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BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:	Case No. 800-2020-064028
JEETINDER SINGH SOHAL, M.D. **PO BOX 776** **Yuba City, CA 95992 -0776** **Physician's and Surgeon's Certificate No. A 110878,** Respondent.	**A C C U S A T I O N**

PARTIES

1. William Prasifka (Complainant) brings this Accusation solely in his official capacity as the Executive Director of the Medical Board of California, Department of Consumer Affairs (Board).

2. On or about January 22, 2010, the Medical Board (Board) issued Physician's and Surgeon's Certificate Number A 110878 to Jeetinder Singh Sohal, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought herein and will expire on October 31, 2023, unless renewed.

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JURISDICTION

3. This Accusation is brought before the Board, under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

4. Section 2227 of the Code states:

> (a) A licensee whose matter has been heard by an administrative law judge of the Medical Quality Hearing Panel as designated in Section 11371 of the Government Code, or whose default has been entered, and who is found guilty, or who has entered into a stipulation for disciplinary action with the board, may, in accordance with the provisions of this chapter:
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> (1) Have his or her license revoked upon order of the board.
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> (2) Have his or her right to practice suspended for a period not to exceed one year upon order of the board.
>
> (3) Be placed on probation and be required to pay the costs of probation monitoring upon order of the board.
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> (4) Be publicly reprimanded by the board. The public reprimand may include a requirement that the licensee complete relevant educational courses approved by the board.
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> (5) Have any other action taken in relation to discipline as part of an order of probation, as the board or an administrative law judge may deem proper.
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> (b) Any matter heard pursuant to subdivision (a), except for warning letters, medical review or advisory conferences, professional competency examinations, continuing education activities, and cost reimbursement associated therewith that are agreed to with the board and successfully completed by the licensee, or other matters made confidential or privileged by existing law, is deemed public, and shall be made available to the public by the board pursuant to Section 803.1.

5. Section 820 of the Code states:

"Whenever it appears that any person holding a license, certificate or permit under this division or under any initiative act referred to in this division may be unable to practice his or her profession safely because the licentiate's ability to practice is impaired due to mental illness, or physical illness affecting competency, the licensing agency may order the licentiate to be examined by one or more physicians and surgeons or psychologists designated by the agency. The report of the examiners shall be made available to the licentiate and may be received as direct evidence in proceedings conducted pursuant to Section 822."

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6. Section 822 of the Code states:

If a licensing agency determines that its licentiate's ability to practice his or her profession safely is impaired because the licentiate is mentally ill, or physically ill affecting competency, the licensing agency may take action by any one of the following methods:

(a) Revoking the licentiate's certificate or license.

(b) Suspending the licentiate's right to practice.

(c) Placing the licentiate on probation.

(d) Taking such other action in relation to the licentiate as the licensing agency in its discretion deems proper.

The licensing section shall not reinstate a revoked or suspended certificate or license until it has received competent evidence of the absence or control of the condition which caused its action and until it is satisfied that with due regard for the public health and safety the person's right to practice his or her profession may be safely reinstated.

7. Section 2228.1 of the Code states, in pertinent part:

(a) On and after July 1, 2019, except as otherwise provided in subdivision (c), the board and the Podiatric Medical Board of California shall require a licensee to provide a separate disclosure that includes the licensee's probation status, the length of the probation, the probation end date, all practice restrictions placed on the licensee by the board, the board's telephone number, and an explanation of how the patient can find further information on the licensee's probation on the licensee's profile page on the board's online license information internet website, to a patient or the patient's guardian or health care surrogate before the patient's first visit following the probationary order while the licensee is on probation pursuant to a probationary order made on and after July 1, 2019, in any of the following circumstances:

(1) A final adjudication by the board following an administrative hearing or admitted findings or prima facie showing in a stipulated settlement establishing any of the following:

(A) The commission of any act of sexual abuse, misconduct, or relations with a patient or client as defined in Section 726 or 729.

(B) Drug or alcohol abuse directly resulting in harm to patients or the extent that such use impairs the ability of the licensee to practice safely.

(C) Criminal conviction directly involving harm to patient health.

(D) Inappropriate prescribing resulting in harm to patients and a probationary period of five years or more.

(2) An accusation or statement of issues alleged that the licensee committed any of the acts described in subparagraphs (A) to (D), inclusive, of paragraph (1), and a stipulated settlement based upon a nolo contendere or other similar compromise that does not include any prima facie showing or admission of guilt or

fact but does include an express acknowledgment that the disclosure requirements of this section would serve to protect the public interest.

(b) A licensee required to provide a disclosure pursuant to subdivision (a) shall obtain from the patient, or the patient's guardian or health care surrogate, a separate, signed copy of that disclosure.

(c) A licensee shall not be required to provide a disclosure pursuant to subdivision (a) if any of the following applies:

(1) The patient is unconscious or otherwise unable to comprehend the disclosure and sign the copy of the disclosure pursuant to subdivision (b) and a guardian or health care surrogate is unavailable to comprehend the disclosure and sign the copy.

(2) The visit occurs in an emergency room or an urgent care facility or the visit is unscheduled, including consultations in inpatient facilities.

(3) The licensee who will be treating the patient during the visit is not known to the patient until immediately prior to the start of the visit.

(4) The licensee does not have a direct treatment relationship with the patient.

(d) On and after July 1, 2019, the board shall provide the following information, with respect to licensees on probation and licensees practicing under probationary licenses, in plain view on the licensee's profile page on the board's online license information internet website.

(1) For probation imposed pursuant to a stipulated settlement, the causes alleged in the operative accusation along with a designation identifying those causes by which the licensee has expressly admitted guilt and a statement that acceptance of the settlement is not an admission of guilt.

(2) For probation imposed by an adjudicated decision of the board, the causes for probation stated in the final probationary order.

(3) For a licensee granted a probationary license, the causes by which the license was imposed.

(4) The length of the probation and end date.

(5) All practice restrictions placed on the license by the board.

(e) Section 2314 shall not apply to this section.

8. Section 2234 of the Code states, in pertinent part:

The board shall take action against any licensee who is charged with unprofessional conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not limited to, the following:

(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the violation of, or conspiring to violate any provision of this chapter.

. . .

9. Section 2236 of the Code states:

(a) The conviction of any offense substantially related to the qualifications, functions, or duties of a physician and surgeon constitutes unprofessional conduct within the meaning of this chapter [Chapter 5, the Medical Practice Act]. The record of conviction shall be conclusive evidence only of the fact that the conviction occurred.

(b) The district attorney, city attorney, or other prosecuting agency shall notify the Division of Medical Quality of the pendency of an action against a licensee charging a felony or misdemeanor immediately upon obtaining information that the defendant is a licensee. The notice shall identify the licensee and describe the crimes charged and the facts alleged. The prosecuting agency shall also notify the clerk of the court in which the action is pending that the defendant is a licensee, and the clerk shall record prominently in the file that the defendant holds a license as a physician and surgeon.

(c) The clerk of the court in which a licensee is convicted of a crime shall, within 48 hours after the conviction, transmit a certified copy of the record of conviction to the board. The division may inquire into the circumstances surrounding the commission of a crime in order to fix the degree of discipline or to determine if the conviction is of an offense substantially related to the qualifications, functions, or duties of a physician and surgeon.

(d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is deemed to be a conviction within the meaning of this section and Section 2236.1. The record of conviction shall be conclusive evidence of the fact that the conviction occurred.

10. Section 2239 of the Code states:

(a) The use or prescribing for or administering to himself or herself, of any controlled substance; or the use of any of the dangerous drugs specified in Section 4022, or of alcoholic beverages, to the extent, or in such a manner as to be dangerous or injurious to the licensee, or to any other person or to the public, or to the extent that such use impairs the ability of the licensee to practice medicine safely or more than one misdemeanor or any felony involving the use, consumption, or self administration of any of the substances referred to in this section, or any combination thereof, constitutes unprofessional conduct. The record of the conviction is conclusive evidence of such unprofessional conduct.

(b) A plea or verdict of guilty or a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning of this section. The Division of Medical Quality may order discipline of the licensee in accordance with Section 2227 or the Division of Licensing may order the denial of the license when the time for appeal has elapsed or the judgment of conviction has been affirmed on appeal or when an order granting probation is made suspending imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code allowing such person to withdraw his or her plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, complaint, information, or indictment.

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11. California Code of Regulations, title 16, section 1360, states:

"For the purposes of denial, suspension or revocation of a license, certificate or permit pursuant to Division 1.5 (commencing with Section 475) of the code, a crime or act shall be considered to be substantially related to the qualifications, functions or duties of a person holding a license, certificate or permit under the Medical Practice Act if to a substantial degree it evidences present or potential unfitness of a person holding a license, certificate or permit to perform the functions authorized by the license, certificate or permit in a manner consistent with the public health, safety or welfare. Such crimes or acts shall include but not be limited to the following: Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate any provision of the Medical Practice Act."

COST RECOVERY

12. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case, with failure of the licensee to comply subjecting the license to not being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be included in a stipulated settlement.

FIRST CAUSE FOR DISCIPLINE

(Use of Alcohol in a Dangerous or Injurious Manner)

13. Respondent is subject to disciplinary action under sections 2227 and 2234, as defined by section 2239, of the Code, in that he has used alcoholic beverages to the extent, or in such a manner, as to be dangerous or injurious to himself, or to any other person or to the public, as more particularly alleged hereinafter:

August 27, 2019 Arrest.

14. On or about August 27, 2019, Respondent was drinking at a wine tasting event at the home of a former romantic partner's ("Ex") mother ("Mother"), in Fairfield, California. During the event, Respondent became involved in mutual combat with a former boyfriend of Ex, outside on the home's driveway. The fight resulted in the Fairfield Police being called to respond to the

fight. During the fight, Mother procured Respondent's pistol, which was being stored under a mattress, and fired twice into the air in an attempt to break up the fight.

15. At or about 8:29 p.m., officers from the Fairfield Police Department arrived at the scene and detained the three parties, at gunpoint. Based on the varying recollections of the three parties and of Ex, the officers determined that the fight was mutual combat and were unable to determine a clear aggressor. No charges were subsequently filed against Respondent regarding the incident.

July 2, 2020 Arrest.

16. On or about July 2, 2020, Respondent had been excessively drinking alcohol at his residence in Yuba City. His pregnant girlfriend ("Girlfriend") was also at the residence with him, along with her four-year-old daughter ("Child"). At some point, the conversation became a verbal altercation and Girlfriend called the police.

17. At approximately 11:30 p.m., Sutter County Sheriff's Office deputies responded to a call regarding a potential domestic violence incident in Yuba City, California. Shortly after, deputies found Girlfriend outside of the residence at a nearby intersection. During her discussion with the deputies, Girlfriend stated that Respondent started yelling at her, then kicked her out of the house. According to Girlfriend, while she was attempting to gather her belongings, Respondent threw a TV onto the front yard.

18. Girlfriend additionally stated that as she was leaving the house, Respondent pushed her, causing her and her daughter to stumble forward. As she continued walking outside, towards her vehicle, Respondent began throwing shoes at her, striking her elbow, upper back, and left buttock. At this point, Girlfriend left the area in her vehicle and called 911. Girlfriend stated that she last saw Respondent driving his vehicle in an unknown direction, and that he had been drinking.

19. As the deputies approached the residence to question Respondent, Respondent turned off all of the lights in the residence. After being summoned outside by a police vehicle loudspeaker, Respondent left the residence. Deputies attempted to place Respondent into custody; however, Respondent was resistant. Respondent was eventually arrested and charged with felony

domestic violence (Penal Code, section 273.5, subd. (a)), misdemeanor child engagement (Penal Code, section 273a, subd. (b).), and misdemeanor resisting arrest (Penal Code, section 148, subd. (a)(1).) Charges were eventually dismissed through a Harvey waiver[1].

April 13, 2021 Arrest.

20. On or about April 13, 2021, at approximately 9:50 p.m., Respondent was at his residence when Girlfriend arrived home from a party. Respondent, who had been consuming alcohol, then started a verbal altercation with Girlfriend. During the altercation, Respondent yelled at Girlfriend regarding her past relationships and the behavior of Girlfriend's then five-year-old daughter. During the altercation, Respondent ordered Girlfriend out of the residence. While holding the couple's four-month-old infant, Respondent yelled and made a racist statement referring to Child.

21. As Girlfriend was leaving the residence, Respondent pulled the back of her hair with his hand. Girlfriend exited the residence and entered her vehicle to leave; however, Respondent followed her out, reached into the vehicle, and grabbed Girlfriend's eyeglasses from her face. Respondent also slammed the door of the vehicle into Girlfriend's ankle, causing injury. Girlfriend fled the scene and spent the night at her sister-in-law's residence.

22. On or about April 15, 2021, Girlfriend went to the Sutter County Sherriff's Department in Yuba City, where she filed a complaint against Respondent and participated in a victim interview.

23. Later that day, a Sutter County Sheriff's Deputy arrived at Respondent's residence and arrested Respondent for domestic battery. He was later released on bail.

24. On or about September 27, 2021, Respondent appeared in the Superior Court of California, County of Sutter, in the matter entitled *The People of the State of California v. Jeetinder Singh Sohal*, Case No. CRF-21-0996. Respondent pled guilty / Nolo Contendere to

[1] A Harvey waiver is an agreement that states that the defendant agrees that any dismissed charges will still be taken into account by the court when the defendant is sentenced, following a conviction of other unrelated charges.

Count No. 2, violation of Penal Code, section 242, subd. (e)(1) (Battery upon Ex...Cohabitant...). Respondent's sentence was as follows:

a. Serve one (1) day in jail;

b. Probation for thirty six months (36), with the following conditions:

i. Not contact, batter, annoy, threaten or harass Girlfriend;

ii. Obey all laws;

iii. Obey all family law orders;

iv. Submit to searches for firearms to any law enforcement officer, at any time, with or without a search warrant.

c. Participate and successfully complete a fifty-two (52) week Batterer's Treatment Program. Pay associated fees. Sign a release allowing for the exchange of information. Do not terminate the program without the Probation Officer's consent. Enroll within 30 days of referral.

July 23, 2021 Arrest.

25. On or about July 23, 2021, Officers from the Yuba City Police Department responded to a report of several intoxicated males located in the parking lot of a restaurant in Yuba City. The reporting witness observed the men repeatedly alternating between physical altercations and hugging. As the officers arrived, they observed Respondent driving a black sports utility vehicle. Shortly thereafter, officers observed that the same vehicle had driven off the road, hit several bushes, crashed into a fire hydrant, knocked down several trees, and was wedged between a light pole and a fence.

26. An officer approached the vehicle and observed Respondent wandering around the wrecked vehicle. The officers initiated conversation with Respondent, who had a small cut on the right hand and pain in the right leg. The officer observed Respondent to have red, watery eyes, and detected the odor of alcohol on his breath. The officer asked Respondent how much he had to

drink and Respondent replied that he "had maybe a beer a few hours ago," or words to that effect. During the questioning, Respondent refused to participate in any sobriety tests.

27. The officer then placed Respondent under arrest. As the officer was handcuffing him, Respondent attempted to break free from the officer. Two additional officers then assisted the first officer with restraining Respondent, who continued to struggle. Officers then searched Respondent's person, while he continued to struggle.

28. Respondent then calmed down and agreed to provide a blood sample. Respondent was transported to Rideout Hospital, in Marysville, California, where a registered nurse drew his blood. Respondent was then driven to the Sutter County Jail, where he was booked for driving under the influence of alcohol (DUI).

29. On or about August 10, 2021, Valley Toxicology Services, Incorporated—a vendor that provides scientific services—issued a report with analysis of the July 23, 2021, blood draw on Respondent. The blood test results revealed that Respondent had a blood alcohol content (BAC) of 0.20. This indicated that on July 23, 2021, Respondent was over twice the legal limit, while operating his vehicle.

30. On or about October 20, 2021, Respondent appeared in the Superior Court of California, County of Sutter, in the matter entitled *The People of the State of California v. Jeetinder Singh Sohal*, Case No. CRTR21-0002024. Respondent pled guilty / Nolo Contendere to Driving Under the Influence of Alcohol (Vehicle Code, Section 23152, subd. (b)), a misdemeanor. Respondent's sentence was as follows:

a. Serve four (4) days in jail (with a time served credit of two (2) days);

b. Probation for thirty-six (36) months with the following terms and conditions:

   i. Refer to a licensed three (3) month DUI program within thirty (30) days; pay tuition or fees; and follow the regulations set forth by the director of the program.

   ii. Not drive unless, legally licensed and properly insured;

iii. Not drive with any measurable amount of alcohol in his system;

iv. Obey all laws; and

v. Submit to chemical test to detect the use of alcholol upon demand of any law enforcement or probation officer or counselor while driving a motor vehicle.

SECOND CAUSE FOR DISCIPLINE

(Conviction of a Crime Substantially Related to the Qualifications, Functions, or Duties of a Physician and Surgeon)

31. Respondent is further subject to disciplinary action under sections 2227 and 2234, as defined by section 2236, of the Code, and California Code of Regulations, title 16, section 1360, in that he has been convicted of two distinct and separate crimes, to wit: violation of Penal Code, section 242, subd. (e)(1) (Battery upon Ex...Cohabitant...), a misdemeanor, which is substantially related to the qualifications, functions or duties of a physician and surgeon, as more particularly alleged in paragraphs 23 through 27. Respondent was additionally convicted of a violation of Section 23152, subd. (b) of the California Vehicle Code (driving with a blood alcohol concentration of 0.08% or higher), a misdemeanor, which is substantially related to the qualifications, functions or duties of a physician and surgeon, as more particularly alleged in paragraphs 12 through 29, above, which are hereby realleged and incorporated by reference as if fully set forth herein.

THIRD CAUSE FOR DISCIPLINE

(Violation of the State Medical Practice Act)

32. Respondent is further subject to disciplinary action under sections 2227 and 2234, as defined by section 2234, subdivision (a), of the Code, and California Code of Regulations, title 16, section 1360, in that he has violated a provision or provisions of the Medical Practice Act, as more particularly alleged in paragraphs 12 through 30, above, which are hereby realleged and incorporated by reference as if fully set forth herein.

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FOURTH CAUSE FOR DISCIPLINE

(General Unprofessional Conduct)

33. Respondent is further subject to disciplinary action under sections 2227 and 2234, as defined by section 2234, of the Code, in that he has engaged in conduct which breaches the rules or ethical code of the medical profession, or conduct which is unbecoming a member in good standing of the medical profession, and which demonstrates an unfitness to practice medicine, as more particularly alleged in paragraphs 12 through 31, above, which are hereby realleged and incorporated by reference as if fully set forth herein.

CAUSE FOR RESTRICTION AND/OR REVOCATION

(Mental or Physical Illness Affecting Competency to Practice Medicine)

34. Respondent's Physician's and Surgeon's Certificate No. A110878 is subject to action under section 822 of the Code, in that his ability to practice medicine safely is impaired, because he is mentally or physically ill, affecting competency, as more particularly alleged hereinafter.

35. As part of the investigation regarding the aforementioned misconduct, Respondent voluntarily agreed to participate in a psychiatric evaluation in order to determine if he is mentally impaired and/or competent to practice medicine. On or about December 8, 2021, Respondent participated in a video-telephonic psychiatric evaluation, which lasted approximately one and a half hours (1.5), by a Board-appointed psychiatrist (Dr. H). During the evaluation, Dr. H conducted methods of evaluation consisting of a (1) Clinical Interview, (2) Clock Drawing, (3) Mini-Mental State Examination and (4) Document, Video, Photograph, and Audio Review Analysis.

36. On December 18, 2021, following his psychiatric evaluation of Respondent and review of the relevant materials, Dr. H. submitted a report, which contained the following findings and opinions:

> "In my professional opinion, to a reasonable degree of medical certainty, Jeetinder Singh Sohal, M.D., currently suffers from Alcohol Use Disorder, Severe, in early remission. There are also some suggestions in Dr. Sohal's history of a possible vulnerability to seasonal anxiety and depressive symptoms (which might, in the past, have risen to a level

of a Seasonal Depressive Disorder) and some suggestions in his presentation of certain maladaptive personality traits which require longitudinal evaluation."

37. Dr. H addressed the following questions in his report:

"Does Dr. Sohal have a mental illness or condition that impacts his ability to safely engage the practice of medicine? **(2.)** Is Dr. Sohal's presentation possibly due to a physical illness such that a physical examination is necessary? **(3)** Is Dr. Sohal able to practice medicine safely at this time without any restrictions or conditions? **(4)** Is Dr. Sohal unable to safely practice medicine at this time as a result of a mental illness or condition? **(5)** Does Dr. Sohal's continued practice of medicine pose a present danger or threat to the public health, welfare or safety? **(6)** Does Dr. Sohal have a mental illness or condition which requires monitoring, treatment, oversight or other terms and conditions in order for him to practice medicine safely?"

38. Dr. H provided the following answers:

"Summary Forensic Opinion: Based on a preponderance of the evidence made available to me, what follows are the answers to the six questions posed to me regarding Dr. Sohal: (1) So long as he remains abstinent from alcohol, Dr. Sohal's Alcohol Use Disorder does not impact his ability to safely engage in the practice of medicine. (2) Dr. Sohal's presentation is not due to a physical illness such that a physical examination is necessary. (3) So long as he remains abstinent from alcohol, Dr. Sohal is able to practice medicine safely at this time without any restrictions or conditions. (4) So long as he remains abstinent from alcohol, Dr. Sohal is able safely to practice medicine at this time. (5) So long as he remains abstinent from alcohol, Dr. Sohal's continued practice of medicine poses no present danger or threat to public health, welfare or safety. (6) Dr. Sohal's Alcohol Use Disorder does require ongoing monitoring and continued treatment in order for him to continue practicing medicine safely."

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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Medical Board of California issue a decision:

1. Revoking or suspending Physician's and Surgeon's Certificate Number A 110878, issued to Respondent Jeetinder Singh Sohal, M.D.;

2. Revoking, suspending or denying approval of Respondent Jeetinder Singh Sohal, M.D.'s authority to supervise physician assistants and advanced practice nurses;

3. Ordering Respondent Jeetinder Singh Sohal, M.D., to pay the Board the costs of the investigation and enforcement of this case, and if placed on probation, the costs of probation monitoring;

4. Ordering Respondent Jeetinder Singh Sohal, M.D., if placed on probation, to provide patient notification in accordance with Business and Professions Code section 2228.1; and

5. Taking such other and further action as deemed necessary and proper.

DATED: AUG 25 2022

WILLIAM PRASIFKA
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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