizens of this state are fortunate to have two leaders of such integrity and dedication stepping up to the plate. These bills are good for Nevadans, because the bottom line is that consumers ultimately pay for fraud. Insurance fraud is not a victimless crime. People who fraudulently rip-off insurance companies cause rates to rise for the law-abiding citizens of this state. The passage of these bills will send a clear message to insurance fraud criminals that this crime will not be tolerated in Nevada."

Howard Goldblatt, Director of Government Relations of the Coalition Against Insurance Fraud, located in Washington, D.C., also echoed his organization's strong support of the bills. "The problem in Nevada is a lack of resources to fight fraud. States bordering Nevada have increased their efforts, so career criminals, organized crime groups, and fraud experts currently know where to go."

Mr. Dini in a previous statement said, "Insurance fraud legislation has been presented during the last two legislative sessions, but it has been stalled both times. It appears political wrangling has held up this important legislation. It is my intent to work with everyone involved to ensure this valuable piece of legislation is passed so that we can more effectively fight insurance fraud in this State." Dini said that he hopes that, in the long run, this legislation will contain or even reduce insurance costs for all Nevadans.

The Attorney General also commended Insurance Commissioner Alice Molasky-Arman for her cooperation and long-standing commitment to fighting insurance fraud.

Del Papa noted that her IFU receives no state general fund money to operate. It relies totally on assessment collections from insurers. "The Insurance Fraud Unit is in need of money just to continue operating at current staffing levels. I wish to personally thank all the insurance companies, which have voluntarily come forward to support this legislation. Their backing has been overwhelming."

The most recent Attorney General's Biennial Report (fiscal years 1999-2000) to Governor Kenny Guinn included a section highlighting the success her office has had in fighting insurance fraud. The report shows that the IFU received 662 new complaints from insurance companies of suspicious fraudulent claims during the biennium. As a result of these complaints the unit initiated 55 criminal actions, made 61 arrests, obtained 54 convictions, and realized in excess of \$2.5 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.

Del Papa concluded, "A 1999 survey 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. Once again, I pledge my own time, and that of my office, to ensure this very important consumer legislation is passed."

Persons who suspect any type of insurance fraud may contact the Attorney General's toll free hotline at 1-800-266-8688. Insurance fraud information, including a brochure entitled, "You Are A Daily Victim of Crime", can be found on the Attorney General's Web site at <http://ag.state.nv.us>.

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March 1, 2001

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LAWSUIT FOR SHARE OF STATE TOBACCO SETTLEMENT DISMISSED

Carson City...Attorney General Frankie Sue Del Papa announced today that federal Judge Howard McKibben dismissed a lawsuit filed by Medicaid recipients asking for part of the tobacco settlement being paid by major tobacco manufacturers to Nevada. In November, 1998, Nevada along with 45 other states signed a settlement with the major tobacco manufacturers requiring the tobacco companies to pay \$206 billion over the next 25 years to the states. Nevada's share of this settlement is \$1.2 billion. Following the settlement, several Medicaid recipients filed a law suit asking that the State pay part of the settlement payments to them.

"This decision confirms the State's right to the tobacco settlement proceeds," stated Attorney General Del Papa. "The court decided that the Medicaid law provides health care to low income individuals and is not the basis for damage lawsuits against the state."

Medicaid is a program jointly funded by the state and federal governments that provides medical care to low income people without other health insurance. Nevada, along with other states, alleged that tobacco use increased the costs of the Medicaid program and sought reimbursement from the tobacco companies for that increased cost. The Medicaid recipients argued that the State recovered more than its medical costs and that additional recovery should be paid over to Medicaid recipients.

Judge Howard McKibben dismissed the complaint holding that the Medicaid recipients' lawsuit was for money damages against a state and barred by sovereign immunity. Such lawsuits are prohibited unless specifically authorized by Congress or a state agrees to be sued. Judge McKibben noted that Nevada collected only its tobacco related medical expenses and that the Medicaid recipients could sue the tobacco companies for any other damages.

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March 1, 2001

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ATTORNEY GENERAL DELIVERS \$211,769 TO HEALTH OFFICE

Carson City—Attorney General Frankie Sue Del Papa today delivered a check for \$211,769 to the Nevada State Health Division. The money is Nevada's portion of a multi-state settlement with Nine-West Group, a shoe manufacturer, charged with entering into illegal agreements with shoe retailers to fix the retail price of women's shoes.

The Nevada Office of Attorney General, Bureau of Consumer Protection joined in the settlement in March 2000. Pursuant to the settlement agreement, a distribution plan was developed that allows the settlement money to be provided to the State of Nevada Health Division to be used to offset the costs of treatment for women with breast or cervical cancer.

"I am very pleased that our office is able to contribute funding for two such vital women's health issues through enforcement of antitrust laws for the protection of all the citizens of Nevada," Del Papa said.

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April 30, 2001

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**ATTORNEY GENERAL ANNOUNCES PRELIMINARY APPROVAL OF
SETTLEMENT IN NATIONAL PHARMACEUTICAL LAWSUIT**

Carson City - Attorney General Frankie Sue Del Papa announced today that U.S. District Court Judge Thomas F. Hogan has preliminarily approved a \$100 million national settlement of an antitrust lawsuit with pharmaceutical giant Mylan Laboratories. The suit, filed by state attorneys general and the Federal Trade Commission, accused Mylan of orchestrating an illegal price increase of more than 2000 percent for the generic anti-anxiety drugs lorazepam and clorazepate. Nevada was represented in the settlement by the Attorney General's Bureau of Consumer Protection, under the direction of Consumer Advocate Timothy Hay.

Under the terms of the settlement, \$72 million will be made available for nationwide distribution to individual consumers injured by the price increases. Nevada consumers who purchased lorazepam or clorazepate from January 1, 1998 through December 1, 1999, and were not reimbursed by any type of insurance, may be entitled to make a claim for a portion of their purchases. The remaining \$28 million in settlement funds will be earmarked for reimbursement to state agencies damaged by the price increases. Nevada is expected to receive approximately \$18,500 to reimburse certain state agencies, according to the terms of a formula agreed to by the states.

"With the judge's approval, we can begin the process of notifying the individuals and taxpayers we believe were victimized," stated Del Papa. "This settlement returns funds to consumers harmed by these illegal pharmaceutical pricing practices."

The consumer claims period will begin on June 1, 2001, and run for 120 days (until September 29, 2001). Nevada consumers who submit valid claims will receive refund checks after the Court grants final approval of the settlement, which may occur as early as November 2001. Consumers can obtain claim forms and more detailed information about the settlement and their legal rights by calling toll free at **1-800-899-5806**, or on the Internet at www.agsettlement.com.

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**NEVADA'S SENIOR MEDICARE FRAUD PATROL PROJECT
RECOGNIZED BY WASHINGTON**

Carson City – Attorney General Frankie Sue Del Papa announced today that the federal Administration on Aging has invited Project “SNAG” – Senior Nevada Advocates on Guard –director, Jo Anne C. Embry, to come to Washington, D.C. on May 3, 2001, to review ten new national grant applications for similar projects around the country. The invitation was extended due to the superior first-year performance of the SNAG Project throughout Nevada.

“I am extremely proud of the accomplishments of my staff in their first year in providing vital information to Nevada’s Medicare and Medicaid beneficiaries in order to prevent the exorbitant losses to the health care system,” Del Papa said. “I cannot give enough praise or thanks to our extraordinary volunteers and their efforts on behalf of the Attorney General’s Office and on behalf of all Nevadans. We need to be ever vigilant now to help preserve the future of Medicare to better ensure that the quality and quantity of care delivered to current and future beneficiaries is not jeopardized. The SNAG Project is helping Nevada to do its part.”

SNAG Director Jo Anne Embry said, “I am extremely honored that the Administration on Aging has the confidence in Nevada’s project to request that we review new applicants. Our successes are directly proportionate to the caliber of our volunteers, the extraordinary efforts of my project assistant, the complete support of the Office of the Nevada Attorney General, and our SNAG partners, AARP and the Division for Aging Services.”

SNAG is a Senior Medicare Fraud Patrol Project funded under a grant to the Division for Aging Services and contracted to the Attorney General’s Office. Of the 48 current grant programs around the nation, Nevada’s SNAG Project is the only program operated through a law enforcement agency.

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The purpose of the program is to recruit and train retired professional seniors to assist Nevadans covered by Medicare to better understand the delivery of their health care through the Medicare system. Staff and volunteers educate beneficiaries to be better able to spot and report

"Protecting Citizens, Solving Problems, Making Government Work"

suspicious activity regarding the delivery of their health care after reviewing their Medicare Summary Notices. Complaints received through the program and not resolved at that level are then reviewed by a deputy attorney general and may be referred to either the local Office of Inspector General or the United States Attorney's Office.

Nevadans with Medicare are reached through community events, health fairs, print and broadcast media, and presentations to a variety of senior organizations and agency personnel who deal with Medicare and Medicaid beneficiaries throughout the state. Currently there are 36 SNAG volunteers covering Nevada, including the Las Vegas, Reno, Carson City, Minden, Fallon and Elko areas.

In addition, through SNAG's organization, training in Medicare fraud, waste, and abuse is being planned for health care providers, managers, and the billing community. Trainers represent the FBI, the Health Care Financing Administration's Medicare Integrity Program, and the Nevada Health Care Fraud Task Force.

In 1995, the government's first year in establishing Medicare fraud projects throughout the country as part of "Operation Restore Trust," Medicare losses to fraud, waste, or abuse amounted to approximately 14% of all payments made. The latest audit by the Office of Inspector General in March 2001, reports that mispayments have been cut in half (6.8%) from the original audit. The reduction has been attributed in part to fraud projects around the nation, like SNAG. However, Nevada Medicare expenditures in 2001 are expected to reach almost \$1.26 billion dollars. Inappropriate, unnecessary, abusive or fraudulent payments may reach almost \$85 million dollars in Nevada alone.

In its first year, SNAG has received approximately 135 complaints, identified thousands of dollars for direct recoupment either to Medicare or to a Medicare beneficiary, and conducted 41 group training sessions at which 1750 individual beneficiaries have been better educated. Additionally, fraud prevention and detection training have been provided to more than 80 Nevada agency personnel who deal directly with Nevadans with Medicare and Medicaid. SNAG volunteers and staff have distributed information at 45 community events and health fairs reaching almost 5500 persons, and approximately four million Nevadans have been reached through media events.

To report suspicious Medicare or Medicaid activity or to inquire about volunteering, you can contact SNAG at 1-888-838-7305, visit the Attorney General's web site at <http://ag.state.nv.us> and then click on "Medicare Fraud Patrol Project," or email SNAG at snaginfo@ag.state.nv.us.

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FOR IMMEDIATE RELEASE
April 27, 2001

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ATTORNEY GENERAL ANNOUNCES CHANGES IN GAMING DIVISION

Las Vegas --Attorney General Frankie Sue Del Papa announced today that Keith Kizer has been promoted to the position of Chief Deputy Attorney General of the Gaming Division, effective May 14, 2001. Kizer, along with seven other gaming deputies, provides legal counsel to the Nevada Gaming Commission, State Gaming Control Board, and the Gaming Policy Committee. In addition to representing Nevada's gaming regulators, Kizer will continue to oversee the providing of legal services to the Nevada Athletic Commission.

"Keith has proven himself to be a capable and valuable asset to this office," Del Papa said. "Although he has some very big shoes to fill with the departure of Kirk Hendrick, I believe Keith's background and experience will help make the change as seamless as possible."

Kizer has been with the Attorney General's office for 3½ years, most recently serving as a senior deputy in the Gaming Division's Las Vegas office. Del Papa originally recruited Kizer to be chief legal counsel to the Nevada Labor Commissioner, Employee-Management Relations Board, and the State Apprenticeship Council. He received his undergraduate degree from Valparaiso University, and his law degree from the University of Illinois. He worked in private practice before joining the Attorney General's staff in October 1997.

Kizer replaces Kirk Hendrick, who is leaving the office after almost eight years of service to the citizens of Nevada to return to private practice at the Las Vegas office of Jones Vargas. "I would like to commend Kirk for the many years of valuable service he has dedicated to the State of Nevada," Del Papa said. "His efforts over the last years are greatly appreciated."

In addition, Del Papa named Jeff Rodefer to the position of assistant chief of the Gaming Division. "Jeff Rodefer has performed outstanding work for the Department of Transportation,

Department of Taxation, and has played a significant role in the Gaming Division. His work within this office and in the community deserves recognition. Therefore, this promotion is certainly very justified.”

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IMMEDIATE RELEASE
April 26, 2001

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**OPERATOR OF MEDICAL SUPPLY STORE
CHARGED WITH MEDICAID FRAUD**

Las Vegas—Attorney General Frankie Sue Del Papa announced today that the operator of a Las Vegas medical equipment supply store has been charged with 15 felony counts of Medicaid Fraud. Rafik Safaryan, age 54, is the owner operator of Master Medical Supply, located at 4777 East Charleston Boulevard, Suite 107-D. Each count carries a potential penalty of up to four years incarceration and a \$5,000.00 fine. If convicted on all counts, Safaryan would face up to 60 years incarceration. Safaryan's current whereabouts are unknown. A warrant has been issued for his arrest.

Medicaid Fraud Control Unit (MFCU) Director Tim Terry said the investigation involves Safaryan's submission of billings for medical supplies he claims to have given to 15 separate Medicaid patients. The patients denied ever dealing with Safaryan or his business, Master Medical Supply. The patients also deny ever receiving any of the goods. Apparently, Sarafyan simply submitted false billings in hopes of being paid.

Del Papa stated, "It appears this man sought out a weakness in our Medicaid health care system and unscrupulously attempted to capitalize on it. Our office has combined forces with Nevada Medicaid and the California Attorney General's Medi-Cal Fraud Division to bring a halt to this scheme."

The charges against Safaryan are merely allegations. He is presumed innocent until or unless proven otherwise in a court of law.

Anyone suspecting provider fraud in the Medicaid system may report it to the MFCU in Carson City at (775) 687-4704, or in Las Vegas at (702) 486-3420. Medicaid fraud information can be found on the Attorney General's web site at <http://ag.state.nv.us>.

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FOR IMMEDIATE RELEASE
April 26, 2001

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RENO MAN PLEADS GUILTY TO INSURANCE FRAUD

Reno--Attorney General Frankie Sue Del Papa has announced that Jerry Wayne Klopf, age 20, today pleaded guilty to Conspiracy to Commit Insurance Fraud before Washoe County District Court Judge Jerome Polaha.

Klopf falsely reported to Progressive Insurance that his vehicle had been stolen when, in fact, he had staged the theft. A concerted effort by The Nevada Attorney General's Office and National Insurance Fraud Bureau brought an end to Klopf's scheme.

"Insurance Fraud is one of the costliest white collar crimes in the United States, ranking second to tax evasion, Del Papa said. "Ultimately, policyholders, taxpayers and the general public pick up the tab for insurance fraud through increased insurance rates, higher taxes and inflated prices for consumer goods and services."

If you have any information regarding 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 website at <http://ag.state.nv.us>.

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Protecting Citizens, Solving Problems, Making Government Work



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FOR IMMEDIATE RELEASE
April 25, 2001

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STATE CONSUMER ADVOCATES CALLS ON FERC IMPLEMENT PRICE CAPS

Carson City– Nevada Consumer Advocate Timothy Hay, who heads the Attorney General's Bureau of Consumer Protection, has asked the Federal Energy Regulatory Commission (FERC) to implement regional price caps for wholesale electricity sold in the Western United States. In a letter sent today to FERC Chairman Curt Hebert, Jr., Hay stated that strong measures are required to protect the public from unjust and unreasonable utility rates that threaten Nevada's economy and the health, safety and welfare of the state's residents.

"I am especially concerned about senior citizens who are particularly vulnerable to extreme heat during summer months, and who rely on electricity to provide safe temperatures in their homes," Hay said. "Additionally, there are many arid regions in the state with population centers that cannot be sustained without electricity to pump potable drinking water."

Hay urged the FERC Commissioners to reconsider their earlier position opposing rate caps and cost-based pricing of wholesale energy. He urged FERC to institute interim price caps based on normal rates of profit, as opposed to the supra-normal profits companies are presently earning, until the wholesale electricity market in the Western United States is less subject to potential manipulation and extreme volatility, as has been recently experienced in Nevada and other Western states. Hay said if such caps are not implemented, suppliers of electricity and capacity will continue to earn supra-normal profits and will continue to have the opportunity to exploit the supply shortage that presently exists.

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FOR IMMEDIATE RELEASE
April 24, 2001

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RURAL GUARDIANSHIP SUMMIT A GREAT SUCCESS

Carson City— Forty-eight state, county and tribal officials met for two days in Winnemucca on April 18-19 to discuss guardianship issues facing rural Nevada. Participants included judges, district attorneys, deputy attorneys general, state and county social workers, county officials and members of tribal councils. The Summit was unanimously heralded as a great success, and those attending agreed to work together to find ways to help better protect those in rural Nevada who are unable to care for themselves.

The purpose of the Summit, which was co-sponsored by the Nevada Attorney General's Office, Nevada Division for Aging Services and the Nevada Prosecution Advisory Council, was to develop solutions to the problems facing elderly Nevada citizens in the rural counties who are in need of guardianship services. In the more populated areas of Nevada, a public guardian is often appointed and paid for by the county. But in many rural areas of the state, there is no access to a public guardian. As a result, some older Nevadans are left vulnerable to financial exploitation, abuse and neglect.

A public guardian assumes the role of caring for an older person who may not be able to properly care for himself due to mental deficiency, disease, weakness of mind, or any other number of causes. The guardian makes periodic reports to the district court regarding the person's income, expenses and property, along with demonstrating that the person is being given proper care.

Summit keynote speaker, Steve Fields, Esq. from Tarrant County, Texas, presented various methods used in other rural areas to better assure guardianship protection. Based on his extensive experience in the 254 counties in Texas, he provided valuable materials and insight to help rural Nevada find solutions to this important challenge.

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Highlights of the summit included: A judge's panel, moderated by Mr. Fields, which included Judge Richard A. Wagner of Pershing County, Judge Michael R. Griffin of Carson City, Judge Scott T. Jordan of Washoe County, and Nye County Deputy District Attorney Peter Knight; Judge Jordan and Attorney Pat Winnie informed the attendees about the Washoe County Special Advocates For Elders ("S.A.F.E") program; Peter Knight, Esq. spoke to some of the specific problems rural areas encounter in the guardianship area; and Clark County Guardianship Commissioner Jennifer Henry, Clark County Public Guardian Kathleen Buchanan, and Deputy Administrator for Aging Services Bruce McAnnany, presented information on resources that are available to assist the rural areas. Clark County Judge Betsy Kolkoski wrapped up the Summit by brainstorming with the group on what steps should be taken in the future.

Summit participants agreed that each county or tribe needs local solutions with the help of the state and other resources. Judge Wagner has agreed to chair a small committee that will work with the Attorney General's Office and other agencies to develop plans for meeting the rural guardianship needs in each jurisdiction.

"The Summit was a great success and will help better assure that a guardian is available for every citizen who needs one in rural Nevada," Attorney General Frankie Sue Del Papa said. "Our aging population deserves to have the added protection that a guardian can provide."

For information on the Summit or on guardianship, please contact Deputy Attorney General Kathryn Holt at (702) 486-3086. Information on preventing elder abuse and exploitation can be found on the Attorney General's web site at <http://ag.state.nv.us>.

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April 23, 2001

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**LAS VEGAS AUTO TRANSPORTER ARRESTED
FOR FELONY RACKETEERING AND THEFT**

Las Vegas- Attorney General Frankie Sue Del Papa announced today that Las Vegas resident Katherine Ann Carter, age 31, was arrested on Friday, April 20, 2001, on one count of felony racketeering, eight counts of aiding and abetting and theft by false pretenses, and two counts of theft by false pretenses against a victim 65 years or older. The charges carry a potential penalty of 120 years incarceration in Nevada State Prison. Carter was later released on her own recognizance. The Bureau of Consumer Protection is prosecuting the case.

According to the Attorney General's complaint, Carter is alleged to have run a scheme involving several companies that advertised to transport vehicles throughout the country and abroad. After the victims paid Carter to have their vehicles transported, their cars were never picked up, nor was their money refunded. Specifically, Carter presided over A AAAAuto Brokers, Inc.; AAA America's Auto Broker's, Inc.; and AAA Anywhere Auto Brokers, Inc.

"It is important that people who engage in this type of activity be brought to justice and held accountable for their crimes," Del Papa stated. "The Bureau of Consumer Protection is committed to assisting Nevada consumers, and will vigorously prosecute those who engage in acts of theft, especially when it involves taking advantage of the elderly."

The felony racketeering and theft charges are merely allegations. The Defendant is presumed innocent until proven otherwise in a court of law.

For more information on the Bureau of Consumer Protection, please go to <http://ag.state.nv.us>.

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FOR IMMEDIATE RELEASE
April 19, 2001

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INSURANCE FRAUD "COYOTE CASE" PROSECUTION RESULTS IN \$83,000 IN RESTITUTION

Las Vegas — Former Boulder City resident Rory Griffin Graham, 37, was sentenced today to 12-30 months in Nevada State Prison for his role in an Insurance Fraud scheme that came to be known as the "Coyote Case." Clark County District Court Judge John S. McGroarty placed Graham on five years probation, with several stipulations: that Graham make full restitution to the insurance companies, that he complete a problem gambling program, and that he complete community service. Graham had faced up to twelve years in prison, as well as fines of \$15,000.

As part of his plea agreement with the Attorney General's Insurance Fraud Unit, Graham will make restitution of \$83,324.39 to the insurance companies defrauded by Graham and his co-defendant, Daniel James Erickson, who is currently in custody in California on unrelated charges. Graham also agreed to testify against Erickson in the event of trial. The State of Nevada has also filed a civil forfeiture action pertaining to one of Graham's bank accounts that contains more than \$154,000. As part of his plea agreement, Graham waived any interest he had in that account, agreeing that the funds in the account were derived from criminal activity. The Insurance Fraud Unit, if successful in the forfeiture action, will make further restitution to the insurance companies defrauded by Graham and Erickson.

According to the original charges, in April 1997, Graham and Erickson used falsified ownership documentation and proof(s) of identification to each take out separate insurance policies with various companies on a 1993 Lexus. They also concealed their prior insurance coverage and claims history to falsely obtain coverage. Each later reported to their respective companies that, after swerving to avoid a coyote on U.S. Highway 93, they had been involved in a collision with a guardrail. Graham and Erickson were paid more than \$83,000 as a result of these phony claims.

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The scam was uncovered after an agent for Geico Insurance recognized Erickson as someone the company had insured earlier, and who had made a similar claim. Geico referred the

matter to the National Insurance Crime Bureau (NICB). An investigation that became known as the "Coyote Case" was launched with NICB, the Insurance Fraud Unit, and special investigative units from Geico, Allstate, Farmers, Mercury Casualty, Nevada General, Progressive and Titan Insurance all actively involved.

"The success of this investigation, the resulting criminal charges, and the capture of both Graham & Erickson, were the direct result of collaborative and cooperative efforts of the FBI, our office, and the insurance industry," Attorney General Frankie Sue Del Papa said. "Insurance fraud perpetrated at this level can only be combated by the continued partnership of law enforcement, the insurance industry, and the support of private citizens in these efforts. Insurance Fraud costs the insurance industry both time and money in investigating cases like this. The end result is that every Nevada citizen pays the price through increased premiums."

Graham and Erickson were originally charged in November 1998, but had been fugitives until late last year when Graham was arrested in Wisconsin on phony credit card charges. Through information developed following Graham's apprehension, the FBI Fugitive Task Force was able to locate and arrest Erickson in Southern California.

If you have knowledge 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 on the Attorney General's web site at <http://ag.state.nv.us>.

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April 19, 2001

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CONSUMER ADVOCATE APPLAUDS NEW LAW TO HALT PLANT SALES AND VOWS TO CONTINUE FIGHTING FOR ADDITIONAL PROTECTIONS FOR CONSUMERS.

Carson City, Nevada – Consumer Advocate Timothy Hay today praised the Nevada Legislature for approving legislation that provides an absolute moratorium on the sale of electric generation plants in Nevada until July 2003. Hay announced in January that he would take whatever steps necessary to block the sale of electric generating plants that were being sold as a condition of the approved merger between Nevada Power Company and Sierra Pacific Power Company. “Stopping the sale of Nevada’s generating assets has been my number one priority with both the Legislature and the Public Utilities Commission because that is the only effective way to assure that existing low cost power remains in Nevada,” said Hay.

Hay filed legal documents earlier this year urging the Public Utilities Commission to delay divestiture of Nevada’s electric generating plants and to reconsider its prior approval of the sale of the Mohave coal-fueled generating plant in Southern Nevada. Hay received a favorable ruling from the Commission on April 6 that delayed completion of the Mohave Generating plant sale. On April 13, in another favorable order, the Commission ruled they would consider no applications for electric plant sales for at least sixty days in order to allow the legislature enough time to determine public policy on divestiture and process the bill that was signed by the Governor on Wednesday.

In addition to halting the sale of Nevada’s least cost source of electric energy, the new law freezes rates at their current level for the next year authorizes reinstatement of deferred energy accounting that was repealed in 1999. “The new deferred energy accounting mechanism has consumer protections that were not in the previous law,” said Hay. “Increased costs for purchased fuel and power charged to ratepayers can now be spread over three years instead of just 12 months, which will be helpful to minimize rate shock as future rate cases are decided.” The new law also includes other consumer protections, including stronger prudence standards and a specific provision in law that the utility must include revenues from wholesale sales of excess power to net-down costs accrued in the deferred energy account. “This one provision alone is potentially worth millions of dollars to ratepayers in future rate cases,” said Hay. “This is an issue we have successfully litigated in previous cases that will be much easier to argue in the future based on this amendment.”

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Hay said he will now focus on convincing the legislature to mandate an independent audit of both Nevada Power Company and Sierra Pacific Power Company so that the utilities' current financial condition and recent operational decisions can be fully reviewed. "We will have opportunity to conduct a full review when the first deferred energy and general rate cases are considered by the PUC next year under the new law. However, that may not be soon enough to ensure that everything that can be done, is being done to adequately protect the affordability and reliability of Nevada's electric service. Sierra Pacific has now received both the rate increase and the accounting mechanisms sought to assure its financial stability. The ratepayers deserve a truly comprehensive and independent management audit so that ratepayers are not again placed in the position of bailing out this utility."

Hay vowed to continue seeking legislation that will include other consumer protections that were outlined in an energy policy statement in December. "Acquiring essential electric services should not place an undue economic burden on households," said Hay. "Our office is advocating the creation of a basic affordability rate for residential customers that would apply to the first block of energy consumption and ensure that the most basic and necessary level of energy consumption remains affordable for all consumers. Besides helping the smallest households that have the lowest energy usage, the affordability rate will also provide larger households a greater incentive to conserve energy. Current market conditions also underscore the need for expanded low income energy assistance programs."

Hay also supports increasing the amount of renewable energy that must be included in the energy portfolio of Nevada electric utilities as a clean, reliable source of electricity that is produced within the state. Energy from renewable resources, especially solar, has the added advantage of reducing the amount of high cost energy that utilities must purchase to meet peak demand. "We have made good progress addressing the energy crisis, but much more remains to be done." Hay said.

The last year has proven we must have a variety of options for residential consumers to manage their energy bills, including ways that will allow them to become less dependent on the existing utility monopoly. Expanding the use of renewable energy insulates consumers from escalating fossil fuel prices, and expanding options such as net metering will, over time, allow residential customers to take control of their energy destiny."

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April 19, 2001

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BOGUS RECEIPT LEADS TO INSURANCE FRAUD CONVICTION

Las Vegas – Las Vegas resident James Edward Lea, Jr., 30, today pleaded guilty to Attempting to Make a False Claim for Insurance Benefits, a gross misdemeanor, before Clark County District Court Judge John S. McGroarty. Prior to entering his plea, the Nevada Attorney General's Insurance Fraud Unit required that Lea pay \$1,875 restitution to State Farm Insurance Company. Lea faced up to one year in jail and a fine of \$2,000.

On December 1, 1999, Lea reported to the Las Vegas Metro Police Department that his 1993 Ford Mustang had been stolen from his driveway. Lea told State Farm that he had put custom tires and rims on the car. He submitted a purported receipt from Crown Service to support this alleged purchase. This receipt was dated six days *after* the alleged theft. Lea then explained to State Farm that he had actually purchased the tire and rims in 1998 and had paid more than \$5,000 in cash. The car was later recovered, with all four wheels missing.

An investigation by the Insurance Fraud Unit and the North Las Vegas Police Department revealed that Crown Service had never sold custom tires and rims to Lea. The only record Crown Service had relating to Lea was for the sale of a used tire for \$25. Lea apparently altered this used tire receipt to reflect a tire and rim purchase of more than \$5,000.

"Making false statements to an insurance company that relate to a material fact is a crime," explained Attorney General Frankie Sue Del Papa. "When people rip-off their insurance company, we all pay the price through higher premiums. The Insurance Fraud Unit will continue to aggressively combat and prosecute this type of fraud."

If you have knowledge 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 <http://ag.state.nv.us>.

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April 17, 2001

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**LAS VEGAS LICENSED PRACTICAL NURSE
ARRESTED FOR FELONY ELDER NEGLECT**

Las Vegas—Attorney General Frankie Sue Del Papa announced today that Las Vegas licensed practical nurse, Rebecca Goodman Yowell, age 56, was arrested Monday evening, April 16, 2001, on one count of Felony Elder Neglect. The charge carries a potential penalty of six years incarceration. Prosecution of the case is being handled by the Medicaid Fraud Control Unit (MFCU).

According to MFCU Director Tim Terry, Yowell is alleged to have criminally neglected a resident of a private home for whom Yowell was hired to provide “live in” care services. Specifically, during April and May of 2000, Yowell attempted to treat the resident’s bedsores without first obtaining a doctor’s order to do so. The resident’s condition worsened and she eventually had to be taken to a local hospital’s emergency room suffering from several complications.

While reiterating her office’s commitment to take every possible step to guarantee our elderly residents are protected from abuse or neglect, Del Papa said, “The elderly residing in smaller private care homes must be protected to the same degree as residents of larger nursing homes.”

The charges against Yowell are merely allegations. She is presumed innocent until or unless 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); or to the Division for Aging Services at (775) 688-2964 (Reno); (775) 687-4210 (Carson City); or (702) 486-3545 (Las Vegas); or a local law enforcement agency. Medicaid fraud information can be found on the Attorney General’s web site at <http://ag.state.nv.us>.

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April 17, 2001

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**NEVADA MISSING CHILDREN CLEARINGHOUSE
ASKS FOR PUBLICS' ASSISTANCE IN LOCATING MISSING CHILDREN**

Attorney General Frankie Sue Del Papa and the Nevada Missing Children Clearinghouse (NMCC) are asking for the publics' assistance in locating Miguel Alcaez, age 14, and his sister Herlinda Alcaez, age 10, who were abducted by their non-custodial father, Efren Alcaez (pictured above, far right). The children have been missing for six years. A felony warrant for Violation of Custody Order is outstanding for Efren Alcaez.

The National Center for Missing & Exploited Children and ADVO, Inc., a national advertising company, will be featuring the Alcaez case in the ADVO, Inc. Direct Mailing Program, which will target the entire Las Vegas area. ADVO, Inc. is a postcard type advertising mailing that features an advertisement on one side and the case of a missing child/children on the other. To date, this has been a successful tool in locating 110 missing children from across the United States.

"We are hopeful that if the children are somewhere in Nevada, someone will recognize them or know something of their whereabouts and do the right thing by contacting our office so we can help bring them home," Del Papa said.

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The children were taken to the Circus Circus Hotel & Casino on November 12, 1994,

and have not been seen since. Indications in this case are that Alcaarez may have fled to Mexico with the children.

“The quicker law enforcement is contacted the better the odds of locating a missing child,” said Nevada Missing Children Clearinghouse Director Brian Kunzi. “This is as true for parental abductions as it is for stranger abductions.”

In Nevada alone, there were 229 parental abduction cases opened in 2000. So far, 150 of those children have been recovered.

The NMCC was created by the state Legislature in 1991 due to the alarming number of children reported missing each year in Nevada. The Clearinghouse not only acts as the official repository of the state for reports of all children reported missing from throughout the state, but also handles the investigation and prosecution of parental abductions in Clark County as well as provides information on child protection issues. NMCC works in tandem with the National Center for Missing & Exploited Children, all Nevada law enforcement, all 50 states' clearinghouses and their law enforcement agencies.

For more information about the Nevada Missing Children Clearinghouse, please call (702) 486-3539, or visit our web site at <http://ag.state.nv.us>. Photographs of these and other missing children can be viewed on the web site.

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FOR IMMEDIATE RELEASE
April 16, 2001

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**RURAL GUARDIANSHIP SUMMIT WILL TAKE PLACE
IN WINNEMUCCA APRIL 18 AND 19**

Carson City—The Nevada Attorney General's Office, Nevada Division for Aging Services, and the Advisory Council for Prosecuting Attorneys are sponsoring a Rural Guardianship Summit that will take place in Winnemucca April 18-19, 2001. The two-day summit will be held at the Winnemucca Convention Center, located at 50 West Winnemucca Boulevard. More than 60 people are expected to attend the Summit, which begins at 1:00pm on April 18 and concludes at 2:45pm on April 19. Invitations to the summit were sent to judges, district attorneys, county commissioners, county managers, social service directors, public guardians, county clerks, elder protective workers, and members of the tribal council.

The purpose of the Summit is to develop solutions to the problems facing elderly Nevada citizens in the rural counties who are in need of guardianship services. In the more populated areas of Nevada, a public guardian is often appointed and paid for by the county. But in many rural areas of the state, there is no access to a public guardian. As a result, some older Nevadans are left vulnerable to financial exploitation, abuse and neglect.

A public guardian assumes the role of caring for an older person who may not be able to properly care for himself due to mental deficiency, disease, weakness of mind, or any other number of causes. The guardian makes periodic reports to the district court regarding the person's income, expenses and property, along with demonstrating that the person is being given proper care.

Attorney General Frankie Sue Del Papa will offer opening remarks at the Summit. The keynote speaker will be Steven Fields, Esq. who is on the Board of the National Guardianship Association and has helped develop rural guardianship programs in other states.

"Our aging population deserves to have the added protection that a guardian can provide," Del Papa said. "The Summit will serve as a great opportunity to explore options and develop viable solutions to the problems some of our rural communities face in addressing this need with the limited resources at their disposal."

For more information on the Summit, please contact Don Price, Summit Coordinator, at (702) 486-3355.

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FOR IMMEDIATE RELEASE
April 16, 2001

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**NEVADA RECEIVES TOBACCO
MASTER SETTLEMENT AGREEMENT FUNDS**

Carson City—State Treasurer Brian Krolicki's office has confirmed the receipt of \$24,480,334.29, the latest payment by tobacco manufacturers to the State of Nevada as a result of the Master Settlement Agreement (MSA). Tobacco manufacturers made their first payment to the MSA fund on December 28, 1998. So far, Nevada has received a total of \$87,750,863.18 from its share of the settlement.

Under terms of the MSA, if there is either an increase or 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." Other adjustments include an inflation modification that results in a minimum 3% increase (depending upon the consumer price index), and a non-participating manufacturers (NPM) adjustment (depending upon the shift in cigarette sales to companies that have refused to sign the MSA). The effect of the NPM reduction is reduced if a state is diligently enforcing a statute contained in the MSA referring to NPMs, which Nevada has done through three lawsuits against non-participating companies. Nevada was also the first state in the nation to obtain a judgment against one of the non-participating companies under the NPM statute.

"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," Attorney General Frankie Sue 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. From the outset of this issue, one overriding emphasis by this office has been the commitment to attempting to prevent young people from being targeted as future smokers."

For more information on the tobacco settlement and the role of the Attorney General's Office in the MSA, please go to <http://ag.state.nv.us>.

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April 16, 2001

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**ATTORNEY GENERAL TESTIFIES ON BEHALF
OF IMPORTANT BILL RELATED TO YUCCA MOUNTAIN**

Carson City--Attorney General Frankie Sue Del Papa today testified before the Senate Finance Committee in support of Senate Bill (SB) 494, which seeks to create the Nevada Protection Account. The account, which would be administered by the Governor's Office, would fund State activities designed to prevent the location of a high-level nuclear waste repository at Yucca Mountain. The Nevada Protection Account would be used for two primary purposes: (1) to fund a Yucca Mountain legal defense/contingency account, and (2) to fund a national information and awareness campaign. Both purposes are consistent with the State's strategy to defeat the proposed nuclear waste repository at Yucca Mountain. State support of these activities is crucial to Nevada's opposition efforts and will send a powerful message to Yucca Mountain proponents in Congress and the nuclear industry that Nevada is committed to defeating this ill-conceived and dangerous project.

"Simply stated, Nevada is gearing up for the fight of its life," Del Papa said. "My office and the Agency for Nuclear Projects are working diligently to prepare for the anticipated legal challenges of DOE's final actions. We recognize that in the event DOE submits a license application to the U.S. Nuclear Regulatory Commission (NRC), the State must be prepared to defend its interests in an NRC licensing proceeding in the most effective way possible. To that end, it is imperative that the State retains a law firm with the specialized expertise necessary for Nevada to participate in the licensing proceeding with the best defenses possible."

In addition to providing for the legal defense/contingency fund, SB 494 would finance a public awareness and education campaign designed to focus public attention on the potentially catastrophic impacts of a national transportation effort inherent in the Yucca Mountain program.

"To date, DOE has utterly failed to identify, much less analyze, the proposed transportation routes for the high-level nuclear waste to travel if the proposed repository at Yucca Mountain becomes a reality," Del Papa continued. "Without a national public awareness campaign, people throughout the county in at least 43 states and hundreds of metropolitan areas will remain unaware of the threats posed by literally thousands of shipments of deadly nuclear waste over an expected 28-year period."

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April 12, 2001

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ATTORNEY GENERAL TO TESTIFY IN SUPPORT OF SJR 11

Carson City—Attorney General Frankie Sue Del Papa is scheduled to address the Senate Transportation Committee this afternoon at 1:30pm regarding Senate Joint Resolution (SJR) 11, which urges Congress to direct the appropriate federal agencies to prepare an environmental impact statement (EIS) to consider the potential highway and railroad routes for the transportation of nuclear waste to Yucca Mountain in the event the proposed high-level nuclear waste repository at Yucca Mountain is authorized.

“The draft EIS on Yucca Mountain is totally deficient in its failure to identify, much less analyze, transportation routes across the country for the nuclear waste to travel in the event the proposed repository at Yucca Mountain is constructed,” Del Papa said. “This failure has resulted in people across the nation in 43 states and hundreds of cities to be unaware of the threats posed by thousands of shipments of deadly nuclear waste, should the proposed repository become a reality.”

Del Papa continued, “It is vital that Americans outside of Nevada realize that the proposed high-level nuclear waste repository at Yucca Mountain impacts their communities by virtue of a transportation plan that places thousands of people in harm’s way throughout the country. SJR11 serves to educate and draw attention to the Department of Energy’s failure to identify and analyze transportation routes. I respectfully ask for the committee’s support of this important measure.”

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**ATTORNEY GENERAL'S OFFICE TESTIFIES AGAINST SENATE BILL 361 AND
SENATE JOINT RESOLUTION 10**

Carson City—Solicitor General Drennan A. Clark is scheduled to address the Senate Transportation Committee this afternoon regarding SB 361 and SJR 10, measures that would impose certain safety restrictions on the proposed high-level nuclear waste repository at Yucca Mountain in the event the repository is authorized for construction.

Clark will urge the committee to reject both SB 361 and SJR 10 because, "These bills send the wrong message that Nevada may be willing to accept the proposed high-level nuclear waste repository at Yucca Mountain if certain public health and safety standards are met. The proposed legislation would dilute the strong message the Legislature has already delivered to Congress and the nuclear power industry that Nevada simply will not accept or negotiate for a project that is as seriously flawed as the Yucca Mountain Project."

Attorney General Frankie Sue Del Papa, along with most of Nevada's elected officials, has vigorously opposed the Yucca Mountain Project from its inception. Her office is gearing up for key legal challenges against the proposed repository and considers SB 361 as undermining that effort. "SB 361 endorses specific radiation protection standards for Yucca Mountain. The legislation could clearly negatively affect the ultimate success of the State's anticipated legal challenge of the radiation standards once they become final."

Clark added, "It is imperative that the State continue to present a strong and unified front to the nation that Nevada does not accept the inevitability of the Yucca Mountain Project. With its recent passage of SJR 6, the nearly unanimous Legislature demonstrated the State's opposition to the proposed high-level nuclear waste repository at Yucca Mountain. The Attorney General respectfully urges the committee to reject SB 361 and SJR 10."

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FOR IMMEDIATE RELEASE
April 6, 2001

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**BILL WOULD HELP EDUCATE CITIZENS ABOUT
THE IMPORTANCE OF BEING AN ORGAN DONOR**

Carson City—Attorney General Frankie Sue Del Papa and Assemblywoman Dawn Gibbons will be joined by Senator Ray Rawson, Assemblywomen Barbara Buckley and Chris Giunchigliani and Assemblyman Bob Beers in hosting an informal luncheon reception on Monday, April 9, 2001, from noon-1:30pm, in room 3100 of the Legislative Building, as a prelude to the introduction of AB497, which will be heard at 1:30pm in room 3138 by the Assembly Health and Human Services Committee.

More than 74,000 people in the United States are in need of a lifesaving organ transplant; more than 6,100 will die this year alone waiting for a suitable donor.

AB497, sponsored by Gibbons, would create a funding mechanism that would be used by the Attorney General's Bureau of Consumer Protection to provide educational materials about becoming an organ donor. It would also allow the Nevada Department of Motor Vehicles and Public Safety to periodically send a list of Nevada citizens who have volunteered to be an organ donor to the National Registry of Organ Donors.

The Nevada Department of Motor Vehicles and Public Safety (DMV&PS) currently asks those getting or renewing their driver's license if they want to donate their organs at the time of their death. If a person agrees, the words "ORGAN DONOR" are stamped on the person's license. It is also imperative the donor inform his family of his choice, since they will be the ones to follow through on that request.

Under the provisions of AB497, when a person agrees to become an organ donor, DMV&PS would ask that person if he would like to donate \$1 or more to help pay for educational literature and brochures addressing the importance of organ donors. The money collected would then be forwarded to the Bureau of Consumer Protection for the purchase and dissemination of such materials.

By submitting names to The National Registry, those names would then be listed as possible organ donors for anyone in the United States, no matter where the donor was at the time of his death. The National Registry also contacts the donor to find out all pertinent information, along with making sure the donor's family is aware of the decision.

--more--

“I am very excited to see the bipartisan support this bill is receiving from my colleagues,” Gibbons said. “My hope is that AB497 will be an important step in alerting Nevadans to the importance of being an organ donor; that by making sure they take the time to let their families know they want to be an organ donor, they can play a significant role in helping to save the lives of others through their thoughtful act of kindness.”

“Each day, 12 people die in the United States waiting for a life-saving organ, such as a heart, liver or kidney,” Del Papa said. “I commend Assemblywoman Gibbons for introducing AB497, and the other members of the Legislature who are joining her in co-sponsoring this important legislation. I would like to call on everyone to please give careful thought to becoming an organ donor. The decision you make today will help save lives tomorrow.”

For more information on becoming a donor, call the California Transplant Donor Network at 1-888-570-9400, or go to www.thetransplantnetwork.com or to www.livingbank.org.

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FOR IMMEDIATE RELEASE
April 4, 2001

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STAGED "SLIP & FALL" LEADS TO GUILTY PLEA

Las Vegas - James Andrew Duna, 43, of Chicago, Illinois, today pleaded guilty to a felony count of Conspiracy to Commit Insurance Fraud before Clark County District Court Judge Joseph T. Bonaventure. Duna faces up to four years in prison and a fine of \$5,000. He has agreed to pay \$10,608.36 in restitution to the victims of a bad check case that will be dismissed by the Clark County District Attorney's Office as a result of a plea agreement reached with the Attorney General's Insurance Fraud Unit. Duna will also pay the state \$1324, the cost of his extradition from Chicago, Illinois, where he was captured last month on a fugitive warrant. Formal sentencing is scheduled for May 16, 2001.

In December 1995, Duna, along with Bryan Christopher Ballog, reported to Liberty Mutual Insurance Company that Ballog had slipped on standing water in the men's restroom at the J.C. Penny store in the Meadows Mall (Liberty Mutual is the insurance carrier for J.C. Penny). Ballog claimed that he injured his head and teeth from the fall. He was transported via ambulance to University Medical Center, and later sought additional medical treatment.

An investigation conducted by the Insurance Fraud Unit and Liberty Mutual revealed that the accident was staged; that Duna and Ballog had purposely splashed water on the floor; and then Ballog laid down on the floor, feigning injury. Ballog had pre-existing injuries to his mouth, and the two sprayed a blood-like substance in the washroom to give the claimed injury the appearance of validity. Ballog was captured in 1998 and sentenced to 34 months in the Nevada State Prison for his part in the fraudulent scheme.

"The Insurance Fraud Unit is dedicated to enforcing the criminal statute that makes submitting false claims illegal," explained Attorney General Frankie Sue Del Papa. "When people rip-off their insurance company, we all pay the price through higher premiums."

If you have knowledge 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 <http://ag.state.nv.us>.

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FOR IMMEDIATE RELEASE
April 3, 2001

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BILLS WOULD ESTABLISH TELEMARKETING "DO NOT CALL" LISTS

Carson City—On Wednesday, April 4, 2001, at 3:45pm, Attorney General Frankie Sue Del Papa's Bureau of Consumer Protection will testify before the Assembly Commerce and Labor Committee in support of two bills that will enhance Nevada's current telemarketing statutes, including the addition of a "Do Not Call" list that telemarketers would be required to maintain. AB 337 and AB 439 are designed to prohibit telemarketers from engaging in phone call solicitations that are threatening, abusive or harassing.

"This legislation is needed due to the overwhelming numbers of consumers who call our office or the State Consumer Affairs Division to complain about unwanted and sometimes harassing telephone solicitations," Del Papa said. "Both of these bills will help Nevada consumers a great deal. Assemblyman Greg Brower deserves special recognition for his leadership regarding the 'Do Not Call' issue addressed in AB 439."

AB337 and 439 would create a Nevada-specific "Do Not Call" provision, which would enhance current federal law that allows a private right of action for consumers who receive telemarketing calls after having informed the solicitor that they no longer wish to receive such phone calls. AB337 and 439 would provide Nevada with its own specific statute to enforce "Do Not Call" lists.

"AB337 would make it a deceptive trade practice if the phone solicitor calls a consumer after having been directed to stop doing so," Del Papa said. "The bill would place the burden on the phone solicitor to maintain a 'Do Not Call' list of consumers who have directed the telemarketer to stop calling them. Thereafter, if the telemarketer places a call to someone on that list, the solicitor would be subject to a monetary penalty and/or a misdemeanor."

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April 3, 2001

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NEVADA MISSING CHILDREN CLEARINGHOUSE RECOVERS & RETURNS THREE CHILDREN TO HAWAII

Las Vegas--Attorney General Frankie Sue Del Papa has announced the safe return of three children found in Las Vegas to their custodial father in Hawaii. "The Nevada Missing Children Clearinghouse not only has prime jurisdiction in cases involving Nevada missing children, it is also very common for the Clearinghouse to receive requests from other states to assist in the investigation and recovery of children that have been brought to Nevada unlawfully," stated Del Papa.

In February 2001, Clearinghouse (NMCC) investigator Maria Emeterio was contacted about the case. With assistance from the Clark County School District and the City of Henderson Police Department, Emeterio was able to locate the three children.

In Nevada alone, there were 229 parental abduction cases opened in 2000. Last year 150 children were recovered through the efforts of the Clearinghouse. Currently the Clearinghouse has 280 open and active cases involving missing children.

The NMCC was created by the state legislature in 1991 due to the alarming number of children reported missing each year in Nevada. The Clearinghouse acts as the official repository of the state for reports of all children reported missing from throughout the state as well as provides information on child protection issues. NMCC works in tandem with the National Center for Missing & Exploited Children, all Nevada law enforcement agencies, and all other state clearinghouses and their law enforcement agencies. The Clearinghouse also serves as an informal resource for left-behind parents in obtaining assistance in recovering their child.

For more information on the Nevada Missing Children Clearinghouse, please call (702) 486-3539, or visit our web site at <http://ag.state.nv.us>.

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PLEASE AWAIT CONFIRMATION
April 2, 2001

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INSURANCE FRAUD VICTIMS RECEIVE \$10,000 IN RESTITUTION

Las Vegas – Attorney General Frankie Sue Del Papa has announced that Las Vegas resident Lee R. Arlint, 65, today was to pay almost \$10,000 in restitution by Clark County District Court Judge Donald M. Mosley after pleading guilty to Insurance Fraud.

The Attorney General's Insurance Fraud Unit required that Arlint make complete payment to the victims at the time of his sentencing. Arlint faced up to one year in jail and a fine of \$2,000 after accepted responsibility for his actions upon confrontation by investigators of the Insurance Fraud Unit.

In June 1999, Arlint reported to Allstate Insurance Company that his Travel Trailer had been stolen. Allstate paid the lienholder \$9,750. An investigation by the Insurance Fraud Unit and Allstate's Special Investigative Unit revealed that Arlint actually had sold the trailer to another person prior to his reporting the alleged loss to Allstate. The other person then sold the trailer to a Las Vegas woman for \$4,000. The fraud came to light when the women tried to have the trailer registered.

As a result of today's sentencing, the Insurance Fraud Unit will forward nearly \$7,000 to Allstate to cover their loss, and more than \$3,000 to the Las Vegas woman who purchased the trailer.

"The Insurance Fraud Unit is dedicated to enforcing the criminal statute that makes submitting false claims illegal," explained Del Papa. "When people rip-off their insurance company, all of us pay the price through higher premiums."

If you have knowledge 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 web site at <http://ag.state.nv.us>.

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FOR IMMEDIATE RELEASE
April 2, 2001

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**ATTORNEY GENERAL'S OFFICE WILL ARGUE BEFORE THE NEVADA
SUPREME COURT OVER PROPOSED LEASE PURCHASE AGREEMENT**

Carson City—Nevada Senior Deputy Attorney General Brett Kandt will argue before the Nevada Supreme Court on Tuesday, April 3, 2001, at 9:00am, over the validity of a proposed lease purchase agreement between the state and Employers Insurance Company of Nevada (EICON).

On December 22, 2000, the State Board of Examiners denied a proposed agreement in which the state would lease purchase a 15,000 square foot building located at 504 Musser Street in Carson City from the EICON. The Board denied the agreement based upon the advice of the attorney general's office that the transaction appears to violate sections of the Nevada Constitution limiting state debt and prohibiting lending state credit. Under the terms of the proposed agreement, the transaction would be financed by the issuance of public securities.

Following the Board's decision, EICON filed a petition for a writ of mandamus with the Nevada Supreme Court to have the agreement declared constitutional, and to compel the Board to further review the merits of the agreement.

"No statutory authority to enter into the proposed agreement exists," said Kandt. "In 1994, Nevada voters soundly rejected a proposed constitutional amendment to permit lease purchasing on capital improvement projects as an alternative to the constitutional debt limit. Although lease purchase agreements are lawful in certain instances, the terms of this particular agreement appear to violate constitutional limitations on pledging state debt and lending state credit."

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FOR IMMEDIATE RELEASE
May 31, 2001

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DEFENDANT SENTENCED IN SWEEPSTAKES TELEMARKETING SCAM

Las Vegas--Attorney General Frankie Sue Del Papa announced today that Dax Gordon Dekeado, 29, today entered a guilty plea to one felony count of failure to register as a telemarketer in connection with charges of defrauding an elderly New Jersey woman out of nearly \$14,000. Dekeado was indicted by the Attorney General's Bureau of Consumer Protection in December 1999.

Pursuant to a previous plea agreement, Clark County District Court Judge John McGroarty sentenced Dekeado to 33 months in the Nevada Department of Prisons, but suspended the sentence and placed Dekeado on three years probation. Dekeado was also ordered to pay full restitution of \$13,978 to his elderly victim. As a condition of his probation, Dekeado must also perform 16 hours of community service during each month of his probationary term.

Between January 11 and January 27, 1999, the 73-year-old victim was contacted by telephone on five separate occasions and told that she had won a large sum of money in a sweepstakes. She was then advised that before she could collect her prize, she had to wire money to Las Vegas, via Western Union, for payment of taxes on the cash award. During this time, the victim sent amounts ranging from \$2,443 to \$3,240 to Las Vegas, but never received the promised sweepstakes money.

"Consumers should never send money to telephone salespersons who claim they are prizewinners," Del Papa said. "Legitimate sweepstakes companies never require prizewinners to send money to collect their prize."

Persons who believe they have been victims of telemarketing fraud should contact the Attorney General's Office in Las Vegas at (702) 486-3194, or in Carson City at (775) 687-6300. Information on how to better protect yourself from fraud can be found at the Attorney General's web site at <http://ag.state.nv.us>.

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FOR IMMEDIATE RELEASE
May 30, 2001

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CONSUMER ADVOCATE OPPOSES ENERGY BILL

Carson City—State Consumer Advocate Timothy Hay today sent a letter to Nevada Senators urging them to defeat Assembly Bill 661, which has been dubbed “Repower Nevada” by its supporters. The bill, originated by the Assembly Select Committee on Energy as an omnibus energy bill to help Nevada deal with the energy crisis in the western United States, now allows large customers such as mines and casinos to obtain power from providers other than Sierra Pacific Power Company or Nevada Power Company under certain circumstances.

“AB 661, as currently drafted, grossly discriminates against residential and small business customers because it does not allow these customers the same opportunity to shop for fair prices through aggregated groups of customers,” Hay said. “AB 661 is inherently unfair because it excludes residential and small business customers from having the same opportunities that large industrial, gaming and mining customers will enjoy. There is absolutely no reason to preclude aggregated groups of small customers who could be just as attractive to new power providers as the large users. Sierra Pacific and Nevada Power were the only parties to oppose reasonable and structured pilot programs for residential and small business power users.”

“It is particularly unfair following the largest rate increase in Nevada history (\$311 million dollars approved on March 1 of this year, and what has been estimated will be as much as a \$900 million dollar rate increase next year as a result of AB369) to then allow the largest users to be the first to leave Sierra’s and Nevada Power’s monopoly and get power deals from new generating plants,” Hay continued. “Although we had hoped to improve AB661 in the Senate, instead valuable environmental and procedural protections were removed. The discrimination against small customers in this bill and the defeat of low-income energy assistance in a related measure (AB 349) by the Senate on Monday, leaves very little hope for utility rate relief for average Nevadans.”

AB 661 was approved by the Assembly last week. After several changes to the bill on Tuesday, it was approved by the Senate Committee on Commerce and Labor. The measure is now before the full Senate and if approved, returns to the Assembly for consideration of Senate changes to the bill.

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"Protecting Citizens, Solving Problems, Making Government Work"



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May 25, 2001
FOR IMMEDIATE RELEASE

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**CONSUMER ADVOCATE PRAISES LEGISLATIVE PASSAGE OF
RENEWABLE PORTFOLIO STANDARD**

Carson City --State Consumer Advocate Tim Hay had high praise for the passage by the Legislature of a renewable energy portfolio standard. "Nevada's energy independence, rural economic development and energy costs have been greatly improved as a result this action by the Legislature," Hay said. "We have seen the problems that California has endured because they rely so heavily on out of state suppliers. Today, the Nevada legislature has chosen a visionary path that gives Nevadans greater control over the costs of our electricity by using Nevada's own renewable resources. The abundant supply and rapidly declining prices of these resources will give Nevadans protection from fossil energy suppliers who can control prices or resources. The cost of clean wind energy in many locations is now less than the cheapest coal-fired generation. We can now use our own natural resources to help drive down natural gas and electricity prices as well as the price of renewable energy as economies of scale are enhanced by this new legislation."

"The opportunities for economic development and diversifying the tax base of our rural counties is enormous," Hay added. Hay especially noted the benefits to Nevada's agricultural community, "There are literally thousands of alfalfa farmers and others who rely on seasonal, electricity-intensive irrigation that were facing an economic crisis. With this new legislation, Senator Rhoads and his colleagues have crafted a solution that will allow these farmers to also grow their own electricity from renewable resources right along side their crops. The sizable benefits to the electric system when the farmers at the end of a skinny power line can feed renewable energy back into the system and eliminate maintenance and transmission upgrades is a substantial benefit. This is just one of the many examples of greater reliability afforded by reliance on renewable energy."

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With our ample resources, proximity to California and tremendous interest from dozens of renewable energy companies, Hay has no doubt about Nevada's ability to meet this standard, pointing

out that, "Texas, the leader in fossil fuels, also hopes to be a leader in renewable energy, meeting an ambitious renewable portfolio standard, largely by wind power, that was expected to take ten years to fulfill. Texas accomplished their goal in only two years. Now it's Nevada's turn to be the nation's leader in renewable energy."

"The bipartisan legislative leadership behind this proposal – sensitive to protecting Nevada's quality of life, protecting energy consumers, and promoting responsible economic development – deserve praise," Hay said. "Doug Bache, Barbara Buckley, Marcia DeBraga and Sheila Leslie of the Assembly, Randolph Townsend, Dean Rhoads, and Dina Titus of the Senate have taken a bold, visionary step that will shape Nevada's energy and economic future for decades to come. All members of the Legislature who supported SB 372 deserve the thanks of Nevadans."

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FOR IMMEDIATE RELEASE
May 24, 2001

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GRAND JURY INDICTMENT RETURNED ON FELONY LOST PET SCAMMERS

Las Vegas---Attorney General Frankie Sue Del Papa announced today that the Washoe County Grand Jury has returned an Indictment against William Arnold Muniz and Catharine Ann Malandish, the two people charged in a lost pet scam that included several Nevada citizens. The seven-count felony Indictment charges William Muniz with illegally obtaining money from the owners of lost pets. Muniz's wife, Catharine Malandish, is charged with one count related to the same scheme.

The Indictment alleges that William Muniz called six victims and stated that he had found their pets while passing through Nevada on vacation. Muniz told his victims that he and his wife had obtained costly veterinary treatment for the pet. Muniz also stated that his wife had become attached to the pet and that he was prepared to fly the pet back to his hometown in Canada. Muniz told the victims that he would return their pets if they would send money to him in Reno, Nevada via Western Union Wire Transfer to cover the veterinary and airline costs. Victims sent the Defendants between \$400 and \$1,354 for the return of their beloved pets; however, none of the victims received their pets back in return.

The Indictment also alleges that Muniz contacted a seventh victim and told her that he had found her lost diamond heirloom necklace in San Francisco, California. Muniz told the victim that he would return her necklace if she would send him money. The victim sent \$500 to Muniz in Reno, Nevada via Western Union Wire Transfer; however, she never received her necklace in return.

Based on the allegations in the Indictment, Arrest Warrants for both Muniz and Malandish were issued by District Court Judge Janet Berry. After hearing arguments from the Bureau of Consumer Protection about Muniz's habitual criminal status, Judge Berry set his bail at \$700,000. A bail amount has not yet been set for Malandish.

Theft by Obtaining Money Under False Pretenses is a Category C Felony and carries a sentence of one to five years. Muniz has prior convictions in Nevada and may be charged as a Habitual Criminal. If proven, Muniz could face a sentence from 10 years to Life Without Parole.

**** more****

The Attorney General's Bureau of Consumer Protection offers the following tips to avoid becoming a victim of this type of scam:

- Use a more general description of your animal or other lost property in advertisements. This will enable you to question the person who has allegedly found your animal or property about specifics.
- Offer to pay the veterinarian or airline directly for costs associated with your pet or other lost property. Be suspicious if the caller objects to this.

If you believe that you have been a victim of a Lost Pet Scam, or would like further information, please 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 Attorney General's Web site at ag.state.nv.us.

An Indictment is merely an accusation. As always, defendants should be presumed innocent until and unless proven guilty in a court of law.

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FOR IMMEDIATE RELEASE
May 23, 2001

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JOHNSON & JOHNSON TO PAY UP TO \$60 MILLION, INCLUDING REBATES TO CONTACT LENS CONSUMERS, AS PART OF SETTLEMENT

Carson City--Attorney General Frankie Sue Del Papa announced today that Nevada residents who purchased replacement contact lenses made by Johnson & Johnson Vision Care, Inc. (Johnson & Johnson), Bausch & Lomb, or CIBA Vision (CIBA) at any time since January 1, 1988 are eligible to receive cash rebates on future lens purchases and eye exams under a proposed settlement with Johnson & Johnson. Johnson & Johnson was the last defendant in an antitrust action brought by Nevada, 31 other states, and a private consumer class against contact lens manufacturers and the American Optometric Association (AOA).

"This settlement provides tangible benefits to consumers who use and purchase replacement contact lenses," Del Papa said. "I am delighted the Antitrust Division of the Bureau of Consumer Protection, under the direction of Consumer Advocate Timothy Hay, was able to resolve this long, hard fought litigation to the benefit of Nevada consumers."

The settled lawsuits alleged that retail prices of replacement contact lenses were too high due to Johnson & Johnson and the other defendant manufacturers agreeing with the AOA, in alleged violation of the antitrust laws, that their lenses would be available only from eye care professionals (optometrists, ophthalmologists and opticians), retail optical stores, or mass merchandisers. In agreeing to the settlement, Johnson and Johnson denied any wrongdoing, including participating in the alleged agreement or that its actions caused retail prices of replacement lenses to be above competitive levels.

Under the settlement, Johnson & Johnson guaranteed to distribute \$30 million in rebates to consumers. The consumer benefits package will include: \$50 off the purchase of four six packs of disposable lenses; \$25 off the cost of an eye examination by an eye care professional; and an additional \$25 off a future purchase of four or more lens six packs.

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In addition to offering consumers the benefits package, Johnson & Johnson also agreed to place \$25 million, inclusive of fees and costs, into a settlement fund, and provide up to \$5 million in cash or coupons to consumers who had worn Johnson & Johnson contact lenses but no longer do so. Those consumers will have the choice of receiving \$35 in cash or \$50 in coupons.

Also announced today were settlements with the AOA and 13 individual optometrist defendants. The AOA agreed to pay \$750,000; the 13 individuals agreed to pay \$8,000 each into a settlement fund.

Consumers can obtain more information on the Johnson & Johnson settlement by calling 1-888-437-1294 or going to www.acuvue.com. Additionally, information on a proposed settlement reached with Bausch & Lomb in January 2001 can be found at www.freecontactlensrebates.com or by calling 1-888-707-5880.

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May 23, 2001

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RENO BUSINESS MAN PLEADS GUILTY TO INSURANCE FRAUD

Reno--Attorney General Frankie Sue Del Papa announced today that the owner of The Computer Doctor franchise, Kevin A. Schilling, age 43, today pleaded guilty to two counts of Conspiracy to Commit Insurance Fraud before Washoe County District Court Judge James Hardesty.

Schilling had provided false information to insurance companies following an alleged burglary to his business, including filing the same claims with both Hartford Insurance Company and Highlands Insurance Company in an attempt to get double recovery.

Schilling will face up to one year in jail and a fine of \$2000 for each count, along with being responsible for paying restitution of approximately \$12,000 to the insurance companies.

A concerted effort on the part of The Nevada Attorney General's Office and Reno Police Department brought this crime to light.

"Insurance Fraud has been is one of the costliest white collar crimes in the United States, ranking second to tax evasion," Del Papa said. "As a result of Insurance Fraud, policyholders, taxpayers and the general public end up picking up the tab through increased insurance rates, higher taxes and inflated prices for consumer goods and services."

If you have any information regarding 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 website at <http://ag.state.nv.us>.

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Protecting Citizens, Solving Problems, Making Government Work

Protecting Citizens, Solving Problems, Making Government Work



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May 23, 2001

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ATTORNEY GENERAL ANNOUNCES PRELIMINARY APPROVAL OF MULTI-MILLION DOLLAR SETTLEMENT WITH VITAMIN MAKERS

Carson City - Attorney General Frankie Sue Del Papa announced today that the First District Judicial Court in Carson City has given preliminary approval to a multi-million dollar settlement of an antitrust lawsuit filed against six vitamin makers for price-fixing. The Attorney General's Bureau of Consumer Protection joined with 21 other state attorneys general, the District of Columbia, and Puerto Rico in pursuing this matter and reaching a settlement. Nevada's overall share of the settlement is expected to be about \$3 million.

The six vitamin manufacturers were charged with federal and state antitrust violations arising out of an international agreement to fix prices and allocate sales of vitamins and vitamin products. Three European companies: F. Hoffman-LaRoche, BASF, and Aventis (formerly Rhone-Poulenc), and three Japanese companies: Takeda Chemical Industries Ltd., Eisai Co. Ltd., and Daiichi Pharmaceutical Co. Ltd., agreed to the settlement. Vitamins made by these companies go into a wide variety of products; from vitamin pills for chicken, beef and fish; to foods such as milk, cereal and bread.

"This extraordinary settlement was achieved largely due to state attorneys general effectively organizing and intervening in this matter on a multi-state basis, thereby avoiding a protracted state-by-state litigation process," Del Papa said. "These vitamin manufacturers have caused significant economic damage to consumers in the United States. These companies met in secret in numerous places around the world for more than a decade. The preliminary approval of this settlement agreement sends a clear message that price-fixing behavior will not be tolerated by state attorneys general."

Most of Nevada's proceeds from the settlements will be used for programs that will benefit consumers. The remaining amount will be set aside to compensate commercial purchasers of vitamins and vitamin products from the settling companies.

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Nevada's share of the consumer settlement is about \$1.7 million. The settlement agreement states that these funds are to be distributed to non-profit organizations whose programs advance the health or nutrition of consumers and/or nutrition, dietary or agricultural science. Nevada will receive an additional \$750,000 as compensation for state purchases of vitamin products from the settling companies.

An additional one million dollars of settlement funds will be set aside to compensate Nevada businesses that were overcharged when purchasing vitamins and vitamin products.

Before any funds can be released, each state must obtain approval of the deal from their respective state courts. Settlement funds will not be released until all court actions have been finalized. According to the Attorney General, that process may take several months.

"Consumer Advocate Tim Hay and his staff at the Bureau of Consumer Protection deserve our thanks and commendation for the outstanding work they have done on behalf of the citizens of Nevada in better assuring that consumers are not overcharged due to unscrupulous business practices," Del Papa said.

For more consumer protection information, visit the Attorney General's web site at <http://ag.state.nv.us>.

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FOR IMMEDIATE RELEASE
May 22, 2001

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**CHARTER BEHAVIORAL HEALTH SYSTEMS PAYS NEVADA
\$2.18 MILLION TO SETTLE FALSE CLAIM LIABILITIES**

Carson City—Attorney General Frankie Sue Del Papa announced today that Charter Behavioral Health Systems, formerly the Nation's largest privately owned psychiatric chain, has paid \$2.18 million to settle allegations that it defrauded the Nevada Medicaid program. The Medicaid Fraud Control Unit of the Attorney General's Office and the Las Vegas Office of the F.B.I. assisted the United States Department of Justice in the investigation of the case, which resulted in a total settlement of \$7 million. The Medicare program, the TRICARE program, and the Medicaid program in Indiana and Virginia also participated in the settlement.

According to MFCU Director Tim Terry, the case originated when a former employee filed a whistleblower complaint under the Federal False Claims Act. It was alleged that Charter billed Medicaid for services that were not rendered, and for services that were provided by students rather than licensed professionals.

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 be found on the Attorney General's web site at <http://ag.state.nv.us>

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FOR IMMEDIATE RELEASE
May 18, 2001

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LIMOUSINE LAWS UPHELD AS CONSTITUTIONAL

Las Vegas – In a major victory for the State of Nevada, Clark County District Court Judge Ronald Parraguirre has ruled that the Nevada Transportation Services Authority (TSA) entire statutory framework is constitutional.

In May 1998, independent limousine operators filed a lawsuit against TSA, resulting in three years of lengthy litigation over a complaint containing numerous meritless claims. The independent limousine operators were represented by the Washington, D.C. law office of Institute for Justice.

The more than forty-page Complaint, containing ten causes of action, alleged that the TSA violated Plaintiff's substantive due process rights (state and federal) because: the requirements necessary to be proven to obtain a limousine certificate were unconstitutional; and the statute that allowed interested and affected parties, including existing limousine companies, into the application process was unconstitutional. Plaintiffs also made allegations of: violations of their procedural due process rights (state and federal) on the grounds that the statutes were vague and ambiguous; bias adjudication and bias law enforcement at the TSA; a violation of the Privileges and Immunities clause of the Fourteenth Amendment; a violation by the TSA of Plaintiffs right to operate an interstate charter; and finally, Plaintiffs challenged the TSA's authority to regulate intrastate bus operations.

Judge Parraguirre ruled in favor of the TSA on a majority of the ten causes of action, stating that the challenged provisions of the limousine laws were constitutional on their face and that based "upon the health, welfare, and public safety of its citizens using public highways, the State of Nevada has a rational basis for regulating the licensing of limousine operations."

In ruling in favor of the TSA on Plaintiffs' due process claim, Judge Parraguirre found that "members of the ILOA [Independent Limousine Operators Association] also knowingly violated the law by operating an uncertificated limousine service . . . Plaintiffs demonstrated a clear understanding of the enforcement provisions throughout the proceeding, but nonetheless acknowledged throughout trial that they repeatedly broke the law." In so ruling, Judge Parraguirre sent a strong message to the Plaintiffs that those wishing to operate a limousine business in Nevada will have to apply for a certificate with the TSA before operating, and will no longer have an excuse for operating in violation of the law.

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Of the numerous allegations made in the Complaint, Judge Parraguirre found in favor of only three Plaintiffs on one issue. The Judge ruled that although the statute allowing interventions is constitutional, once the interested and affected parties were allowed in on the three applications, the TSA should have limited the scope of their interventions. Not limiting the scope of the interventions, combined with otherwise valid laws, was unconstitutional in those three specific instances.

TSA Chairman Paul Christensen was delighted with the decision and noted that this one issue was really not an issue at all. Chairman Christensen stated that in the past he has allowed interventions to interested and affected parties based on a ruling issued by a Carson City District Court Judge in March 1998, which overturned a decision by the TSA to exclude an intervention during an application process. Even before this lawsuit was filed, however, Chairman Christensen has been in the forefront of ensuring that all interventions are equitable to both the applicant and the intervenors. As Chairman Christensen further stated, "It has been our practice for some time to make sure the intervention process is fair to all parties. The importance of this decision is that the TSA is allowed to continue to require applicants for a limousine license to prove the necessary statutory requirements before a certificate is issued, which assures the safety of the traveling public is met."

This ruling not only made certain that all limousine operators wishing to operate a limousine business in the State of Nevada must go through the application process, but it also validated the TSA's enforcement laws and activities. Although three Plaintiffs prevailed on the one limited issue, the consequence of the decision does not change the rights of the Plaintiffs to reapply for a certificate. Plaintiffs always had the right to reapply.

Attorney General Frankie Sue Del Papa praised her staff for their hard work and dedication in litigating this case over the past three years. "This decision is a clear victory for the State of Nevada. It confirms Nevada's interest in regulating businesses operated on its roadways to ensure the safety and well being of its citizens and its numerous tourists."

Neither monetary damages nor injunctive relief was granted by the decision. Due to the State's success in this case, it is anticipated that Plaintiffs may seek an appeal of this decision.

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May 17, 2001

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DEL PAPA SAYS PRESIDENT BUSH'S ENERGY PLAN IS "BAD FOR NEVADA"

Carson City—"Bad for Nevada" is how Attorney General Frankie Sue Del Papa is characterizing President Bush's energy plan. "Although I support President Bush's attempt at crafting an energy plan, many areas of this plan are simply bad for Nevada and the West. The President has gone too far in pushing greater utilization of nuclear energy, and not far enough in looking at the serious flaws associated with not only the Yucca Mountain Project, but in the transportation of deadly nuclear waste across the country. The President's plan ignores the grave concerns regarding nuclear storage that have been repeatedly expressed by Nevada's representatives, both in Washington and Carson City, and the environmental concerns raised along the transportation routes of our nation."

Del Papa also criticized the plan for going too far in promoting the concerns of big energy companies, and not far enough in protecting the little guy who has been at their mercy throughout the West. President Bush's plan does not offer a single word of support towards Senate Bill 764, even though it is the most immediate energy solution for electric customers in Nevada and other western states who are handing over bigger and bigger chunks of their paychecks for electricity."

Senate Bill 764 directs the Federal Energy Regulatory Commission (FERC) to impose just and reasonable rates on the wholesale cost of electricity in western energy markets. "The President has missed a key opportunity to send a message to FERC Commissioners, whom he appoints, that they are to represent all the people of this country, not just shareholders of wealthy energy corporations, whose profits have soared in the last year," Del Papa emphasized.

Del Papa further stressed that the President's plan goes too far in relying on fossil fuels to solve our problems, and not far enough in promoting renewable energy alternatives. "Pipeline constraints, environmental issues and permitting problems continue to plague electric generation from fossil fuels, yet the President's plan cuts funding for renewable energy programs that are not affected by these persistent restraints on our electricity supply. Nevada is blessed with

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tremendous renewable resources that could offer a way for the entire western United States to diversify its energy supply away from the large fossil fuel companies that have been reaping record profits at our expense. This money and these energy jobs could be staying in Nevada and I applaud the efforts of the Nevada Legislature in developing a strong renewable energy portfolio measure that requires our Nevada utilities to diversify their energy supply with locally produced energy that eliminates some of our dependence on these big, out of state energy companies.”

“Survey after survey shows the public’s strong desire for more renewable energy and this is one more area where our state government is ahead of our leaders in Washington, Del Papa stated. “Renewable energy can be a great tool for economic development in our rural communities, help keep our environment clean, and assist in efforts to stabilize energy prices.

“The President’s plan looks more like an energy policy from the 1950’s – oil, gas, and nuclear—rather than one designed for the 21st century,” Del Papa concluded.

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**DEL PAPA URGES NEVADA SENATORS TO SUPPORT BILL
DIRECTING "FERC" TO IMPOSE JUST AND REASONABLE RATES**

Carson City—Attorney General Frankie Sue Del Papa has sent a letter to Nevada Senators Harry Reid and John Ensign urging them to support U.S. Senate Bill 764, which directs the Federal Energy Regulatory Commission (FERC) to impose just and reasonable rates on the wholesale cost of electricity in western energy markets. Senators Diane Feinstein (D) of California and Gordon Smith (R) of Oregon jointly introduced the bill in April.

“While a healthy, functioning free market for wholesale power is no doubt a worthy goal, I believe the time has come to recognize that this market is currently dangerously flawed,” Del Papa wrote. “I believe regulators must take steps to correct the market and get these costs under control before an economic disaster overtakes us.”

Two summers ago, the cost of electricity on the wholesale market averaged about \$40 per megawatt hour. By last summer, the average cost had soared to ten times that level—around \$400 per megawatt hour—and was hitting \$1,400 per megawatt hour at times. Recent reports indicate that prices in California last week reached \$1,900 per megawatt hour.

“An equivalent percentage increase in the price of gasoline would result in prices of around \$20 per gallon at the pump,” Del Papa stated in her letter.

Since wholesale power costs began careening out of control last summer, there have been numerous calls from state officials, regulators and California utilities themselves for FERC to impose price caps or cost-based regulation on the wholesale electric markets.

Del Papa wrote, “Thanks to an effort first spearheaded by Consumer Advocate Tim Hay in proceedings before the Public Utilities Commission of Nevada, and now codified in legislation, Nevada’s utilities will no longer be allowed to divest their generating plants. This should significantly reduce Nevada’s exposure to the wholesale markets. Thus, unlike

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California, which is now nearly totally dependent on the wholesale spot market, Nevada's utilities should have somewhat less exposure to those markets. Nevertheless, it is my view that Nevada still remains in a very precarious position, due to the fact that Nevada's utilities can only generate around 50% of their own power needs during the summer. This means that Nevada utilities will no doubt be forced to purchase some of the state's power through the wholesale spot market."

Nevadans are currently paying more than 25% more for electricity than a year ago, and current forecasts predict that even under best case scenarios, Nevadans will likely be paying an additional 25% for energy by early 2002. Should any unanticipated events occur which further expose Nevada's utilities to the wholesale electric market, such rate increases could be much larger.

Del Papa concluded, "Senate Bill 764 is a significant step in the right direction. While providing the power generators with their operating costs plus a modest return, this legislation would also immediately return wholesale rates to reasonable levels by requiring FERC to impose just and reasonable load differential rates or cost-of-service based rates."

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ATTORNEY GENERAL WINS SECURITIES CASE APPEAL BEFORE NEVADA SUPREME COURT

Carson City—The Nevada Supreme Court today ruled in favor of Attorney General Frankie Sue Del Papa's Bureau of Consumer Protection in a securities fraud case that the Bureau had argued on behalf of the Secretary of State, Securities Division. The case, *Secretary of State v. Robert Tretiak* (117 Nev. Adv. Op. No. 30), involved the interpretation of the Nevada Uniform Securities Act and the elements necessary to prove securities fraud in state enforcement actions.

The Court held that reliance and scienter (scienter pertains to a person or company knowingly misleading clients; reliance refers to the clients relying on such misstatements to their detriment) are not required elements of a state enforcement action for securities fraud. Further, the Court reversed a District Court's modifications of penalties and reinstated the Division's sanctions against Robert Tretiak and his companies, Retirement Financial Centers of America, Inc. (RFCA), and Retirement Financial Centers of America Financial (RFCA Financial), which conducted business in Nevada purporting to assist senior citizens in financial planning for retirement.

In October 1994, Tretiak and his companies made a public securities offering of approximately \$1,000,000. In September 1996, the Secretary of State, Securities Division filed a complaint against Tretiak and his companies, alleging various securities violations. Following a seventeen-day hearing, a hearing officer concluded that Tretiak and his companies had committed various securities law violations including: using a false, incomplete and misleading prospectus; selling stock after the registration period had expired; and Tretiak charging more than \$35,000 in personal expenses to a credit card issued to RFCA. In June 1997, the Division adopted the hearing officer's findings and recommendations, sanctioning Tretiak and his companies as follows: RFCA was ordered to cease and desist from violations of the Nevada Uniform Securities Act; Tretiak was barred from association with a licensed broker-dealer or investment adviser in Nevada, but could apply to have the bar lifted after five years; and RFCA Financial's broker-dealer license was revoked.

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In August 1997, Tretiak and his companies petitioned the district court for judicial review. After hearing the matter, the District Court found that substantial evidence supported the hearing officer's findings. But the District Court modified the sanctions to allow Tretiak and RFCA Financial to apply for a license sooner than the hearing officer's sanctions allowed for.

On behalf of the Securities Division, the Bureau of Consumer Protection filed an appeal with the Nevada Supreme Court, contending that it was improper for the District Court to modify the sanctions especially when it found that substantial evidence supported the hearing officer's findings. Tretiak and his companies cross appealed, arguing that the hearing officer misinterpreted the elements required to prove securities fraud and should have required the Division to prove reliance and scienter.

Today's decision by the Nevada Supreme Court upheld the State's argument.

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FOR IMMEDIATE RELEASE
May 14, 2001

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**CONSUMER AFFAIRS DIVISION ADVISES CONSUMERS
AFFECTED BY LASIK VISION CLOSURE**

Las Vegas- The recent bankruptcy of Canadian-based Lasik Vision Corporation and the closure of Lasik Vision's one Las Vegas clinic have left consumers with many questions and few options. The Consumer Affairs Division of the Nevada Department of Business and Industry began receiving complaints in late April from consumers who paid the company for laser correction surgery, but failed to receive a refund when the local clinic closed its doors.

While the matter is under investigation, Patricia Jarman-Manning, Commissioner for the Consumer Affairs Division, advises consumers to seek recovery of their losses by one or more of the following options:

- Consumers who can provide a credit card bill or other documentation providing that their payments were processed in Canada should take immediate steps to join the parent company's bankruptcy action. **Deadline for filing a proof of claim is June 30, 2001.** The claim form is available at the Consumer Affairs Division office, or on the Bankruptcy Trustee's website at www.bankruptcy.deloitte.ca.
- Consumers not eligible to join the bankruptcy should submit their requests for refunds and other concerns to either Lasik Vision or its new corporate owner, ICON, at the following addresses:

| | |
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| Lasik Vision USA, Inc. 1500 W. Georgia Street, Suite 2000 Vancouver, British Columbia V6G2Z. | ICON Laser Eye Centres, Inc. 1 Yonge Street Toronto, Ontario M5E1E5 |
|--|---|
- Finally, if the reporting time has not expired, consumers may also want to contact their credit card companies to see if the charges can be removed from their accounts.

For more information on this and other important consumer issues, contact the Consumer Affairs Division by e-mail at ncad@fyiconsumer.org or by calling (702) 486-7355 or 1-800- 326-5202. Information is also available on the Consumer Affairs Division's website at www.fyiconsumer.org, or the Attorney General's website at <http://ag.state.nv.us>.

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FOR IMMEDIATE RELEASE
May 11, 2001

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STATE RELEASES LATEST DEADBEAT PARENTS "MOST WANTED" POSTER

Carson City--The Nevada Office of Child Support Enforcement and the Nevada Attorney General's Office have released the latest in a series of "Most Wanted" posters featuring information and photographs of selected deadbeat parents who have failed to pay child support. The newest poster includes five notable deadbeat parents, whose whereabouts are unknown, who owe a total of \$161,031 to their children as of 4/1/01. The "Most Wanted" poster program has proved to be very successful in helping to locate individuals who owe their children child support payments. The latest poster is available on the Attorney General's web site at <http://ag.state.nv.us>.

"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."

Nevada State Welfare Administrator Michael Willden stated, "These posters offer an avenue to find a person that is hiding and does not want to pay child support. Some of these people go so far as to change their names, put items and services in other people's names, or work as day laborers to avoid being detected by the automated interfaces with the new Child Support Computer System. The Child Support Program is happy with the success of these posters and the ability it gives the program to locate these hard to find individuals."

The poster is distributed throughout Nevada to all state agencies, District Attorneys' offices and most post offices; is sent nationally to all Attorneys General and Child Support Enforcement offices; and is sent to every district attorney, child support office and to larger branch post offices located in the five states bordering Nevada.

The "Most Wanted" posters have helped locate several deadbeat parents and, in turn, helped collect \$121,031.22 in past due child support payments since the program began in 1996. Five of the eight people listed on last year's poster have been located, resulting in the collection of \$20,476.42 for their children.

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The names and descriptions of the five “Most Wanted” individuals on this year’s poster are:

MICHAEL LEWIS ALLEN

Owes his child \$35,694; DOB 1/23/66; age 35; 5’9”; 180 pounds; brown eyes; brown hair; works as a roofer; last known address is 1028 Willowtree #6, Las Vegas, NV

DANIEL L. BLOXHAM

Owes his two children \$35,088; DOB 10/4/58; age 42; 5’8”; 200 pounds; blue eyes; blonde hair; occupation unknown; last known mailing address is P.O. Box 130, Daniel, WY

MICHAEL MARTIN CASE

Owes his child \$36,428; DOB 11/22/57; age 43; 6’4”; 310 pounds; hazel eyes; blonde hair; works as a truck driver; last known address is 4545 S. Atherton Drive #30, Taylorsville, UT

JEFFREY QUE OLSEN

Owes his child \$28,350; DOB 2/12/64; age 37; 6’0”; 195 pounds; brown eyes; brown hair; works as a car salesman; last known address is 829 Rocksprings Drive #102, Las Vegas, NV

MICHAEL ROBERT HANNIFIN

Owes his child \$25,471; DOB 2/19/52; age 49; green eyes; gray hair; works as a carpenter; last known address is 3401 El Conlon #49, Las Vegas, NV

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 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
May 09, 2001

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TIMOTHY HAY REAPPOINTED AS STATE CONSUMER ADVOCATE

Carson City -- Attorney General Frankie Sue Del Papa today announced the reappointment of Timothy Hay, Consumer Advocate and Chief Deputy Attorney General. Hay, who heads the Bureau of Consumer Protection in the Office of the Attorney General, was appointed last March to serve out the remaining term of his predecessor, Fred Schmidt. Hay's new four-year term begins June 15.

"Tim has done an formidable job representing the interests of consumers over the past year," said Del Papa. "He accepted the position last March at a time when Nevada was facing some of the most serious energy issues the state has seen in more than twenty years. In the months following his appointment, he presented several energy policy proposals designed to protect Nevada consumers that were adopted by the Governor's Energy Task Force. Tim has continued to successfully advocate for a sound energy policy that protects consumers interests before the Nevada Legislature during its current session."

"Apart from the utility issues, the deceptive trade practices and anti-trust divisions have achieved a great deal for Nevada's consumers under his leadership," said Del Papa. The Bureau of Consumer Protection has recovered funds from various sweepstakes operations that took advantage of Nevada consumers. It also successfully proceeded against price fixing schemes in the generic drug, vitamin, and contact lens industries, and recovered substantial fines from telecommunications carriers for slamming and cramming, bringing substantial revenues to the state general fund as well as to consumers directly. I am proud of the many successes achieved by our small staff of attorneys and technical experts in this division."

"I am very pleased to accept the reappointment by the Attorney General. The year I have served as Consumer Advocate has been challenging, especially dealing with the meltdown in the western electric markets beginning early last summer. Attorney General Del Papa has offered great support and leadership, and we have achieved a number of our objectives for protecting Nevada's small consumers, including stopping the sale of Nevada's power plants. That step alone will save Nevada's consumers hundreds of millions of dollars over the coming years."

“Before the legislature ends, we hope also to have achieved basic rate protection for residential consumers, and funding for energy assistance that will be critical for Nevada’s families to cope with high energy costs that we all will, unfortunately, experience.”

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May 09, 2001
FOR IMMEDIATE RELEASE

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**STATE CONSUMER ADVOCATE TESTIFIES IN SUPPORT
OF SMALL BUSINESS AND RESIDENTIAL CUSTOMERS**

Carson City -- State Consumer Advocate Timothy Hay proposed amendments to the Assembly Select Committee on Energy, Tuesday, designed to protect small residential and commercial consumers. Hay also reiterated his position that if Nevada enacts a law that allows some large power consumers to buy electricity from independent sources during the next two years, as some gaming and mining interests have proposed, similar options must be available to small consumers as well. Hay proposed four amendments to Assembly Bill 661, the omnibus Assembly energy legislation.

The first proposal assures that Nevada ratepayers do not bear any expenses related to Sierra Pacific's failed attempt to purchase Portland General Electric Company, in Oregon, from Enron Corporation.

"We have learned that in addition to the substantial amount Sierra invested in this ill-conceived transaction they have also paid Enron millions of dollars to terminate the transaction, while telling our office and others they could walk away from the acquisition with no further expenditures. During this same time period, the utility was proclaiming a financial emergency and seeking a bail out from Nevada ratepayers. It is clear that the business risk involved in this acquisition and its failure should not be passed on to Nevada ratepayers. The proposed amendment will guarantee that result."

Hay's second proposal requires the establishment of basic affordability rates for residential consumers. The concept of basic affordability rates is also included in Senate Bill 526, which has yet to be acted upon.

"The basic affordability rate would apply to the first block of energy consumption to ensure that the most basic and necessary level of energy usage remains affordable for all consumers," Hay explained. "Higher levels of energy consumption would come at higher rates, so the affordability rates have the added advantage of encouraging conservation and energy efficiency, and reducing Nevada's need for expensive power during peak periods."

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Hay urged the committee, in a third amendment, to reduce general electric rates 10 per cent for all customers, and set aside the revenues to reduce future rate shock caused by increasing costs for fuel and purchased power.

“With the establishment of deferred accounting pursuant to AB 369, the ratepayers of Nevada have assured financial stability for the utility. However, the utility will be over earning in general rates so we recommend dedicating revenue from a 10 per cent general rate reduction to fuel and purchased power costs. This does not reduce the utilities’ cash flow, but will reduce the rate shock to consumers next year when the Public Utilities Commission decides the first deferred rate case. This measure will ameliorate the unfairness of the utilities over earning in general rates while passing through fuel and purchase power cost increases to Nevada consumers, who are already paying record high electric bills,” Hay said.

Hay also presented an amendment calling for a legislative audit of the electric utility’s financial condition. The same proposal was the subject of Senate Bill 508, which was lost in April when time ran out on the deadline to move bills out of their house of origin. Hay said an audit is needed because it has been a number of years since the utilities were last subjected to a complete financial review and because it will be another year before a review is performed related to rate cases the utilities will file pursuant to recently approved legislation.

“The Public Utilities Commission approved the largest rate increase in Nevada’s history (\$311 million dollars) without a comprehensive examination of the utility’s finances. In later negotiations relating to deferred energy accounting, the company acknowledged the rate application itself was defective. Nevada’s consumers will be paying these rates for a more than a year before the next rate cases are decided. It is a wise investment for the legislature to conduct a full and unbiased examination of the utility’s finances and management practices to insure public faith in the decisions made, and accountability on a going forward basis. These rates will be a huge burden on Nevada’s citizens and its economy, and public faith in our governmental institutions will be well served by an audit conducted independently and outside of the regulatory environment.”

Hay also endorsed an amendment proposed by Assemblyman Roy Neighbors, of Tonopah, that would allow cities and counties the ability to aggregate residential and commercial consumers and purchase electricity from other suppliers. “The ‘Community Choice’ proposal offered by Roy Neighbors is a good policy option for Nevada’s consumers during this time of unprecedented developments in our energy markets. It represents one of a number of options that will allow small consumers to benefit as new energy supplies are built, and offers some relief from the utility monopoly stranglehold,” Hay said in endorsing Neighbors legislative efforts.



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May 4, 2001

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RENO MAN SENTENCED FOR MULTI-STATE INSURANCE FRAUD SCHEME

Attorney General Frankie Sue Del Papa announced today that David Paul Gagne, aka Francisco A. Cardinelli, age 58, was sentenced by Judge James Hardesty in Washoe County District Court to 32 months in the Nevada State Prison and ordered to effect restitution to insurance companies in the amount of \$43,850. Execution of the prison sentence was suspended and probation was granted for a five-year period to allow Gagne the opportunity to pay back the restitution.

Gagne made false reports for stolen boats in Nevada, Washington, Oregon and California and collected money from National Marine Underwriter Insurance Company and State Farm Insurance Company for boats he never owned.

A concerted effort on the part of the Nevada Attorney General's Office, prosecutors from the other states and the F.B.I. brought an end to this fraudulent scheme.

Del Papa said, "Insurance Fraud is one of the costliest white collar crimes in the United States, ranking second to tax evasion. Ultimately, policyholders, taxpayers and the general public pick up the tab through increased insurance rates, higher taxes and inflated prices for consumer goods and services as a result of insurance fraud."

If you have any information regarding 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 website at <http://ag.state.nv.us>

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Protecting Citizens, Solving Problems, Making Government Work



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**CONSUMER ADVOCATE SAYS RESIDENTIAL CUSTOMERS DESERVE SAME
BENEFITS AS LARGE POWER USERS**

Carson City – Nevada Consumer Advocate Timothy Hay on Thursday told the Assembly Select Committee on Energy that aggregated groups of residential customers should be treated the same as large customers, such as mines and casinos, if the legislature decides to allow utility customers to buy power on the competitive market.

Nevada's electric utility deregulation law was repealed in a bill signed by the Governor, in April, that also halted divestiture of Nevada's electric generating plants. New proposals that Hay said would result in piecemeal deregulation are beginning to surface at the legislature.

Walt Higgins, CEO of Sierra Pacific Resources, parent company of Nevada Power Company and Sierra Pacific Power Company, told the committee that letting some large customers leave the system and purchase power from other sources would benefit remaining customers by reducing the amount of energy the utilities would have to buy to meet peak demand. Mining and casino interests are expected to present proposals to the committee next week that would allow partial deregulation for large customers that use more than 1 megawatt of electricity. Higgins opposed allowing the same treatment for groups of residential and small business customers.

Hay told the committee he has sympathy for the casinos in southern Nevada and the mines in the north, but small business and residential customers should have the same rights as large customers. "AARP is a good example of a group of customers that could aggregate their members and purchase power in the same way as proposed for a large commercial or industrial customer," said Hay. "Municipalities may also want the ability to buy power on behalf of their residents and businesses, as well as for the use of governmental facilities."

"I believe more options available in the future for all customer classes should be a goal. The monopoly utility, which ratepayers have bailed out with the largest rate increases in Nevada history, should not be given a perpetual blank check. The state should explore ways of ensuring all consumers, especially residential, low-income and other low-use consumers, receive the benefits of evolving competitive markets. The State should provide incentives for aggregation or pooling the demand of individual electric consumers with others, including small business and municipal authorities," said Hay.



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**ATTORNEY GENERAL REACTS TO DOE'S RELEASE OF
YUCCA MOUNTAIN DOCUMENTS**

Carson City –Attorney General Frankie Sue Del Papa commented today concerning the release by the U.S. Department of Energy of several documents, including its “Yucca Mountain Science and Engineering Report” and a Supplement to the Draft Environmental Impact Statement for Yucca Mountain. “Although it will take the State’s experts some time to review these voluminous documents, it appears that DOE once again ignores extremely serious problems with the Yucca Mountain site and is attempting to move forward with the proposed high-level nuclear waste repository despite overwhelming scientific reasons against it,” Del Papa said.

“It is abundantly clear that DOE is sidestepping its responsibility to honestly assess the suitability of Yucca Mountain to isolate the waste from the human and natural environment for millennia. Not only is Yucca Mountain in a seismically active zone, DOE has yet to offer viable explanations for the presence of water in the mountain,” Del Papa explained. “In addition to geological, seismological, and hydrological problems with the site, there are a host of other issues which DOE must still address concerning transportation, the stability of the casks, and the ability of the site to contain the waste.

The Nuclear Waste Policy Act’s original intention to geologically isolate the world’s most toxic waste is being subverted to the push by the nuclear industry to send the waste to Nevada. “As Nevada’s chief legal officer, let me reiterate that this office is committed for the long haul and is preparing to challenge the Yucca Mountain project with all the resources at our disposal,” Del Papa emphasized.

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**ATTORNEY GENERAL'S OFFICE FILES CRIMINAL CHARGES
AGAINST MORTGAGE COMPANY**

Las Vegas –Attorney General Frankie Sue Del Papa announced today that the operator of Interstate Mortgage, David Ferradino, has been charged with felony theft, embezzlement and fraudulent conveyance of property in connection with his dealings as a mortgage broker on the Champion Homes/Iron Mountain Ranch Projects. The felony counts of theft and embezzlement carry a potential penalty of up to ten years incarceration and a \$10,000 fine.

Deputy Attorney General Matthew Dushoff said the investigation involves Ferradino's illegal conveyance of the investors' collateral in the Champion Homes' Project back to the Champion Homes Corporation. Investors invested \$5.7 million with Ferradino in order for Ferradino to invest that money in the Champion Homes Project. Ferradino used the land as collateral to secure the investors' investments. Ferradino then conveyed the investors' collateral back to the Champion Homes Corporation in order for the Corporation to obtain more money from other lending sources reusing the investors' collateral as security. Accordingly, the investors lost their entire investment in the Champion Homes Project.

Ferradino failed to notify the investors that they no longer had any collateral securing their investments. Ferradino also never informed the investors that Ferradino, himself, was a 50% owner of the Champion Homes Corporation. Moreover, soon after the conveyance of the collateral to the Corporation, the Corporation bought out Ferradino's interest in the Corporation for \$1.5 million.

Del Papa stated, "Fraudulent conduct has a substantial impact on consumers. It appears that this man thought that he could take advantage of people who entrusted with Ferradino their savings. He was wrong. Our office conducted an extensive investigation into Ferradino's actions which led to the filing of the criminal charges."

The charges against Ferradino are merely allegations. He is presumed innocent until or unless proven otherwise in a court of law.

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FOR IMMEDIATE RELEASE
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FORMER CCSN ADMINISTRATOR INDICTED ON NEPOTISM CHARGE

Las Vegas --Attorney General Frankie Sue Del Papa announced that an indictment returned by the Clark County Grand Jury was unsealed today against Orlando Sandoval, a former Vice President with the Community College of Southern Nevada (CCSN) and more recently with the Nevada State College at Henderson. The indictment charges Sandoval with violating Nevada anti-nepotism laws, which prohibit a State official from employing a relative.

The indictment alleges Sandoval promoted his father-in-law to a professional position with the Community College shortly after Sandoval was promoted to an associate vice president position in 1995. Sandoval is alleged to have been actively involved in the annual renewals of the employment contract for his father-in-law, many of which contained significant pay increases.

Del Papa indicated that the charges arose out of an investigation that was initiated at the request of Chancellor Jane Nichols. "I cannot praise enough the cooperation that was extended by the current University administration that enabled us to undertake this most difficult investigation," stated Del Papa.

A summons in lieu of an arrest was issued. Sandoval is scheduled for an arraignment before the District Court in Clark County on August 2nd. The Attorney General stresses that the charges are merely accusations and the defendant is presumed innocent unless and until proven guilty in court.



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FOR IMMEDIATE RELEASE
June 28, 2001

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Carson City--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 are awarded in accordance with the Year 2001 federal funding provided under the Stop Violence Against Women Act (VAWA), and will be distributed statewide. VAWA funds are being distributed to groups and organizations that specifically target coordination of statewide law enforcement and prosecution strategies to combat violent crimes committed against women. Funds are also 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 for their specific projects," Del Papa said. "Although the funding decisions are always very difficult, we are confident that the approximately \$1,100,000 in grants awarded this year will prove to be very valuable in helping to provide additional services to victims, training for law enforcement, and to enhance Nevada's overall response to domestic violence, sexual assault and stalking."

Priority was given to areas showing the greatest need 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. Priority was also given to services for underserved populations--elderly, disabled and minority victims--as well as geographically isolated victims and those victims who are isolated for reasons such as homelessness or drug and alcohol dependence.

"In attempting to better reach Nevada's underserved population groups, each grant recipient is being required to extend whatever training is offered to rural and tribal communities," Del Papa

said. "Recipients are also encouraged, whenever appropriate, to make publications available in Spanish as well as English."

The following is a list of funded organizations, amount of funding, and an abbreviated description of the purpose of each project:

Law Enforcement:

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| Carlin Police Department (Enhance evidence collection capabilities in cases of domestic violence and sexual assault) | \$ 3,795 |
| Douglas County Sheriff's Office (Domestic Violence Intervention specialist) | \$ 20,000 |
| Henderson Police Department (Investigator for domestic violence unit) | \$ 30,000 |
| Las Vegas Metropolitan Police Department (Part-time domestic violence victim advocate and training) | \$ 27,500 |
| Reno Municipal Court (Funding for a warrants service officer) | \$ 51,000 |
| Reno Police Department (Expansion of domestic violence unit) | \$ 25,000 |
| Safe House, Inc. (Victim Advocate to work with Henderson Police Department) | \$ 28,000 |
| Safe Nest (Part-time advocates located within North Las Vegas, Mesquite & Boulder City Police Departments) | \$ 66,000 |
| WestCare Nevada (Partial funding for a law enforcement advocate working with Las Vegas Metro Police in Laughlin) | \$ 15,000 |

Prosecution:

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| Clark County District Attorney (Funding to support a domestic violence victim advocate) | \$ 32,400 |
| Henderson City Attorney (Funding for one domestic violence victim advocate) | \$ 30,000 |
| Las Vegas City Attorney (Funding for one domestic violence victim advocate) | \$ 50,000 |

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| Reno City Attorney (Funding for a domestic violence investigator) | \$ 55,000 |
| WestCare Nevada (Partial funding for a prosecutorial advocate working with Clark County District Attorney in Laughlin) | \$ 15,000 |
| White Pine County District Attorney (Creation of an advocate position within the DA's office) | \$ 28,210 |

Victim Services & Discretionary Awards:

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| Advocates to End Domestic Violence [Carson City area] (Partial funding for a domestic violence victim advocate and a sexual assault response advocate) | \$ 20,000 |
| Committee Against Domestic Violence [Elko area] (To support advocacy for victims throughout the county) | \$ 10,000 |
| Committee to Aid Abused Women [Northern Nevada] (To strengthen existing protection order project) | \$ 27,000 |
| Community Action Against Rape [Clark County] (To provide training to crisis intervention counselors for victims of sexual assault) | \$ 23,500 |
| Crisis Call Center, Inc. [Washoe County/Carson area] (To enhance existing bilingual program aiding sexual assault victims) | \$ 16,342 |
| Domestic Violence Intervention, Inc. [Churchill and surrounding counties] (Creation of a sexual assault advocate for five-county area) | \$ 17,500 |
| Family and Child Treatment [Clark County] (Partial funding for domestic violence and sexual assault therapist) | \$ 30,000 |
| Family Support Council of Douglas County [Douglas County area] (Funding for a shelter aid) | \$ 17,260 |
| Inter-Tribal Council of Nevada [Statewide] (Partial funding for legal advocate for victims of domestic violence) | \$ 25,000 |
| Lyon County Alternatives to Living in Violent Environments (Funds support client services assistant) | \$ 10,400 |
| Mineral County Advocates to End Domestic Violence (To partially fund a domestic violence victim's court advocate) | \$ 12,000 |
| Nevada Urban Indians [Reno area] (Domestic Violence Community Liaison) | \$ 12,000 |
| Pyramid Lake Paiute Tribe (Funds support law enforcement investigative equipment) | |

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| as well as shelter aid) | \$17,150 |
| Nevada Public Health Foundation (Funding to assist the continuing efforts of the statewide Coalition Against Sexual Violence) | \$ 25,000 |
| Ridge House, Inc. (To provide domestic violence counseling service to residential clients) | \$ 12,000 |
| Safe House, Inc. [Clark County] (Domestic violence victim advocate program) | \$ 15,000 |
| Step 2 [Washoe County] (Partial funding for counseling services for domestic violence victims with substance dependencies) | \$ 20,000 |
| Tahoe Women Services [Incline Village and surrounding Tahoe areas] (Domestic violence victim advocacy services) | \$ 15,000 |
| Temporary Assistance for Domestic Crisis [Clark County] (Domestic Violence advocate working in North Las Vegas) | \$ 22,000 |
| UNR Psychological Services (Counseling for student victims of domestic violence and sexual assault) | \$ 20,000 |
| Victorious In His Sight [Reno area] (Advocacy services – primary focus is women of color) | \$ 28,000 |
| WestCare Nevada (Advocacy services for domestic violence victims who also suffer from substance abuse in Las Vegas and North Las Vegas) | \$ 10,000 |
| Domestic Violence Intervention, Inc. [Churchill and surrounding counties] (Training and advocacy in the area of domestic violence) | \$ 12,000 |
| Domestic Violence Ombudsman [Statewide] (Statewide multi-jurisdictional coordination of domestic violence and sexual assault training and advocacy services) | \$ 58,000 |
| Domestic Violence Prevention Council [Statewide] (Funding supports council's statewide efforts addressing all facets of domestic violence and sexual assault issues) | \$ 5,000 |



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FOR IMMEDIATE RELEASE
June 28, 2001

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NEVADA PRISON ESCAPEE CAPTURED IN CALIFORNIA

Carson City -- Attorney General Frankie Sue Del Papa today announced that investigators from her office and local police authorities in Folsom, California located and arrested Heather Chaplin, an escapee from the Nevada Department of Prisons, on Wednesday, June 27, 2001.

In October 1998, an Elko County District Judge sentenced Chaplin to a suspended 12-48 month term of imprisonment for the felony crime of Uttering a Forged Instrument. The court revoked her probation in August of 1999. The Department of Prisons granted her the privilege of home confinement supervision in Dayton, Nevada, in late December of 1999. Less than a month later, on January 26, 2000, she cut her ankle-monitoring bracelet and fled. The Attorney General's Office charged her with escape and intends to extradite Chaplin to Nevada once pending criminal charges in California are cleared. Chaplin faces an additional consecutive prison term in Nevada if convicted and she must complete the original sentence as well.

Attorney General Del Papa commended her staff and the California authorities, stating, "In today's mobile world, it is imperative that law enforcement agencies cooperate to ensure that convicted criminals, even ones kept in low-custody confinement arrangements, cannot thwart the system. Ms. Chaplin was located through a mixture of high-tech database research, solid police investigative techniques, and professional dedication. We intend to ensure that commitment orders of Nevada's district judges are fulfilled in this and other cases still under investigation."

As to the pending escape charges, the defendant is presumed innocent until adjudicated by plea or at trial to be guilty.

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FOR IMMEDIATE RELEASE
June 25, 2001

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**NEVADA PREVAILS AT U.S. SUPREME COURT
IN LANDMARK INDIAN CASE**

Carson City—The U.S. Supreme Court announced today in *Nevada v. Hicks*, an important case involving state immunity and sovereignty in tribal courts, that tribal courts do not have jurisdiction over state officials. Writing for the majority of the Court, Justice Antonin Scalia stated, “State sovereignty does not end at a reservation’s border” and that State’s may regulate the activities of tribal members on tribal land when state interests outside the reservation are implicated.

The State of Nevada had challenged the jurisdiction of tribal courts to hear civil claims brought against state officials. The case began in 1991 after a Nevada Division of Wildlife (NDOW) game warden obtained a search warrant for execution on the Fallon Paiute-Shoshone Reservation, east of Fallon, Nevada. A tribal judge also approved the warrant. A mounted bighorn sheep head was taken from Floyd Hicks, but it proved not to be evidence of criminal activity, and it was returned to its owner. A year later, another head was seized from Mr. Hicks based upon a new, tribally approved warrant, and again was returned after examination.

Hicks sued three game wardens and the NDOW administrator in two separate lawsuits. Significantly, the suits were filed in tribal court. Originally, the suits alleged violation of tribal law, and they named the State of Nevada as well as the individual officials as defendants. At present, the complaints also allege violations of federal civil rights law, and name only the state officers in their individual capacities.

The U.S. District Court in Reno, and the Ninth Circuit in San Francisco, ruled against the state. They held that tribal courts have jurisdiction whenever individuals willingly enter onto reservations. The state’s assertion that state sovereignty should defeat tribal jurisdiction was rejected. Instead, the federal courts ruled that sovereignty would not defeat jurisdiction, and instead would only shield officials in tribal court as a defense.

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In overruling the Ninth Circuit and U.S. District Courts, the U.S. Supreme Court signaled its agreement with Nevada that tribal courts lack the power to award judgments against state officials for doing state business. According to Senior Deputy Attorney General C. Wayne Howle, who argued the case at the U.S. Supreme Court, “this ruling is a relief to Nevada because it prohibits state officials from being subject to unlimited money judgments in tribal court that are not reviewable in any state or federal court.”

According to Howle “This ruling paves the path for cooperation between state and tribal law enforcement over state crimes that must be investigated on Indian reservations. A contrary ruling at the U.S. Supreme Court would have made state officials reluctant to ever step foot on an Indian reservation, even if their duty to enforce state laws required such entry. Nevada looks forward to working with the tribes in our state to continue relationships that assure effective tribal and state law enforcement.”

According to Attorney General Frankie Sue Del Papa, “The Court’s ruling in Hicks represents a landmark decision in the relations between tribes and states across America. Senior Deputy Howle and Deputy Paul G. Taggart deserve high praise for their service to Nevada in this case. Nevada’s interest in building a mutually respectful alliance with tribal governments and Nevada’s interest in protecting its law enforcement officers from unpredictable lawsuits are assisted by the Court’s ruling today.”

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TIMOTHY D. HAY
Chief Deputy Attorney General

FOR IMMEDIATE RELEASE
June 25, 2001

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NEVADA CONSUMER ADVOCATE ADDRESSES ENERGY CRISIS

Carson City, Nevada – State Consumer Advocate Timothy Hay is a featured speaker at a conference in San Francisco this week addressing the Western energy crisis. The primary focus of the “Energy Infrastructure Crisis in the West” conference is to provide a comprehensive region-wide analysis of the West’s energy infrastructure needs and identify solutions to energy problems currently being faced by western states.

“Nevada has already taken several important steps, through recently enacted legislation, to protect our state from frequent rolling blackouts and exorbitant energy costs such as those being experienced in California,” Hay said. “However, the current energy crisis is a regional problem and what occurs in one state will affect other states in the region.”

Hay says three key problems that must be addressed in order to fix the currently broken electric market in the West are scarcity of supply, loss of control over generating resources and opportunistic behavior of market participants. Hay also emphasized that it is critical that our most vulnerable consumers – senior citizens on fixed incomes and low-income families – are protected until energy supplies and prices stabilize.

During a panel discussion on Tuesday, Hay will present proposals he made earlier this year to address supply and reliability problems in Nevada and that have since been approved by the Nevada Legislature. In order to keep control of Nevada’s electric generating plants, Hay recommended a moratorium on divestiture of electric plants in Nevada, especially coal-fueled plants that produce electricity at the lowest cost to consumers, until the supply shortage in the West is corrected. The Nevada Legislature approved AB369 which delays the proposed sale of electric generating plants for at least two years, after which time the plants may only be sold if the sale is determined by the Public Utilities Commission to be in the public interest.

“AB369 ensures that the most basic, essential electric service is available to Nevada consumers at the lowest available cost,” Hay said. “Maintaining control over these least-cost electric resources is critical to every Western state until sufficient supply comes online and wholesale prices decrease.” Hay said in the interim, the Federal Energy Regulatory Commission should implement wholesale price caps in the West based on normal rates of profit and normal rates of return.

Hay will also discuss two other measures passed by the Nevada legislature designed to increase the diversity and reliability of Nevada’s electric supply by encouraging construction of new electric generation in Nevada. The first, SB 362, streamlines the permitting process for electric generation plants without compromising the amount of environmental review and public input and SB 372 requires utilities to supply 15 percent of Nevada’s electricity through renewable energy resources including wind, solar, geothermal and biomass by the year 2013.

Nevada Senator Randolph Townsend, Chairman of the Nevada Senate Committee on Commerce and Labor which processed the energy bills is keynote speaker at the conference.

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FOR IMMEDIATE RELEASE
June 21, 2001

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**CRIME PREVENTION COORDINATOR NAMED
PRESIDENT OF VICTIM'S RIGHTS GROUP**

Las Vegas-- Stephanie Parker, Crime Prevention Coordinator for the Nevada Missing Children Clearinghouse and Crime Prevention Unit of the Nevada Attorney General's Office, has been elected President of Community Coalition for Victim's Rights (CCVR) for the 2001-2002 year. Parker has been active with CCVR on behalf of the Attorney General Office since being appointed to her current position more than one year ago.

Other board members elected for the 2000-2001 term are Vice President- Jan Lucherini, (Safe Nest), Secretary-Pat Thacker (Children's Advocacy Center), and Treasurer-Barbara Durbin (State of Nevada Victim's of Crime Program).

Created in Clark County in March 1979, CCVR is a community based, membership organization that is dedicated to supporting victims' rights through information sharing, public advocacy and legislation to assist victims and their families. CCVR is a coalition of several agencies and citizens from throughout Clark County who work to identifying and bridge gaps in the judicial system to the benefit of victims of crime. The coalition is responsible for hosting National Crime Victim's Rights Week in Southern Nevada each year, which includes activities geared toward public education on safety.

"Educating the public on ways they can better avoid becoming a victim of crime, as well as what

to expect and where to go if they do become a victim is a very important task ,” said Attorney General Frankie Sue Del Papa. “It is groups like the Community Coalition for Victim’s Rights that help make a difference in our neighborhoods and in the lives of our families.”

Some of the agencies that make up CCVR include: the Nevada Attorney General’s Office; Las Vegas Metropolitan Police Department Victim /Witness Services; Children’s Advocacy Center; U.S. Attorney’s Office; CASA; North Las Vegas Police Department; City of Henderson Police Department; SafeNest; State of Nevada Victim’s of Crime Program; District Attorney Office; FACT; and the Las Vegas Paiute Tribe.

For more information on the Community Coalition for Victim’s Rights, call Stephanie Parker at (702) 486-3326.

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FOR IMMEDIATE RELEASE
June 14, 2001

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NATIONAL CAMPAIGN TO PREVENT TEEN PREGNANCY TARGETS DADS FOR FATHER'S DAY

Carson City—The National Campaign to Prevent Teen Pregnancy is hosting a special section on its web site, www.teenpregnancy.org, in honor of Father's Day. The section includes a Fathers Fact Sheet, quotes from teens about their fathers, a list of resource organizations for individuals who want more detailed information regarding parent/father involvement in teen pregnancy prevention, and a link to a special "Dad, we used to talk all the time," postcard. The postcard may be emailed directly from the web site.

More than half a million teenage girls in the U.S. gave birth in 1999; 55 teen girls give birth each hour. Unfortunately, Nevada has maintained a high pregnancy rate for the past several years, currently having the fourth highest rate in the nation. On any given day in Nevada, 13 young girls become pregnant, five of whom are between the ages of 10 and 17.

Attorney General Frankie Sue Del Papa, who serves on the Board of Directors of the National Campaign to Prevent Teen Pregnancy, says that father's can play a significant role in helping to reduce teen pregnancy by talking with their children. "Research shows that parents are an important influence on their children's decisions about sex, love and values. Through establishing a quality relationship with their children and by expressing their values, parents can play a major role in helping to prevent an unwanted teen pregnancy. Fathers who take the time to speak with their sons and daughters about the importance of delaying parenthood and avoiding teen pregnancy can better ensure that their children do not end up in a situation that can drastically affect the rest of their lives."

The National Campaign to Prevent Teen Pregnancy, a non-profit, non-partisan entity based in Washington, D.C., has been at the forefront of this issue in our nation. The Campaign is committed to preventing teen pregnancy by supporting values and stimulating actions that are consistent with a pregnancy-free adolescence. The goal of the National Campaign is to reduce the teenage pregnancy rate by one-third between 1996 and 2005. The Campaign emphasizes five strategies to reach this goal:

- Taking a clear stand against teenage pregnancy and attracting new and powerful voices to this issue.
- **Enlisting the help and support of the media.**
- **--more--**
- Supporting and stimulating state and local action.

- Leading a national discussion about the role of religion, culture, and public values in teen pregnancy prevention in an effort to build common ground.
- Making sure that everyone's efforts are based on the best facts and research available.

For more information on the Campaign contact:

THE NATIONAL CAMPAIGN TO PREVENT TEEN PREGNANCY

1776 Massachusetts Ave., N.W. Suite 200

Washington, DC 20036

Main Phone (202) 478-8500

www.teenpregnancy.org

Main Fax (202) 478-8588

(Many of the materials on the web site are available in Spanish)

For more information on Nevada's Task Force on Teen Pregnancy Prevention, please contact the Bureau of Family Health Services at (775) 684-4285, or visit the agency's web site at www.state.nv.us/health/teen. The brochure, "***Helping Your Children Avoid Teenage Pregnancy: Ten Tips for Parents,***" can be found on the Attorney General's web site at <http://ag.state.nv.us>.

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June 13, 2001

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“UPBEAT” PARENTS RECOGNIZED FOR SUPPORTING THEIR CHILDREN

In honor of Father’s Day, the Nevada Attorney General’s Office and the Nevada Division of Child Support Enforcement would like to recognize and publicly thank those non-custodial parents who take their parenting responsibilities seriously by providing 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.

“I want to applaud the efforts of those parents who strive to stay both financially and emotionally connected with their children,” Attorney General Frankie Sue Del Papa said. “Children can bear many scars when their parents are no longer together, including sometimes feeling that it is their fault. By continuing to take an active role in their child’s life, these parents are helping to heal those types of scars.”

Lyon County resident Thomas Lee said, “To me, fatherhood begins at the moment of conception and ends only with your last heartbeat. The husband and wife may separate and divorce, but the commitment to all their children is lifelong. To share their joy and sorrow, their troubles, trials and heartaches forever.”

Charles Cerocke, also from Lyon County, stated, “Fatherhood has been the most enjoyable and rewarding experience in my life. The love I have for my daughter is the driving force to better myself, my career and my attitude!”

Churchill County resident Douglas W. Strong said, “I know how it is to grow up without a father, and choosing to be the best Dad I can be to my daughter is what I will do for my whole life. She is very important to me and I will do and give her whatever she needs.”

A brochure entitled, “**Tips for Collecting Child Support: 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.

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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 his or her permission to publicize their name. **To interview one of the parents listed, please contact your local district attorney’s office.**

RECOGNITION OF SUPPORTING FATHERS

Elko County:

| | |
|--|--------------------------------------|
| 1. Kevin Savant Spring Creek | 11. Carl Hartman Winnemucca |
| 2. Randall Jenkins Elko | 12. Tod Claytor Spring Creek |
| 3. Doyle Nelson Elko | 13. Fermin Arbillaga Elko |
| 4. Ronald Grimland Elko | 14. Eric Armstrong Elko |
| 5. David Kaiser Elko | 15. Rance Boehler Elko |
| 6. Gary Grencer Elko | 16. Michael Collie Elko |
| 7. Donald Kellenbarger Spring Creek | 17. Eddie Wilson Elko |
| 8. Luiz Nunez Elko | 18. James Wheeler Battle Mountain |
| 9. Frank Lake Elko | 19. Harold Stockman Elko |
| 10. Gregory Martin Elko | |

Lyon County

| | |
|-----------------------------------|----------------------------------|
| 1. Donald Bartlett Yerington | 15. Leland Ketten Fallon |
| 2. Von Erickson Silver Springs | 16. Wade Meadows Carson City |
| 3. Rick Hastings Yerington | 17. Phillip Remaley Yerington |
| 4. Stephen Winchell Las Vegas | 18. John Zanoni Fernley |
| 5. Steve Hurt Yerington | 19. Dwaine Conner Silver City |
| 6. David Joyce Silver Springs | 20. Richard Hanley Yerington |
| 7. Thomas Lee Yerington | 21. Edward Hazen Fernley |

| | |
|-------------------------------------|--------------------------------------|
| 8. Jay Rabideau Fernley | 22. John Henderson Silver Springs |
| 9. David Vincent Yerington | 23. Neil King Fernley |
| 10. Charles Cerocke Reno | 24. John Moffett Silver Springs |
| 11. Dennis Flatt Carson City | 25. Eddie Sellers Yerington |
| 13. Edward Harris | 26. Liborio Zarazua Yerington |
| 14. Jayson Kaiser Silver Springs | 27. David Hazel Yerington |
| | 28. Marvin Otuafi Fernley |

Mineral County

| | |
|---------------------------------|-----------------------------------|
| 1. Timothy Morgan Winnemucca | 4. Patrick Ballenger Elko |
| 2. Jerry Minor Hawthorne | 5. Michael Chadwell Winnemucca |
| 3. Chris Lawrence Hawthorne | |

Clark County

| | |
|-----------------------------------|-------------------------------|
| 1. William Combs Las Vegas | 3. Gary Copeland Las Vegas |
| 2. Jerry Conrady No. Las Vegas | |

Humboldt County

| | |
|-------------------|-----------------------|
| 1. Kenneth Howard | 3. Fred Montes De Oca |
| 2. Andy Rorex | |

Churchill County:

| | |
|--------------------------------|--|
| 1. Stephen Kauffman Fallon | |
| 2. Douglas W. Strong Fallon | |

Washoe County:

| | |
|---------------------------------|--|
| 1. Roger Griffis Reno | |
| 2. Douglas Green Carson City | |

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FOR IMMEDIATE RELEASE
June 12, 2001

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**CARSON CITY MAN SENTENCED AFTER
PLEADING GUILTY TO INSURANCE FRAUD**

Reno — Carson City resident Jerry Wayne Klopf, 20, was sentenced today to 12 months in the Washoe County Jail for his role in an Insurance Fraud scheme. Washoe County District Court Judge Jerome M. Polaha suspended the jail term and placed Klopf on three years probation. Klopf was also ordered to pay restitution in the amount of \$5,215.57. Klopf had faced up to twelve months in jail and a fine of not more than \$2,000.00.

According to the charge filed, in December, 2000, Klopf drove his 1993 Honda Prelude to Sacramento, California and then reported the car stolen to his insurance company. Due to contradictions within the case, an investigation was launched by the National Insurance Crime Bureau, and the Attorney General Insurance Fraud Unit. The investigation revealed that Klopf had taken the car to California for purposes of "dumping" the car.

"Insurance fraud can only be combated by the continued partnership of law enforcement, the insurance industry, and the support of private citizens" Attorney General Frankie Sue Del Papa said. "Insurance fraud costs the insurance industry both time and money in investigating cases like this. The end result is that every Nevada citizen pays the price through increased premiums."

If you have knowledge 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 on the Attorney General's web site at <http://ag.state.nv.us>.



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June 12, 2001

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**ATTORNEY GENERAL SENDS LETTER TO ENERGY SECRETARY ABRAHAM
REGARDING CLEANUP OF DOE FACILITIES**

Carson City—Attorney General Frankie Sue Del Papa today joined nine other state attorneys general in sending a letter to Energy Secretary Spencer Abraham, urging his support for the cleanup of nuclear weapons facilities across the United States, including the Nevada Test Site.

Abraham attended the National Association of Attorneys General spring meeting and asked the attorneys general for their perspective regarding ways the Department of Energy can and should meet its environmental management obligations of nuclear weapons facilities.

The letter to Abraham expresses the concern of the attorneys general about cuts to the cleanup budget that may lead to increased costs over the life of the cleanup program. "Budget cuts now have the effect of extending the cleanup work over a long period and, therefore, translate into substantially greater life cycle costs," the attorneys general wrote.

DOE has expressed cost-cutting measures such as management reforms, innovative technologies, and streamlined regulation as a way to make up for substantial budget cuts. But the attorneys general wrote, "We encourage DOE to seek additional management efficiencies, but we also urge you to maintain adequate funding to meet your environmental obligations, and pledge that we will work with you and the Congress to achieve that goal as well."

The Nevada Attorney General's Office was joined by the attorneys general from California, Colorado, Idaho, Missouri, New Mexico, New York, Ohio, Oregon and Washington in sending the letter to Secretary Abraham.

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June 12, 2001

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CRIMINAL COMPLAINT FILED IN READER'S DIGEST SCAM

Las Vegas--Attorney General Frankie Sue Del Papa announced today that a criminal complaint has been filed in Henderson Justice Court against Richard G. Manuli, Jr., 32, alleging that Manuli was involved in a sweepstakes telemarketing scheme targeting out-of-state elderly people. Manuli is being charged with nineteen felony counts of obtaining money under false pretenses against a victim 65 years or older, five felony counts of attempted obtaining money under false pretenses against a victim 65 years or older, one felony count of unregistered telemarketing, and one count of racketeering. He is scheduled for arraignment on June 27, 2001, in Henderson Justice Court.

Obtaining money under false pretenses carries a possible sentence of 1 to 6 years and a \$10,000 fine; attempting to obtain money under false pretenses carries a possible sentence of 1 to 5 years. Unregistered telemarketing carries a possible sentence of 1 to 4 years and a \$50,000 fine. Racketeering carries a possible sentence of 5 to 20 years and a \$25,000 fine. The sentence is enhanced if the crimes are against a victim 65 years or older. If convicted, Manuli faces a maximum sentence of 302 years in prison.

The telemarketing scam Manuli was allegedly using is commonly known as a "rip and tear," wherein the telemarketer rips pages from the phone book and makes calls to unwary consumers. In this case, the telemarketer falsely tells the victim that he has won the Reader's Digest grand prize, but must first prepay a "tax" on the prize money via Western Union. The telemarketer then picks up the money at any Western Union office within minutes, thereby making interception of the cash transfer difficult.

"Consumers should never send money to telephone salespersons who claim they are prizewinners," Del Papa said. "Legitimate sweepstakes companies never require prizewinners to send money to collect their prize."

Persons who believe they have been victims of telemarketing fraud should contact the Attorney General's Office in Las Vegas at (702) 486-3194, or in Carson City at (775) 687-6300. Information on how to better protect yourself from fraud can be found at the Attorney General's web site at <http://ag.state.nv.us>.

As with all criminal cases, the charges against the defendant are accusations. The defendant is to be considered innocent until and unless he is proven guilty in a court of law

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June 11, 2001

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**FORMER CORRECTIONAL OFFICER SENTENCED
FOR CONSPIRING TO AID A PRISONER TO ESCAPE**

Ely-- Former Ely State Prison Correctional Officer Erik Jason Jacobs, 31, was sentenced today by White Pine District Judge Dan L. Papez for conspiring to aid a prisoner to escape, a gross misdemeanor. Papez ordered Jacobs to serve a term of one year in the White Pine County Jail, and imposed a \$2,000.00 fine, the maximum sentence allowed under the law.

On May 10, 2001, Jacobs entered a guilty plea pursuant to *North Carolina v. Alford*, which allows a defendant to plead guilty without actually admitting guilt. Jacobs was alleged to have conspired David Wayne, an inmate at the Ely State Prison, to provide Wayne with appliance seals, enabling Wayne to hide contraband in his electrical appliances without detection. The investigation was conducted by the Nevada Division of Investigations and stemmed from correspondence received from Wayne indicating that an officer had allowed bullets to be introduced into the Ely State Prison. Judge Papez suppressed statements made by Jacobs, ruling that those statements were not made voluntarily.

Deputy Attorney General Kevin R. Briggs, who prosecuted the case, said he believes that correctional officers hold a position of public trust, and violations of that trust will not be tolerated.

The State originally charged Jacobs with two counts of aiding a prisoner to escape, and five counts of providing an explosive device to a state prisoner. The State dismissed all remaining charges in exchange for Jacobs' guilty plea, pursuant to the *Alford* decision.

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FOR IMMEDIATE RELEASE
June 11, 2001

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FORMER LAS VEGAS RESIDENT PLEADS GUILTY TO INSURANCE FRAUD

Las Vegas – former Las Vegas resident April Diane Smith, 30, now of Andrews, South Carolina, today pleaded guilty to Making a False Claim for Insurance Benefits before the Clark County District Court Judge Kathy Hardcastle. As part of a plea negotiated with the Attorney General's Insurance Fraud Unit, Smith repaid California State Automobile Association (CSAA) \$1,000 in restitution, and reimbursed the State of Nevada \$2,343 for the costs of her extradition from South Carolina.

On November 4, 1997, Smith reported to the North Las Vegas Police Department that her home had been burglarized. She later contacted CSAA and made a theft claim for more than \$50,000. CSAA immediately advanced Smith \$1,000 for this alleged emergency. Subsequent investigation by CSAA and the Insurance Fraud Unit revealed that Smith had actually sold nearly all the items claimed as stolen at a garage sale prior to reporting the loss. Smith later moved to South Carolina, where she was arrested last month on these charges.

If you have knowledge 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 web site at <http://ag.state.nv.us>.

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June 11, 2001
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June 8, 2001

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INDICTMENTS RETURNED AGAINST PRISON DRUG SMUGGLERS

Las Vegas--Attorney General Frankie Sue Del Papa has announced that the Clark County Grand Jury today handed down indictments against Jeffrey Tyrone Marshall and Phillip Wilcoxson, who are accused of operating a drug smuggling operation while they were incarcerated in the former prison located in Jean.

Indictments were returned on all eight counts: attempted sale of controlled substances; possession of controlled substances with intent to sell; attempt to furnish controlled substances to a prisoner; and conspiracy to sell controlled substances, all of which are felonies.

Marshall and Wilcoxson worked with individuals on the outside to attempt to smuggle heroin and marijuana into the prison. The heroin was hidden in a walkman-style tape player; the marijuana was hidden in packages of food to be brought into the prison.

"This case illustrates the daunting task confronting our corrections system," Del Papa said. "I commend the prison investigators for some good old fashion police work that lead to the discovery of this operation."

The charges against Marshall and Wilcoxson are merely accusations. The defendants are presumed innocent unless and until proven guilty in court.

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FOR IMMEDIATE RELEASE
June 8, 2001

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**NEVADA CHIEF DEPUTY ATTORNEY GENERAL
RECEIVES NATIONAL AWARD FOR OUTSTANDING PUBLIC SERVICE**

Carson City—Nevada Chief Deputy Attorney General Kevin Higgins has been recognized with The Stevens Award, a national award for outstanding public service in the field of law. He received the honor at the United States Supreme Court from Justice Clarence Thomas on June 6, 2001.

The Stevens Award, named in memory of Judge Joseph Stevens of the U. S. District Court in Missouri, is administered by the Harry S. Truman Foundation. The award has been presented only twice before to a public service attorney.

Justice Thomas expressed interest in Higgins' work in creating the Nevada High Technology Crime Task Force, and the drafting of legislation to better protect children from predators on the Internet.

Higgins, a City of Sparks resident, has been with the Nevada Attorney General's office for 14 years. He is the Chief Deputy in charge of the Reno office, where he presently supervises some 60 deputies, investigators and legal staff.

The Truman Foundation is the official federal memorial to President Truman. The Foundation awards graduate scholarships to college students entering public service. Higgins was the 1980 Truman Scholar from Nevada.

Higgins said, "I am honored to be presented with this award and hope to live up to the examples set by Judge Stevens and Justice Thomas for their commitment to public service."

The recipient is married to Tammy Higgins, a Sparks elementary school teacher. They have three children: Molly three-years-old; and twin boys Ian and Trevor, two-years-old.

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FOR IMMEDIATE RELEASE
June 8, 2001

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**CONSUMER ADVOCATE ASKS NINTH CIRCUIT COURT
TO ORDER "JUST AND REASONABLE RATES" FOR WHOLESALE POWER**

Carson City--Attorney General Frankie Sue Del Papa announced today that the Bureau of Consumer Protection has joined several other states in requesting the Ninth Circuit Court of Appeals to order the Federal Energy Regulatory Commission ("FERC") to impose just and reasonable rates in the wholesale power markets.

On May 22, 2001, the California Legislature filed an Emergency Petition to the Ninth Circuit seeking a writ ordering the FERC to impose just and reasonable rates in the western wholesale power markets. The City of Oakland joined the California Legislature in its petition. On May 29, 2001, a three-judge panel of the Ninth Circuit dismissed the Emergency Petition on a 2-1 vote. Today's action requests that all 28 Ninth Circuit judges review the petition, due to the exceptional importance of the issues to California and the Western region.

In joining with the California Legislature's petition, Nevada State Consumer Advocate Timothy Hay wrote, "Within the last year, electric rates to Nevada's consumers and businesses have risen an average of 25%. Present estimates indicate that when all of the purchased power and fuel costs are fully incorporated into retail rates by early next year, these rates may well rise 80% over the rates that were in effect in September of 2000." Hay said it is the opinion of the Bureau of Consumer Protection that these historic and unprecedented rate increases have been primarily driven by the skyrocketing costs of electricity on the wholesale market. "The magnitude of such extraordinary cost increases defies any logical or economic explanation," said Hay.

Hay also wrote that an economic downturn in the California economy could well prove disastrous to Nevada. "Tourism is Nevada's single largest industry, and California provides more tourists than any other market. A significant recession in California will certainly impact Nevada's tourism industry."

-- more --

Under the Federal Power Act, the FERC is obligated to set "just and reasonable" rates for wholesale electric customers, just as the Public Utilities Commission of Nevada sets just and

"Protecting Citizens, Solving Problems, Making Government Work"

reasonable rates for Nevada's retail customers, Hay noted. Historically, that has meant setting rates based on a power seller's actual costs, plus a modest rate of return. However, in the mid 1990's, the FERC moved away from setting actual cost-based rates, allowing market-based rates to be considered "just and reasonable" instead. Recently, the FERC has ceased nearly all rate regulation on the wholesale market.

Beginning in the summer of 2000, rates on the wholesale electric market began escalating out of control. Wholesale electric rates that had been \$40 per megawatt hour the year before suddenly escalated to \$400 and \$500 per megawatt hour. By last December and into this year, the market rate of wholesale power was routinely in excess of \$1000, with peaks as high as \$3900. "FERC has taken few meaningful steps to reign in what are obvious market power abuses by a few power marketers and wholesale suppliers," Hay said.

In December of 2000 and again in April of this year, the FERC acknowledged that the western wholesale electric markets were seriously flawed. In April, FERC Commissioner William Massey, in a dissenting opinion wrote, "Prices are not just and reasonable now and will not be this summer, and the economic carnage is spreading throughout the western interconnection."

On May 25, a distinguished group of free market economists, including Alfred Kahn, wrote a joint letter to President Bush, House Speaker Dennis Hastert, and then Senate Majority Leader Trent Lott, urging that FERC act decisively to set just and reasonable wholesale rates for California and the Western region. Their letter stated, "If well-functioning competitive markets do not exist and, as a consequence, the resulting prices are not just and reasonable, then FERC should act either to remedy the market failures or to return to cost-based regulation."

"It is time that the FERC be ordered to take steps to remedy the abhorrent condition of the wholesale electric market and carry out its responsibility under the Federal Power Act to ensure just and reasonable rates," Hay said.

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FOR IMMEDIATE RELEASE
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**ATTORNEY GENERAL REACTS TO YUCCA MOUNTAIN
RADIATION STANDARD**

Carson City -- The United States Environmental Protection Agency released its Yucca Mountain radiation standards late Tuesday. "Although my staff is working closely with the Agency for Nuclear Projects to analyze the rule, I am initially pleased that the Bush Administration has retained a groundwater standard despite the fact that it is somewhat more lenient than that proposed by the Clinton administration," Attorney General Frankie Sue Del Papa commented.

"It is our view that Nevada's groundwater is not adequately protected because the announced standard keeps the point of compliance at 18 kilometers from the site which permits the Department of Energy (DOE) to use the Amargosa aquifer as a waste management tool," Del Papa said. "In DOE's planning documents, it relies on use of the aquifer to "dilute and disperse" radionuclides in the aquifer. At the Waste Isolation Pilot Project (WIPP) in New Mexico, the point of compliance is at 5 kilometers from the site. If the point of compliance at Yucca Mountain was the same as that for the WIPP facility, DOE would not be allowed to pollute the aquifer," Del Papa explained.

"The other major problem immediately apparent with the announced radiation standard is the 10,000 year period the standard is intended to remain in effect. All of DOE's performance assessment documents show that the peak doses to the public occur beyond the 10,000 year period, with peak doses occurring between 200,000 to 800,000 years. It is unconscionable that the standard does not remain in effect when the peak doses are expected to occur," Del Papa concluded.

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**ARREST WARRANT ISSUED CHARGING LAS VEGAS
CERTIFIED NURSING ASSISTANT WITH CRIMINAL ELDER ABUSE**

Las Vegas --Attorney General Frankie Sue Del Papa announced today that Las Vegas certified nursing assistant Robin Brown Wesley, 43, has been charged with one count of Criminal Elder Abuse, a felony that carries a penalty of up to six years incarceration; and one count of Battery Upon a Victim 65 Years of Age or Older, a misdemeanor with an enhanced penalty of up to one year incarceration due to the age of the victim. Prosecution of the case is being handled by the Medicaid Fraud Control Unit (MFCU). A warrant for Wesley's arrest is outstanding. Anyone with information concerning the whereabouts of Robin Brown Wesley is asked to contact the MFCU or a local law enforcement agency

According to MFCU Director Tim Terry, Wesley is alleged to have abused a 76-year-old female resident of a local long-term care center in January 2001. Specifically, it is alleged Wesley struck the elderly woman across the face due to a discrepancy about the amount of food the resident was eating.

"The intentional mistreatment of the frail and infirm cannot and will not be sanctioned," Del Papa said. "The Attorney General's Office is committed to taking every possible step to guarantee that nursing home residents are protected from abuse and neglect. In this case, the victim was a resident of the facility. We must do our best to ensure our elderly can feel safe where they reside."

Anyone suspecting the abuse or neglect of an elderly person or patient may report it to the MFCU in Carson City at (775) 687-4704, or in Las Vegas at (702) 486-3420; the Nevada Division for Aging Services in Reno at (775) 688-2964, in Carson City at (775) 687-4210, or in Las Vegas at (702) 486-3545; or to any local law enforcement agency. Medicaid fraud information can be found on the Attorney General's web site at <http://ag.state.nv.us>.

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CONFERENCE WILL FOCUS ON LAWS PERTAINING TO STATUTORY RAPE

Carson City—A two-day conference for Nevada judges and prosecutors entitled, *Statutory Rape and The Law*, will take place at the Carson Valley Inn in Minden on June 6-7, 2001. Hosted by the Nevada Welfare Division and the Nevada Public Health Foundation, the conference will bring together six of the nation's leading authorities on statutory rape law and its enforcement. Judges and prosecutors will hear the latest research and program developments in enforcing statutory rape law.

The 2001 Nevada Legislature has passed Senate Bill 183, which:

- Amended Nevada Revised Statute 201.540 to include sexual conduct with a student who is 14 or 15 years old. The present statute relates only to sexual contact with a student who is 16 or 17 years old. SB 183 provides an increased penalty from a class "C" to a class "B" felony for violations involving a 14 or 15-year-old student, thereby increasing the penalty to 1-6 years along with a fine of not more than \$5,000.
- SB 183 changes the present language to include volunteers who work at a school. The present statute only addresses employees of a public or private school.

Conference speakers include:

Michelle Oberman, JD, MPH

Dr. Oberman is a professor of law at DePaul University. She is a convener and member of the Ad Hoc Task Force on Illinois Statutory Rape Law and Policy, and the Health Advisory Council for the Illinois Caucus on Adolescent Health. Dr. Oberman will speak on the topic of *Regulating Consensual Sex with Minors: Defining a Role for Statutory Rape*.

Dominic Trunfio, JD

An Assistant State's Attorney and Chief of the Special Victim's Bureau in the Syracuse, New York District Attorney's Office, Trunfio is principally responsible for the multidisciplinary

enforcement of statutory rape in Onondaga County. Trunfio's topic will be *Statutory Rape: Prosecution Issues*.

--more--

Sandy Nowack, Wisconsin Department of Justice

Ray Maida, Wisconsin Coalition Against Sexual Violence

Their presentation, *Community-Oriented Response to Statutory Rape* will outline Dane County, Wisconsin's model statutory rape prosecution program.

For more information on the conference, please contact Lynn Carrigan, Administrator of the Nevada Public Health Foundation, at (775) 884-0392.

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FOR IMMEDIATE RELEASE
July 31, 2001

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“DINNER PARTY” PYRAMID SCAM ALERT

Carson City--Attorney General Frankie Sue Del Papa is warning consumers to avoid an illegal pyramid scheme, known as the “Dinner Party,” that is currently active in northern Nevada. “Invitations” to the so-called Dinner Party are distributed as a “gift giving” opportunity. In fact, the Dinner Party is a classic pyramid scheme and illegal under Nevada law.

The Dinner Party scam has been making the rounds in Washington state and Idaho, and has now invaded Nevada. “Invitations” have been showing up in the Reno-Sparks area and are expected to spread to other parts of Nevada.

NRS 598.110 states that it is illegal for a person to contrive, prepare, set up, propose, operate, advertise or promote any pyramid or endless chain scheme. NRS 598.100(3) defines a “pyramid promotional scheme” as any program or plan by which a participant gives or pays a valuable consideration for the opportunity or chance to receive compensation in return for obtaining one or more additional persons to participate in the program.

“All pyramid schemes eventually collapse when the number of available new participants dries up,” Del Papa said. “When that happens, all those who are not at the top of the pyramid lose their money. If you are asked to join in the Dinner Party, say no. If you are already in it, demand your money back. If you have received money, refund it all and get out.”

Nevada residents who have been approached to participate in the Dinner Party are asked to contact the Consumer Affairs Division at (775) 688-1800 in northern Nevada, or (702) 486-7355 in southern Nevada, to file a written complaint. You may also file a complaint with the Federal Trade Commission by calling toll free 1-877-FTC-HELP (1-877-382-4357). If you would like to learn more about how to spot consumer scams, please check out the Attorney General’s Bureau of Consumer Protection web site at www.bcp.state.nv.us/ci.htm.

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July 31, 2001

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SNAG Project Director To Receive National Honor

Las Vegas--Attorney General Frankie Sue Del Papa announced today that Jo Anne Embry, director of the Senior Nevada Advocates on Guard (SNAG) program, will be among 38 people receiving the Certificate of Merit For Exemplary Customer Service from the Centers for Medicare & Medicaid Services during a ceremony in St. Louis, Missouri on August 1, 2001. The award recognizes individuals for providing significant service to the Medicare and Medicaid programs, and for providing quality customer service to beneficiaries.

The Centers for Medicare & Medicaid Services (formerly the Health Care Financing Administration) is part of the U.S. Department of Health & Human Services.

The primary goal of the SNAG project is to educate Nevada's senior citizens on how to detect suspected or fraudulent activities regarding their Medicare and/or Medicaid bills. The project also provides the community a system for immediate reporting of suspicious activity. If warranted, the information received would result in further investigation, which could lead to criminal or civil prosecution, administrative sanctions, fines and/or recovery of funds.

Embry is responsible for recruiting retired professional seniors to provide individual consultation and training to help inform, counsel and refer individual seniors with complaints or questions about their Medicare or Medicaid benefits. With the assistance of AARP, seniors with experience in fields such as law, medicine, business and industry, and education are recruited.

For more information regarding SNAG, please call (702) 486-3320, email your request to snaginfo@ag.state.nv.us, or visit the Attorney General's web site at <http://ag.state.nv.us>.

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July 26, 2001

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AUTO MECHANIC ARRESTED FOR DECEPTIVE TRADE PRACTICES

Las Vegas--Attorney General Frankie Sue Del Papa announced today that the owner of Akita Auto Repair in Las Vegas, Alan Taylor, 34, was arrested on July 25, 2001, by the Bureau of Consumer Protection on two felony counts of coercion, one count of false imprisonment (a gross misdemeanor), and eight deceptive trade practice violations. The complaint alleges Taylor failed to give written estimates to consumers for auto repairs; performed unauthorized auto repairs; fraudulently altered estimates and receipts; used physical force to make customers pay him for unauthorized repairs; and locked a female customer in his garage against her will.

Coercion carries a possible sentence of one to six years and a \$5,000 fine. False imprisonment carries a sentence of up to one year and a \$2000 fine. Deceptive trade practice violations carry a possible sentence of up to six months and a \$1000 fine.

Auto repair businesses in Nevada must give written estimates of charges for repairs made to a vehicle which exceed \$50; must obtain authorization before any additional repairs are made to a vehicle if the charges for those repairs exceed 20% of the original estimate or \$100, whichever is less; and must give a completed statement of charges for repairs made to a vehicle.

As with all criminal cases, the charges against the defendant are accusations. The defendant is to be considered innocent until he is proven guilty in a court of law.

“Before selecting a mechanic, consumers should ask for recommendations from friends and family, check a repair shop's complaint records with the Nevada Consumer Affairs Division, and make sure the shop is certified,” Del Papa said.

Consumers with complaints about deceptive trade practices should contact the Attorney General's Bureau of Consumer Protection in Las Vegas at (702) 486-3194, or in Carson City at (775) 687-6300. Consumer protection information, including a brochure entitled, *Automotive Repair Customer Bill of Rights*, can be found on the Attorney General's web site at <http://ag.state.nv.us>

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July 25, 2001

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**“DICK CLARK” IMPERSONATOR INDICTED
ON TELEMARKETING FRAUD CHARGES**

Las Vegas--Attorney General Frankie Sue Del Papa has announced that Darin Lawrence Notaro and William Richard Fritz II were indicted today by the Clark County Grand Jury for the felony crimes of Attempted Theft by False Pretenses and Failure to Register as a Telephone Seller. The Indictment alleges that the defendants operated a telemarketing scheme in which an individual impersonating “Dick Clark” targeted out-of-state elderly people and required them to send money in order to collect a sweepstakes prize.

The charges stem from an undercover sting operation conducted by the Attorney General’s Bureau of Consumer Protection (BCP) on June 1, 2001. The Indictment alleges that an individual impersonating “Dick Clark” called a 62-year-old California woman and told her that she had won \$75,000 in the Publishers Clearing House Sweepstakes. The phony “Dick Clark” then told his purported victim that she was required to send him \$3,500 via Western Union to cover the taxes before he could personally deliver her prize of \$75,000. The woman contacted the BCP to advise them of the situation. A BCP investigator arranged to have the defendants pick up the \$3,500 in a Las Vegas casino. The Indictment further alleges that Nataro and Frisk attempted to pick up money from the undercover Attorney General investigator at the casino.

The telemarketing scam the defendants were allegedly using is commonly known as a “rip and tear,” wherein the telemarketer rips pages from the phone book and starts making calls to unwary consumers. In such a case, the telemarketer often tells the victim to send the money via Western Union. That way, the scammer can pick up the money at any Western Union office within minutes, thereby making interception of the cash transfer next to impossible to prevent.

Attempted Theft by False Pretenses carries a possible sentence of one to six years and a fine of up to \$10,000. Unregistered Telemarketing carries a possible sentence of one to four years and a fine of up to \$50,000.

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“Consumers should never send money to telephone salespersons who claim the consumer is a prizewinner,” Del Papa said. “Legitimate sweepstakes companies never require prizewinners to send money to collect their prize.”

As with all criminal cases, the charges against the defendant are accusations. The defendant is to be considered innocent until and unless he is proven guilty in a court of law.

Persons who believe they have been victims of telemarketing fraud should contact the Attorney General’s Office in Las Vegas at (702) 486-3194, or in Carson City at (775) 687-6300. Information about telemarketing fraud and other consumer protection issues can be found on the Attorney General’s web site at <http://ag.state.nv.us>.

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July 20, 2001

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CONSUMER ADVOCATE ASKS FERC TO EXTEND MITIGATION MEASURES

Carson City--Nevada Consumer Advocate Timothy Hay today filed a Request for Rehearing with the Federal Energy Regulatory Commission ("FERC") related to its June 17, 2001 Order instituting price mitigation measures for wholesale power transactions throughout the western United States.

In June, the FERC imposed price mitigation measures on wholesale power costs in California and other western States, following a year in which wholesale power costs in the West had skyrocketed to many times their historic levels. The increases were due in large part to California's reliance on power purchased on the open market. However, the FERC limited the application of the price mitigation measures to spot market transactions, which are the means by which most wholesale power is traded in California. Western states outside of California have been able to enter into longer-term contracts for power and have done so to avoid the excesses of the spot market, often at the suggestion of the FERC itself.

Earlier this year, Nevada Power Company and Sierra Pacific Power Company signed several longer-term, seasonal contracts at high prices. The adoption of price mitigation measures in June has in some cases left the Nevada utilities with contract prices significantly higher than those permitted on the spot market.

The Bureau of Consumer Protection (BCP), of which Hay is the Chief, has strongly supported price mitigation measures. "Today's filing urges the FERC to extend the mitigation measures to forward-contracts as well so that utilities which entered into these contracts will benefit equally from the mitigation measures. Even in the short time the price mitigation measures have been in place, the extreme volatility of price spikes that had been present earlier in the year has been significantly reduced, with reliability in power supply being much higher than had been anticipated a few months ago. And the mitigation measures have had very little impact, if any, on the numerous power plant construction projects underway in Nevada, California and other western states."

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Hay is also urging the FERC to remove a 10% premium provided to power generators as an incentive to sell to California utilities due to the credit risks of selling to those utilities. “We believe the 10% premium for selling to California only is not supported by the record, is discriminatory to non-California states, and may create unintended power shortages in Nevada in times of tight supply.”

The Las Vegas area was hit with controlled blackouts in early July due to power supply shortages. Hay concluded, “The 10% premium might encourage generators to sell power to California rather than Nevada, creating an inadvertent scarcity of power in Nevada when markets are constrained.”

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July 20, 2001

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**FORMER FIRE ACADEMY EMPLOYEE SENTENCED
FOR STEALING GASOLINE FROM STATE OF NEVADA**

Reno— Former University of Nevada, Reno employee Ronald Pedroza, 41, was sentenced today to forty-eight (48) months imprisonment in the Nevada Department of Corrections for stealing gasoline from the State of Nevada. Washoe County District Court Judge Steven R. Kosach suspended the prison term, placing Pedroza on probation for a period of 24 months, with the requirement that Pedroza make full restitution to the University of Nevada, Board of Regents, in the amount of \$3,520.32, and that he successfully complete an alcohol and substance abuse treatment program. Pedroza had faced up to ten years imprisonment, and a fine of not more than \$10,000.

Pedroza had previously pleaded guilty to a felony charge of theft after admitting he had used a state issued gasoline card without authorization at state operated Western Energetix fueling stations. The card had been issued to him for official use only during the term of his employment with UNR. Following the termination of his employment, Pedroza used the state gas card to acquire 2,465 gallons of gasoline.

Attorney General Frankie Sue Del Papa said, "State employees will be held to a high standard of conduct to reflect their position of public trust. Violations of that trust will not be tolerated."

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FOR IMMEDIATE RELEASE
May 17, 2000

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ATTORNEY GENERAL ISSUES ALERT ABOUT LOST PET SCAM

Carson City---Attorney General Frankie Sue Del Papa's Bureau of Consumer Protection warns Nevada consumers about a scam targeting the owners of lost pets.

The perpetrators find their victims in the newspaper's "Lost Pet" section. The first scammer calls the person listed in the lost pet ad and states that he believes he hit a pet fitting the description in the ad with his car at a particular location. A few days later, the second scammer calls the victim and states that he found an injured pet fitting the description in the ad at the location mentioned by the first scammer. Unfortunately, according to the caller, he was just passing through town so he took the pet with him to his hometown in Canada. He further states that he obtained costly veterinary treatment for the pet.

Luckily, the pet survived, and now the scammer wants to send the animal back to his owner in Nevada. All that he asks is that the owner reimburse him for veterinarian costs and the costs associated with shipping the pet back to Nevada. Often, the perpetrator states that his wife has become very attached to the pet and unless he receives the money quickly, he will not be able to ship the animal back to its owner. The perpetrator gives the victim the flight number and time the pet will arrive in Nevada. The victim sends his money to the scammer and goes to the airport to await the homecoming of his beloved pet. It is only when the pet does not arrive that the victim becomes aware the he has been scammed.

The Attorney General's Bureau of Consumer Protection offers the following tips to avoid becoming a victim of this type of scam:

- Use a more general description of your animal in the lost pet advertisement. This will enable you to question the person who has allegedly found your animal about specifics.

- Offer to pay the veterinarian or airline directly for costs associated with your pet. Be suspicious if the caller objects to this.

If you believe that you have been a victim of a Lost Pet Scam, or would like further information, please 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 Attorney General's Web site at ag.state.nv.us.

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FOR IMMEDIATE RELEASE
February 20, 2001

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(702) 486-3128

LOST PET SCAMMER ARRESTED BY ATTORNEY GENERAL'S OFFICE

Las Vegas---Attorney General Frankie Sue Del Papa has announced that Catharine Ann Malandish was arrested today in Reno, Nevada by investigators in the Attorney General's Bureau of Consumer Protection. Malandish's co-defendant, William Arnold Muniz, was arrested last week in Northern California on unrelated parole violations. The Attorney General's Bureau of Consumer Protection filed a Criminal Complaint against William Muniz and Catharine Malandish on February 5, 2001, charging them with illegally obtaining money from the owners of lost pets.

The three-count felony Criminal Complaint alleges that William Muniz called at least two victims and stated that he had found their pets while passing through Nevada on vacation. Muniz told his victims that he had obtained costly veterinary treatment for the pet. Muniz also stated that he had become attached to the pet and that he had prepared to fly the pet back to his hometown in Canada. Muniz told the victims that he would return their pets if they would reimburse him for costs by sending him money via Western Union Wire Transfer. In one case, a Tahoe resident sent \$400.00 to Muniz for the return of his daughter's cat. In another case, a California resident sent \$600.00 to Malandish in Reno, Nevada for the return of her beloved cat. Neither victim received their cat in return.

The Criminal Complaint also alleges that Muniz contacted a third victim and told her that he had found her lost necklace in San Francisco, California. Muniz told the victim that he would return her necklace if she would send him money. The victim sent \$500.00 to Muniz in Reno, Nevada via Western Union Wire Transfer; however, she never received her necklace in return.

Based on the allegations in the complaint, Arrest Warrants for both Muniz and Malandish were issued by the Reno Justice Court. Malandish was arrested and charged with one felony count of Theft by Obtaining Money Under False Pretenses. Muniz will be extradited to Nevada to stand trial on three felony counts of Theft by Obtaining Money Under False Pretenses.

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Theft by Obtaining Money Under False Pretenses is a Category C Felony and carries a sentence of one to five years. Muniz has prior convictions in Nevada and may be charged as a Habitual Criminal. If proven, Muniz could face a sentence from 10 years to Life Without Parole.

The Attorney General's Bureau of Consumer Protection offers the following tips to avoid becoming a victim of this type of scam:

- Use a more general description of your animal or other lost property in advertisements. This will enable you to question the person who has allegedly found your animal or property about specifics.
- Offer to pay the veterinarian or airline directly for costs associated with your pet or other lost property. Be suspicious if the caller objects to this.

If you believe that you have been a victim of a Lost Pet Scam, or would like further information, please 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 Attorney General's Web site at ag.state.nv.us.

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

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Attorney General

THOMAS M. PATTON
First Assistant Attorney General

FOR IMMEDIATE RELEASE
May 24, 2001

Contact: Tracey J. Brierly
(702) 486-3128

GRAND JURY INDICTMENT RETURNED ON FELONY LOST PET SCAMMERS

Las Vegas---Attorney General Frankie Sue Del Papa announced today that the Washoe County Grand Jury has returned an Indictment against William Arnold Muniz and Catharine Ann Malandish, the two people charged in a lost pet scam that included several Nevada citizens. The seven-count felony Indictment charges William Muniz with illegally obtaining money from the owners of lost pets. Muniz's wife, Catharine Malandish, is charged with one count related to the same scheme.

The Indictment alleges that William Muniz called six victims and stated that he had found their pets while passing through Nevada on vacation. Muniz told his victims that he and his wife had obtained costly veterinary treatment for the pet. Muniz also stated that his wife had become attached to the pet and that he was prepared to fly the pet back to his hometown in Canada. Muniz told the victims that he would return their pets if they would send money to him in Reno, Nevada via Western Union Wire Transfer to cover the veterinary and airline costs. Victims sent the Defendants between \$400 and \$1,354 for the return of their beloved pets; however, none of the victims received their pets back in return.

The Indictment also alleges that Muniz contacted a seventh victim and told her that he had found her lost diamond heirloom necklace in San Francisco, California. Muniz told the victim that he would return her necklace if she would send him money. The victim sent \$500 to Muniz in Reno, Nevada via Western Union Wire Transfer; however, she never received her necklace in return.

Based on the allegations in the Indictment, Arrest Warrants for both Muniz and Malandish were issued by District Court Judge Janet Berry. After hearing arguments from the Bureau of Consumer Protection about Muniz's habitual criminal status, Judge Berry set his bail at \$700,000. A bail amount has not yet been set for Malandish.

Theft by Obtaining Money Under False Pretenses is a Category C Felony and carries a sentence of one to five years. Muniz has prior convictions in Nevada and may be charged as a Habitual Criminal. If proven, Muniz could face a sentence from 10 years to Life Without Parole.

**** more****

The Attorney General's Bureau of Consumer Protection offers the following tips to avoid becoming a victim of this type of scam:

- Use a more general description of your animal or other lost property in advertisements. This will enable you to question the person who has allegedly found your animal or property about specifics.
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An Indictment is merely an accusation. As always, defendants should be presumed innocent until and unless proven guilty in a court of law.

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FOR IMMEDIATE RELEASE
July 19, 2001

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*****MEDIA ADVISORY*****

DATELINE NBC SHOW WILL FEATURE ARREST OF LOST PET SCAMMERS

Las Vegas---On Friday, July 20, 2001, at 9:00pm, the news program *Dateline NBC* will air a show centered around the investigation, arrest and upcoming trial of two people suspected in the so-called Lost Pet Scam that included several Nevada residents and many others across the nation. Attorney General Frankie Sue Del Papa was interviewed for the story and will be featured in the piece.

The Washoe County Grand Jury returned an Indictment against William Arnold Muniz and Catharine Ann Malandish, the two people charged in a lost pet scam, on May 24, 2001. The seven-count felony Indictment charges Muniz with illegally obtaining money from the owners of lost pets. Malandish, Muniz's wife, is charged with one count related to the same scheme.

The Indictment alleges that Muniz called six victims and stated that he had found their pets while passing through Nevada on vacation. Muniz told his victims that he and his wife had obtained costly veterinary treatment for the pet. Muniz also stated that his wife had become attached to the pet and that he was prepared to fly the pet back to his hometown in Canada. Muniz told the victims that he would return their pets if they would send money to him in Reno, Nevada via Western Union Wire Transfer to cover the veterinary and airline costs. Victims sent the Defendants between \$400 and \$1,354 for the return of their beloved pets; however, none of the victims received their pets back in return.

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Muniz in Reno, Nevada via Western Union Wire Transfer; however, she never received her necklace in return.

Theft by Obtaining Money Under False Pretenses is a Category C Felony and carries a sentence of one to five years. Muniz has prior convictions in Nevada and may be charged as a Habitual Criminal. If proven, Muniz could face a sentence from 10 years to Life Without Parole.

--more--

Muniz is currently in custody in California on unrelated charges. The Attorney General's Office has begun the process to extradite Muniz to Nevada to stand trial on the various charges against him.

An Indictment is merely an accusation. As always, defendants should be presumed innocent until and unless proven guilty in a court of law.

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FOR IMMEDIATE RELEASE
July 20, 2001

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(702) 486-3793

TWO INDICTED IN LAS VEGAS SCAM

Las Vegas- Attorney General Frankie Sue Del Papa announced today that a Clark County grand jury has indicted 62-year-old Arnold Fisher, Jr. and 37-year-old Rosa Dietz on charges related to Nucleus Marketing, Inc., a company alleged to have defrauded Las Vegas residents out of more than \$100,000. Each of the defendants was indicted on one count of racketeering, one count of securities fraud, and two counts of theft by obtaining money under false pretenses, and one count against a victim 65 years or older. Bail was set at \$100,000 for each defendant.

According to the Criminal Indictment filed by the Attorney General's Bureau of Consumer Protection, the defendants falsely stated that they operated Nucleus Marketing Inc. The defendants would then request fees from individuals to include travel, lodging and business expenses in order to lure multi-millionaires as investors in the company. It is also alleged that the Defendants fraudulently sold shares of stock in their defunct corporation.

A Criminal Indictment is merely an accusation. The Defendants should be presumed innocent until and unless proven guilty in a court of law.

If anyone has information concerning the defendants or Nucleus Marketing, Inc., please contact the Attorney General's Office at (702) 486-3420. Consumer protection information is available on the Attorney General's web site at <http://ag.state.nv.us>

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FOR IMMEDIATE RELEASE

July 17, 2001

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Marilyn Skibinski
(775) 687-6300

NEVADA BELL FAILS TO POST INCREASED COST OF LOCAL CALL ON PAY PHONES

Carson City--Attorney General Frankie Sue Del Papa has received complaints that Nevada Bell has increased its pay phone rates from 35 cents to 50 cents per local call without posting the new rate on all of its pay phones, violating a legal requirement to conspicuously post rates on or near its pay phones.

"Consumers who attempt to make a local call from a pay phone believing the call costs 35 cents are being told to add an additional 15 cents, even though the pay phone posts a 35 cents per call price. Nevada Bell has a legal obligation to post accurate prices and must correct this situation," Del Papa said.

Several consumers have contacted the Attorney General's Bureau of Consumer Protection complaining about the incorrect pricing. Consumer Advocate, Timothy Hay, has issued a letter to Nevada Bell's president, Marsha Lindsey, insisting that Nevada Bell take immediate steps to comply with the posting requirements.



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FOR IMMEDIATE RELEASE
July 10, 2001

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(775) 688-1835

MAN FINED FOR INSURANCE FRAUD

Reno--Attorney General Frankie Sue Del Papa has announced that Carlos DeGuzman, 25, today was fined \$1,300 after pleading guilty to Conspiracy to Commit Insurance Fraud before Washoe County District Court Judge Steve Elliott.

DeGuzman had provided false information to insurance companies following an automobile accident, including a false date, the driver involved, and specifics about the accident itself.

Deguzman was never paid on his claim due to the fact that the insurance companies discovered the misrepresentations prior to payment thanks to a concerted effort on the part of Attorney General's Insurance Fraud Unit and the Reno Police Department.

"In Nevada, misrepresenting material information to an insurance company is a felony crime, punishable by up to four years in prison and a fine of up to \$5000," Del Papa said.

If you have any information regarding 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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Protecting Citizens, Solving Problems, Making Government Work



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FOR IMMEDIATE RELEASE
July 6, 2001

CONTACT: Kenneth Rohrs
(775) 688-1966

**ROHRS NAMED EXECUTIVE DIRECTOR
OF PROSECUTION ADVISORY COUNCIL**

Carson City—Attorney General Frankie Sue Del Papa, who chairs the Nevada Advisory Council for Prosecuting Attorneys, announced today that former National Judicial College Dean Kenneth A. Rohrs has appointed as the Council's Executive Director. Rohrs, a former prosecutor and general jurisdiction trial court judge, also served as the first Executive Director of the Nevada Commission on Ethics. Most recently he served as Administrator of the Division of Museums and History. Rohrs has an extensive background in continuing professional education, including training lawyers and judges in the former Soviet Union republics of Kazakhstan, Kyrgyzstan, Georgia and Armenia.

Upon his appointment, Rohrs said, "It's an honor and privilege to work for the Prosecution Advisory Council and with the prosecutors in Nevada. I look forward to using my legal education and experience to develop innovative and high quality education and training for Nevada's public lawyers—men and women dedicated to the rule of law, citizen's rights, and public safety."

The Prosecutors Advisory Council was created by the 1997 Nevada Legislature to provide training for prosecutors in criminal and civil prosecutions. The Council consists of seven members: Attorney General Frankie Sue Del Papa, Clark County District Attorney Stewart Bell, White Pine County District Attorney Sue Fahami, Carson City District Attorney Noel Waters, Reno City Attorney Patricia Lynch, Las Vegas City Attorney Brad Jerbic, and Clark County Undersheriff Richard Z. Winget, who serves as the Law Enforcement Representative.

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FOR IMMEDIATE RELEASE
July 3, 2001

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(775) 486-3782

**CONSUMER ALERT:
ATTORNEY GENERAL WARNS CONSUMERS
ABOUT PROTECTING FINANCIAL PRIVACY**

Carson City--The federal Financial Services Modernization Act (also known as the Gramm Leach Bliley Act or GLB) was adopted effective November 2000, but the implementing regulations did not take effect until July 1, 2001. GLB now allows banks, insurance companies and brokerage firms to operate as one, meaning these companies can now merge customer data from several sources and can sell that information to third parties.

Title V of the Gramm Leach Bliley Act gives consumers certain rights in protecting their privacy. Specifically, GLB requires that by July 1, 2001, a consumer's various financial institutions must provide notice via the mail of three things:

- 1) **Privacy Policy:** The consumer should receive a privacy notice from every financial institution with whom he/she has an ongoing relationship. In this notice, the financial institution must explain the types of information it collects about the consumer and how it uses that information. Since the law does not require that the consumer receive a separate notice of this privacy policy, it may be mailed along with the consumer's account statements or may be included in other notices that the consumer is required to receive.
- 2) **Right to Opt-Out:** Your financial institutions must explain your ability to prevent the sale of your customer data to unaffiliated third parties. The consumer will have a reasonable time to "opt out" (usually within 30 days after the notice was sent) before your personal data can be disclosed. By failing to return the "opt out" notice, the consumer gives his/her implied consent that the financial institution may sell or share personal information with unaffiliated third parties. However, should the consumer later decide to "opt out," he/she may do so.

In order to properly "opt out", the Attorney General advises Nevada consumers to follow the procedures provided by your financial institution. Therefore, be on the lookout for any forms with check off boxes, a simple reply form, e-mail forms, or a toll free number to call and opt out.

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- 3) **Safeguards:** Financial institutions are required to develop policies to prevent fraudulent access to confidential financial information. These policies must also be disclosed to you.

The Attorney General advises Nevada consumers that the burden is on them to assert their privacy rights. By following these simple guidelines, Nevada consumers will be better informed about privacy policies that affect them and, therefore, better protect themselves from having personal information shared with unaffiliated third parties.

For more information on the GLB and its implications for consumers, call Deputy Attorney General Gianna Orlandi at (775) 486-3788. For additional consumer protection information, visit the Attorney General's web site at <http://ag.state.nv.us>.

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FOR IMMEDIATE RELEASE
July 2, 2001

CONTACT: Thomas M. Patton
(775) 684-1116

TIMELINE FOR IMPLEMENTING RACIAL PROFILING STUDY RELEASED

Carson City--Attorney General Frankie Sue Del Papa's Office announced today that, in conjunction with affected law enforcement agencies, a timeline for implementing a racial profiling study as required by the passage of Assembly Bill 500 during the 2001 Legislative session has been completed. AB 500 calls for the prohibition of racial profiling. The bill also requires the collection of data of all traffic stops conducted by the Highway Patrol and Sheriffs and Police Departments in counties with populations greater than 100,000. The agencies involved in the study are the Nevada Highway Patrol, the Las Vegas Metropolitan Police Department, the police departments of North Las Vegas, Henderson, Boulder City, Mesquite, Reno and Sparks, and the Washoe County Sheriff's Department.

The timeline for implementation of the study was developed following consultations between the Attorney General's staff and administrators from the affected agencies. First Assistant Attorney General Thomas M. Patton, who is coordinating the plan on behalf of the Attorney General's Office, released the following step-by-step timeline:

1. Development of data collection and interpretation guidelines by July 26, 2001.
2. Individual agency-hosted public hearings to consider guidelines and public input during the month of August 2001.
3. Officer training and systems setup during the month of September 2001.
4. Two-month data collection test period during the months of October and November 2001.
5. Assessment of and corrections to collection methodology during the month of December 2001.
6. Formal twelve-month data collection period from January 1 through December 31, 2002.
7. Compilation and analysis of data during month of January 2003.
8. Statistical report to Legislature by February 1, 2003.

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Del Papa and Patton praised the efforts and cooperative spirit of the law enforcement agencies involved in establishing procedures for completion of the study. "The endeavor will require significant effort to collect, compile and analyze the data required by AB 500," Del Papa stated. "The agencies involved are very willing to work cooperatively in getting the program underway. They have clearly demonstrated their understanding that the information gathered will not only review practices, but also perceptions. Involvement by citizens and community groups will be a very valuable component of this review."

"First Assistant Attorney General Tom Patton, former Chair of Nevada's Parole Board, was the primary author of former Governor Bob Miller's Criminal Justice Task Force study, completed in January 1996. His experience relative to this issue will prove invaluable."

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FOR IMMEDIATE RELEASE
July 2, 2001

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**FORMER CORRECTIONAL OFFICER SENTENCED
FOR CONSPIRING TO COMMIT AN UNLAWFUL ACT**

Ely— Former Ely State Prison Correctional Officer Scott Eagle, 30, was sentenced today by Seventh Judicial District Judge Steve L. Dobrescu for conspiring to commit an unlawful act relating to a controlled substance, a category C felony. Eagle was sentenced to serve 30 months in a Nevada Department of Corrections facility, with a minimum parole eligibility after serving 12 months.

On May 30, 2001, Eagle entered a guilty plea to the conspiracy charge in exchange for the dismissal of the charge of providing a controlled substance to a state prisoner. The charge to which Eagle entered his plea alleged that he conspired with Christopher Kyriacau, an inmate at the Ely State Prison, and an unidentified third party, to provide Kyriacau with marijuana.

The Nevada Division of Investigations and an Investigator from the Inspector General's Office conducted the investigation. It was initiated on February 26, 2001 when approximately 2.5 ounces of marijuana was discovered in the culinary unit at the Ely State Prison.

Deputy Attorney General Kevin R. Briggs, who prosecuted the case, said, "Correctional officers will be held to a high standard of conduct to reflect their position of public trust, and violations of that trust will not be tolerated." Briggs commended the investigative efforts of the entities involved for quickly addressing and apprehending the offenders involved in this incident.

The State originally charged Eagle with an unauthorized act relating to a controlled substance, furnishing a controlled substance to a state prisoner, conspiracy to commit an unauthorized act relating to a controlled substance, and conspiracy to furnish a controlled substance to a state prisoner. The State dismissed all remaining charges in exchange for Eagle's guilty plea.

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FOR IMMEDIATE RELEASE
July 2, 2001

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DEL PAPA ANNOUNCES \$100 MILLION ANTITRUST LAWSUIT AGAINST DRUG MAKERS OF POPULAR BLOOD PRESSURE MEDICATION

Carson City--Attorney General Frankie Sue Del Papa announced today that she has joined in a \$100 million lawsuit against two major drug companies for conspiring to keep a generic version of the popular heart medication Cardizem CD off the market and, therefore, unavailable to consumers. Del Papa joined the suit today against Aventis and Andrx on behalf of consumers and certain state agencies in Nevada. Twenty-seven other states, the District of Columbia and the Commonwealth of Puerto Rico are also participating in the litigation.

Aventis produces Cardizem CD, a highly effective medication for the treatment of high blood pressure, chest pains and heart disease. The suit charges that for one year (beginning in July 1998), Hoechst, a pharmaceutical company acquired by Aventis in 2000, paid pharmaceutical manufacturer Andrx just under \$100 million to **not** bring a generic version of Cardizem CD to market. Cardizem CD had been a huge moneymaker for Hoechst, accounting for more than \$700 million in sales in 1997.

Cardizem CD today costs approximately \$65 per month for a typical dosage, while generic versions of the product cost about half that amount. It's estimated that the difference in price for a year's prescription is approximately \$400.

"Senior citizens, many of whom are living on a fixed budget, should not be forced to pay higher prices for prescription drugs like Cardizem CD when a generic product could be made available," Del Papa said. "Those forced to pay for the more expensive brand name drug often must cut back on other medications, food or clothing to afford those medications. We cannot allow private companies to conspire and keep generic drugs off the shelves and unavailable to consumers simply to increase their profits."

It's estimated that more than one million people nationwide take Cardizem CD or its generic version.

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A study by the AARP estimated that seniors spend an average of \$410 a year for prescription drugs and \$2,370 (approximately 18%) of their income for all of their health care costs.

Del Papa is seeking restitution for consumers and taxpayer-financed government programs, like Medicaid, in the lawsuit. The minimum amount of restitution that the states collectively will seek is \$100 million.

Private lawsuits have also been filed in the case, and a federal court judge in Michigan has ruled that Hoechst and Andrx broke antitrust laws. The drug makers are currently appealing that ruling.

The States' case was initially filed in federal court in Michigan on behalf of Arizona, California, District of Columbia, Idaho, Indiana, Maine, Michigan, Minnesota, New Mexico, New York, North Carolina, Oklahoma, Utah, Vermont, Washington and West Virginia. The amended complaint filed today added Alaska, Arkansas, Connecticut, Delaware, Hawaii, Iowa, Kansas, Nevada, North Dakota, Puerto Rico, Rhode Island, South Carolina and Wisconsin

It is expected the case will last several months before a final decision is reached. Under the direction of Consumer Advocate Tim Hay, Senior Deputy Attorney General Chris Van Dyck is handling the lawsuit on behalf of Nevada.

For more information on how the Bureau of Consumer Protection works on behalf of Nevada's citizens, please visit <http://ag.state.nv.us>.

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FOR IMMEDIATE RELEASE
August 23, 2001

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LIQUOR LICENSE HOLDERS REMINDED ABOUT ANTI-SUBSTITUTION LAW

Carson City—Attorney General Frankie Sue Del Papa has sent a notice to all holders of Nevada liquor licenses reminding them of the state's "Truth In Serving" law. In the letter, she reminded license holders that the state's anti-substitution law for beverage alcohol applies to both "paid for, complimentary and free drinks," and that to increase compliance with the law, the Attorney General's Office will work with the Nevada District Attorneys' Association and local law enforcement agencies to conduct stings at Nevada's taverns, bars, casinos and restaurants.

In 1991 the Legislature passed a bill making it illegal in Nevada for beverage alcohol retailers to substitute one brand of liquor, wine or beer for another brand that was specifically ordered by a customer. The bill, which came to be known as the "Truth In Serving" law, was passed to protect a consumer's right to be served the brand he or she ordered. A first offense is a misdemeanor charge, punishable by a fine of up to \$1,000, plus the cost of prosecuting the case. A second violation is a gross misdemeanor, punishable by a fine of up to \$2,000. Subsequent violations could result in license revocation.

"It has been reported that the practice of substituting another brand other than the one ordered by a consumer may be a reoccurring problem in some Nevada establishments," Del Papa said. "The District Attorneys' Association and the Attorney General's Office hope these targeted sting operations will help elevate the public's trust in our unparalleled hospitality industry. Simply put, we want to better assure that Nevada residents and visitors are getting what they are asking and paying for."

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FOR IMMEDIATE RELEASE
August 23, 2001

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**RITE AID CORPORATION PAYS STATE \$200,000
AS RESULT OF MEDICAID FRAUD SETTLEMENT CASE**

Carson City--Attorney General Frankie Sue Del Papa announced today that Rite Aid Corporation has paid \$200,000 to the State of Nevada to resolve its corporate liability for the fraudulent acts of one of its store pharmacists. The settlement fee covers restitution, investigative costs and fines. Del Papa said Rite Aid had no knowledge of the fraud and fully cooperated with her office's investigation.

The case involved pharmacist James Bradford Beck, who worked at one of Rite Aid's Las Vegas stores. Beck pleaded guilty to felony Medicaid Fraud in August 2000. Beck caused Rite Aid to bill Medicaid for drugs that were supposedly delivered to nursing home patients but in fact were diverted by Beck to other entities.

According to Medicaid Fraud Control Unit (MFCU) Director Tim Terry, Rite Aid actually came forward voluntarily and was able to qualify for the MFCU's Voluntary Disclosure Program. Terry noted that the MFCU will generally forego criminal prosecution of self-reporting providers under the following conditions:

- That the provider makes 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 has submitted any false or misleading information.

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Terry said 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 healthcare provider from participation in Medicaid, Medicare or any other federally funded healthcare program for at least five years, I would encourage any providers who may have crossed the billing line to think about this voluntary disclosure program,” Del Papa stated. “The Attorney General's Office makes every effort to work with providers. We appreciate Rite Aid's disclosure and cooperation on this matter.”

Anyone suspecting provider fraud in the Medicaid system may report it to the MFCU in Carson City at (775) 687-4704, or in Las Vegas at (702) 486-3420. Medicaid fraud information can be found on the Attorney General's web site at <http://ag.state.nv.us>.

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THOMAS M. PATTON
First Assistant Attorney General

FOR IMMEDIATE RELEASE
August 23, 2001

CONTACT: Gabrielle Gillette
(775) 334-2019

SUMMIT WILL AID IMMIGRANT VICTIMS OF DOMESTIC VIOLENCE

Las Vegas—A free one-day summit addressing the needs of immigrant victims of domestic violence will take place in Las Vegas on Friday, August 23, 2001. The *Battered Immigrant Victim Summit* will take place from 8:00am to 5:00pm at the Suncoast Hotel and Casino. The Summit is open to attorneys, domestic violence advocates, Family Resource Center personnel and other individuals interested in assisting immigrant victims of domestic violence.

The Summit, sponsored by the Reno City Attorney's office, is being offered free of charge thanks to a STOP Violence Against Women Grant from the Nevada Attorney General's Office. The Reno City Attorney's office is coordinating the Summit in cooperation with the Las Vegas City Attorney's office, Las Vegas Metropolitan Police Department, Nevada Network Against Domestic Violence, Nevada Hispanic Services, Safe Nest, Family Support Council of Douglas County, Family Resource Centers of Nevada, and the Clark County Pro Bono Program.

"The Violence Against Women Act provides some remedies for immigrant victims of domestic violence but, unfortunately, many prosecutors, defense attorneys and service providers are unfamiliar with the unique issues facing immigrants," said Attorney General Frankie Sue Del Papa said. "When immigrants who are battered become involved with the criminal justice system or social service systems, the service providers are often unaware of the impact of their actions on these victims. The goal of this project is to educate prosecutors, defense attorneys, private lawyers, victim advocates and service providers about the remedies and options available to this underserved group of victims of domestic violence, and to provide resources to these victims."

Guest speakers include Gail Pendleton, Associate Director of the National Immigration Project of the National Lawyers Guild, and Signe Dortch, Staff Attorney at the Northwest Immigrant Rights Project. Pendleton is also the Chair of the American Immigration Lawyer's Association Committee on Women and Children, and co-founder of the National Network on Behalf of Battered Immigrant Women. Both speakers and have provided extensive training in the area of domestic violence and immigration law.

For more information on the Summit, please contact Gabrielle Gillette at (775) 334-2019.

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FOR IMMEDIATE RELEASE
August 22, 2001

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(775) 684-1116

**ATTORNEY GENERAL ISSUES PROPOSED FORM FOR USE IN COLLECTING TRAFFIC
STOP DATA IN CLARK AND WASHOE COUNTIES**

Carson City--In accordance with the provisions of 2001 Assembly Bill 500, the Nevada Attorney General's Office today issued a proposed form to be utilized by specified law enforcement agencies for purposes of collecting data concerning traffic stops. AB 500 prohibits racial profiling and requires the collection of traffic stop data by the highway patrol and the sheriffs and police departments in Clark and Washoe Counties. The form was developed through the collaborative efforts of the Attorney General's Office, project coordinator First Assistant Attorney General Thomas M. Patton, and representatives from each of the agencies involved in the data collection program. The agencies involved in the study are the Nevada Highway Patrol, the Las Vegas Metropolitan Police Department, the police departments of North Las Vegas, Henderson, Boulder City, Mesquite, Reno and Sparks, and the Washoe County Sheriff's Department.

Attorney General Frankie Sue Del Papa and First Assistant Attorney General Patton thanked the law enforcement agencies involved for their cooperative efforts in creating the data collection form. Del Papa stated, "The agencies have exhibited a cooperative spirit which is critical as this project moves forward. We look forward to implementing the data collection process and working with the agencies in compiling the information to be acquired." Patton noted, "The data form and the informational items to be collected have been carefully considered by representatives from the affected agencies. A lot of time has gone into this project and the agencies' support and input has been greatly appreciated."

Other law enforcement agencies and tribal police agencies throughout the state, which are not required by AB 500 to take part in the racial profiling study, will be kept informed of the process, procedures and results.

The proposed data collection form is being distributed to the public for review and comment. Interested groups and individuals may address any questions or comments either to one of the involved local law enforcement agencies, or to the Office of the Attorney General. Following this step, the agencies will begin on October 1, 2001, to conduct a two-month data collection pilot program, to be followed by a one-year formal study program throughout 2002. The attorney general will thereafter compile and report the results to the 2003 Legislature.

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August 22, 2001
Page 2



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Attorney General

THOMAS M. PATTON
First Assistant Attorney General

To: Nevada Law Enforcement Agencies
All Concerned Citizens and Interest Groups

From: Frankie Sue Del Papa, Attorney General
Thomas M. Patton, First Assistant Attorney General

Date: August 21, 2001

Re: 2001 ASSEMBLY BILL 500 RACIAL PROFILING TRAFFIC STOP DATA
COLLECTION STUDY

PROPOSED AB500 TRAFFIC STOP DATA COLLECTION FORM

The following is the proposed traffic stop data collection form prepared by this office in conjunction with and based upon the recommendations of the Nevada Highway Patrol, the Las Vegas Metropolitan Police Department, the North Las Vegas Police Department, the Henderson Police Department, the Boulder City Police Department, the City of Mesquite Police Department, the Washoe County Sheriff's Office, the Reno Police Department and the Sparks Police Department. This form is being distributed on this date for public review and comment.

The informational items contained on the following pages will be reduced to a one-page Scantron or similar form. The data collection form will be completed by officers making vehicle stops by darkening the appropriate circles or numbers, in the case of agencies utilizing a Scantron or similar system, and will be utilized as a guide for officers making direct computer input in the case of agencies using radio call-in or mobile computer terminal systems. For agencies utilizing a Scantron or similar form system, entries may be made with pencil, or blue or black ballpoint pen. Forms will be completed as soon as possible after the stop and will be turned in to the officer's immediate supervisor prior to the end of the work shift. Entries will be made on the reporting form as follows:

AGENCY IDENTIFIER – Indicate the agency identifier number.

In Southern Nevada:

- 1 - NHP
- 2 - LVMPD
- 3 - Henderson PD
- 4 - North Las Vegas PD
- 5 - Boulder City PD
- 6 - Mesquite PD

In Northern Nevada:

- 1 - NHP
- 7 - WCSO
- 8 - Reno PD
- 9 - Sparks PD

LOCATION – Indicate the appropriate letter (A-Z) and number (1-4) for the patrol sector/beat of the vehicle stop.

DATE – Indicate the date of the stop by M/DD/Y.

SHIFT – Indicate the officer's work shift identifier number.

- 1 - Grave shift
- 2 - Day shift
- 3 - Swing shift

BUREAU IDENTIFIER – Indicate the officer's assigned bureau identifier number.

- 1 - Patrol
- 2 - Traffic
- 3 - Gangs
- 4 - Narcotics
- 5 - Detectives
- 6 - Other

REASON FOR STOP – Indicate whether the stop was reactive or proactive. Reactive stops are those based on information received from external sources such as a warrant, bolo, ATL, crime report, etc. Proactive stops are based on an officer's personal observations; what the officer sees, hears, etc. Then indicate the basis for the stop.

Indicate the type of stop

- Reactive stop
- Proactive stop

Indicate basis for stop

- Criminal activity
- Assist (e.g. call for service)
- Moving violation
- Non-moving violation

RESIDENT STATUS/LOCAL

- Is the driver a local resident within the agency's jurisdiction, yes or no?
- Is the driver a resident of the patrol sector/beat where the stop took place, yes or no?

GENDER – Indicate whether the driver is male or female.

RACE/ETHNICITY – Indicate the driver's race/ethnicity descriptor based the officer's perception of the person's dominant race. The person will not be questioned about race, nor will identification or other documentation be used to determine race.

- Asian/Pacific Islander
- Black/African American
- Hispanic
- Middle Eastern/East Indian
- Native American
- White

AGE – Indicate the driver's age based on the officer's perception within the following categories.

- < 18
- 18 -29
- 30 - 39
- 40 - 49
- 50 +

IMMIGRANT -

- Was the immigration status of the driver or any person in the vehicle questioned?
Indicate yes or no.

If yes, indicate whether the following additional circumstances apply:

- Was documentation requested? Indicate yes or no.
- Was an INS check completed? Indicate yes or no.

NUMBER OF PERSONS – Indicate the number of persons in the vehicle.

DISPOSITION - Darken the appropriate circle for disposition.

- No action
- Warning
- Citation
- Arrest

ARREST-

If an arrest made, indicate the initial basis for the arrest:

- Arrest as a result of the stop
- Arrest based on a search
- Arrest based on a warrant
- Arrest based on other criminal act

SEARCH -

- Was there a search (vehicle or person) as a result of the stop? Indicate yes or no.

If yes, indicate the basis for the search:

- Consent
- Reasonable suspicion-weapon (Terry cursory pat down)
- Incident to arrest
- Vehicle impound inventory
- Parole or probation violation
- PC for a criminal violation
- Plain view

ITEMS SEIZED -

- Were any items seized as a result of a search? Indicate yes or no.

If yes, indicate the type of items impounded:

- Money/checks/credit cards
- Drugs/drug paraphernalia
- Firearm/other weapon
- Stolen property
- Alcohol/other property

SPECIAL CIRCUMSTANCES –

- Were any special circumstances present prior to or during the stop? Indicate yes or no.

If yes, make a notation on the back of the form concerning any special circumstances present.



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Attorney General

THOMAS M. PATTON
First Assistant Attorney General

FOR IMMEDIATE RELEASE
August 10, 2001

CONTACT: Kateri Cavin
(775) 684-1218

**ATTORNEY GENERAL SAYS CANDIDATES HAVE
ONE MONTH TO FILE REPORTS AND PAY FINES**

Carson City--The Attorney General's Office today sent letters to candidates who either did not file their Contribution and Expenditure Reports for the 2000 election, or filed their reports late, giving them until September 10, 2001 to respond.

Recently, the Secretary of State's Office turned the names of 60 candidates over to the Attorney General's Office for further action. After reviewing the files, the Attorney General's Office decided to send a letter to each candidate asking them to resolve the matter.

"Nevada law requires candidates to disclose the amount of campaign contributions they receive, and disclose their expenses," Del Papa said. "This is an important component in educating voters as to who those candidates received money from, and how that money was spent. Even if a candidate did not receive any contributions or have any expenses, voters legally have a right to know this, too."

Candidates can either file the reports and pay the fine imposed by the Secretary of State's Office, or the Attorney General's Office will proceed with legal action by bringing a civil action against the candidate. Fines are based on a sliding scale of between \$25 and \$15,000, depending on how late the filings occurred. Those candidates taken to court would also have to pay attorney's fees.

For more information, please contact Senior Deputy Attorney General Kateri Cavin at (775) 684-1218.

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August 10, 2001

CONTACT: Ronda Clifton
(775) 688-1835

RENO WOMAN'S PROBATION FOR INSURANCE FRAUD REVOKED

Reno--Attorney General Frankie Sue Del Papa has announced that Megan McKenna Burau, 46, of Reno, today had her probation for Insurance Fraud revoked by Washoe County District Court Judge Adams for drug use. Burau will now have to serve one year in jail. Burau violated the terms of her probation by using methamphetamine on several occasions. Burau previously pleaded guilty to Conspiracy to Commit Insurance Fraud and was placed on probation, rather than being sent to jail.

According to the original investigation of Insurance Fraud, Burau filed a claim with Century National Insurance Company stating that her Jeep Cherokee had been stolen when, in fact, Burau had sold the vehicle to a person who lived out of state. Burau received a check for more than \$10,000 from the insurance company. The National Insurance Crime Bureau assisted the Insurance Fraud Unit of the Attorney General's Office in solving this crime.

If you have any information regarding Insurance Fraud, contact the Insurance Fraud hotline at 1-800-266-8688. Information on how you can help combat Insurance Fraud can be found on the Attorney General's web site at <http://ag.state.nv.us>.

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FOR IMMEDIATE RELEASE
August 10, 2001

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(702) 486-3782

**LAS VEGAS AUTO TRANSPORTER INDICTED ON
FELONY RACKETEERING AND THEFT CHARGES**

Las Vegas--Attorney General Frankie Sue Del Papa has announced that Katherine Ann Carter was indicted today by the Clark County Grand Jury for felony crimes of Racketeering (1count), Theft by False Pretenses (4 counts), and Theft by False Pretenses Against a Victim 65 Years or Older (1count).

The Indictment alleges that the defendant operated a scheme involving several companies that advertised to transport vehicles throughout the country and abroad. After the victims paid Carter to have their vehicles transported, their cars were never picked up, nor was their money refunded. Specifically, Carter presided over AAAAuto Brokers, Inc.; AAA America's Auto Brokers, Inc.; and AAA Anywhere Auto Brokers, Inc.

Racketeering carries a possible sentence of 5 to 20 years and a fine of up to \$25,000. Theft by False Pretenses carries a possible sentence of 1 to 5 years and a fine of up to \$10,000. Theft by False Pretenses Against a Victim 65 Years or Older carries a possible sentence equal and additional to the crime for which the defendant is charged.

"It is important for consumers to be vigilant when entrusting their money and valued vehicle to any business," Del Papa said. "The Office of the Attorney General is committed to ensuring that those auto transporters who take advantage of consumers are brought to justice."

The felony racketeering and theft charges are merely allegations. The defendant is presumed innocent until proven otherwise in a court of law.

Persons who believe they have been victims of auto transport fraud should contact the Attorney General's Office in Las Vegas at (702) 486-3194, or in Carson City at (775) 687-6300. Information about auto transport fraud and other consumer protection issues can also be found on the Attorney General's web site at <http://ag.state.nv.us>.

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August 10, 2001

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(775) 684-1114

**ATTORNEY GENERAL WARNS OF SCAM
POPPING UP ACROSS NEVADA ONCE AGAIN**

Carson City--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. Del Papa said her office has received recent copies of email transmittals from concerned citizens about the scam which, unfortunately, many people have fallen prey to in the past.

A message sent via email or fax machine 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."

Key signals to look for when confronted by an offer such as this are:

- A stranger contacts you via mail, telephone, fax or email offering to share a large amount of money with you.
- The stranger is usually someone from out of state or out of the country.

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- The stranger tells you that little or no effort is required on your part to collect the money.
- The stranger tells you that you must first send him money before you can collect.
- The stranger tells you that secrecy is important.

Complaints regarding this scam should be directed to:

U.S. Secret Service Office
600 South Las Vegas Blvd.
Las Vegas, NV 89101
(702) 388-6571

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 be found on the Attorney General's Web site at <http://ag.state.nv.us>.

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FOR IMMEDIATE RELEASE
August 2, 2001
3793

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(702) 486-

NEVADA FUGITIVES ARRESTED IN COLORADO

Las Vegas- Attorney General Frankie Sue Del Papa announced today that the Arapahoe County, Colorado Sheriff's Department has arrested Nevada fugitives Arnold Fisher, Jr., 62, and Rosa Dietz, 37, on an arrest warrant issued by Eighth Judicial District, Clark County, Nevada. Fisher and Dietz were indicted by the Clark County Grand Jury on July 19, 2001, on charges related to Nucleus Marketing, Inc., a company alleged to have defrauded Las Vegas residents out of more than \$100,000. Each of the defendants was indicted on one count of racketeering, one count of securities fraud, two counts of theft by obtaining money under false pretenses, and one count against a victim 65 years or older. Bail was set at \$100,000 for each defendant.

According to the criminal indictment filed by the Attorney General's Bureau of Consumer Protection, it is alleged the defendants falsely stated they operated Nucleus Marketing Inc., a networking company. The defendants allegedly claimed to have had venture capitalists waiting to invest in businesses. The defendants would then request fees from victims to cover defendants' travel, lodging and business expenses with the promise that funding was imminent. However, no victims received funding, and the defendants used victims' money to cover their personal expenses, along with gambling expenses at a local casino. It is also alleged the defendants fraudulently sold shares of stock in Nucleus Marketing, Inc., a defunct corporation.

The arrest of Fisher and Dietz occurred on August 1, 2001, in Colorado. The Attorney General's Office is in the process of having the defendants extradited to Clark County for trial.

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

If anyone has information concerning the defendants or Nucleus Marketing, Inc., please contact the Attorney General's Office at (702) 486-3420. Consumer protection information is available on the Attorney General's web site at <http://ag.state.nv.us>

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August 1, 2001

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(702) 486-3095

STATE REVOKES LICENSES OF MOBILE HOME DEALER

Las Vegas--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 licenses issued to Robert Swick, Stella Swick and Marvin Weisberg on behalf of Silver State Mobile Homes, Inc.

The enforcement action was prompted by allegations that Silver State Mobile Homes, Inc. had lost its place of business through a foreclosure sale, and that its Clark County business license had expired. Silver State Mobile Homes, Inc. has been in bankruptcy since March 7, 2001.

The Manufactured Housing Division had received multiple complaints against Silver State Mobile Homes, Inc. and its related financing company, Galaxy Financial Services, Inc., including complaints that Silver State had defrauded purchasers and investors.

Persons who feel they have been defrauded by Silver State Mobile 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
September 28, 2001

CONTACT: Kateri Cavin
775-684-1218

SETTLEMENT REACHED IN ANONYMOUS MAILER CASE

Carson City--Attorney General Frankie Sue Del Papa and Secretary of State Dean Heller announced today that a settlement agreement has been reached with Tom Skancke regarding his alleged violation of Nevada election law. Skancke paid a fine of \$3,500, while admitting no guilt, for his involvement in the creation and distribution of an anonymous political mailer that criticized former Clark County Commissioner Lance Malone for his vote to approve a Las Vegas neighborhood casino.

"I am very pleased with the settlement reached in this case," Del Papa stated. "Candidates and voters have a right to know who is making allegations against a candidate so they can adequately judge and respond accordingly to those claims. When both sides have an opportunity to tell their side, voters are better able to judge the credibility of allegations made in a political mailer."

Heller said, "Nevada voters are entitled to campaigns and elections in which candidates compete openly, honestly and fairly. That is exactly the aim of this law, and exactly why the prohibition against anonymous campaign material should be and will be enforced."

The Attorney General's Office is defending the Nevada election law that prohibits anonymous political mailers in a case currently in the U.S. Court of Appeals. The law was found to be constitutional by a U.S. District Court earlier this year.

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FOR IMMEDIATE RELEASE
September 28, 2001

CONTACT: Kathleen E. Delaney
(702) 486-3788

ATTORNEY GENERAL ENCOURAGES NEVADANS TO GIVE WISELY

Carson City--Attorney General Frankie Sue Del Papa is encouraging Nevadans who wish to donate to the ongoing relief efforts for the victims of the September 11, 2001 tragedy to give wisely.

In an outpouring of generosity, Nevadans continue to give to victims' relief and rebuilding programs in hopes of making a difference. However, the question for many is how to be sure their donation is going to a legitimate nonprofit organization and how to decide which of the numerous organizations now available to give to. The best advice is to proceed with caution.

"It's always a good idea to take your time before agreeing to donate to an organization you don't know much about," Del Papa said. "Do not respond immediately; do not ever give cash to a stranger at the door; and never give your credit card number to a stranger on the phone. A few days spent thinking your decision over and carefully researching the organization will not make any significant difference to the charity, but it may make a significant difference to the value of your donation and to your peace of mind."

Consumers should be especially cautious of cold-call disaster "telefunding" solicitations at this time. Most legitimate national charitable organizations have significantly curtailed their fundraising efforts in light of the events of September 11th, and the Direct Marketing Association—the largest telemarketing trade association—recently asked its members to cease all outbound telemarketing fundraising through the end of September and to carefully consider how to accomplish telefunding solicitations in the future. Other areas to beware of are unsolicited bulk e-mails and on-line postings asking for money in the name of victims, or e-mails soliciting indirectly on behalf of the American Red Cross.

The Attorney General encourages consumers to seek out the many excellent and easy ways to contribute that do not raise the red flags associated with unsolicited telephone and e-mail donation requests. The best source of information on recognized organizations that are directly

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contributing to the September 11th relief effort is the American Liberty Project's web site (www.libertyunites.org), which was recently unveiled by President Bush. For consumers who want to do additional research on any charity, they can go to www.guidestar.org, the web site operated by Philanthropic Research, Inc., which lists all of the charitable organizations recognized by the Internal Revenue Service, or go to www.nonprofits.org.

Please immediately report any suspicious activity involving charitable solicitations to the Attorney General's Office by calling its 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 information on consumer protection can be found on the Attorney General's web site at <http://ag.state.nv.us>.

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THOMAS M. PATTON
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FOR IMMEDIATE RELEASE
SEPTEMBER 27, 2001

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DOCTOR'S WIFE SENTENCED FOR FELONY INSURANCE FRAUD

Reno--Attorney General Frankie Sue Del Papa has announced that Rebecca Grensted, 58, wife of Dale Grensted, owner of Grensted Chiropractic, was sentenced today to serve probation after pleading guilty to Felony Insurance Fraud before Washoe County District Court Judge Janet Berry. Grensted was also ordered to complete a deferment program to deal with alcohol addiction, and to pay back more than \$35,000 in restitution to various insurance companies defrauded through her crimes.

While working as office manager for Grensted Chiropractic, Rebecca Grensted established a practice of billing insurance companies for office visits that never occurred. Additionally, Mrs. Grensted would instruct office personnel to change dates of injury and alter diagnosis codes to receive larger payments from insurance companies.

"Insurance Fraud in the healthcare arena has been a popular method of defrauding insurance companies in recent years," Del Papa said. "The concerted efforts of the Nevada Attorney General's Insurance Fraud Unit and the FBI are helping to bring many such crimes to light. While it may appear that insurance companies are the victims of insurance fraud, ultimately it is the policyholders, taxpayers and the general public who pick up the tab through increased insurance rates, higher taxes and inflated prices for consumer goods and services."

If you have any information regarding 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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Protecting Citizens, Solving Problems, Making Government Work



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First Assistant Attorney General

FOR IMMEDIATE RELEASE
September 27, 2001

CONTACT: Steve George
(775) 684-1114

***** MEDIA ADVISORY *****

**GOVERNOR, ATTORNEY GENERAL WILL ADDRESS
DOMESTIC VIOLENCE AT RENO NEWS CONFERENCE**

Reno—Governor Kenny Guinn and Attorney General Frankie Sue Del Papa will address domestic violence prevention in Nevada at a news conference in Reno on Monday, October 1, 2001, at the Committee to Aid Abused Women (CAAW) building located at 1735 Vasser Street. Governor Guinn will read a Proclamation declaring October Domestic Violence Prevention Month in Nevada. Del Papa chairs Nevada's Domestic Violence Prevention Council, and co-chairs the National Association of Attorneys General Committee on Violence Against Women.

October is Domestic Violence Prevention Month, and October 1, 2001, is "***Work to End Domestic Violence Day***," a day when many private businesses, public agencies and unions conduct programs and distribute information on 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. Several Nevada businesses will also be holding special events in conjunction with *Work to End Domestic Violence Day*. Representatives from some of those companies will be joining the Attorney General at the news conference.

For more information about the news conference, please contact Steve George at (775) 684-1114. For more information on *Work to End Domestic Violence Day* activities, please contact Nevada Domestic Violence Ombudsman, Veronica Frenkel, at (775) 688-1846. Information on domestic violence prevention can be found on the Attorney General's web site at <http://ag.state.nv.us>.

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FOR IMMEDIATE RELEASE
Sept. 26, 2001

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FALSE INSURANCE CLAIM LEADS TO GUILTY PLEA

Las Vegas - Carlos Antonio Herrera, 32, of Las Vegas, today pleaded guilty to Attempting To Make a False Claim for Insurance Benefits, a gross misdemeanor, before Clark County District Court Judge Nancy M. Saitta. Herrera, who admitted his crime upon confrontation by the Attorney General's Insurance Fraud Unit, has agreed to pay the Horace Mann Insurance Company \$11,471.85 in restitution. Herrera is scheduled to be formally sentenced on November 28, 2001. He faces up to one year in jail and a fine of \$2,000.

Herrera reported that his 1996 Nissan Sentra was stolen on September 4, 1998 from his apartment complex at West Tropicana in Las Vegas. Horace Mann, the insurer of the vehicle, eventually paid the leinholder, General Electric Capital Auto Lease, Inc., \$11,471.85. An investigation by the Insurance Fraud Unit and Horace Mann revealed the vehicle had been recovered in Long Beach, California, in a "torched" condition on September 2, 1998, two days *prior* to the alleged theft in Las Vegas. The vehicle identification plates had been removed and/or altered, which delayed the identification of the registered legal owners.

If you have knowledge 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 on the Attorney General's web site at <http://ag.state.nv.us>.

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FOR IMMEDIATE RELEASE
September 26, 2001

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**NEVADA TO RECEIVE ADDITIONAL TOBACCO PAYMENT
IRS RULES INCOME EARNED BY ESCROW ACCOUNT IS NOT TAXABLE**

Carson City--Attorney General Frankie Sue Del Papa announced today that the IRS ruled income earned by the Tobacco Master Settlement Agreement escrow funds, while waiting to be distributed to the States, is not taxable. This will result in an additional payment to Nevada of about \$311,000.

Under the Tobacco Master Settlement Agreement, major cigarette manufacturers pay the settling states about \$206 billion over the next 25 years. Nevada will receive about \$1.2 billion. Those funds are actually paid to an escrow agent who eventually pays the funds to the States. While the escrow agent holds them, interest is earned. The IRS ruling says that the interest on those funds is not taxable income. It is estimated that in the reasonably near future, approximately \$65 million in refunds will be distributed to the Settling States.

"This IRS ruling will result in greater benefits to Nevadans through the programs established by the Legislature and funded by the tobacco settlement," stated Del Papa. "I am very happy with the IRS ruling in this case."

To date, Nevada has received over \$88 million under the tobacco settlement. This money is used to pay for Millennium Scholarships (college scholarships for Nevada high school graduates), a senior citizen prescription drug program, a long-term care program for seniors, and tobacco prevention programs. In addition, the settlement banned the marketing of cigarettes to children and ended all outdoor advertising.

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FOR IMMEDIATE RELEASE
September 25, 2001

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RENO MAN PLEADS GUILTY TO INSURANCE FRAUD

Reno--Attorney General Frankie Sue Del Papa has announced that Reno resident Luis E. Merino-Rivas, 32, today pleaded guilty to the charge of Conspiracy to Defraud an Insurance Company before Washoe County District Court Judge Steve Elliot.

Rivas had misrepresented to Progressive Insurance Company and the Reno Police Department that his 1994 Chevrolet had been stolen when, in fact, Rivas had arranged to have it taken out of the country. Information submitted by the Border Control indicated the vehicle had crossed over the Guatemalan/Mexican border days before Rivas had indicated it had been stolen. Authorities from the Border Control and National Insurance Crime Bureau (NICB) assisted in obtaining this information.

“Falsely reporting that a vehicle has been stolen when it has actually been taken out of the country is becoming a more and more popular method of defrauding insurance companies,” Del Papa said. “Tighter constraints at the border and a more collaborative partnership between border agents and other law enforcement agencies have assisted agencies in detecting these types of crimes.”

If you have any information regarding 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 website at <http://ag.state.nv.us>

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Protecting Citizens, Solving Problems, Making Government Work

Protecting Citizens, Solving Problems, Making Government Work



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FOR IMMEDIATE RELEASE
September 24, 2001

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TIME RUNNING OUT TO PURCHASE SPECIAL NEVADA LICENSE PLATES ENCOURAGING ORGAN AND TISSUE DONATION

Carson City—Attorney General Frankie Sue Del Papa and Nevada Assemblywoman Dawn Gibbons are encouraging Nevada citizens to consider purchasing specially designed license plates encouraging the donation of human organs and tissue. Del Papa and Gibbons are co-chairs of the Nevada Organ and Tissue Donation Task Force, which is comprised of members from the transplant community, organ and tissue procurement agencies, health organizations, Nevada Legislature, DMV, and the Attorney General's Office.

A law passed during the 1997 Legislative session (NRS 482.37905) allows the Department of Motor Vehicles to collect applications for issuance of the specially designed license plates. At least 250 applications must be collected by October 1, 2001 for the project to move forward. There is a \$35 fee for the specialized plates (plus all applicable registration and licensing fees), which will be designed following the successful application process. The license plates are renewable for \$10 each subsequent year.

Assembly Bill 497, sponsored by Gibbons and passed during the 2001 Legislative session, created a funding mechanism that will be used by the Attorney General's Bureau of Consumer Protection to produce and disseminate educational materials about the critical need for more organ and tissue donors, along with empowering the Nevada Department of Motor Vehicles to periodically send a list of Nevada citizens who have volunteered to be donors to *The Living Bank*, a national organ and tissue donor registry.

"These specially designed license plates will help achieve the goal of alerting more Nevada citizens to the overwhelming need of additional organ and tissue donors," Del Papa said. "I would encourage all Nevadans to consider ordering one of these specially designed plates this week, and to give careful thought to becoming an organ donor."

Gibbons said, "The more we can get the message out to the general public about the vital importance of organ and tissue donation, the more we will be able to benefit people here in Nevada and the throughout the U.S. who are in desperate need of a transplant. The license plates are another example of how people can help spread the word."

--more--

More than 80,000 people in the United States are in need of a lifesaving organ transplant; more than 6,100 will die this year alone waiting for a suitable donor; and eleven transplant candidates die every day waiting for their second chance at life.

Currently, there are some 300 Nevadans on the waiting list for an organ donation. According to figures submitted by the Nevada Department of Motor Vehicles, only about 5% of all Nevadans are registered as an organ donor.

For more information on becoming a donor, call the Living Bank at 1-800-528-2971, or go to www.thetransplantnetwork.com, www.nevadadonornetwork.org, or to www.livingbank.org.

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FOR IMMEDIATE RELEASE
September 21, 2001

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NEVADA'S YOUTH BUY RATE FALLS WITHIN FEDERAL GUIDELINES
State was at risk of losing up to 40% of federal funding

Carson City--Attorney General Frankie Sue Del Papa announced today that the State of Nevada tobacco youth buy rate has been determined to be 21% for the year 2001, which places the state within the federal government's standards for continued federal substance abuse funding.

"The Attorney General's Office has been at the forefront in the battle to curtail youth smoking in Nevada," Del Papa said. "I am pleased to report the youth buy rate is at an acceptable level, which should result in no loss of funding for the very important substance abuse treatment programs throughout Nevada. The Attorney General's Office will continue to work closely with the Nevada Retailers Association to better educate store staff, and to work diligently to further reduce the youth buy rate in Nevada."

The youth buy rate is determined through a random probability study conducted throughout Nevada from February through July 2001. A state's youth buy rate must be 20% plus (plus or minus 3%) or it risks losing up to 40% of its federal substance abuse treatment funds. In Nevada's case, that could amount to \$4.5 million annually for local substance abuse treatment programs. Since Nevada is within the margin of error, no loss of federal funds is anticipated.

In 1995, the State Legislature assigned the responsibility of conducting random unannounced inspections of retail locations that sell tobacco to the Attorney General's Office. This was in response to a federal law passed in 1992 requiring every state to enforce its law prohibiting the sale of tobacco to minors, including through the use of compliance checks. In addition, a state must conduct an annual survey to determine a youth buy rate: the percentage of times an underage youth can successfully purchase tobacco.

When the Attorney General's Office first began compliance checks in 1995, the youth buy rate in the state was 63%. Since that time, the rate has steadily decreased.

For more information on how the Attorney General's Office is working to curtail youth smoking in Nevada, go to <http://ag.state.nv.us>.

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FOR IMMEDIATE RELEASE

September 20, 2001

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Deputy Attorney General
Insurance Fraud Unit
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LAS VEGAN INDICTED ON FORGERY CHARGES

Las Vegas - Attorney General Frankie Sue Del Papa has announced that the Clark County Grand Jury today indicted Ronald Eugene Warner, age 51, on three felony counts of Forgery.

Mr. Warner is alleged to have altered a certificate of title and presented two forged bills of sale in a successful effort to obtain a loan from American General Finance Company. Evidence presented to the grand jury indicated the subject of the title and bills of sale was a 1968 Chevrolet Camaro, a classic car that actually belonged to a friend of Warner's. Without informing his friend, Warner used the 1968 Camaro as collateral on several loans with American General. Investigation revealed that the signature of the seller, on both bills of sale was not genuine. Also, it was revealed that the friend, who allowed Warner to drive the vehicle until the anticipated payment of \$19,000 was made, actually signed the back of the title in two places, believing he was signing as "seller" and "lien holder" Since, in actuality, the friend signed the lines for "buyer" and "seller", Warner merely crossed out the "buyer" signature and substituted his own. Through the submission of an affidavit to the Department of Motor Vehicles, Warner was able to obtain a title to the 1968 Chevrolet Camaro in his own name.

As an unusual strategy, Warner appeared at the grand jury accompanied by his attorney and gave testimony. Warner also is awaiting trial on related insurance fraud charges.

A grand jury indictment is not a conviction of guilt, but a finding that probable cause exists that the crimes alleged have been committed. Warner is presumed innocent until proven guilty in a court of law.

If you have knowledge 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 on the Attorney General's Web site at <http://ag.state.nv.us>.

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THOMAS M. PATTON
First Assistant Attorney General

To: Nevada Law Enforcement Agencies
All Concerned Citizens and Interest Groups

From: Frankie Sue Del Papa, Attorney General
Thomas M. Patton, First Assistant Attorney General

Date: September 19, 2001

Re: 2001 ASSEMBLY BILL 500 RACIAL PROFILING TRAFFIC STOP DATA
COLLECTION STUDY

AB500 TRAFFIC STOP DATA COLLECTION FORM AND GUIDELINES (Proposed)

Introduction

The 71st Session of the Nevada State Legislature enacted AB 500, an amendment to Chapter 289 of the NRS, otherwise known as the "Racial Profiling" Bill. This legislation mandates that the Nevada Highway Patrol, metropolitan police departments, sheriffs department, and city police departments in counties with populations greater than 100,000 collect specified information concerning traffic stops made by those agencies. The legislation requires the Attorney General to conduct a study of such traffic stops and to collect and compile the resulting data for transmission to the 72nd Legislature not later than February 1, 2003. The Attorney General is further directed to prescribe the form and manner of collecting and transmitting traffic stop data, based upon the recommendations of the chief administrators of the participating agencies.

The key introductory provisions of AB 500, set forth in section 1, provide as follows:

1. A peace officer shall not engage in racial profiling.
2. No retaliatory or punitive action may be taken against a peace officer who discloses information concerning racial profiling.
3. For purposes of this section, "racial profiling" means reliance by a peace officer upon the race, ethnicity or national origin of a person as a factor in initiating action when the race, ethnicity or national origin of the person is not part of an identifying description of a specific suspect for a specific crime.

The following is the proposed traffic stop data collection form prepared by the Office of the Attorney General with the assistance of and based upon the recommendations of the Nevada Highway Patrol, the Las Vegas Metropolitan Police Department, the North Las Vegas Police Department, the Henderson Police Department, the Boulder City Police Department, the City of Mesquite Police Department, the Washoe County Sheriff's Office, the Reno Police Department and the Sparks Police Department. The law provides that any identifying information concerning individual officers or drivers is to be maintained as confidential, and thus with the exception of the collection of the driver's license number for the sole purpose of allowing for random data validity review, such information is not collected and no such information will be disclosed. This form is subject to further revision following additional public, professional and academic review and comment.

Traffic Stops and Individuals Subject to Data Collection

The data collection requirements of AB 500 extend to all proactive and reactive stops initiated by peace officers. Systematic checkpoint stops are excluded from data collection where such stops are non-discretionary, non-officer-initiated stops based upon agency-established systematic procedures (e.g. every vehicle or every second or third vehicle is stopped) and are not based upon individual officer discretion or decision-making. Data is to be collected only with regard to the driver of the vehicle that is stopped. Pedestrian stops or encounters, or other contacts between citizens and police outside a traffic stop scenario are specifically beyond the scope of AB 500 and are thus not included in the data collection process.

Method of Collection

The informational items contained on the following pages will be reduced to a one-page "OpScan" type form, which officers will complete by darkening the appropriate circles or numbers using pencil, or blue or black ballpoint pen. Agencies may also elect to collect the following required and optional traffic stop information by means of direct computer input.

Forms or direct computer data entries will be completed immediately upon the conclusion of a traffic stop to avoid any inadvertent loss of information due to memory lapse. Forms will be turned in to the officer's immediate supervisor prior to the end of the work shift. The categories of data to be collected consist of specific information items mandated by the Legislature and additional information categories adopted by the participating agencies to facilitate data verification and meaningful analysis.

Collection of data is to be based upon the individual officer's perception and best judgment. No interview of a driver concerning the information to be collected is expected and none should occur, as any such inquiry is contrary to the Legislative intent to assess officer perception and could result in unnecessary conflict.

Data to be Collected (refer to the data collection form)

Entries will be made on the reporting form as follows:

AGENCY IDENTIFIER – Indicate the agency identifier number.

In Southern Nevada:

- 1 - NHP
- 2 – LVMPD
- 3 – Henderson PD
- 4 - North Las Vegas PD
- 5 - Boulder City PD
- 6 – Mesquite PD

In Northern Nevada:

- 1 - NHP
- 7 - WCSO
- 8 – Reno PD
- 9 – Sparks PD

LOCATION – Indicate the appropriate letter and/or number for the patrol sector/beat of the vehicle stop.

DATE – Indicate the date of the stop by M/DD/Y.

TIME - Indicate the time frame of the stop.

- 0600 - 1800
- 1800 - 0600

UNIT IDENTIFIER – Indicate the officer’s assigned unit identifier number.

- | | |
|-------------|----------------|
| 1 – Patrol | 4 - Narcotics |
| 2 – Traffic | 5 - Detectives |
| 3 – Gangs | 6 - Other |

PROACTIVE OR REACTIVE STOP –

Indicate whether the stop was proactive or reactive. Proactive stops typically involve some degree of officer discretion and are based on an officer’s personal observations. Reactive stops are those based on information received from external sources such as a call for service, radio broadcast, warrant, hot sheet, crime report, etc.

REASON FOR STOP – Indicate the basis for the stop within the following categories:

- | | |
|---------------------|------------------------|
| • Criminal activity | • Non-moving violation |
| • Moving violation | • Assisting a motorist |

CODE TYPE – Indicate the applicable NRS, NOC, regional or municipal code system using one of the following numerical identifiers:

- | | |
|-----------------------------------|---------------------------|
| 0 – Nevada Revised Statutes (NRS) | 7 – Washoe County Code |
| 1 – Nevada Offense Code (NOC) | 8 – Reno Municipal Code |
| 2 – Southern Nevada Regional Code | 9 – Sparks Municipal Code |

CODE VIOLATION – Indicate the specific 4 to 8-digit statutory or code section that provided the basis for initiating the stop.

RESIDENT STATUS/LOCAL

- Is the driver a local resident within the agency’s jurisdiction, yes or no?
- Is the driver a resident of the patrol sector where the stop took place, yes or no?

RACE/ETHNICITY – Indicate whether race/ethnicity was perceivable at the initiation of the stop, yes or no.

Indicate the driver's race/ethnicity descriptor based the officer's perception of the person's dominant race. The person will neither be questioned about race, nor will identification or other documentation be used to determine race.

- Asian/Pacific Islander
- Black/African American
- Hispanic
- Middle Eastern/East Indian
- Native American
- White

GENDER – Indicate whether the driver is male or female.

AGE – Indicate the driver's age based on the officer's perception within the following categories.

- < 18
- 18 –29
- 30 - 39
- 40 - 49
- 50 +

IMMIGRATION STATUS – AB500 requires the collection of information concerning *whether* a driver's immigration status was question, and if so, whether immigration documents were requested and whether the INS was contacted. AB 500 does not mandate that such inquiry be made, and the inclusion of this item on the data collection form is not intended to require or suggest inquiry in the area is appropriate, or to otherwise alter law enforcement agencies' normal procedures on this issue.

- Was the immigration status of the driver or any person in the vehicle questioned?
Indicate yes or no.

If yes, indicate whether the following additional circumstances apply:

- Was documentation requested? Indicate yes or no.
- Was an INS check completed? Indicate yes or no.

NUMBER OF PERSONS – Indicate the number of persons in the vehicle.

DISPOSITION - Darken the appropriate circle for disposition.

- No action
- Warning
- Citation
- Arrest

ARREST- Indicate whether an arrest was made, yes or no.

If an arrest is made, indicate the initial basis for the arrest:

- Arrest as a result of the stop
- Arrest based on a search
- Arrest based on a warrant

- Arrest based on other

SEARCH - Indicate whether there was there a search (vehicle or person) as a result of the stop, yes or no.

If a search was conducted, indicate the basis for the search:

- Consent
- Reasonable suspicion-weapon (Terry cursory pat down)
- Incident to arrest
- Vehicle impound inventory
- Parole or probation violation
- Probable cause for a criminal violation
- Plain view
- Search warrant

HANDCUFFED – Indicate whether the driver was handcuffed at any time, yes or no.

ITEMS SEIZED -

- Were any items seized as a result of a search? Indicate yes or no.

If yes, indicate the type of items impounded:

- Money/checks/credit cards
- Drugs/drug paraphernalia
- Firearm/other weapon
- Stolen property
- Alcohol/other property

NEVADA DRIVER'S LICENSE NUMBER –

For purposes of facilitating a data validity review procedure, agencies may elect to record the license numbers of Nevada drivers who are stopped. The informational shall be used solely for purposes of facilitating a limited and random survey of drivers to ensure data has been accurately recorded, and a driver's identity shall be disclosed for no other purpose.

Indicate the Nevada driver's 10 to 12-digit driver's license number.

SPECIAL CIRCUMSTANCES –

- Were any special circumstances present prior to or during the stop? Indicate yes or no.

If yes, make a notation on the back of the form concerning any special circumstances present.



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FOR IMMEDIATE RELEASE
September 19, 2001

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**ATTORNEY GENERAL ANNOUNCES NORTHERN NEVADA COMMUNITY
MEETING TO DISCUSS AB 500 TRAFFIC STOP DATA PROJECT;
TEST DATA COLLECTION PERIOD TO COMMENCE OCTOBER 29, 2001**

The Attorney General's Office announced today that a community meeting will be held Thursday, September 27, from 6 to 8 p.m., to discuss the traffic stop data collection project and proposed data form required pursuant to 2001 Assembly Bill 500. The meeting will be held in the Washoe County Commission Chambers at 1001 East 9th Street in Reno, building A, first floor and is co-hosted by the Attorney General's Office, the Nevada Highway Patrol, the Washoe County Sheriff's Office, and the Sparks and Reno Police Departments.

The upcoming meeting, and the community meeting held September 10, 2001, in Las Vegas, are being conducted to afford members of the community an opportunity to review and comment upon the proposed traffic stop data collection form. The meeting will be conducted in panel format with ranking officials from each participating law enforcement agency in attendance. The agencies will then make their final recommendations to the Attorney General concerning the form and manner of collecting data. Following final revisions, approximately 50,000 forms will be ordered produced for use by law enforcement agencies in Clark and Washoe Counties during a data collection test period now set to commence on October 29 and to run for a period of four weeks. After the test period concludes in late November, the participating agencies will consider any final changes to the form or data collection procedures and then commence a 12-month long formal collection period on January 1, 2002.

Attorney General Frankie Sue Del Papa praised the efforts of law enforcement and interested community members and noted that "A lot of time and consideration has gone into the process of drafting a data collection instrument. We look forward to receiving additional community input and taking the next steps toward implementing this data collection project." First Assistant Attorney General Thomas M. Patton, coordinator of the program, noted that commencement of the test period was being rescheduled from October 1 to October 29 to allow additional time for public and academic review and comment. Patton stated that: "The agencies are considering certain changes based upon public comment and will make their final recommendations to this office following the September 27 meeting. A very productive dialogue on the issues of potential biases in policing and the process of traffic stop data collection is ongoing between law enforcement and the communities they serve."

--more--

"Protecting Citizens, Solving Problems, Making Government Work"

September 19, 2001

Page 2

The proposed data form, with explanatory information, is available for review on the Attorney General's website, in the news release section, at <http://ag.state.nv.us/> The five-page form will be reduced to a 1-page OpScan form for use by law enforcement officers in the field. Individuals wishing to comment on the form may do so by contacting their local law enforcement agency, the Attorney General's Office, or appearing in person at the community meeting on September 27, 2001.

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FOR IMMEDIATE RELEASE
September 19, 2001

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FERNLEY CLERK FINED \$50 FOR SALE OF TOBACCO TO 16-YEAR-OLD

Carson City--Justice of the Peace Robert J. Bennett found store employee Cheryl Haas guilty of selling tobacco to a minor and fined her \$50 in a trial held on September 18 in Fernley Justice Court. The Attorney General's office conducted a compliance check at the Fernley Truck Inn on July 11, 2001, with a 16-year-old youth who was able to purchase cigarettes.

The Attorney General's Office compliance check program is in response to a federal law requiring states to enforce their law prohibiting the sale of tobacco to minors or risk losing millions of dollars in funds used to provide alcohol and drug abuse treatment. Nevada could lose \$4.5 million annually if the State did not enforce its law prohibiting such sales.

Since the compliance check program was initiated, the youth buy rate in Nevada has dropped from 63% in 1994 to about 20%. The Attorney General's Office conducts about 3600 compliance checks per year in which the youth presents his own ID showing he is under 18, if an ID is requested. If asked, the youth tells his true age.

For more information on the compliance checks or about the Master Settlement Agreement reached between 46 state attorneys general and the tobacco industry, go to <http://ag.state.nv.us>.

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FOR IMMEDIATE RELEASE
September 18, 2001

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**NEW STATEWIDE TASK FORCE SEEKS TO
ELIMINATE BULLYING IN OUR SCHOOLS**

Carson City-- The Nevada *Bully-Free For Me!* Task Force, which has as its goal the elimination of bullying in our schools, conducted an introductory news conference in Las Vegas today. The Task Force, which met for the first time in April 2001, is a partnership between the Nevada Office of the Attorney General, Nevada Department of Education, Nevada Teacher's Association, Nevada PTA Association, the Clark County, Washoe and Carson School Districts, members of the Nevada Legislature, and many other community-based organizations. Nevada Attorney General Frankie Sue Del Papa and Nevada State Superintendent of Public Instruction Jack McLaughlin, serve as the co-chairs of the Task Force.

The Task Force outlined what it has accomplished and what its future plans are for Nevada schools. The *Bully-Free For Me!* Task Force has produced an Action Plan; a brochure describing the problem of bullying and what individuals can do to prevent it; a Parent Tips sheet; has established a web site (www.bullyfree.org) with the assistance of the Clark County Public Education Foundation; is working to institute state and local conferences on prevention bullying; and is working to create videos and other materials for use in our schools to help teach elementary age children, their parents and school officials about the harmful effects of bullying on both the victims and the bullies.

"I am very proud to serve as co-chair of the *Bully-Free for Me!* Task Force," Del Papa said. "The group of individuals who comprise the Task Force have devoted a tremendous amount of time and energy on the issue of bullying in our schools. The Task Force members know that the fruits of our labor today may not be harvested for many years, as one of our main goals to change how bullying is perceived by children and adults."

McLaughlin said, "The strength of the Bully-Free Task Force is that it is a true collaboration that is growing everyday. It is the desire of all the participants to eliminate this barrier of learning and life. It is a pleasure to associate with such an outstanding group of Nevadans."

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Children themselves have provided some of the most troubling data regarding the problem of bullying. A recent Kaiser Family Foundation “Talking With Kids About Tough Issues” survey revealed the following data:

Percent of children who say bullying is a big problem for kids in their school:

| | |
|--|-----|
| 3 rd - 6 th graders | 55% |
| 7 th - 10 th graders | 68% |

Percent of children who say kids at their school get teased or bullied often:

| | |
|---|-----|
| 3 rd - 6 th graders | 74% |
| 7 th - 10 graders | 86% |

Bully-Free for Me! co-chairs Del Papa and McLaughlin said, “Bullying has been linked to many of the tragic school incidents we have seen far too often over the last few years. Through utilization of the highly successful *Blueprints Bullying Prevention Program* and a concerted effort on the part of parents, teachers and administrators, the Task Force is confident we can make a dramatic change in our young people’s attitude towards bullying.”

The *Bully-Free for Me!* Task Force will take part in several conferences designed to better protect children while they are in school: National Safe Schools Week, October 14-20 (events planned in Las Vegas and Reno); Governor’s Conference on School Safety, November 26-28, Orleans Hotel and Casino in Las Vegas; and the “Don’t” Laugh at Me” Anti-Student Ridicule and Bullying Workshop, December 14-15, Palace Station Hotel and Casino in Las Vegas.

For more information on Nevada’s Bully-Free for Me! Task Force, or to view the Action Plan, brochure and/or Parent Tips sheet, please go to www.bullyfree.org, or call the Nevada Attorney General’s Office at (775) 684-1100 or the Nevada Department of Education at (775) 687-9217. Other web sites that are recommended for information on bullying in schools include:

www.KeysToSaferSchools.com

www.safetyzone.org

www.uncg.edu

www.yellowdyno.com

www.antibullying.net

www.keepschoolssafe.org

www.NOBULLY.org

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FOR IMMEDIATE RELEASE
September 17, 2001

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ATTORNEY GENERAL'S OFFICE OBTAINS FELONY CONVICTION AGAINST OWNER OF MORTGAGE COMPANY

Las Vegas –Attorney General Frankie Sue Del Papa has announced that the former operator of Interstate Mortgage, David Ferradino, today pleaded guilty to felony theft in connection with his dealings as a mortgage broker on the Champion Homes/Iron Mountain Ranch Projects. As part of the plea agreement, Ferradino will be placed on felony probation and must pay back more than \$2 million in restitution to some ninety investors. Moreover, Ferradino was ordered to surrender his mortgage broker's license and no longer have any involvement in the mortgage broker business in Nevada.

Deputy Attorney General Matthew Dushoff said the case concerned Ferradino's illegal transference of investors' money in the Champion Homes Project. Investors invested \$5.7 million with Ferradino in order for Ferradino to invest that money in the Champion Homes Project. Ferradino used the land as collateral to secure the investments. Ferradino then gave the investors' collateral back to the Champion Homes Corporation without the investors' permission. Accordingly, the investors lost their entire investment in the Champion Homes Project.

The state charged Ferradino failed to notify the investors that they no longer had any collateral securing their investments. Ferradino also never informed the investors that he was a 50% owner of the Champion Homes Corporation. Moreover, soon after the conveyance of the collateral to the Corporation, the Corporation bought out Ferradino's interest in the Corporation for \$1.5 million.

“We must be ever vigilant in our efforts to work closely with the Financial Institutions Division in order to better protect investors from unscrupulous and illegal business practices,” Del Papa said.

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FOR IMMEDIATE RELEASE
September 13, 2001

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ATTORNEY GENERAL WARNS CONSUMERS TO BE WARY OF POSSIBLE BOGUS CHARITIES FOLLOWING TRAGIC EVENTS ON EAST COAST

Carson City--Attorney General Frankie Sue Del Papa is warning Nevadans to be vigilant regarding possible bogus charities that may crop up at this time due to the tragic incidents on the East Coast.

“In light of our past experience following the Oklahoma City bombing, I would encourage everyone to deal only with reputable, known charities,” Del Papa said. “Of course, everyone is experiencing heartfelt grief over what has happened. It is horrible to think that someone would try to capitalize on the pain of others, but there are often individuals who attempt financially gain by extorting money from good people who want to lend a helping hand to those in true need of assistance.”

In Nevada, charities do not have to register with the state. But you can play it smart by calling the Better Business Bureau or the Bureau of Consumer Protection to ask for advice about a particular charity or group. Nevada law prohibits misrepresentation in the solicitation of charitable donations. A first offense is a misdemeanor if the individual willfully engages in a deceptive trade practice. A second offense is a gross misdemeanor. Violations are punishable by a civil penalty of \$2,500, or can be prosecuted as a criminal offense. Subsequent violations are felonies.

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 that shows what percent of the income goes specifically to the programs and services.

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- 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 over the telephone to someone you do not know.**

You can help close down a fraudulent charity or organization by taking the time to call the Bureau of Consumer Protection if you suspect a group may not be on the level. You can reach the 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. Information on consumer protection can also be found on the Attorney General's web site at <http://ag.state.nv.us>.

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September 12, 2001

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ATTORNEY GENERAL ADVISES CONSUMERS TO REPORT PRICE GOUGING

Carson City—In response to reports of alleged gas price gouging in many states following yesterday's tragic events, Attorney General Frankie Sue Del Papa today participated in an emergency national conference call with numerous Attorneys General from across the nation to discuss that and other related issues.

Many states, including Illinois, Wisconsin, Missouri, Nebraska, Kansas, Ohio, Oklahoma and Iowa, among others, have reported gasoline prices as high as \$5-6 per gallon. There are also many reports of alleged price gouging in rural communities across the nation.

The Nevada Attorney General's Office has received a few complaints from consumers about a sudden rise in gasoline prices in the State, and will continue to monitor the issue closely. In addition, the Attorney General's Office has been in contact with the Nevada Petroleum Marketers Association, who is also working with retailers.

"It is despicable that people would take advantage of any tragedy for a quick buck, let alone, one of this magnitude for our country," Del Papa said.

If you suspect gas price gouging, you should report it to the Bureau of Consumer Protection in Las Vegas at (702) 486-3420, or in Carson City at (775) 687-6300.

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September 11, 2001

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**STATE HIRES WORLD CLASS NUCLEAR LAWYERS
IN FIGHT OVER PROPOSED WASTE REPOSITORY**

Carson City—Governor Kenny Guinn and Attorney General Frankie Sue Del Papa announced today that the state has hired a Washington, D.C. law firm known for its handling of large nuclear litigation matters, to assist Nevada in its ongoing battle with the Department of Energy's over the proposed nuclear waste repository at Yucca Mountain. Under a three-year, \$2.5 million contract, Egan & Associates will assemble and manage a team of nuclear lawyers and former government litigators that will assist Nevada in any licensing proceeding at the U.S. Nuclear Regulatory Commission (NRC).

"Attorney General Del Papa and I are moving forward with our commitment to provide Nevada with the very best defense against the federal government's efforts to target our state for high-level nuclear waste disposal," Governor Guinn said. "The creation of a legal defense fund is a major part of that effort and a contract with such an established firm as Egan & Associates should be further evidence of our unshakable resolve on this issue."

Del Papa said, "The Attorney General's Office looks forward to working closely with the Egan & Associates team in a concerted effort designed to keep deadly nuclear waste out of our backyard and off of our nation's transportation routes. We have carried on this fight for many years and remain steadfast in our commitment. The decision to bring in such an experienced litigation team that has proven successful in fighting the nuclear industry will greatly enhance Nevada's position."

"This is the first step in a larger effort planned by Nevada," said Robert Loux, Executive Director of the Nevada Agency for Nuclear Projects. "We aim to fight the project on the merits, with the assistance of a world-class legal team."

Joseph R. Egan, chairman of Egan & Associates, is an MIT-trained nuclear engineer who in recent years has handled some of the highest profile nuclear matters in the world. He was recently elected U.S. Director of the International Nuclear Law Association.

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Egan's firm has represented numerous foreign research reactor operators and their governments in successful attempts to return to the United States some 22,000 weapons-grade spent nuclear fuel elements, most of which is being shipped to South Carolina to the Energy Department's Savannah River Site (South Carolina has twice sued to block those shipments).

Egan & Associates has been involved in large cases concerning the South Texas Nuclear Project, the Millstone Nuclear Power Station in Connecticut, the Energy Department's Paducah uranium enrichment plant in Kentucky, and a billion-dollar antitrust action against the nation's leading radioactive waste disposal operator. The firm also represented Italy in federal court in a spent fuel dispute against the Department of Energy.

Egan brings to the Yucca Mountain effort a nine-person team of NRC insiders and litigators, including William H. Briggs, former NRC Solicitor; Howard K. Shapar, former NRC Executive Legal Director; and Charles J. Cooper, a prominent Washington litigator.

While at the NRC, Briggs, currently a partner with Ross Dixon & Bell in Washington, D.C., handled several landmark nuclear cases, including the restart of the Three Mile Island nuclear station, the licensing of the Diablo Canyon reactor in California, and the attack by Massachusetts against the NRC's emergency planning rule.

Shapar directed numerous licensing hearings and rulemakings while at the NRC, and served as Director General of the OECD's Nuclear Energy Agency in Paris in the mid-1980s.

Cooper, former Assistant Attorney General for President Ronald Reagan's Office of Legal Counsel, was a law clerk to Supreme Court Justice William H. Rehnquist. For several years he ran the government litigation practice of the Washington, D.C. firm of Shaw Pittman. He currently heads the Washington, D.C. firm of Cooper & Kirk. Among other victories, he represented New York in a constitutional challenge to the Line Item Veto Act, and helped to defeat President Bill Clinton's first line-item veto. His firm also assisted presidential candidate George W. Bush in the election dispute before the Florida Supreme Court. Cooper has joined Egan & Associates in a pending fraud case against an Energy Department contractor.

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FOR IMMEDIATE RELEASE
September 7, 2001

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**ATTORNEY GENERAL ANNOUNCES SETTLEMENT
THAT WILL HELP PROTECT NEVADA CONSUMERS**

Carson City -Attorney General Frankie Sue Del Papa announced today that Nevada has joined eleven other states and the Federal Trade Commission in reaching a settlement with Chevron Corporation and Texaco, Inc. regarding their planned merger. To ensure the merger is not anti-competitive, the settlement requires Texaco to sell all of its U.S. gas stations and refineries. The Attorney General's Bureau of Consumer Protection, under the direction of Consumer Advocate Timothy Hay, represented Nevada in the settlement negotiations.

"We believe this divestiture addresses the potential anti-competitive effects of the merger between these two powerful oil companies," Del Papa said.

The Judgment, filed in the Central District of California for the U.S. District Court on behalf of all participating states, indicates Texaco will sell all of its downstream assets to another buyer. The merging companies have also agreed to pay attorney fees and investigative costs to the states that have been reviewing the merger.

State antitrust enforcers were initially concerned the merger would give the new entity, known as ChevronTexaco Corporation, too much market power, which would reduce competition in the marketplace and lead to higher consumer prices for gasoline.

"Because of the concessions that have been made, we feel confident this will contribute to retail and wholesale gasoline markets in Nevada remaining competitive," Del Papa said.

Joining Nevada in the settlement were Alaska, Arizona, California, Florida, Hawaii, Idaho, New Mexico, Oregon, Texas, Utah and Washington.



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**ATTORNEY GENERAL PRAISES DECISION TO FUND RURAL IMPROVEMENT
PROJECTS FROM PHONE COMPANY OVER-EARNINGS**

Carson City --Attorney General Frankie Sue Del Papa today praised the Nevada Public Utilities Commission's (PUCN) decision to support an agreement that will enhance the telecommunications abilities of Nevada's rural communities. The agreement between the Nevada Attorney General's Bureau of Consumer Protection, Nevada Bell and PUCN staff requires Nevada Bell to spend \$1.6 million dollars to improve the telecommunications infrastructure in rural Nevada. The projects will be paid for from a \$4.3 million fund of money over-earned by Nevada Bell. The money had previously been set aside by agreement of the parties for rural improvement projects.

Del Papa said, "Over the past two years, the Bureau of Consumer Protection visited towns throughout rural Nevada to identify telecommunications needs. As a result of this outreach, our office has a good map of the areas of Nevada that lack such things as basic 911 service, a local Internet service provider, and other technologies that are available in urban areas of the state. We were also able to bring together people in many communities around the state that want to work together to overcome these deficiencies."

The agreement provides approximately one-half million dollars to the University and Community College System of Nevada to help rural schools gain access to the Internet and distance learning programs that are currently unavailable in many rural communities. "This money will enhance an important bridge linking the statewide telecommunications backbone of the University system and that of the K through 12 network that links many of Nevada's rural schools," Del Papa said.

Under the agreement, eight counties will benefit from a multitude of projects. Nevada Consumer Advocate Timothy Hay successfully negotiated with Nevada Bell to obtain funding for rural Nevada telecommunication needs. "Even with these funds, meeting the ever-growing

telecommunications demands placed on our rural counties is a huge challenge,” said Hay. “Our office looks forward to continuing our efforts assisting rural communities with this challenge.”

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September 10, 2001

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****Media Advisory****

NEW PROGRAM WILL AID IN RECOVERY OF MISSING CHILDREN AND OTHERS

Las Vegas—A new program that will aid law enforcement agencies to more quickly and effectively locate missing children and others will be unveiled at an 10:00 am news conference on September 11, 2001, at the Stratosphere Hotel & Casino, Twilight Room, 104th Floor (**Take escalator to 2nd floor to access Tower elevators**). Las Vegas Metropolitan Police Sheriff Jerry Keller, Assemblywoman Barbara Buckley and Clark County Commissioner Dario Herrera will be on hand for the introduction of the Timely Response And Safe Expedient Recovery Program (T.R.A.S.E.R).

Metrocall, Inc., one of the nation's largest providers of wireless data and messaging services, has made the T.R.A.C.E.R. Program possible by providing a paging system that will be used by law enforcement agencies to immediately alert the media, private companies and the public about a missing child or adult.

Las Vegas Metropolitan Police Department will also introduce its new LOCATER imaging program acquired from the National Center for Missing & Exploited Children

According to the Nevada's Missing Children Clearinghouse, housed in the Nevada Attorney General's Office, the number of reports of missing persons is increasing yearly. Attorney General Frankie Sue Del Papa said, "By pooling the resources and abilities of the Nevada Missing Children Clearinghouse, Las Vegas Metropolitan Police Department, Nevada Child Seekers, the National Alzheimer's Association, National Center for Missing & Exploited Children and others through cooperative and collaborative ventures such as this, we will be able to respond more quickly in missing person cases. Our thanks and appreciated to Metrocall, Inc. for providing the foundation for this program."

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Northern Nevada recently implemented the Krystal CAAP Alert System, which utilizes the radio Emergency Alert System. Southern Nevada has the Child Seeker Alert Program that uses a fax system between law enforcement and radio, television and utility companies to assist in the search for missing persons.

Anyone having information regarding a missing child should contact local authorities, or the National Center for Missing and Exploited Children at 1-800-THE-LOST. For more information on the Nevada Missing Children Clearinghouse, visit the Attorney General's Web site at <http://ag.state.nv.us>, or call (702) 486-3539. The Web site address for the National Center for Missing and Exploited Children is www.missingkids.com.

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FOR IMMEDIATE RELEASE
September 5, 2001

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EMBEZZLER SENTENCED TO EIGHT YEARS IN PRISON

Las Vegas - Attorney General Frankie Sue Del Papa has announced that Las Vegas resident Christopher J. Sandoval, 35, was sentenced today to eight years in state prison after pleading guilty to Theft by Embezzlement. Clark County District Judge Donald J. Mosley also ordered Sandoval to begin paying restitution following his parole from prison. Sandoval will be eligible for parole in 16 months.

Sandoval pleaded guilty to one felony count of Theft by Embezzlement following a criminal complaint filed by the Attorney General's Bureau of Consumer Protection. The charge was a result of an investigation conducted by the Nevada Department of Motor Vehicles Compliance Enforcement Division.

Sandoval had been the Special Finance Director for a local automobile dealership. He was responsible for securing financing for high-risk customers. His duties included finalizing contracts and collecting money from customers for down payments. While in that capacity, Sandoval stole in excess of \$30,000 from his employer by cashing checks given to him as down payments for vehicles.

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FOR IMMEDIATE RELEASE
Sept. 5, 2001

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FALSE INSURANCE CLAIM LEADS TO GUILTY PLEA

Las Vegas - William Nicholas Wasil, 66, formerly of Las Vegas, today pleaded guilty to Filing a False Claim for Insurance Benefits, a felony, before Clark County District Court Judge Lee A. Gates. Wasil was sentenced to 30 days in jail, suspended, and was ordered to pay restitution of nearly \$3,000 to State Farm Insurance Company.

Wasil, along with his wife, Lucy, and son, Alex, were indicted by the Clark County Grand Jury in July 1999. William and Lucy were charged with making a false personal injury claim arising from an alleged traffic accident that took place in Oregon in 1997. William claimed he struck the steering wheel, causing his permanent dental bridge to snap-off. Lucy claimed she struck her head on the windshield, causing the windshield to crack. Alex was charged with assisting his parents in their scheme by creating the impression that he was their attorney with medical providers and insurance personal.

The charges against the family were the result of extensive cooperation between the Insurance Fraud Unit, State Farm, and the State of Nevada's Industrial Insurance System (SIIS). An investigation revealed that William had lost the bridge-work during a previous claim; the crack in the windshield that Lucy claimed resulted from her hitting it with her head was actually caused by an external source, not by passenger contact; and that Alex was never an attorney.

Lucy Wasil pleaded guilty to a gross misdemeanor for Attempting to Make a False Claim for Insurance Benefits in October 1999. She was sentenced to perform community service. Alex Wasil pleaded guilty to a similar charge this past April. He was sentenced to 30 days in jail and ordered to reimburse the State of Nevada \$1,175 for the costs of his extradition.

If you have knowledge 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 <http://ag.state.nv.us>.

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FOR IMMEDIATE RELEASE
September 4, 2001

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**ATTORNEY GENERAL'S OFFICE WILL DEMAND THAT DEPARTMENT OF
ENERGY HALT HEARING ON YUCCA MOUNTAIN**

Carson City—Attorney General Frankie Sue Del Papa's Office will protest the Department of Energy (DOE) hearing on the proposed nuclear waste repository at Yucca Mountain during the DOE's scheduled public hearing in Las Vegas on Wednesday, September 5, 2001. The Attorney General's Office will also demand that the DOE comply with the provisions of the Nuclear Waste Policy Act.

Retired Major General, current Nevada Solicitor General and former Adjutant General Tony Clark, who will represent the Attorney General's Office at the hearing, will testify that, "Without the benefit of final siting guidelines or a final environmental impact statement as a foundation for its tentative decision, the Department of Energy is, in effect, depriving the public of the opportunity to provide meaningful input into a decision which has potentially huge impacts for Nevadans and the nation as a whole."

Furthermore, Clark will point to the fact that the Notice of Wednesday's hearing in Las Vegas, published in the Federal Register on August 21, 2001, "does not make clear whether the noticed hearings and ensuing public comment period constitute Nevada's entire opportunity to appear at hearings and submit comments addressing the proposed Yucca Mountain site recommendation, as required by section 114 of the Nuclear Waste Policy Act (Act)."

NOTE: A copy of the complete transcript of Solicitor General Tony Clark's comments has been included in this fax.

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**ATTORNEY GENERAL'S OFFICE FILES CRIMINAL CHARGES
AGAINST MAN ACCUSED OF KILLING 210 ANIMALS**

Las Vegas –Attorney General Frankie Sue Del Papa announced today that her office has filed charges against Las Vegas resident Sam Ockene for Practicing Veterinary Medicine Without a License and for allegedly killing 210 animals.

Deputy Attorney General Matthew Dushoff said the investigation involves Ockene's illegal practice of veterinary medicine out of his home. According to Debbie Machen, the Administrative Director for the Nevada State Board of Veterinary Medical Examiners, Ockene has never been a licensed veterinarian or even a licensed veterinarian technician in the State of Nevada.

Records discovered at Ockene's place of residence revealed that from August 4, 1998 through February 22, 2001, Ockene gave lethal injections to 210 felines. The records also indicate that Ockene performed numerous surgical procedures on other animals. Also found at Ockene's residence were; approximately 13 cats and three dogs; an operating table; syringes; animal medication; intravenous tubes; authorization labels to perform euthanasia; sutures; animal medical records; animal cages; testing kits for parvo, distemper, AIDS and leukemia; and numerous other items relating to veterinary medicine.

Del Papa said, "The general allegation of practicing medicine without a license is in itself very serious. The public feels very strongly that animals deserve professional treatment. Any suspected unlicensed activity should be reported at once to the proper authorities."

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The felony count of Practicing Veterinary Medicine without a license carries a potential penalty of up to five years incarceration and a \$5,000 fine. The misdemeanor counts of Killing an Animal carry a penalty of imprisonment in the city or county jail or detention facility for not less than two days, but not more than six months. The person must also perform not less than 48 hours, but not more than 120 hours of community service. Moreover, the convicted individual can be fined not less than \$200, but not more than \$1,000. These penalties are for each count.

The charges against Ockene are merely allegations. He is presumed innocent until or unless proven otherwise in a court of law.

Any interested of checking on a veterinarian, or who wishes to report suspected unlicensed activity by a veterinarian, should contact the Nevada State Board of Veterinary Medical Examiners at (775) 688-1788.

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PLEASE AWAIT CONFIRMATION
October 31, 2001

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SECOND MAN PLEADS GUILTY FROM FALSE INSURANCE CLAIM

Las Vegas - Anthony V. Gonzalez, 26, of Las Vegas, plead guilty this morning before District Court Judge John S. McGroarty for his involvement in a false insurance claim that was presented by Donald Grayson Cox, III, to Progressive Insurance Company in the Fall of 2000. Gonzalez, as part of his negotiated plea, has reimbursed the Insurance Fraud Unit (IFU) \$1,000 in investigative costs. Gonzalez faced up to 1 year jail and a fine of \$2,000.

Cox, who plead guilty earlier this month, was sentenced to 12 months in the county jail but this term was suspended and he was placed on probation for a term not to exceed three years. Cox was required by the IFU to pay Progressive Insurance Company \$40,665.86 in restitution, cooperate with the IFU in the investigation of the others involved, and reimburse the IFU \$1,000 in investigative costs.

Gonzalez is the second individual to be charged in the false insurance scam that began in September of 2000 when Cox reported to the Las Vegas Metropolitan Police Department, LVMPD, and Progressive that his 1999 Ford F250 Pick-Up truck was stolen from a vacant lot at Sahara and Buffalo. Cox alleged that he left the vehicle with a "for sale" sign on the window and later returned to find the truck missing. Progressive paid the leinholder over \$40,000.

Subsequent investigation by the IFU, the San Diego Sheriff's Department, and the LVMPD revealed that Cox actually gave the truck to another *prior* to the purported theft. This individual was arrested later in San Diego for possessing a stolen vehicle. Gonzalez arranged the meeting between Cox and the man arrested in San Diego. The IFU anticipates charging two other men for their involvement in this scheme.

If you have knowledge 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 <http://ag.state.nv.us>.

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FOR IMMEDIATE RELEASE
October 30, 2001

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Deputy Attorney General
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RAID TARGETS "MILLIONAIRE MENTORSHIP PROGRAM"

Las Vegas -- Attorney General Frankie Sue Del Papa has announced that a search warrant was executed this morning against the "Millionaire Mentorship Program," a Las Vegas business owned and operated by Marshall Sylver and his company, Sylver Enterprises, which operates out of Sylver's guesthouse and home office.

The Attorney General's Bureau of Consumer Protection obtained the search warrant after numerous consumers complained about Marshall Sylver and his "Millionaire Mentorship Program." It is suspected that Sylver has committed the criminal offenses of Theft by Obtaining Money Under False Pretenses, a felony; Racketeering, a felony; and misdemeanor violations of the Deceptive Trade Practices Act.

Sylver has advertised his "Millionaire Mentorship Program" on television and radio. The program is advertised as a 10-week intensive program, wherein participants will receive "millionaire mentoring" to learn the skills "essential to the creation of wealth." Sylver advertises that his program has a money back guarantee, and he states if a participant does not double his investment in the program within three months, Sylver will provide that person with a full refund. The program cost ranges from \$4,500 to \$6,000.

Consumers have complained to the Attorney General's Office that they did not double their investment after attending the "Millionaire Mentorship Program," and, despite the fact they attended all classes and completed all assignments, Sylver refused to give them a refund.

Consumers have also complained they were told their "Personal Millionaire Mentor," trained to teach them how to "get their financial world moving in a powerful direction" and who allegedly reported directly to Marshall Sylver, gave them little to no assistance. Past mentors have told the Attorney General's Office they did not report to Marshal Sylver but, rather, to one of his underlings. Moreover, many of the mentors were merely participants of prior "Millionaire Mentorship Programs" working to pay off the cost of the program.

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As in all criminal matters, the allegations are merely accusations and individuals are presumed innocent unless and until proven guilty in court.

Individuals who may have been victimized by Marshall Sylver or his companies 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. Additional consumer protection information can be found on the Attorney General's web site at [**http://ag.state.nv.us**](http://ag.state.nv.us)

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FOR IMMEDIATE RELEASE
October 25, 2001

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****Media Advisory****

NEW PROGRAM WILL AID IN RECOVERY OF MISSING CHILDREN AND OTHERS

Las Vegas—A new program that will aid law enforcement agencies to more quickly and effectively locate missing children and others will be unveiled at an **10:00 am news conference today, October 25, 2001**, in Lucky's Café inside the Stratosphere Hotel & Casino. Clark County Commissioner Dario Herrera and other dignitaries will be on hand for the introduction of the Timely Response And Safe Expedient Recovery Program (T.R.A.S.E.R).

Metrocall, Inc., one of the nation's largest providers of wireless data and messaging services, has made the T.R.A.C.E.R. Program possible by providing a paging system that will be used by law enforcement agencies to immediately alert the media, private companies and the public about a missing child or adult.

Las Vegas Metropolitan Police Department will speak about a new imaging program system they will be acquiring from the National Center for Missing and Exploited Children called LOCATER.

According to the Nevada's Missing Children Clearinghouse, housed in the Nevada Attorney General's Office, the number of reports of missing persons is increasing yearly. Attorney General Frankie Sue Del Papa said, "By pooling the resources and abilities of the Nevada Missing Children Clearinghouse, Las Vegas Metropolitan Police Department, Nevada Child Seekers, the National Alzheimer's Association, National Center for Missing & Exploited Children and others through cooperative and collaborative ventures such as this, we will be able to respond more quickly in missing person cases. Our thanks and appreciated to Metrocall, Inc. for providing the foundation for this program."

Northern Nevada recently implemented the Krystal CAAP Alert System, which utilizes the radio Emergency Alert System. Southern Nevada has the Child Seeker Alert Program that uses a fax system between law enforcement and radio, television and utility companies to assist in the search for missing persons.

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Anyone having information regarding a missing child should contact local authorities, or the National Center for Missing and Exploited Children at 1-800-THE-LOST. For more information on the Nevada Missing Children Clearinghouse, visit the Attorney General's Web site at <http://ag.state.nv.us>, or call (702) 486-3539. The Web site address for the National Center for Missing and Exploited Children is www.missingkids.com.

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FOR IMMEDIATE RELEASE
October 24, 2001

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Deputy Attorney General
Insurance Fraud Unit
(702) 486-3433

**CALIFORNIAN CONVICTED AND SENTENCED
FOR ATTEMPTED LIFE INSURANCE FRAUD**

Las Vegas –California resident Chae J. Tubtimpet, 32, today pleaded guilty to two counts of Attempting to Make a False Claim for Insurance Benefits, a gross misdemeanor, before Clark County District Court Judge Donald Mosley. The total amount of both claims was \$200,000. Since Tubtimpet had been in custody in the Los Angeles County Jail and the Clark County Detention Center due to the charges against her in this case, Judge Mosley sentenced her to time already served – 19 days. She had faced up to one year in jail and a fine of \$2000 per count. She also was ordered to pay an administrative assessment fee, and \$1000 in investigative and extradition costs.

On January 16, 1998, Tubtimpet reported to Liberty Mutual Life Insurance Company and Prudential Life Insurance Company that her aunt had died in the Philippines on January 2, 1998, as the result of a vehicle/pedestrian accident. Tubtimpet was listed as beneficiary on both policies. She provided the life insurance companies with fraudulent documents attesting to the death when, in fact, Tubtimpet knew her aunt was alive. The life insurance companies initially denied these claims because of the fraudulent documents.

Further investigation by the Attorney General's Insurance Fraud Unit revealed that on March 30, 2000, Tubtimpet's aunt re-entered the United States from the Philippines in San Francisco, California, providing a copy of a California driver's license issued on October 6, 1999 as identification.

If you have knowledge 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 on the Attorney General's web site at <http://ag.state.nv.us>.

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FOR IMMEDIATE RELEASE
October 23, 2001

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John McGlamery
(775) 687-6300 ext. 238

ATTORNEY GENERAL WARNS OF POSSIBLE ANTHRAX DRUG SCAMS

LAS VEGAS-Attorney General Frankie Sue Del Papa is warning consumers about the dangers of buying anthrax drugs, such as ciprofloxacin ("Cipro"), online. An increasing number of online pharmacies are preying on the public's fear of anthrax and offering to sell antibiotics without a valid physician's prescription. Many sites are recommending that families stockpile Cipro. Some sites direct people to start taking antibiotics despite a lack of exposure to anthrax. These practices endanger not only individuals, but the community as well.

"The Internet makes it easy for unscrupulous people to capitalize on the anthrax scare and sell drugs to patients without traditional safeguards in place," Del Papa said. "Consumers need to know the risks associated with buying anthrax antibiotics online so they can remain vigilant."

The Attorney General's Bureau of Consumer Protection advises consumers of the following dangers associated with buying prescription medications such as Cipro online:

- Improper and premature use of antibiotics such as Cipro can diminish their effectiveness and, if taken without a consulting physician, may cause serious side effects. Instead of purchasing antibiotics online and self-medicating, call your doctor.
- Taking Cipro to prevent an anthrax infection will not be effective unless you have actually been exposed to the bacteria that causes the disease. Taking Cipro, or any antibiotic, when it is not needed will increase the potential for drug resistant versions of anthrax and other infections to develop.
- Stockpiling antibiotics, such as Cipro, prevents those individuals who presently need the drugs from obtaining them.

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- Many web sites offering Cipro were only established after reports of anthrax exposure first surfaced. These sites lack a performance history and track record. Purchasing a medication from an unknown web site puts you at risk of receiving contaminated or counterfeit products, the wrong product, an incorrect dose, or no product at all.
- Some online pharmacies are offering to sell antibiotics at exceptionally high prices. Be wary of hidden charges, such as “consultation fees” and high shipping costs. Consumers should also know the Food and Drug Administration has approved other, less expensive antibiotics, including penicillin, to treat anthrax.
- Getting a prescription drug by filling out a questionnaire without seeing a doctor poses serious health risks. A questionnaire does not provide sufficient information for a healthcare professional to determine if a drug is right for you and/or safe to use, if other treatment is more appropriate, or if you have an underlying medical condition whereby using that drug may be harmful. The American Medical Association has determined this practice is generally substandard medical care.

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; in Reno at (775)688-1818; or in Carson City at (775) 687-6300. Additional consumer protection information can be found on the Attorney General’s web site at <http://ag.state.nv.us>

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FOR IMMEDIATE RELEASE
October 22, 2001

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SETTLEMENT WILL NET STATE \$145,000

Carson City—Attorney General Frankie Sue Del Papa announced today that the Medicaid Fraud Control Unit (MFCU) of her office has collected \$145,000 from Pediatrix Medical Group, Inc. as part of a settlement for overpayment of services performed by the Group and those of its wholly-owned subsidiary, Obstetrix Medical Group, Inc.

During its investigation, the MFCU discovered numerous instances of upcoding and billing for medically unnecessary services by each of the corporations. The settlement amount relates to improper billing practices both before and after the Groups acquired various neonatal medical practices throughout the state. Pediatrix has been a participant in the Nevada Medicaid program since 1996; Obstetrix since 1998. Pediatrix cooperated fully with the MFCU in its investigations.

“The costs of Medicaid fraud both statewide and nationally are tremendous,” Del Papa said. “This significant recovery of Medicaid monies shows once again that Nevada’s Medicaid Fraud Control Unit is committed to doing all it can to reduce the occurrence of Medicaid fraud here in Nevada.”

The MFCU investigates and prosecutes instances of provider fraud as well as investigating and prosecuting cases of elder abuse or neglect. Anyone wishing to report suspicions regarding any of these concerns may contact the Medicaid Fraud Control Unit in Carson City at (775) 687-4704, or in Las Vegas at (702) 486-3187. Medicaid Fraud 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
October 18, 2001

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CONSUMER ADVOCATE WANTS RATE REDUCTION EFFECTIVE NOVEMBER 1st

Carson City – The Attorney General’s Bureau of Consumer Protection has urged the Public Utilities Commission to lower natural gas rates for Southwest Gas customers effective November 1, 2001. Southwest currently has applications requesting both rate increases and rate reductions before the Commission. Consumer Advocate Timothy Hay said the rate reduction should be implemented earlier, as allowed by Nevada law, so the lower rates are in place prior to the winter heating season. Documents filed with the Commission by Hay’s office cited three successive natural gas rate increases that have doubled rates since December 1, 2000.

“The magnitude of the increases has been phenomenal,” Hay said. “Customers of Southwest since last year have had to bear an extraordinary burden and pay the high cost of natural gas to heat their homes in the winter months. With this winter quickly approaching, Southwest customers, particularly in northern Nevada, will soon be turning up the thermostat in an attempt to accomplish a basic human need – staying warm.” Hay said he is especially concerned for the many consumers living on low or fixed incomes, and those who may be laid off from Nevada casinos due to recent events that have impacted the state’s economy.

Although Southwest Gas has applied to lower rates \$39.7 million in southern Nevada and \$11.9 million in northern Nevada, the company is also seeking an increase in general rates of \$21.7 million in southern Nevada and \$7.7 million in northern Nevada to recover general business costs. “I commend Southwest Gas for its proposed rate reduction,” Hay said. “By implementing this reduction as quickly as possible, heating costs during the coldest months will be more affordable for Southwest Gas customers, and start a trend we hope will continue.”

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FOR IMMEDIATE RELEASE
October 16, 2001

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FALSE CLAIM LEADS TO GUILTY PLEA

Las Vegas –Twenty-year-old Las Vegas resident Donald Grayson Cox, III, today pleaded guilty to Filing A False Claim for Insurance Benefits. Clark County District Judge John S. McGroarty sentenced Cox to 12 months in the county jail, but suspended the sentence, placing Cox on probation for a term not to exceed three years. The terms of the negotiated plea agreement between Cox and the Attorney General's Insurance Fraud Unit (IFU) require Cox to pay Progressive Insurance Company \$40,665.86 in restitution, that he agree to testify against his three co-defendants, and that he reimburse the IFU \$1,000 for investigative costs (which Cox paid today).

In September 2000, Cox reported to the Las Vegas Metropolitan Police Department (LVMPD) and Progressive Insurance that his 1999 Ford F250 Pick-Up truck had been stolen from a vacant lot at Sahara and Buffalo, where Cox alleged he had left the vehicle with a "For Sale" sign on the window. After taking statements from Cox and some of his co-defendants, Progressive paid the lienholder more than \$40,000 for his claim.

Subsequent investigation by San Diego Sheriff's Department, LVMPD and the IFU revealed that Cox actually gave the truck to another person *prior* to the purported theft. This individual was arrested in San Diego for possessing a stolen vehicle, leading to the discovery of the fraudulent scheme, as well as the detection of the other individuals involved in the crime. The IFU will be bringing charges against three other individuals, two of whom have already agreed to plead guilty to similar charges.

If you have knowledge 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 on the Attorney General's web site at <http://ag.state.nv.us>.

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FOR IMMEDIATE RELEASE
October 12, 2001

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ATTORNEY GENERAL ISSUES FINAL FORM AND GUIDELINES FOR TRAFFIC STOP DATA COLLECTION TEST PERIOD SET TO COMMENCE OCTOBER 29

The Attorney General's Office today issued a final "AB500 Traffic Stop Data Collection Form and Guidelines" for use by participating law enforcement agencies during an upcoming four-week data collection test period set to commence October 29 and run through November 25, 2001. The participating agencies required to collect data pursuant to AB500 are the Nevada Highway Patrol, the Las Vegas Metropolitan Police Department, the Washoe County Sheriffs office and the police departments of North Las Vegas, Henderson, Boulder City, Mesquite, Reno and Sparks. The form has been reduced to a single page "OpScan" form for use by law enforcement officers in the field. The guidelines have also been reduced to a folding instructional guide for use in officer training and for reference in the field. Orders for 80,000 forms and two scanning machines have been placed by the participating law enforcement agencies, who have worked in collaboration with the Attorney General's Office to create the data collection form and procedures.

The data collection form has been modified to include several new data items as a result of suggestions offered during two recent public meetings held on September 10 in Las Vegas and on September 27 in Reno. The additional items include: 1) the approximate duration of the stop; 2) whether the driver was handcuffed; and 3) if a search was conducted, whether the search was of the driver, the vehicle, or both.

Attorney General Frankie Sue Del Papa, and First Assistant Attorney General Thomas M. Patton, coordinator of the data collection program, thanked the agencies and the community for their efforts and input into the data collection form. General Del Papa stated that: "A lot of thought and hard work has gone into the development of the data collection form, and everyone who has worked on this project deserves credit." Patton noted that the Attorney General's Office and participating agencies are continuing to work on refining the project through community outreach, training and consultation with academic experts. Patton stated that: "A great deal of research is currently being conducted across the nation in order to establish scientifically sound statistical baselines and methods for comparing and analyzing collected data. The experts agree that the science in this regard is far from perfected and is critical if agencies, legislatures and communities are to derive meaningful conclusion from the information being gathered."

A 12-month formal data collection period will commence January 1, 2002, and the results will be statistically reported to the Nevada Legislature by February 1, 2003. The data collection form and guidelines may be viewed by visiting the Attorney General's website, in the news release section, at <http://ag.state.nv.us/>

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FOR IMMEDIATE RELEASE
October 11, 2000

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RENO MAN WILL SERVE JAIL TIME FOR INSURANCE FRAUD

Reno--Attorney General Frankie Sue Del Papa has announced that Reno resident Jerry D. Stonecipher, 53, was sentenced this morning to six months in the Washoe County Jail after he had failed to abide by the terms of probation for Conspiracy to Commit Insurance Fraud. Stonecipher was originally granted probation in May 2000 by Judge James Hardesty in the Washoe County Courthouse.

Stonecipher made a claim with Safeco Insurance Company after alleged fire damage occurred to his home. He presented false receipts in support of his purported losses.

If you have any information regarding 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
October 5, 2001

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**SETTLEMENT WITH HEALTHCARE COMPANY (HCA)
WILL NET STATE AN ADDITIONAL \$70,000**

Carson City--Attorney General Frankie Sue Del Papa announced today that the National Association of Medicaid Fraud Control Units (NAMFCU), on behalf of 33 state Medicaid programs, has recovered more than \$13.6 million as a result of a final settlement with HCA – the Healthcare Company (formerly known as Columbia – HCA), the largest for-profit hospital chain in the United States. NAMFCU, representing the Medicaid Fraud Control Units in 47 states and the District of Columbia, worked closely with several federal agencies, including the U.S. Department of Justice and the Office of Inspector General for the U.S. Department of Health and Human Services (HHS) to reach the agreement. As a result of the settlement, Nevada will receive approximately \$70,000. According to MFCU Director Tim Terry, this is in addition to the \$400,000.00 received from HCA last year to settle Nevada only issues.

Under the agreement, HCA will pay a total of \$745 million to resolve five allegations regarding the manner in which it billed the U.S. government and the states for health care costs.

Of the \$745 million, the settlement requires HCA to pay:

- More than \$95 million to resolve civil claims arising from the company's outpatient laboratory billing practices, including billing to Medicare, Medicaid, the Defense Department's TRICARE health care program, and the Federal Employees' Health Benefits Program for lab tests that were not medically necessary, not ordered by physicians, as well as other billing violations;

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- More than \$403 million to resolve civil claims arising from "upcoding," where false diagnosis codes were assigned to patient records in order to increase reimbursement to the hospitals by Medicare, Medicaid, TRICARE and the Federal Employees' Health Benefits Program;

- Fifty million to resolve civil claims that the company illegally claimed non-reimbursable marketing and advertising costs it disguised as community education. Medicare reimburses providers for “community education” – costs to educate the community at large about public health issues – but not for advertising and marketing a hospital’s services;
- Ninety million to resolve civil claims that HCA illegally charged Medicare for non-reimbursable costs incurred in the purchase of home health agencies owned by the Olsten Corporation, as well as other agencies in Florida, Georgia and Alabama. According to the government, HCA devised an elaborate scheme to hide these costs in reimbursable “management fees” paid to third parties. In 1999, a subsidiary of Olsten Corporation Kimberly Quality Care, entered into criminal plea agreements in three districts and paid more than \$10 million in criminal fines. Olsten paid nearly \$41 million as part of a civil settlement arising from its collusion with HCA for that conduct. HCA has now agreed to pay \$490 million to settle this issue, and;
- \$106 million to resolve civil claims for billing Medicare, Medicaid and TRICARE for home health visits for patients who did not qualify to receive them or were not performed and for committing other billing violations.

In addition to the agreement, HCA entered into a Corporate Integrity Agreement and a divestiture agreement with HHS. The Corporate Integrity Agreement requires the company to engage in significant compliance efforts over the next eight years.

The agreement does not resolve allegations that HCA unlawfully charged for the costs of running its hospitals on cost reports submitted to the government, and that it allegedly paid kickbacks to physicians to get Medicare and Medicaid patients referred to its facilities. These issues are currently the subject of litigation.

Leading the state negotiating team were the Medicaid Fraud Control Unit Directors from Nevada, Ohio, Tennessee and Washington State.

Anyone suspecting provider fraud in the Medicaid system may report it to the MFCU in Carson City at (775) 687-4704, or in Las Vegas at (702) 486-3420. Medicaid fraud information can be found on the Attorney General’s web site at <http://ag.state.nv.us>.

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FOR IMMEDIATE RELEASE
October 5, 2001

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**ATTORNEY GENERAL FILES CIVIL COMPLAINTS
AGAINST STARLINK COMMUNICATIONS AND DIRECTONE, INC.**

Carson City - Attorney General Frankie Sue Del Papa announced today that the Bureau of Consumer Protection has filed a civil complaint in Elko County District Court against Starlink Communications, and in Washoe County District Court against DirectOne. The complaint against Starlink Communications is for allegedly engaging in "slamming," which is switching a consumer's long distance telephone services without the customer's authorization. The complaint against DirectOne is for allegedly engaging in "cramming," which is billing a consumer for telephone services, which the customer did not authorize.

The Attorney General's Office has received numerous slamming complaints accusing Starlink Communications of switching customer's long distance services without approval by those customers. The customers did not become aware of the switched telephone services until they began getting bills from Starlink Communications.

In the case of DirectOne, customers received charges on their credit card bills for DirectOne's dial-around long distance services, for which they had not signed up. These billings occurred after the customer purchased a product over the telephone or Internet and used a credit card for payment. The information would then be forwarded to DirectOne, which signed the customer up for services without verifying approval from the customer.

Both complaints seek injunctive relief from the court prohibiting Starlink Communications and DirectOne from continuing to engage in such practices, as well as civil penalties as provided in the Nevada Deceptive Trade Practices Act. If Starlink Communications or DirectOne is proven to have engaged in the alleged deceptive trade practices, the company could be subject to penalties of up to \$2,500 for each violation, or \$10,000 if the victim is either elderly or disabled.

For more information on how you can help prevent the illegal practices of cramming and/or slamming, contact the Nevada Office of the Attorney General, Bureau of Consumer Protection at (775) 687-6300 in northern Nevada, or (702) 486-3194 in southern Nevada.

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FOR IMMEDIATE RELEASE
October 3, 2001

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ATTORNEY GENERAL, STATE CONSUMER ADVOCATE WILL ATTEND ENERGY SUMMIT IN PHOENIX

Carson City—Attorney General Frankie Sue Del Papa and State Consumer Advocate Timothy Hay will join other western state attorneys general and consumer advocates at an energy summit in Phoenix, Arizona on Friday, October 5, 2001. The CWAG (Conference of Western Attorneys General) Energy Summit will take place at the Embassy Suites Hotel from 9:30am to 5:30pm.

“Escalating energy costs experienced in Nevada the past year demonstrate the regional nature of this industry and of this issue,” Del Papa said. We have seen how the energy market in one state can affect prices in surrounding states and beyond, throughout an entire region. This summit will provide invaluable information regarding current conditions in the volatile energy market and help us define ways we can better address our state’s current energy challenges and prepare for future challenges.”

Attendees at the conference will hear from experts and participate in discussions regarding a variety of issues including:

- “Interrelatedness of Western Power Issues”
- “Collusion, Market Manipulation and Irregular Pricing”
- “Power Plant and Transmission Line Security”
- “Environmental Issues”
- “Attempts to Repeal PUHCA and Give Condemnation Authority to FERC”

Paul Leventhal, President and Founder of the Nuclear Control Institute, located in Washington D.C., will also address the attendees on the subject of “The Need for Security at Nuclear Power Plants.”

Even though natural gas and electricity prices are declining nationwide, Nevada consumers are facing the largest rate increase requests in the state’s history, totaling as much as an estimated \$1.2 billion dollars statewide, next year. The increase requests are due, in part, to unreasonably high fuel and power prices paid by the state’s electric utilities during the past year. Hay’s office is currently

preparing for four separate rate cases being filed by Nevada's two regulated electric utilities, Sierra Pacific Power Company in northern Nevada and Nevada Power Company in southern Nevada.

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New legislation approved by the 2001 Nevada Legislature requires one deferred energy case and one general rate case for each electric utility to be filed between October 1, 2001 and February 1, 2001. The four cases will be litigated simultaneously with new rates to be implemented following a decision by the Public Utilities Commission next spring.

“This summit is an important opportunity for Nevada to share information on regional and national issues with our counterparts in other states,” Hay said.

“My priority, as well as the Consumer Advocate's, will be to develop strategies to mitigate or eliminate the need for further rate increases on Nevada consumers,” said Del Papa. “This regional meeting will look at issues in need of regional coordination or federal legislation. What is most immediately important to Nevada's residential and small business ratepayers will be how we can best protect them against rate shock next spring, especially as we face job losses and a soft economy due to the nations current economic woes. I do not believe the average Las Vegas consumer can tolerate the magnitude of rate increases being considered. I have requested the Consumer Advocate's Office to use all resources available to develop innovative approaches so the most vulnerable Nevadans – average ratepayers – do not bear the burden of what we believe are ill-considered business decisions of the utility.”

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FOR IMMEDIATE RELEASE
October 3, 2001

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**ATTORNEY GENERAL ANNOUNCES SETTLEMENT
WITH MAKER OF PROSTATE CANCER DRUG
State will receive \$70,000 as part of settlement**

Carson City--Attorney General Frankie Sue Del Papa announced today the State of Nevada will recover \$70,000 in restitution and penalties as part of a settlement reached between the National Association of Medicaid Fraud Control Units (NAMFCU) and TAP Pharmaceutical Products, Inc. (TAP). Under terms of settlement, TAP will pay \$56.7 million to state Medicaid programs for damages caused by the company's marketing practices for its drug Lupron, used for the treatment of prostate cancer. The agreement in principle involves all 50 states and the District of Columbia. To date, 43 states and the District of Columbia have executed settlement agreements.

The settlement was reached in conjunction with a federal settlement negotiated by the United States Attorney's Office in Boston, Massachusetts. Under the federal agreement, TAP will plead guilty to charges of conspiracy to violate the Prescription Drug Marketing Act, and enter a civil settlement to pay damages to Medicare and other federally funded health care programs. As part of the federal settlement, TAP will pay the federal government \$524.3 million, as well as a substantial criminal fine.

These settlements are the culmination of a lengthy investigation into TAP's marketing practices. The marketing practice centered around TAP's provision of free dosages of Lupron to physicians and other providers, knowing providers would bill these free dosages to health care insurers, including Medicaid and Medicare. When TAP failed to include the free Lupron in the calculation of its "best price," as required under the federal Medicaid drug rebate program, the State of Nevada alleged the state Medicaid programs received lower rebate amounts than due.

A second marketing practice addressed by this settlement involved TAP's inflation of "Average Wholesale Price (AWP)". Medicare and most state Medicaid programs base pharmaceutical reimbursements on AWP. By inflating the AWP, the State of Nevada alleged that TAP created an economic incentive for physicians to prescribe its product, because the physician kept the "spread" between the true purchase price and the reported AWP. This resulted in damage to the various Medicaid programs by causing inflated reimbursement to physicians and others who used TAP's products.

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As part of the agreement in principle with the states, TAP will be required to report accurate pricing information to state Medicaid programs, as well as the commercial price reporting services that provide pricing information to the states. Additionally, TAP will cooperate with the states in investigating other health care providers, including physicians, who have damaged the Medicaid programs by taking advantage of TAP's marketing schemes.

Finally, as part of the settlement, TAP has entered into a Corporate Integrity Agreement with the United States Department of Health and Human Services' Inspector General. The agreement will require strict scrutiny of TAP's marketing and sales practices for the next seven years.

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FOR IMMEDIATE RELEASE
October 2, 2001

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ATTORNEY GENERAL PROTESTS LATEST ROUND OF YUCCA MOUNTAIN HEARINGS

Carson City—Attorney General Frankie Sue Del Papa is once again protesting the way the Department of Energy is seeking public comment regarding the proposed nuclear waste repository at Yucca Mountain in Southern Nevada. Late Friday September 28, 2001, the U.S. Department of Energy announced its intention to conduct twenty-nine additional public hearings on the proposed nuclear waste repository at Yucca Mountain. However, public notice of the hearings did not appear in the Federal Register until Monday, October 1, 2001. The public hearings are scheduled to run concurrently between October 3 to October 5, and for some locations between October 10 to October 12.

“Once again, DOE will be conducting public hearings prematurely and without sufficient advance notice to the public to afford an adequate opportunity for people to attend the hearings and provide comment,” Del Papa said. “More importantly, DOE is having additional public hearings before it has finalized the environmental impact statement and before it has issued its siting guidelines for the proposed dump. Under the guise of seeking public input, DOE is making a mockery of the public participation process and denying the public an opportunity for meaningful input.”

Del Papa further stated, “Until the final EIS and siting guidelines are complete, it is impossible to evaluate the proposed repository. The Nuclear Waste Policy Act delineates the appropriate sequence of events that must precede any secretarial decision. Both the Nuclear Waste Technical Review Board and the Nuclear Regulatory Commission have publicly stated they do not believe DOE is ready to make its site recommendation. In fact, DOE is blatantly disregarding its own processes.”

The Attorney General is protesting the hearings while at the same time urging the DOE to provide for public comment at the appropriate time with sufficient advance notice to actually encourage public review and participation. Public hearings are currently scheduled for October 3 in Carson City from 3-8 pm (at an uncertain location), on October 4 and 10 in Gardnerville at Sharkey’s, on October 4 in Reno from 3-8pm at the Washoe Health Department, and on October

3 and 12 in Virginia City at the Storey County Senior Center. For information, please contact Senior Deputy Attorney General Marta Adams at (775) 684-1237.

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FOR IMMEDIATE RELEASE
October 1, 2001

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**CONSUMER ADVOCATE PROPOSES REGULATION
TO IMPLEMENT NEVADA'S NEW RENEWABLE ENERGY STANDARD**

Carson City - Nevada Consumer Advocate Timothy Hay last week filed with the Public Utilities Commission the Bureau of Consumer Protection's proposal for regulations to implement Nevada's new renewable energy standard. Hay's office supported SB 372 which was approved by the 2001 Nevada Legislature and sets forth the amount of renewable energy from resources such as wind, solar and geothermal, that Nevada utilities must include in their energy portfolio each year. Prior to passage of SB 372, Nevada law required that only 1% of a utility's total energy came from renewable energy resources. The new legislation requires electric utilities in the state to gradually increase the amount of energy they derive from renewable resources to 15% of their total energy load over the next 10 years.

A provider of electric service is responsible for meeting the portfolio standard in each annual compliance period beginning in 2003 and must file annual reports with the Commission to confirm that the utility was in compliance during the previous period. Hay proposes that if the utility has exceeded the portfolio standard it may carry forward any or all of the excess kilowatt-hours to a future compliance period or it may transfer any or all of the excess to an electric service provider that failed to satisfy the portfolio standard. SB 372 enables the Commission to impose administrative fines for utilities that fail to meet the new standard. A utility would not be subject to the fine upon a finding by the Commission that there was not a sufficient amount of electricity available from renewable energy systems at just and reasonable prices and it was not feasible for the provider to construct their own renewable energy system. A utility is also not subject to fines if failure to meet the standard is attributable to non-performance of a renewable energy system and was not the fault of the electric service provider.

In determining whether a renewable price is just and reasonable, Hay's office has proposed a standard that allows the Commission to consider the effect of a renewable contract on ratepayers.

"The abundant supply and rapidly declining prices of these resources will give Nevadans protection from fossil energy suppliers who can control prices or resources," Hay said. "We can now use our own natural resources to help drive down natural gas and electricity prices as well as the price of renewable energy and at the same time use energy from these clean alternative resources to reduce dependence on expensive peak power purchases. However, we must make sure that the measures we adopt to implement the new standards provide a process that is workable and avoids negative impacts on ratepayers."



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FOR IMMEDIATE RELEASE
October 1, 2001

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**FORMER FIRE MARSHALL EMPLOYEE SENTENCED
FOR STEALING MONEY FROM STATE OF NEVADA**

Carson City— Former Nevada State Fire Marshall employee Tami Spikula was sentenced today to six months incarceration in the Carson City Jail on a misdemeanor charge of theft. Carson City Municipal Judge Robey B. Willis suspended the jail term, placing Spikula on probation for one year, with the requirement she make full restitution to the State Fire Marshall's office in the amount of \$514.50. Spikula faced up to six months in jail, and a fine of up to \$1,000.

Spikula admitted taking cash from deposits made to the State Fire Marshall's Office while she was employed there as an accounting clerk.

Attorney General Frankie Sue Del Papa said, "State employees will be held to a high standard of conduct to reflect their position of public trust. Violations of that trust will not be tolerated."

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October 1, 2001

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**GOVERNOR AND ATTORNEY GENERAL CALL ATTENTION TO DOMESTIC
VIOLENCE PREVENTION MONTH
October 1, 2001 is "Work to End Domestic Violence Day"**

Reno—Governor Kenny Guinn and Attorney General Frankie Sue Del Papa today held a news conference in Reno to call greater attention to the problems faced by victims of domestic violence and what can be done to prevent this crime in Nevada. October is national Domestic Violence Awareness Month, and October 1, 2001 is "*Work to End Domestic Violence Day*, a day when many private businesses, public agencies and unions conduct programs and distribute information on domestic violence prevention.

Governor Guinn, who read a Proclamation declaring October as *Domestic Violence Prevention Month* in Nevada, said, "Preventing domestic violence is a top priority of my Administration. We need to continue to take steps to stop violent and intimidating behavior towards others."

Del Papa said, "I am encouraging agencies, businesses and groups to join us on October 1st in calling attention to domestic violence prevention." Del Papa, who chairs the Nevada Domestic Violence Prevention Council, and serves as co-chair of the National Association of Attorneys General (NAAG) Committee on the Prevention of Domestic Violence added, "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. By doing so, employers can make a difference and help save lives in Nevada, while at the same time better safeguarding their business."

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 Verizon Wireless, Blue Shield of California, Kaiser-Permanente, Liz Claiborne, Polaroid, The Gap, Wells Fargo Bank, and Levi Strauss and Company.

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"Protecting Citizens, Solving Problems, Making Government Work"

As an example of what businesses can do, the Attorney General's Office will undertake several in-house activities to recognize the importance of October 1st:

- Distribute bumper stickers, buttons and pens with the message, "*There's No Excuse for Domestic Violence.*"
- Send an email to all staff on October 1st regarding why it's important for people to take a stand against domestic violence and about available resources.
- Include information on domestic violence prevention in a paycheck memo.
- Remind office staff about the names of contact persons within each office for employees who need to speak to someone about support, or obtain referral information.

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," said Veronica Frenkel, Nevada Domestic Violence Ombudsman. "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," said Frenkel. "It is estimated that American employees miss 175,000 days per year of paid work due to domestic violence."

A brochure entitled, "*Domestic Violence: Improving Your Business's Response,*" which 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, is available through the Attorney General's Office by calling (775) 684-1125. The brochure can also be found on the Attorney General's web site at <http://ag.state.nv.us>.

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 Attorney General's web site: <http://ag.state.nv.us>

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| DOMESTIC VIOLENCE PROGRAMS IN NEVADA |
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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



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**NEVADA CORPORATE CITIZENSHIP INITIATIVE RAISING AWARENESS ABOUT
DOMESTIC VIOLENCE AMONG NEVADA EMPLOYERS**

October is national Domestic Violence Awareness Month, and Monday, October 1, 2001 is *Work to End Domestic Violence Day*: a day when many businesses, public agencies and unions around the country will hold brown bag lunches to discuss domestic violence, distribute educational materials about abuse, hold drives to benefit battered women's programs, and announce new company policies.

Recent statistics indicate that more than six million women in the U.S. are victims of domestic violence each year. In Nevada alone, over 20,000 incidents of domestic violence were reported to law enforcement during the year 2000. Statistics from the Nevada Network Against Domestic Violence indicate that over two-thirds of victims in Nevada are employed. Their partners and families, similarly, are linked to our workplaces.

In June 1999, Attorney General Frankie Sue Del Papa, Chair of Nevada's Domestic Violence Prevention Council, launched a statewide campaign aimed at Nevada employers to promote awareness on how businesses can provide a safer and more resourceful workplace for employees who are victims of domestic violence. In May 2000, when Nevada was selected as one of ten states to participate as leaders a national Corporate Citizen Initiative on Domestic Violence, the project was renamed the Nevada Corporate Citizenship Initiative (CCI).

Along with the Attorney General's Office, the Nevada CCI Team currently includes representatives from the Employers' Insurance Company of Nevada, CAMCO/Superpawn, MIKOHN Gaming, Caesar's Palace, the Las Vegas Chamber of Commerce, the Nevada Network Against Domestic Violence, the Nevada Association of School District Superintendents, the University and Community College System, State of Nevada Department of Personnel, Sierra Health Services, Wells Fargo Bank and Nevada Bell.

"Domestic violence does not stay home when its victims go to work: it affects productivity, increases absenteeism, and raises the risk of violence in the workplace," Del Papa said. "It costs Nevada employers millions of dollars each year in increased health care costs, most of which is paid for by employer benefits. With one out of every four American women reporting physical abuse by a husband or boyfriend at some point in their lives, and male victims increasingly seen in hospital emergency rooms, domestic violence is finding its way into the overall workplace."

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“Employers can play a critical role in helping to stop domestic violence by learning to help battered women escape abuse, and in conveying the message that domestic violence is unacceptable,” said Veronica Frenkel, Domestic Violence Ombudsman and Coordinator of the Nevada CCI. The current goal of the CCI team is to get the word out to as many employers as possible in the private and public sectors and to develop useful tools that support employers’ efforts. For example, the CCI Team has developed a Checklist of Strategies and Resources that provide background information and outlines six important steps in an effective workplace response to domestic violence. “Any Nevada employer that undertakes just one of the six suggested strategies can make an important contribution toward the prevention and intervention efforts currently underway throughout our state,” said Frenkel.

The Checklist of Strategies and Resources is one of many items included in a Workplace Domestic Violence packet developed by the Attorney General's Office that contains:

- Employee communications, including a sample newsletter article, e-mail scripts and paycheck inserts;
- Special tips for managers and supervisors;
- Brochures and posters that are useful tools for creating a safe and supportive workplace environment and for educating your employees;
- A model workplace domestic violence policy.

The Nevada CCI has distributed these and other materials to hundreds of Nevada employers during the past year to encourage them to address domestic violence and specifically to increase the number of Nevada employers who participate in national ***Work to End Domestic Violence Day, on October 1, 2001***. On this day, businesses, public agencies and unions around the country will hold brown bag lunches on domestic violence, distribute educational materials about abuse via email and paycheck inserts, hold drives to benefit battered women’s programs and announce new company policies. In past years, more than one hundred businesses, public agencies and unions have signed-on to participate in *Work to End Domestic Violence Day*. They include: Verizon Wireless; Blue Shield of California; the U.S. Department of Defense; The Limited, Inc.; Levi Strauss & Co.; the Office of the Mayor of New York City; and Wells Fargo Bank, among many others.

“Participating in *Work to End Domestic Violence Day* is a great way for Nevada companies to support our own state’s domestic violence prevention efforts and the CCI,” said Frenkel. “Nationally, the employer response to *Work to End Domestic Violence Day* has been impressive in the past,” she added. “We hope that more Nevada companies will join us in working to end domestic violence this year. Participating employers will have a profound impact on the lives of their employees and their communities.”

CCI Team members have also offered a number of presentations at conferences, association meetings, and various workplaces to raise awareness about the issue of domestic violence and to involve more employers in these efforts.

Each CCI Team member is also involved in their own in-house initiatives at their workplaces during the month of October and throughout the year. The following are some examples:

- Wells Fargo Bank will be putting up posters with information about the Nevada 24-hour Domestic Violence Hotline in their branches throughout the state.

- SuperPawn will be launching a purple ribbon campaign on its web site, SuperPawn Intranet (SpiN), which includes information about domestic violence, safety plan ideas, and a
--more--
list of resources throughout Nevada Arizona and Washington. They have also issued SuperPawn Cares cards to all of their stores, created specifically to address workplace and domestic violence.
- The Employers Insurance Company of Nevada has drafted a policy on domestic violence that has been distributed to more than 16,000 of their policyholders. They are also conducting management/supervisor training and holding staff brown-bag lunches to raise awareness among their employees.
- The State of Nevada has added a component on domestic violence to its Risk Management seminar for managers and supervisors and has been offering training Domestic Violence & the Workplace to staff within the Department of Personnel. The Personnel Department will also be including information on domestic violence on two paychecks (including direct deposit receipts) for state employees during October.
- The Las Vegas Chamber of Commerce is including a message about domestic violence on its correspondence during the months of September and October, and will have domestic violence prevention materials available at its Visitor Center/Gift Shop.

Nevada organizations interested in participating in *Work to End Domestic Violence Day*, getting information about the CCI, or scheduling a presentation should call Veronica Frenkel, Domestic Violence Ombudsman, at (775) 688-1846 for more information.

For more information on what is being done in Nevada to combat domestic violence, visit the Attorney General's web site at <http://ag.state.nv.us>

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FOR IMMEDIATE RELEASE
November 30, 2001

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ATTORNEY GENERAL PRAISES G.A.O. REPORT ON YUCCA MOUNTAIN

Carson City--Attorney General Frankie Sue Del Papa today said the General Accounting Office report recommending the Yucca Mountain Project be indefinitely postponed and the termination by the Department of Energy with the law firm of Winston & Strawn have provided Nevada with greater momentum than ever to defeat the proposed nuclear waste repository from being approved.

Del Papa had high praise for the recommendation of the General Accounting Office ("GAO") that the Yucca Mountain Project should be indefinitely postponed based on the views expressed by Bechtel SAIC, a private contractor for the Department of Energy. According to the GAO study, Bechtel SAIC is credited with stating that DOE cannot possibly meet its aggressive schedule for Yucca Mountain given the myriad of outstanding scientific and engineering issues that exist.

"DOE cannot resolve the serious technical flaws in the project," Del Papa said. It appears now more than ever that the DOE is simply not ready to make a site recommendation due to the lack of sufficient technical information to support such a recommendation. By law, DOE is charged with protecting the public's health and safety. The agency cannot offer any assurances to the public concerning a project that, according to GAO, bears little resemblance to a repository that would ultimately be constructed."

It was learned today that DOE has terminated its contract with the law firm of Winston & Strawn due to irreconcilable conflicts of interest relating to Winston's simultaneous representation of both DOE and the Nuclear Energy Institute, a major proponent of the multi-billion dollar repository. The firm had been the subject of a DOE Inspector General internal investigation, requested by Nevada Senators Harry Reid and John Ensign. The Inspector General's report documented that the law firm had undisclosed conflicts, and that those conflicts render data and other documents to be relied upon by DOE in a licensing proceeding before the Nuclear Regulatory Commission as unusable.

"My office feels a tremendous sense of vindication over the Winston conflict issue," Del Papa stated. "From the beginning, we believed that not only is Yucca Mountain a technically unsuitable site for a high-level nuclear waste repository, but the process itself has been tainted by conflicts of interest at the highest levels. Now, with both the GAO report and the Inspector General's report, our

perceptions are being supported in both respects. We are preparing to go to the mat with DOE in any forum to protect Nevadans from this ill-conceived project.”

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From the office of Governor Kenny Guinn

FOR IMMEDIATE RELEASE

DATE: November 29, 2001

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FAX: 775-684-7198

Nevada withdraws lawsuit on mining regulations

CARSON CITY – Governor Kenny Guinn and Attorney General Frankie Sue Del Papa announced today that Nevada has withdrawn its lawsuit against the Department of Interior, which challenged new hardrock mining regulations adopted late in 2000. The dismissal follows the U.S. Bureau of Land Management's (BLM's) release of a new final rule on October 30, 2001, addressing the issues raised by the State's lawsuit.

"I want to thank Attorney General Frankie Sue Del Papa," Gov. Guinn said. "When I brought my concerns about these regulations to her, Attorney General Del Papa and her staff worked zealously in pursuit of this case. This litigation clearly was an important factor in the BLM's decision to alter these regulations, which would have irreparably harmed Nevada's mining industry."

Attorney General Del Papa stated, "Nevada's lawsuit against the Department of Interior, initiated by my office at the request of the State Division of Environmental Protection, the State Division of Minerals, and the Governor's Office, had a significant impact on the shape of the final rule. By successfully making our case on how the mining regulations adopted in 2000 could harm the State of Nevada, the BLM made significant changes to its initial regulations, thereby rendering the State's lawsuit moot."

The State's complaint was based upon legal deficiencies in the rule, as well as the economic impact the original rule would have on the State of Nevada and other western states. In a preface to the new final rule, the BLM conceded that had the initial rule gone into effect, its impact on Nevada and other western states would have dramatically decreased employment and revenues, along with negatively impacting other economic benefits. The preface also conceded that the initial rule would have imposed significant new regulatory burdens on mining companies operating in the western states. The BLM's Final Environmental Impact Statement predicted a loss throughout the mining industry of more than 6,000 jobs, up to \$396 million in total income, and up to \$877 million in total industry output. Governor Guinn was particularly concerned that

the greatest impact of the new regulations would fall on Nevada, due to large-scale hardrock mining in the State.

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ADD ONE

On January 19, 2001, Nevada joined the National Mining Association and Newmont Mining Corporation, in filing separate lawsuits in Washington, D.C. The State's complaint asserted the new rules were inconsistent with recommendations of the National Research Council (NRC) of the National Academy of Sciences, which had been directed by Congress to assess the adequacy of rules for hardrock mining on federal lands. In a study issues and published in Hardrock Mining on Federal Lands in 1999, the NRC made sixteen recommendations to Congress to coordinate federal and state mine reclamation, operations and permitting requirements and programs. The State claimed the initial rules went well beyond the recommendations of the NRC, and thus were contrary to law requiring consistency.

The State's complaint also challenged the new rule's so-called "mine veto" provision, which would have allowed BLM to veto any new proposed mining activity on federal lands that would cause "substantial irreparable harm," a new standard not defined or authorized by statute. The State also complained of a violation under the National Environmental Policy Act.

On October 30, 2001, BLM published a new rule eliminating the so-called "mine veto" provision and the "substantial and irreparable harm" standard, deleted or amended provisions relating to joint and several liability among claimants and operators for reclamation and other costs, and deleted provisions authorizing civil penalties for violations of reclamation regulations. The new rule also returns to general performance standards for mines and operators, and deletes provisions requiring detailed environmental performance standards. This latter change means that water and air quality and impacts to the land will continue to be governed by existing state and federal laws instead of detailed BLM regulations.

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November 29, 2001

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**LAS VEGAS PHARMACY AND ITS OPERATOR
SENTENCED ON MEDICAID FRAUD CHARGES**

Las Vegas—Attorney General Frankie Sue Del Papa has announced that Bradlee Pharmacy and its operator, Leroy K. Parodi, 56, today were sentenced on multiple charges of Medicaid Fraud and False Prescriptions. The felonies carry penalties of up to four years incarceration and fines up to \$5,000. Clark County District Court Judge Michael A. Cherry sentenced Parodi to 30 months in prison. The prison term was suspended on the condition that he successfully complete five years probation, along with 16 hours of community service each month. Additionally, Parodi was ordered to pay a total of \$135,000 in penalties, restitution and costs of enforcement.

Medicaid Fraud Control Unit (MFCU) Director Tim Terry said the charges stem from an ongoing investigation in which a pharmacist, James Bradford Beck, was discovered committing Medicaid Fraud. The pharmacist improperly billed Medicaid for drugs being diverted from a local Rite Aid pharmacy to Bradlee Pharmacy. Bradlee accepted the drugs and treated them as though they were regular stock/supplies. The drugs were subsequently dispensed to Medicaid patients. A second set of bills was then submitted to Medicaid for payment.

The investigation originated in January 2000 when Rite Aid experienced an unexplained shortage of supplies. In August 2000, Beck pleaded guilty to Felony Medicaid Fraud and was ordered to pay back \$15,000. During August 2001, Rite Aid entered into a settlement resolving its potential liability due to the actions of Beck. The settlement included a \$200,000 payment to the State of Nevada.

“This is another example of the Attorney General’s Office’s determination and ability to carry out extensive, complex investigations in our effort to end health care fraud.” 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 <http://ag.state.nv.us>.

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FOR IMMEDIATE RELEASE
NOVEMBER 28, 2001

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RENO WOMAN PLEADS GUILTY TO FELONY INSURANCE FRAUD

Reno--Attorney General Frankie Sue Del Papa has announced that Reno resident Janet Kay Andrews, 51, today pleaded guilty before Judge Steve Kosach in the Washoe County Courthouse to Felony Insurance Fraud. Andrews presented forged receipts in support of her insurance claim following an alleged accidental fire to her home. Andrews could face up to four years in jail and a \$5000 fine.

If you have any information regarding 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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Protecting Citizens, Solving Problems, Making Government Work



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FOR IMMEDIATE RELEASE
November 28, 2001

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**SPARKS MAN PLEADS GUILTY TO CONSPIRACY TO
COMMIT INSURANCE FRAUD**

Reno – Attorney General Frankie Sue Del Papa has announced that Sparks resident Wendell K. Parks, Jr., 21, today pleaded guilty before Judge Steven Elliott in the Washoe County Court House to Conspiracy to Commit Insurance Fraud, a gross misdemeanor. In July 2001, Parks reported to his insurance company that a 1996 Toyota Corolla was stolen. In fact, Parks had conspired with others for the taking, destruction and dumping of the Toyota prior to filing the false claims with the insurance company.

Making false statements on an insurance claim is a felony crime in Nevada. If you have any information regarding insurance fraud, please call the Nevada Attorney General's Insurance Fraud Hotline at 1-800-266-8688. Information on how to combat insurance fraud can be found at the Attorney General's web site at <http://ag.state.nv.us>

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FOR IMMEDIATE RELEASE
NOVEMBER 26, 2001

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LAS VEGAS WOMAN SENTENCED IN SWEEPSTAKES SCAM

Las Vegas--Attorney General Frankie Sue Del Papa has announced that Salvacion Notado Kelly, age 27, was sentenced by Clark County District Court Judge Sally Loehner today on six felony counts of theft by false pretenses against persons 65 years of age or older. Pursuant to a plea agreement, Kelly was placed on five years probation and ordered to pay full restitution to her elderly victims in the total amount of \$68,640.00. Kelly was also ordered to pay an administrative assessment fee and to attend impulse control counseling classes.

Kelly was arrested in December of 2000 while collecting funds wired to Las Vegas by an elderly victim who had been told he had won a substantial sum of money in a sweepstakes contest. The pick-up was made as part of a telemarketing operation in which several elderly out-of-state residents were contacted by telephone and told they had won large sums of money in a sweepstakes. The elderly victims were then told that they had to send cash payments to Las Vegas via Western Union in order to collect their sweepstakes prize. Kelly, using several false driver's licenses as identification, would then collect the money at various locations in Las Vegas. Although the victims sent wires ranging from \$2,443 to \$3,240, none of them collected any sweepstakes prize winnings.

The Attorney General warns consumers not to send money to telephone salespersons who claim they have won prizes in a sweepstakes. Legitimate sweepstakes companies never require prizewinners to send money to collect their prize. Anyone who believes they have been the victim of telemarketing fraud should contact the Attorney General's web site at <http://ag.state.nv.us> or contact the Attorney General's Las Vegas office at (702) 486-3194 or in Reno at (775) 687-6300.

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FOR IMMEDIATE RELEASE
November 16, 2001

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**ATTORNEY GENERAL SETTLES DISPUTE WITH
BLUE CROSS BLUE SHIELD OF NEVADA
State will receive \$3 million as part of settlement**

Carson City--Attorney General Frankie Sue Del Papa today announced that the state of Nevada will receive \$3 million as part of a settlement reached with officials at Rocky Mountain Hospital and Medical Service, Inc., a Colorado corporation, dba Blue Cross Blue Shield of Nevada (Nevada Blue) and Blue Cross Blue Shield of Colorado (Colorado Blue). The mutual agreement settles all claims arising out of the 1996 merger of Nevada Blue and Colorado Blue, and Rocky Mountain's 1999 conversion to for-profit status.

Del Papa praised her staff's hard work in pursuing and negotiating the matter, stating, "Today's settlement helps better ensure that the insurance and health care needs of low income Nevadans can be more effectively addressed."

Nevada Blue merged with Colorado Blue in December 1996. At that time, the parent corporation, Rocky Mountain, forgave \$9.98 million dollars in debt owed by Nevada Blue to Colorado Blue, and provided a \$1.5 million dollar donation to Nevada, which was used to establish a charitable health care foundation in Nevada. On November 16, 1999, Rocky Mountain was acquired by and became a wholly owned subsidiary of Anthem Insurance Companies, Inc., an Indiana Corporation, and was converted to a for-profit corporation in exchange for payment of \$155 million dollars to the state of Colorado. That money was intended to represent a distribution of the fair market value of Rocky Mountain to its equitable charitable trust beneficiaries. Under an equitable trust doctrine known as *cy pres*, which has been codified in a number of states, including Colorado, when a non-profit charitable corporation is acquired by or otherwise converted to for-profit, the fair market value of the company at the time of conversion must be paid out and placed in trust for the benefit of the corporation's former charitable beneficiaries.

The Nevada Attorney General's Office has maintained that since the time of the conversion of Rocky Mountain and its subsidiary Blue Cross organizations, Nevada citizens were equitably entitled to receive a portion of the fair market value of Rocky Mountain as trust beneficiaries. While officials and attorneys at Rocky Mountain do not concede the validity of such claims, the parties have agreed to

resolve the dispute. The settlement announced today provides for a total payment to Nevada of \$3 million dollars, \$2.25 million to be paid within ten business days following execution of the

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agreement, and the remaining \$750,000 to be paid in five annual installments of \$150,000, commencing on December 1, 2002. The agreement provides that such money shall be received by the Attorney General and, after deducting attorneys fees and costs incurred by the attorney general's office, held in trust to further the charitable health care purposes upon which Nevada's claims to an equitable share of charitable assets were based.

The settlement was negotiated on behalf of Nevada by First Assistant Attorney General Thomas M. Patton, who was assisted by lead litigation counsel, Special Assistant Attorney General David Wasick, and associated outside counsel Jeff Sutton, Michael Scudder and Mary Beth Young of Jones, Day, Reavis & Pogue.

Patton stated, "Our office has been reviewing and analyzing the unique and complex series of transactions involving Nevada and Colorado Blue for over two years, and while we felt well-prepared to formally litigate Nevada's claims, we believe this is a fair settlement and are pleased to have resolved the case to the mutual satisfaction of all parties." Patton praised Special Assistant AG Wasick and associated counsel at Jones Day for their thorough research and litigation support.

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FOR IMMEDIATE RELEASE
November 14, 2001

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**ATTORNEY GENERAL'S OFFICE WILL CHALLENGE
DOE'S SITING GUIDELINES FOR YUCCA MOUNTAIN**

Carson City--Attorney General Frankie Sue Del Papa today said her office will soon file a formal challenge to the final siting guidelines for the proposed high-level nuclear waste repository at Yucca Mountain announced today by the United States Department of Energy.

"Our legal team is examining the siting guidelines now and we will announce in the next few weeks the legal basis for our challenge that the siting guidelines are inconsistent with the requirements contained in the Nuclear Waste Policy Act," Del Papa stated.

The challenge would be filed in the United States Court of Appeals for the District of Columbia Circuit. The State's outside counsel, Washington, D.C. based Joe Egan, is expected to take the lead in this matter.

Governor Kenny Guinn and Attorney General Del Papa announced in September 2001 the state had hired the law firm of Egan & Associates, a Washington, D.C. firm known for its handling of large nuclear litigation matters, to assist Nevada in its ongoing battle with the Department of Energy's over the proposed nuclear waste repository at Yucca Mountain.

Del Papa's office yesterday filed a Petition for Rehearing *En Banc* in the U.S. Court of Appeals for the Ninth Circuit in the case involving the Department of Energy's unsuccessful attempt to appropriate groundwater to construct and operate the proposed high-level nuclear waste repository at Yucca Mountain.

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**ATTORNEY GENERAL FILES PETITION
FOR REHEARING IN DOE WATER CASE**

Carson City—Attorney General Frankie Sue Del Papa's Office today is filing a Petition for Rehearing *En Banc* in the U.S. Court of Appeals for the Ninth Circuit in the case involving the Department of Energy's unsuccessful attempt to appropriate groundwater to construct and operate the proposed high-level nuclear waste repository at Yucca Mountain. The Nevada State Engineer rejected DOE's applications for water to construct the as-yet-unauthorized facility because he found the proposed use of water detrimental to the public interest. U.S. District Judge Roger Hunt dismissed DOE's complaint filed in federal court, declaring the appeal should properly be pursued in state district court in Tonopah. On October 15, 2001, the Ninth Circuit remanded Judge Hunt's decision with instructions he consider the merits of DOE's claim that the State is unconstitutionally seeking to thwart DOE's statutory objectives in pursuing the water.

"We are seeking a rehearing *en banc* of the Ninth Circuit's decision because we feel the Court erred in several fundamental respects," Del Papa said. "The Ninth Circuit apparently failed to apprehend that DOE currently has water under permit to pursue all of its legitimate site characterization activities and the ability to extend its current temporary uses. The Court failed to address the key jurisdictional issue of ripeness. Without congressional authorization to proceed to construction, the matter is simply not ripe for judicial review."

"Although petitions for rehearing are disfavored, my office is relatively optimistic the Ninth Circuit may reconsider its unfortunate decision, particularly in light of Justice Hug's dissenting opinion. Judge Hug emphasized the fact that DOE does not presently need the water, and that state law processes should govern," Del Papa stated.

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FOR IMMEDIATE RELEASE
NOVEMBER 8, 2001

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DEFENDANT FINED FOR INSURANCE FRAUD

Carson City--Attorney General Frankie Sue Del Papa announced today that Luis Merino-Rivase, age 32, was fined \$1000 for Insurance Fraud Judge Hardesty in the Washoe County Courthouse after pleading guilty to Insurance Fraud. Rivas had reported his 1994 Chevrolet pick up stolen and attempted to collect insurance proceeds when, in fact, the vehicle had not been stolen. Rivas had arranged for the vehicle to be taken across the Mexican border.

Del Papa says, "Staged vehicle thefts have become more popular in recent years." Concerted efforts of the Attorney General's office and the Mexican police helped bring this crime to light. "While it appears as though insurance companies are the victims, ultimately it is the policyholders, taxpayers and the general public who pick up the tab through increased insurance rates, higher taxes and inflated prices for consumer goods and services," said Del Papa.

If you have any information regarding 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 website at [**http://ag.state.nv.us**](http://ag.state.nv.us)

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November 8, 2001

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**ATTORNEYS GENERAL ANNOUNCE SETTLEMENT AGREEMENT
WITH BRIDGESTONE/FIRESTONE, INC.
Nevada To Receive \$500,000**

Carson City--Attorney General Frankie Sue Del Papa announced today that the Bureau of Consumer Protection has joined with 52 other jurisdictions in entering into a \$51.5 million settlement with Bridgestone/Firestone Inc. The states had claimed that Bridgestone/Firestone, Inc sold allegedly defective tires, and that the company made misrepresentations during the tire replacement process and in the sales promotion of the tires. Bridgestone/Firestone has denied wrongdoing under the settlement terms.

The settlement provides that of the \$51.5 million, \$26.5 million will be equally divided as a monetary payment to all 50 states, the District of Columbia, Puerto Rico, and the Virgin Islands. Nevada's share of the settlement is \$500,000. An estimated \$10 million is devoted to restitution for consumers (this is in addition to approximately \$450 million already spent by Bridgestone/Firestone in the 53 jurisdictions). Approximately \$10 million is earmarked to pay for the costs of the investigation in the various states, and another \$5 million will be devoted to a national public service announcement campaign conducted by the attorneys general.

"I would like to commend the Bureau of Consumer Protection for their efforts in helping to better protect Nevada consumers," Del Papa said. "I am also pleased that Bridgestone/Firestone has stepped forward to resolve this matter with the attorneys general. Today's settlement will provide greater protections for consumers purchasing and using Bridgestone/Firestone tires across the country in the future."

The joint settlement agreement is the result of numerous consumer protection claims involving

alleged misrepresentations regarding particular tires that had high rates of separations, and alleged misrepresentations made during the company's tire replacement process. The tires involved included those from three separate tire replacement programs.

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Among other provisions, the settlement provides for:

Restitution provisions:

- * Bridgestone/Firestone to reimburse or refer to arbitration certain consumer complaints forwarded to the various attorneys general offices and/or relevant state agency prior to today that were submitted to Bridgestone/Firestone prior to 12/31/01.
- * Anyone who was denied a refund under the "Voluntary Safety Tire Recall Reimbursement Program" or Customer Satisfaction Program will receive a letter explaining the consumer has an option to seek a reconsideration of his refund denial.
- * If the consumer returns the forms included with their notice, Bridgestone/Firestone will review the request. If there is credible evidence that a consumer essentially meets each requirement of the aforementioned programs, the consumer will be paid.
- * If Bridgestone/Firestone denies the claim, the consumer will be provided notice of the denial and the option to submit his claim to an independent Arbitrator, at no cost.

Permanent Injunction provisions:

- * The company may not misrepresent the safety or safety characteristics of any tire or tread pattern.
- * Bridgestone/Firestone may not misrepresent the characteristics, manufacturer or appropriate uses of a tire.
- * The company must be able to substantiate with competent and reliable scientific evidence any specific claims of tire safety, performance or durability.
- * Bridgestone/Firestone may not make misrepresentations during a recall or customer satisfaction program.
- * The company shall not provide or facilitate inconsistent information to consumers about tire pressure.
- * Bridgestone/Firestone must not make misrepresentations in or retroactively change any guarantee or warranty.
- * The company shall not misrepresent that they have given an expert all requested information.
- * Bridgestone/Firestone shall not misrepresent the expected life or wear pattern of a tire tread.
- * The company must handle consumer complaints in a truthful, ethical and timely manner.

Bridgestone/Firestone also agrees to provide detailed safety consumer information to consumers at the time of delivering tires, including information about proper tire maintenance, load

capacity, air pressure, proper tire repair and warranty information. The company also agrees to provide truthful sworn testimony and cooperation for the Multi-state Working Group in related investigations.

Consumers can call the Bureau of Consumer Protection Hotline at (702) 486-3132 for more information.

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FOR IMMEDIATE RELEASE
November 7, 2001

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MEDICARE EDUCATION & SENIOR ISSUES FAIR

The **Nevada Beneficiary Coalition (NBC)** is hosting a Medicare Education and Seniors Issues Fair on Thursday, November 8, 2001, from 9 am to 12:00 pm at the Grant Sawyer State Building, located at 555 East Washington Avenue.

The NBC consists of federal, state and local agencies that serve Medicare beneficiaries and seniors: U.S. Dept. of Health & Human Services' Centers for Medicare & Medicaid Services, Social Security Administration, Nevada's Medicare carriers, Office of the Nevada Governor, the Nevada Attorney General's Senior Nevada Advocates on Guard (SNAG) Project, AARP, State Division for Aging Services, State Health Insurance Advisory Program (SHIP), Division for Insurance, Nevada State Welfare, HealthInsight, and the Alzheimer's Association.

The purpose of the fair is to provide information and updates regarding Medicare and Social Security. It will provide a forum for NBC members and the elected officials to address the community regarding issues impacting Nevada's seniors and their families. Representatives of Nevada's Medicare carriers from Arizona, Idaho and California will be on site to answer any questions regarding the payment of Medicare Part A, B and durable medical equipment billings.

Invited speakers include Nevada's congressional delegation, governor's office, attorney general's office, Board of Clark County Commissioners, and elected officials from the cities of Las Vegas, Henderson, North Las Vegas and Boulder City. The Medicare Fraud Information Specialist responsible for Nevada will also address the participants. Among the confirmed speakers are First Assistant Attorney General Thomas Patton, Mayor Oscar Goodman, Boulder City Mayor Bob Ferraro, Clark County Commissioner Dario Herrera, Clark County Commissioner Myrna Williams and Assemblyman Mark Manendo.

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Refreshments and door prizes will be provided courtesy of Senior Friends, Senior Dimensions, Secure Horizons, Applebee's, the El Cortez, the Union Plaza, Costco, Albertson's, Jitters Gourmet Coffee and Costco. Each NBC member organization will have resource tables with information and representatives available to answer questions. Throughout the event, there will be a speaker dais available for invited speakers to address the participants.

For further information regarding the fair, please call the Division for Aging Services at 702-486-3578, or the attorney general's office at 702-486-3320.

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FOR IMMEDIATE RELEASE
November 7, 2001

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LAS VEGAN SENTENCED FOR PHONY STOLEN CAR CLAIM

Las Vegas –Following an earlier guilty plea to Making a False Claim for Insurance Benefits, a felony, Corey Hayes Kruse, 23, of Las Vegas, was sentenced today to a maximum of 30 months in prison, with parole eligibility after twelve 12 months. Clark County District Court Judge Kathy A. Hardcastle suspended the sentence, placing Kruse on an indeterminate period of probation, not to exceed five years. During his probation, Kruse must pay restitution in the amount of \$163,895.48, including \$23,067.50 to Progressive Insurance Company. Additional, Kruse was ordered to pay \$109,358.79 in restitution to Allstate Insurance and \$31,469.19 to Farmers Insurance for additional uncharged false claims. Kruse had faced up to four years in jail and a fine of \$5000.00 above and beyond the ordered restitution.

On February 13, 1997, Kruse reported to Progressive Insurance Company that his 1995 Ford Mustang Cobra had been stolen. But an investigation by the Insurance Fraud Unit of the Nevada Attorney General's Office revealed that Kruse, himself, had taken the Mustang to a desert area south of Las Vegas and purposely damaged the vehicle, removed the tires, wheels and stereo system, and then reported the vehicle stolen.

If you have knowledge 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 on the Attorney General's Web site at <http://ag.state.nv.us>.

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November 6, 2001

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GRANT WILL ENHANCE PROTECTIVE ORDER PROGRAMS

Carson City--Attorney General Frankie Sue Del Papa has announced the acceptance of a supplemental grant in the amount of \$240,579 from the Violence Against Women Office. The funding is awarded under the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program.

The project has two distinct purposes. One focus of this project is to enhance the statewide protective order repository initially created through a 1997 award under this grant program. These enhancements will ensure the most current and accurate information is available to Nevada law enforcement when conducting protective order inquiries. This will be accomplished through technical changes to the courts' case management systems where the protective order information originates.

The second focus of the project is to expand outreach to Nevada employers and instruct those employers on how they can best assist their employees on domestic violence issues. Statistics show the majority of domestic violence victims in Nevada are employed. The abuse they experience can have a tremendous effect on their ability to work, their longevity and promotion potential, and their productivity.

This grant project will enhance victim safety on both fronts. By providing law enforcement with the most current information on protective orders issued by Nevada courts, officers can confidently act on the information received. Additionally, employers of domestic violence victims will gain knowledge of their role in assisting their employees and increasing security for such victims while on the job.

For more information regarding the supplemental award and the program it supports, please contact Ron Titus at the Administrative Office of the Courts at (775) 684-1715, or Dorene Whitworth, Grants Administrator for the Office of the Attorney General, at (775) 684-1124.

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FOR IMMEDIATE RELEASE
December 27, 2001

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OREGAN MAN PLEADS GUILTY IN HOT TUB INVESTMENT SCAM

Las Vegas - Attorney General Frankie Sue Del Papa has announced that Oregon resident Todd A. Surgeon today pleaded guilty to one count of Securities Fraud relating to his involvement in a scheme that allegedly defrauded Las Vegas residents out of more than \$425,000 in investments with Americana Corporation.

According to the Amended Criminal Indictment filed by the Attorney General's Bureau of Consumer of Protection, Surgeon sold investors a limited number of shares of common stock in Americana Corporation, which purported to be a leisure equipment and spa distribution company. Surgeon falsely informed potential investors that he would personally buy back their shares of common stock for three times the purchase price within one year of the purchase date.

The Defendant committed securities fraud by misrepresenting to investors that the investments in Americana Corporation were risk free and guaranteed. In addition, he failed to disclose to investors that the Vice President of Operations for Americana Corporation had previously been indicted in U.S. District Court for Conspiracy, Wire Fraud, and Aiding and Abetting.

Surgeon could be sentenced to one to five years in state prison. In addition to any other penalties, he may be ordered to pay restitution to investors he defrauded.

The charges were the result of an investigation conducted by the Nevada State Securities Division. Persons who believe 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. Consumer protection information is also available on the Attorney General's web site at <http://ag.state.nv.us>.

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December 27, 2001

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STATE'S MOTION FOR STAY IN YUCCA MOUNTAIN RADIATION STANDARD CASE DENIED WITHOUT PREJUDICE

Carson City--In what Attorney General Frankie Sue Del Papa describes as a minor and temporary setback regarding one area of Nevada's efforts to defeat the proposed high-level nuclear waste dump at Yucca Mountain, the United States Court of Appeals for the District of Columbia Circuit has denied the State's motion to stay proceedings in the Yucca Mountain radiation standard challenge.

In its challenge of the radiation standard, the State alleged that the U.S. Environmental Protection Agency's standard is not sufficiently protective of the public health and safety, particularly Nevada's groundwater resources. In its order signed by the court on December 19, 2001, the Court of Appeals denied Nevada's motion for stay, based on the State's failure to first seek an administrative stay from the U.S. Environmental Protection Agency.

"The strategic decision was made to seek the stay directly from the Court as we believed that to seek an administrative remedy from the EPA would be futile," Del Papa explained. "The next step is to seek the administrative remedy ordered by the Court. If it is denied, we will then re-file the motion with the Court of Appeals for an emergency stay."

Nevada's challenge of the Yucca Mountain radiation standard is but one prong of the State's overall legal strategy to defeat the proposed repository at Yucca Mountain.

Governor Kenny Guinn and Attorney General Del Papa announced earlier this month that the State of Nevada was filing suit in the United States Court of Appeals for the District of Columbia Circuit challenging the Yucca Mountain Siting Guidelines that became effective on December 14, 2001. The petition for judicial review filed by the Nevada Attorney General's Office on behalf of the Nevada Agency for Nuclear Projects challenges the Department of Energy's issuance of final site suitability rules. The new siting guidelines change the criteria for evaluating the suitability of the proposed high-level nuclear waste repository at Yucca Mountain.

The Governor and Attorney General have also cited the recently released General Accounting Office (GAO) report recommending the Yucca Mountain Project be indefinitely postponed as reasons why Energy Secretary Spencer Abraham should delay the approval of the Yucca Mountain project.

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FOR IMMEDIATE RELEASE
December 26, 2001

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**NEVADA JOINS WITH 38 OTHER STATE ATTORNEYS GENERAL IN ASKING
FCC TO BETTER PROTECT THE PRIVACY OF CONSUMERS**

Carson City--Attorney General Frankie Sue Del Papa announced today that her office has joined with 38 other state attorney generals, the District of Columbia and the U.S. Virgin Islands, in urging the Federal Communications Commission (FCC) to readopt regulations designed to protect customer information held by telephone companies.

Previous regulations required customers to send written authorization before information about that customer could be released. Unless the customer specifically notified the telecommunication company authorizing the release of such personal information, the telecommunication company had strict prohibitions against disclosure.

But some telecommunication companies, seeking to profit from the sale of customer information to third parties, brought suit in Federal Court to invalidate the FCC rule requiring written authorization from customers. The telecommunication companies want the FCC to adopt regulations requiring customers to give written notification to the companies if they do not want their personal information disclosed/sold to third parties.

“Attaining the identity, address and telephone numbers of victims is the lifeblood of scam artists,” Del Papa said. “Making such information more readily available, especially when consumers are unaware of its dissemination, could easily lead to the victimization of Nevada citizens. The Nevada Attorney General’s Office will continue to join forces with colleagues around the nation and will make every effort to encourage the FCC to readopt rules that better protect the personal information of consumers.”

The Tenth Circuit Court of Appeals earlier struck down the previous FCC regulations requiring specific authorization for disclosure, finding that the FCC did not adequately consider alternatives in light of First Amendment requirements. The Court’s decision does not prohibit the re-adoption of the previous rules, it merely requires the FCC to consider other options and to narrow the application to satisfy First Amendment requirements.

--MORE--

“Protecting Citizens, Solving Problems, Making Government Work”

Joining Nevada on this matter are Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Florida, Hawaii, Idaho, Iowa, Kansas, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Washington, West Virginia, Wisconsin, Wyoming, the territory of the U.S. Virgin islands, the District of Columbia's Corporation Counsel, and the administrator of the Georgia Governor's Office of Consumer Affairs.

For more information consumer protection information, go to <http://ag.state.nv.us>.

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FOR IMMEDIATE RELEASE
Dec. 20, 2001

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FALSE RECEIPTS LEAD TO GUILTY PLEA IN INSURANCE FRAUD CASE

Las Vegas – Las Vegas resident Harry Bragg, 64, today pleaded guilty to a felony charge of filing a False Claim for Insurance Benefits before Clark County District Court Judge Valorie J. Vega. Bragg faces up to four years in prison and a fine of \$5,000. He has agreed to reimburse Safeco Insurance Company \$3,935.42 in restitution and pay the Insurance Fraud Unit \$1,000 in investigative costs. Formal sentencing is scheduled for February 21, 2002.

In August 1998, Bragg informed the insurer of his home, Safeco, that he had suffered "wind/rain" damage from a recent storm. He submitted a series of receipts totaling more than \$4,683 that he claimed substantiated his expenses for the necessary repairs. Investigation by Safeco, the National Insurance Crime Bureau, and the Attorney General's Insurance Fraud Unit revealed that most of the receipts were actually estimates, as Bragg never paid for, nor had the work completed.

The making of a false statement of a material nature in support of a claim for insurance benefits is a felony in Nevada. In 2001, the Insurance Fraud Unit has obtained more than 35 convictions and court ordered restitution in excess of \$300,000.

If you have knowledge 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 web site at <http://ag.state.nv.us>.

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December 19, 2001

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INSURANCE COMPANY RECEIVES MORE THAN \$11,000 IN RESTITUTION

Las Vegas – Las Vegas resident Carlos Antonio Herrera, 32, was sentenced today by Clark County District Court Judge Nancy M. Saitta for Filing a False Claim for Insurance Benefits. Herrera admitted his crime upon questioning by the Attorney General's Insurance Fraud Unit. He has already paid the Horace Mann Insurance Company \$11,471.85 in restitution. Herrera had faced up to one year in jail and a fine of \$2,000.

In September 1998, Herrera reported that his 1996 Nissan Sentra had been stolen from his apartment complex on West Tropicana. Horace Mann, insurer of the vehicle, eventually paid the leinholder, General Electric Capital Auto Lease, Inc., \$11,471.85. Investigation by the Insurance Fraud Unit and Horace Mann revealed that the vehicle had been recovered in Long Beach, California, in a "torched" condition on September 2, 1998, two days *prior* to the alleged theft in Las Vegas. The vehicle identification plates had been removed and/or altered, which delayed the identifying of the registered legal owners.

If you have knowledge 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 web site at <http://ag.state.nv.us>.

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December 19, 2001

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DECEMBER IS NATIONAL DRUNK AND DRUGGED DRIVER PREVENTION MONTH

Carson City—The National Highway Traffic Safety Administration reports that after years of gradually lower rates, the number of highway fatalities in which alcohol played a role rose by four percent from 1999 to 2000. The NHTSA estimates that last year, alcohol was involved in 40% of fatal crashes and in eight percent of all crashes. The Nevada Department of Public Safety reports that in 2000, 122 people lost their life in 109 alcohol-related accidents in Nevada, and in 40.9% of all crashes in the Silver State alcohol played a role.

“These should be sobering statistics to anyone who drinks or consumes any type of alcohol or mind-altering drug and then decides to get behind the wheel of a vehicle,” Attorney General Frankie Sue Del Papa said. Unfortunately, the judgment of some people in making the decision to drink and then drive is clouded by what they have consumed.”

President George W. Bush has declared December to be National Drunk and Drugged Driver Prevention Month. During the holidays, many people will be attending parties where alcohol will be served. “It is important for all of us to keep in mind that responsible alcohol consumption saves lives. Please remember that drinking and driving should never be mixed,” Del Papa added.

Here are a few more sobering statistics concerning alcohol consumption:

- Drinking and driving is the single greatest cause of all fatal car crashes.
- Drinking increases the likelihood of all sorts of injuries, including falls, burns, drowning and suicide.
- The penalties for Driving Under the Influence in Nevada range in civil cases from driver’s license revocation for a period of 90 days for a first offense to as much as seven years following a third offense, and in criminal cases to imprisonment, fines and community service.
- Irresponsible drinking puts your health, family and job in jeopardy.

“Remember, the choice to drink and then drive not only puts the individual at risk, but all those around them,” Del Papa said. “That ill-advised decision all too often results in a senseless tragedy that can shatter the lives of those left behind. I encourage all Nevadans to promote practices such as using a designated driver, stopping impaired family members and friends from driving after drinking at a party or gathering, and to report impaired drivers to law enforcement officials. Together, let’s do our part to make this Holiday Season as safe as possible”

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December 19, 2001

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TASK FORCE ON RENEWABLE ENERGY WILL MEET FOR FIRST TIME

Carson City -- The task force for renewable energy and energy conservation will hold its first meeting Thursday, December 20. The task force was created by the 2001 Nevada Legislature in AB661 to promote the use of energy from renewable resources throughout Nevada. The task force will coordinate its activities and programs with those of the Attorney General's Bureau of Consumer Protection, the State Energy Office, the Public Utilities Commission of Nevada and other agencies. The task force will work to educate the public and private industry concerning renewable energy and measures that conserve or reduce the demand for energy resulting in more efficient use of energy resources. Representatives from Senator Reid's and Senator Ensign's offices have been invited to provide an update on federal issues. Assemblywoman Sheila Leslie and Senator Randolph Townsend, who were major proponents of the legislation, will provide an overview of the legislative history at the meeting.

Each of the nine members of the task force represents a specific industry or interest including wind energy, solar energy, geothermal energy, biomass, the environment, public utilities, gaming, mining and consumers. Members of the task force are Mark Russell, Vice President and General Counsel for MGM/Mirage; Tim Carlson, President of Carlson & Associates; Sam Routson, CEO of Winnemucca Farms, Inc.; Russ Fields, President of the Nevada Mining Association; Jane Long, Dean of the Mackay School of Mines at UNR; Steve Schur of the Sierra Club; Rose McKinney James, President of Brown and Associates; and Robert Balzar, Director of Energy Efficiency and Conservation for Sierra Pacific Power and Nevada Power. Nevada Consumer Advocate Timothy Hay will serve on the task force to represent consumers. His office provides administrative support pursuant to the legislation.

"Nevada renewable energy resources are abundant, especially solar, geothermal and wind energy," Hay said. "Utilization of renewable energy will increase the reliability of Nevada's electric system while diversifying the energy sources upon which we rely. These green energy resources protect our air quality and help stabilize volatile electricity prices for consumers. Development of a viable renewable energy industry in the state could have a major impact in helping to diversify our economy and generate jobs, especially in rural Nevada where these resources are in greatest abundance."

The task force will meet at 1:00 p.m. at the Nevada Legislative Building in Room 3100 and is open to the public.

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FOR IMMEDIATE RELEASE
December 12, 2001

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Insurance Fraud Unit
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**FAILURE TO DISCLOSE PRIOR LOSS ON INSURANCE
APPLICATION LEADS TO GUILTY PLEA**

Las Vegas - Phillip Adam Work, 41, of Las Vegas, today pleaded guilty to Attempting To Make A False Application for Insurance before Clark County District Court Judge John S. McGroarty. As part of his negotiated plea, Work agreed to reimburse the Insurance Fraud Unit (IFU) \$500 in investigative costs, pay a fine of \$500, and reimburse the Public Defender \$250 for the costs of their representation. Work faced up to one year jail and a fine of \$2,000.

In February of this year, Work completed an application for homeowner's insurance with State Farm. He was asked in the application if he had "any losses in the past three years, insured, or not." Work answered he had no such losses. State Farm issued the policy and the next day Work made a claim for more than \$30,000 from an alleged residential burglary.

Investigation by State Farm and the IFU revealed that in December 2000, less than two months before Work applied for coverage with State Farm, he had been paid \$25,000 by Mini Co., Inc. for an alleged theft from a storage unit. Work's failure to disclose this previous loss gave State Farm grounds to rescind its policy.

Making a material false statement or failing to disclose material information when asked on a policy for insurance is a crime in Nevada.

If you have knowledge 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 on the Attorney General's website at <http://ag.state.nv.us>.

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FOR IMMEDIATE RELEASE
December 12, 2001

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FUGITIVE ON THE LAMB SINCE 1997 ARRESTED IN LAS VEGAS

Las Vegas—Attorney General Frankie Sue Del Papa announced today that investigators from the Medicaid Fraud Control Unit yesterday arrested Las Vegas resident Dov Brisman, 54, on an outstanding warrant from California, issued on October 11, 1997. Brisman had been charged in California with Filing False Claims for Health Care Benefits, and with Grand Theft for Money, Labor, Real or Personal Property Exceeding \$400,000.

Brisman apparently fled from California to Israel before returning to the United States and settling in Las Vegas. He is being held in the Clark County Detention Center without bail pending an extradition hearing.

“The apprehension of Mr. Brisman is another example of how important interstate cooperation between law enforcement agencies is for the common good of all citizens,” Del Papa said. “The Attorney General’s Office is not only active in eliminating fraud in the Silver State, but works with a number of other states in combating fraud at the national level.”

Medicaid Fraud Control Unit Director Tim Terry said the involved investigators were Anthony Ruggiero and Bernard Veleta.

Anyone suspecting 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>.

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FOR IMMEDIATE RELEASE
December 10, 2001

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INMATE SENTENCED FOR ESCAPE FROM HOME CONFINEMENT

Yerington—Heather Chaplin, 22, was sentenced today to 12-30 months imprisonment in the Nevada Department of Corrections for escaping home confinement after being sentenced for Attempted Uttering of a Forged Instrument, a felony. Lyon County District Judge David A. Huff suspended the prison term, placing Chaplin on probation, with the requirement she make full restitution to the Extradition Division of the Nevada Attorney General's Office in the amount of \$107.63. Chaplin had faced up to ten years imprisonment and a fine of up to \$10,000.

Chaplin was under residential confinement in Dayton, Nevada while serving her original sentence. On January 25, 2000, Chaplin cut off her electronic monitoring device and left the state of Nevada. She was arrested in California on June 27, 2001 by investigators with the Nevada Attorney General's Office and returned to Nevada.

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From the office of Governor Kenny Guinn

FOR IMMEDIATE RELEASE

DATE: December 10, 2001

CONTACT: Greg Bortolin

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FAX: 775-684-7198

Governor, Attorney General seek Yucca Mountain site recommendation postponement

CARSON CITY – Governor Kenny Guinn and Attorney General Frankie Sue Del Papa today sent a joint letter to Secretary of Energy Spencer Abraham requesting that he postpone an apparently imminent Yucca Mountain Site Recommendation.

In the letter, Guinn and Del Papa also urged the Secretary to stay the Department of Energy's recently announced site suitability guidelines, due to the fact that the guidelines fail to ensure geologic isolation of high-level nuclear waste, and permits a "glorified waste package whose setting could be gauged 'suitable' even if sited on the shores of Lake Tahoe."

The letter also states that Nevada intends to seek judicial review of the site suitability guidelines immediately upon their taking effect. In seeking postponement of the site recommendation, the Governor and Attorney General join ranks with the General Accounting Office, whose recent review of the DOE's Yucca Mountain program concluded that DOE is not yet ready to make a site recommendation, and that any such recommendation should be deferred pending the completion of numerous key scientific studies.

"Because the new guidelines form the technical and legal basis for DOE's further review of Yucca Mountain, we are asking the Secretary to immediately stay the effective date of the guidelines pending judicial review," Guinn said.

"The current site suitability guidelines are clearly legally and technically invalid," Del Papa said. "It is clearly inappropriate and unwise for the Secretary to proceed at this time, particularly in light of technical defects in the site identified by the National Academy of Science, the Nuclear Waste Technical Review Board and others."

Attached to the letter is an affidavit of Dr. Victor Gilinsky, a former commissioner of the Nuclear Regulatory Commission and a prominent physicist. According to Gilinsky, the

Nuclear Waste Policy Act contemplated geological isolation of nuclear waste and not a system of engineered barriers as currently proposed by DOE.

- MORE -

In addition to the findings of the GAO report, the Inspector General has determined that DOE's outside lawyers had undisclosed conflicts of interest that may taint many, if not all, of DOE's supporting documentation.

The Site Suitability Guidelines are scheduled to take effect on December 14, 2001. Guinn and Del Papa are asking Secretary Abraham to notify them of his decision to move forward or to grant their request for a stay by no later than December 14.

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FOR IMMEDIATE RELEASE
December 7, 2001

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ATTORNEY GENERAL WARNS CONSUMERS ABOUT FAKE AIR BAG SCAM

CARSON CITY- Attorney General Frankie Sue Del Papa is warning consumers about a scam in which some unscrupulous auto repair shops are installing fake air bags, or using items such as cardboard, beer cans and hamburger wrappers, when replacing used air bags. Authorities in Florida and California have discovered evidence of this practice.

“With new air bags costing up to \$3,000 to replace, it can be a very lucrative scam,” Del Papa said. “However, in addition to being fraudulent, failing to properly repair air bags is a crime that threatens the lives and safety of automobile passengers. The Attorney General’s Office will take severe action against any Nevada auto repair shop that engages in such practices.”

Consumers who have their air bags repaired or replaced, or anyone purchasing a used car, can check to make sure the air bags are correct in several ways:

- Go to www.carfax.com, type in your vehicle’s VIN number, and you can find out if your vehicle has ever been in an accident where the air bags were deployed.
- Some service shops have special equipment that can detect if the right air bag is beneath the dashboard or steering wheel.
- If your vehicle’s air bag indicator light does not come on briefly when you turn on your ignition, you may have a problem and should have it checked out.

Nevada consumers with concerns or complaints regarding this air bag scam should contact the Attorney General’s Office at (702) 486-3194, or in Carson City at (775) 687-6300. General consumer protection information can be found at <http://ag.state.nv.us>.

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FOR IMMEDIATE RELEASE
December 6, 2001

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NEEDY CHILDREN WILL RECEIVE TOYS FOR CHRISTMAS

Carson City, NV— Hundreds of underprivileged children in Nevada will receive gifts this holiday season, thanks in part to the Nevada Attorney General's Bureau of Consumer Protection's participation in a national settlement against *Toys 'R' Us*, *Mattel* and *Little Tykes* in 1998. The toys will be distributed through the U.S. Marine Corps' "Toys for Tots" program. The total value of the toys for 2001 is \$54,4000.

"Thanks to the efforts of our Bureau of Consumer Protection, we are pleased to be able to once again provide many needy children in Nevada with a special holiday surprise," Attorney General Frankie Sue Del Papa said. "What better way to share the funds derived from this settlement than brightening the holidays of those less fortunate."

This year's toy distribution marks the fourth and final year that toys will be dispersed to needy children as a result of the antitrust lawsuit. A total value of approximately \$239,460 in toys has been distributed to needy Nevada children over the last four years as a result of the settlement. In addition, the settlement provided Nevada with a cash award of \$79,492, which was disbursed last year to non-profit organizations throughout Nevada to purchase books, toys and educational material.

The settlement was the result of a multi-state antitrust lawsuit filed in 1997 against *Toys 'R' Us* (the nation's largest toy retailer), and toy manufacturers *Mattel* and *Little Tykes*. Nevada joined with 43 other states, Puerto Rico and the District of Columbia, in the lawsuit, which alleged that the three companies conspired to artificially inflate toy prices. The complaint 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 alleged that this agreement inflated the costs of those toys to consumers, and made it difficult for warehouse clubs to compete with similar toy items sold by *Toys 'R' Us*. In settling the case, *Toys 'R' Us*, *Mattel* and *Little Tykes* admitted no wrongdoing.

For information on toy distribution in a specific area, contact:

- Toys for Tots in Reno: Corporal Jason Johnson (775) 972-4998
- Toys for Tots in Las Vegas: Sergeant Frank Benavente (702) 632-1519

- Rural Northern Nevada: Randi King at (775) 428-2600
- Rural Southern Nevada: Linda Nowell (775) 751-1118

--more--

Chris Van Dyck, Deputy Attorney General with the Attorney General's Bureau of Consumer Protection, is handling Nevada's antitrust case.

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 5, 2001

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AUTO MECHANIC INDICTED BY GRAND JURY

Las Vegas--Attorney General Frankie Sue Del Papa announced today that Alan Taylor, 34, owner of Akita Auto Repair, has been indicted on two felony counts of coercion and one count of false imprisonment, a gross misdemeanor. The criminal indictment alleges Taylor used physical force to have customers pay him for unauthorized repairs. He is also charged with locking a customer in his garage against her will.

Coercion carries a possible sentence of one to six years in prison and a \$5,000 fine. False imprisonment carries a sentence of up to one year in prison and a \$2000 fine.

Auto repair businesses in Nevada must give written estimates of charges for repairs made to a vehicle which exceed \$50; must obtain authorization before any additional repairs are made to a vehicle if the charges for those repairs exceed 20% of the original estimate or \$100, whichever is less; and must give a completed statement of charges for repairs made to a vehicle.

As with all criminal cases, the charges against the defendant are merely accusations. The defendant is to be considered innocent until or unless he is proven guilty in a court of law.

“Before selecting a mechanic, consumers should ask for recommendations from friends and family, check a repair shop's complaint records with the Nevada Consumer Affairs Division, and make sure the shop is certified,” Del Papa said.

Consumers with complaints about deceptive trade practices should contact the Attorney General's Bureau of Consumer Protection in Las Vegas at (702) 486-3194, or in Carson City at (775) 687-6300. Consumer protection information, including a brochure entitled, *Automotive Repair Customer Bill of Rights*, can be found on the Attorney General's web site at <http://ag.state.nv.us>

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FOR IMMEDIATE RELEASE
December 3, 2001

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contact@cybercrime.state.nv.us

*****Media Advisory*****

**GOVERNOR GUINN WILL OPEN
CYBER CRIME FACILITY IN LAS VEGAS**

Las Vegas --- Governor Kenny Guinn will be on hand for the opening of the new Nevada Cyber Crime Task Force facility on Wednesday, December 5, 2001. At 9:30am, the Governor will address a meeting of law enforcement officials regarding Nevada's response to the events of September 11. A tour of the facility for members of the media will take place prior to the Governor's presentation. *For the press tour of the facility, it is important to arrive by 8:15 am in order to receive a badge for admittance. Everyone must have photo identification, and vehicles may be searched.*

The Nevada Cyber Crime Task Force facility is housed within the U.S. Department of Energy office, located at 232 Energy Way in North Las Vegas. The facility will house computer examination equipment for crime investigators who work together on the Task Force from state, federal and local law enforcement agencies.

The Nevada Cyber Crime Task Force is directed from within the Attorney General's Office and overseen by an Advisory Board chaired by Attorney General Frankie Sue Del Papa. It was created following the passage of the Omnibus High Technology Crime Bill during the 1999 legislative session. Providing expertise to Nevada law enforcement in computer crime analysis is one of the main goals of the Task Force. In addition, the Task Force offers training on detecting and combating crimes involving computers, along with general education of Internet and computer issues for the general public.

For more information about the Nevada Cyber Crime Task Force, please contact Executive Director Tara Shepperson at (775) 688-1869.

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