

SYNOPSIS

On November 5, 2008, an interview of Pleshette JOHNSON, an owner of SOUTH TEXAS WELLNESS CENTER (STWC), was conducted at the Office of the United States Attorney, 919 Milam, Houston, Texas. JOHNSON was accompanied by her attorney, Marshall Taheri. The interview was conducted pursuant to an informal immunity agreement between JOHNSON and the U.S. Government. JOHNSON provided information regarding cash received from Troy SOLOMON as an investment in STWC in 2004. JOHNSON also discussed the employment of Christopher ELDER at STWC, general business policies and prescription procedures, and the receipt of FedEx packages at STWC. JOHNSON identified her mother, Ada JOHNSON, as the user of cell telephone number [REDACTED] between 2004 and 2007.

DETAILS

1. On November 5, 2008, an interview of Pleshette JOHNSON, an owner of SOUTH TEXAS WELLNESS CENTER, was conducted at the Office of the United States Attorney, [REDACTED] JOHNSON was accompanied by her attorney, Marshall Taheri, and the interview began at approximately 2:25 p.m. JOHNSON was interviewed by Assistant U.S. Attorney (AUSA) Rudolph Rhodes, AUSA Curt Bohling, Diversion Investigator (DI) Judi Watterson and DI Connie Overton. The interview was conducted pursuant to an informal immunity agreement between JOHNSON and the U.S. Government.

[REDACTED]

2. JOHNSON provided the following information to the government: JOHNSON is a chiropractor at SOUTH TEXAS WELLNESS CENTER (STWC). Her duties include treatment for personal injuries, workman's comp. claims and rehabilitation. JOHNSON is also responsible for ordering supplies and oversees the day to day operations. Ada JOHNSON, her mother, is the Director of STWC. A lease was signed in February 2004 for STWC and it opened a couple of months later after a build out was completed. Ada JOHNSON opened and closed STWC on a regular basis with business hours usually from 8:00 a.m. to 4:00 or 5:00 p.m. Ada JOHNSON was usually at the business every day, all day. JOHNSON's hours varied.

3. When patients came to STWC, the receptionist or Ada JOHNSON collected the office visit fees; however, STWC did not keep records of patient payments. JOHNSON stated she did not know how the business kept track of income as she did not think they had either paper or electronic accounting records. Both Ada JOHNSON and she made bank deposits; however, she (Pleshette) did not make them every day.

4. Dr. Okezie was the first medical director at STWC and he worked in this capacity for approximately two months. Dr. Christopher ELDER was the next medical director at STWC. JOHNSON interviewed ELDER after he was recommended by Dr. Okezie as they had worked together in the same medical residency program. JOHNSON met ELDER informally at Okezie's home prior to the interview of ELDER. ELDER was the medical director at STWC from approximately July 2004 to January 2005. ELDER worked part-time, two or three days a week, but not on Monday or Friday. His work hours were approximately 9:00 a.m. to 12:00 p.m. ELDER requested a contract and he signed an employment agreement with STWC. JOHNSON described the contract as a standard employment agreement. ELDER was the director over pain management, weight management, Medicare and Medicaid at STWC. During the time ELDER worked at STWC he was employed somewhere else as well. ELDER gave a verbal resignation, stating things were slow at STWC and he wanted to move on. Prior to resigning, ELDER was only working one day a week and maybe saw four to five patients a day but not more than five. JOHNSON stated there was no animosity when ELDER left; he was a good doctor but arrogant.

5. ELDER was paid a salary at STWC; he was not paid by the number of patients seen. JOHNSON was unsure if ELDER was paid by cash or check and she thought Ada JOHNSON paid ELDER. She was unsure if ELDER was paid weekly or biweekly. ELDER wanted a record with a breakdown by service provided to each patient.

6. JOHNSON was introduced to Troy SOLOMON through people who worked at an adult day care center where STWC had done some marketing. Ada JOHNSON had told people at the day care center she was looking for an investor. A meeting was held with SOLOMON, Ada JOHNSON and JOHNSON at the day care center and the investment was discussed but JOHNSON could not recall the amount of money that was discussed. This meeting took place before EDLER was hired at STWC. There was no written agreement regarding SOLOMON's investment in STWC and there was no repayment schedule or pay-off date set. JOHNSON was unsure how much money SOLOMON invested in STWC but estimated it was \$20,000 in cash that was usually given to Ada JOHNSON in differing amounts. SOLOMON gave cash in amounts ranging from \$2,500 to \$10,000. The money was usually not counted because SOLOMON told her the amount he was providing. The money was used to pay rent, utilities and payroll at STWC. SOLOMON began investing in STWC before he opened ASCENSIA NUTRITIONAL PHARMACY (ANP). SOLOMON visited STWC and saw there was space available on the same floor. SOLOMON told JOHNSON he was thinking about opening a business in this space.

7. JOHNSON also spoke with SOLOMON about becoming a part owner of STWC, but it never happened. At an unspecified time, it was agreed that SOLOMON would get a percentage of personal injury settlements, Medicare, Medicaid, pain management and weight management payments from STWC, and SOLOMON was supposed to help with marketing. Further business discussions were held at STWC prior to December 2004, which were attended by JOHNSON, Ada JOHNSON, SOLOMON and ELDER. The attendees discussed the distribution of payments from Medicaid, Medicare, and the weight management and pain management programs at STWC. ELDER wanted fifty percent of weight management and pain management income, while SOLOMON wanted thirty to forty percent of this income; but Ada JOHNSON and JOHNSON did not agree to the proposal because it would only leave STWC with approximately ten percent of the income. SOLOMON and ELDER shared similar views on how profits should be divided at STWC and JOHNSON thought SOLOMON and ELDER

[REDACTED]

must have pre-planned their proposal before presenting it to her and Ada JOHNSON. Some Medicare or Medicaid payments were divided up and a part of it given to SOLOMON, but JOHNSON did not know if SOLOMON was paid in cash or by check from Ada JOHNSON. SOLOMON encouraged STWC to increase its pain management business so they would receive immediate payment from patients and not have to wait for claims to be paid. SOLOMON did not receive any perks for being an investor. When ELDER left STWC, SOLOMON said he no longer wanted to be an investor because Medicare reimbursements took a long time to process and personal injury cases were slow to settle. JOHNSON and her mother told SOLOMON they would pay back his investment.

8. JOHNSON stated she was quite sure SOLOMON socialized with ELDER because he talked about spending time with ELDER. SOLOMON would come to STWC and have private conversations with ELDER in one of the office areas at STWC.

9. JOHNSON recalled seeing one or two FedEx packages coming to STWC which were addressed to ELDER, SOLOMON or ANP, but she did not sign for any of them. JOHNSON described the FedEx delivery man as skinny. SOLOMON told her ANP was expecting packages and asked her to sign for them because nobody was present at ANP on a regular basis. SOLOMON told her some lady in Missouri or Kansas was selling her vitamin and supplement shop. JOHNSON recalled that one of the boxes rattled like it had pills in it and she assumed it was the vitamins that SOLOMON had previously talked about. The FedEx deliveries became a daily occurrence at STWC and Ada JOHNSON put a stop to it. Employees at STWC were told not to sign for the packages anymore. JOHNSON stated there were no more than ten FedEx deliveries to STWC. JOHNSON stated she knew ELDER was at STWC one day when a package came that was addressed to him and he took the package. JOHNSON did not know what ELDER did with the package or what was in it. JOHNSON was told that the government had obtained FedEx delivery confirmation records and that it appears that Elora Dominick signed for deliveries in December 2004. JOHNSON responded that she did not know why Dominick continued to sign for the deliveries.

10. JOHNSON stated there were three cell phones obtained in the company name of STWC. The phones were used by herself, Ada JOHNSON, and Carlos Silva. Silva was a medical assistant who drove to the homes of patients

[REDACTED]

[REDACTED]

to administer therapy. JOHNSON was asked who carried a cell phone with the number 832-721-1456 and JOHNSON responded that phone was used by Ada JOHNSON in 2004. She further stated she thought Ada JOHNSON stopped using that phone number sometime in 2007, and was not sure why Ada JOHNSON stopped using that phone number.

11. JOHNSON was shown a document which is a record of proceeds being turned over by ELDER to STWC (Attachment 1), and was asked to explain the document. JOHNSON stated she created the document because either she or Ada JOHNSON overheard ELDER in a telephone conversation at STWC in which he told someone he ought to keep all the reimbursement money from Medicare or Medicaid. After overhearing that conversation, there was a lack of trust between JOHNSON and ELDER. JOHNSON thought ELDER might split the reimbursement money between himself and SOLOMON. JOHNSON stated the columns entitled, "Date", "Check No:" and "Amount" all include her handwriting; and the "Signature" column includes her signature and those of Ada JOHNSON, ELDER and SOLOMON. SOLOMON signed the document because he was going to get a portion of the money. The dollar amounts represent Medicaid or Medicare reimbursements to ELDER either by checks issued to ELDER or electronic fund transfers to ELDER's personal bank account. Reimbursements were issued directly to ELDER instead of STWC because it had to be initially set up to reimburse the doctor. JOHNSON stated it was eventually changed where STWC obtained a group number so that reimbursements from Medicaid or Medicare went directly to STWC. JOHNSON could not remember why they had the document notarized but did not recall all four signatories going to the notary together. JOHNSON could not recall if ELDER provided a lump sum payment of the reimbursements to STWC. JOHNSON suspected that STWC took a loss on some Medicare or Medicaid reimbursements because additional reimbursements were supposedly issued to ELDER but ELDER denied that he was paid the reimbursements.

12. JOHNSON stated she contacted ELDER via his cell phone regarding the government subpoena issued to STWC for patient medical files. JOHNSON was asked to provide the government with ELDER's cell phone number and JOHNSON stated it was not in her cell phone address book. JOHNSON told ELDER that STWC did not have the medical files. JOHNSON gave ELDER the benefit of the doubt that he took the files to finish making entries in them. However, JOHNSON admitted that ELDER's patients at STWC tended to only

[REDACTED]

come to the clinic once. JOHNSON and Ada JOHNSON met ELDER to talk about the medical files (listed in the subpoena) at Fadi's Mediterranean Café. ELDER told the JOHNSONS he had some medical charts in his truck, described as a black pick-up truck, but it was stolen and set on fire and the files were destroyed in the fire. ELDER told the JOHNSONS there was a police report regarding the theft of his truck. JOHNSON asked ELDER why the government issued a subpoena for the medical files and ELDER told her he did not know why.

13. JOHNSON was asked when she last had contact with ELDER and she estimated it was in 2008. JOHNSON stated a private investigator had left a message asking about ELDER but she did not talk to him. SOLOMON talked about staying in touch with ELDER after ELDER quit his job at STWC.

14. JOHNSON stated SOLOMON ordered and paid for prescription pads for ELDER because he knew a printer. JOHNSON spoke with ELDER regarding the wording and layout for the pads and JOHNSON then relayed the information to SOLOMON. The pads had approximately fifty prescription sheets per pad. The pads were locked in Ada JOHNSON's office and when ELDER needed a new pad he asked for one. ELDER would leave STWC with a prescription pad and then ask for a new pad the next day. If ELDER was seeing no more than five patients a day, he should not have used an entire pad in a day, yet when JOHNSON or Ada JOHNSON questioned ELDER for needing a new pad the next day, ELDER just "laughed it off". JOHNSON was shown an original written prescription (copy attached as Attachment 2) and JOHNSON stated the style of the prescription pad, to include the header section, looked like the pads SOLOMON provided to STWC. JOHNSON also stated the writing on the prescription looked like ELDER's handwriting. There may have been some unused prescription pads at STWC when ELDER left his position as medical director.

15. JOHNSON stated the fax machine at STWC is located next to the receptionist's desk and is the property of STWC. JOHNSON stated she did not pay attention to faxes coming into the business. SOLOMON did not purchase any equipment for STWC. SOLOMON did not have a key to STWC but he had a good relationship with maintenance personnel. After ELDER left STWC, the clinic started faxing prescriptions on behalf of their patients.

[REDACTED]

16. SOLOMON asked Elora Dominick or Tiffany (LNU) to help with data entry at ANP once or twice. Tiffany left her job at STWC because she became pregnant by Carlos Silva.

17. JOHNSON stated SOLOMON told her his DEA registration (for ANP) was taken but when asked further about the investigation, SOLOMON would respond "it's nothing".

18. JOHNSON stated Phillip PARKER is an attorney and was SOLOMON's office manager at ANP. PARKER helped SOLOMON open ANP. PARKER's wife or ex-wife owned a pharmacy.

19. Delmon JOHNSON works at ANP but JOHNSON did not know his job function. Delmon JOHNSON did the labor to build out the suite used by ANP. JOHNSON stated Delmon JOHNSON did not visit her at STWC.

20. JOHNSON stated she knew that ANP filled prescriptions for STWC patients as well as two psychiatrists also located on the fourth floor of the building. SOLOMON told JOHNSON that ANP had a nursing home contract and the OB/GYN physician on the fourth floor of the building also worked at the nursing home.

21. JOHNSON stated STWC did not have a relationship with any out of state pharmacies.

22. Other physicians who worked at STWC after ELDER include Dr. Shanoff, Dr. Patrick and Dr. Wilkerson.

23. JOHNSON met Troy Marsaw through her realtor. Marsaw helped JOHNSON with business planning for the "PMR" (physical medicine and rehabilitation) program but she did not think Marsaw loaned money to STWC.

ATTACHMENTS

1. South Texas Wellness Centers Proceeds document
 2. Copy of prescription for [REDACTED]
- [REDACTED]

INDEXING

1. JOHNSON, Pleshette B.: [REDACTED]

Interview of Pleshette Johnson conducted pursuant to an informal immunity agreement on 11/05/2008. Troy Solomon became an investor in South Texas Wellness Center in 2004 by providing cash in amounts of \$2,500 to \$5,000 at a time for a total of \$20,000 or more. No receipts were issued to Solomon. Discussions were held with Solomon and Christopher Elder regarding profit sharing at South Texas Wellness Centers. Dr. Christopher Elder saw approximately five patients a day at South Texas Wellness Center. Troy Solomon paid for Elder's prescription pads and Elder ran out of pads before he should have finished the last one. Johnson met with Elder to discuss the government subpoena for patient files.

2. JOHNSON, Ada: [REDACTED]

Director of South Texas Wellness Center. Accepted cash from Troy Solomon in 2004 which were an investment in South Texas Wellness Center. Identified as using cell phone 832-721-1456 from 2004 through 2007. Participated in meeting with Elder regarding the loss of patient medical files.

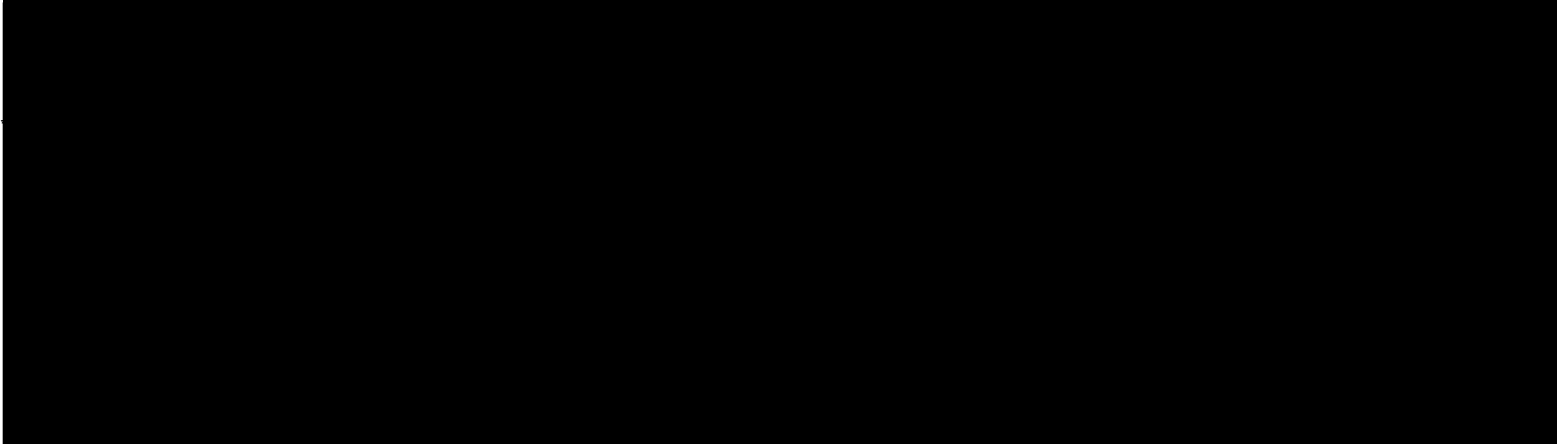
3. SOUTH TEXAS WELLNESS CENTER [REDACTED]

In 2004, at least \$20,000 in cash money given to Ada Johnson by Troy Solomon as an investment in South Texas Wellness Center.

4. ELDER, Christopher L.: [REDACTED]

Elder admitted to taking some patient files from South Texas Wellness Center which were eventually destroyed when his truck was stolen and set on fire. Elder was also involved in meetings where discussions were held with Ada Johnson, Pleshette Johnson and Troy Solomon regarding profit sharing and investments for South Texas Wellness Center. Elder took possession of one FedEx shipment at South Texas Wellness Center which had his name on it. Elder had to ask for new prescription pads at South Texas Wellness Center earlier than should have been necessary. Elder maintained contact with Solomon after he quit South Texas Wellness Center.


5. SOLOMON Troy R.: [REDACTED]



Solomon became an investor in South Texas Wellness Center in 2004 by providing cash to Johnson in amounts of \$2,500 to \$5,000 at a time for a total of \$20,000 or more. No receipts were issued to Solomon. Discussions were held with Solomon regarding profit sharing at South Texas Wellness Centers. Solomon purchased prescription pads used by Dr. Christopher Elder at South Texas Wellness Center. Solomon maintained contact with Elder after Elder quit his job at South Texas Wellness Center.

6. ASCENSIA NUTRITIONAL PHARMACY: 

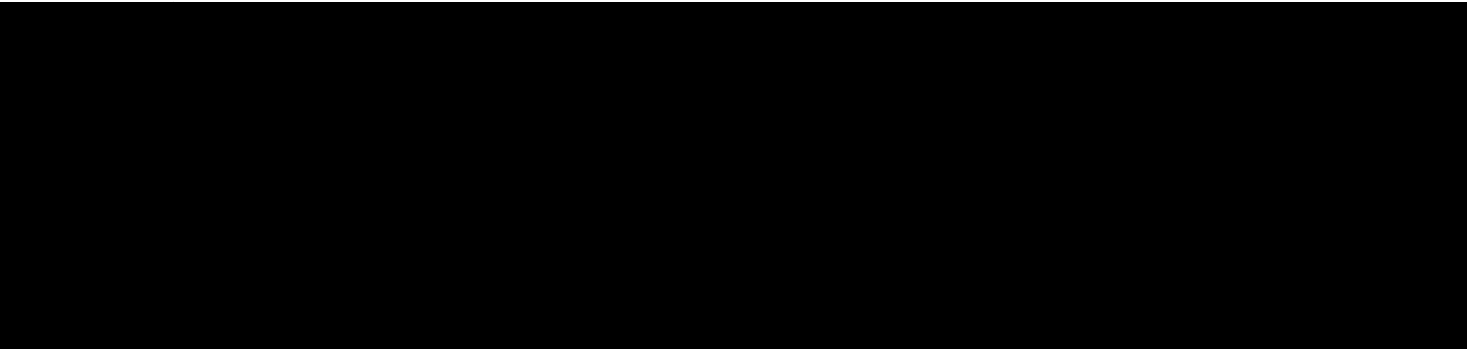
No new information.

7. PARKER, Phillip: 

No new information.

8. JOHNSON, Delmon: 

No new information.



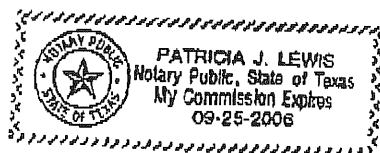
South Texas Wellness Centers

Date	Check No:	Amount	Signature
11/02/04	119520516	6173.10	<i>[Signature]</i>
11/03/04	119527892	1573.03	<i>[Signature]</i>
11/12/04	119580808	2617.78	<i>[Signature]</i>
11/17/04	119602701	1685.90	<i>[Signature]</i>
11/19/04	882329679 (EFT)	4951.84	<i>[Signature]</i>
11/18/04	119610399	7416.08	<i>[Signature]</i>
11/23/04	2FT	533.02	<i>[Signature]</i>

STATE OF TEXAS){

COUNTY OF HARRIS){

SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned authority,
by the witness on this 14th day of December, 2004.



Patricia J. Lewis
Notary Public in and for;
THE STATE OF TEXAS

Mailing Address: Post Office Box 20268 Houston, TX 77225-0268



South Texas Wellness Centers

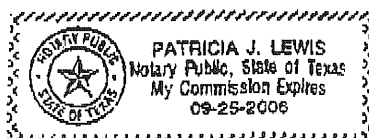
The following proceeds have been turned over by Christopher L. Eider, M.D. to South Texas Wellness Centers.

Date	Check No:	Amount	Signature
11/24/04	EFT	634.66	
11/30/04	EFT	3937.06	
12/01/04	882345934 (EFT)	763.40	
12/02/04	882348573 (EFT)	179.71	

STATE OF TEXAS}{

COUNTY OF HARRIS}{

SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned authority,
by the witness on this 24 day of November, 2004.



Notary Public in and for;
THE STATE OF TEXAS

