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Attorneys for Plaintiff

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF APACHE

STATE OF ARIZONA,

Plaintiff,

v.

KATHY C. SALAZAR (001),

Defendant.

Case No:

66 SGJ 50

**INDICTMENT**

CHARGING VIOLATIONS OF:

**COUNT 1: FRAUDULENT SCHEMES AND ARTIFICES, a Class 2 Felony, in violation of A.R.S § 13-2310;**

**COUNT 2: THEFT, a Class 2 Felony, in violation of A.R.S. § 13-1801;**

**COUNTS 3-7: FORGERY, Class 4 Felonies, in violation of A.R.S. § 13-2002;**

**COUNT 8: INSURANCE FRAUD, a Class 6 Felony, in violation of A.R.S § 20-463.**

The Arizona State Grand Jury accuses KATHY C. SALAZAR, charging on this 5<sup>th</sup> day of April, 2010, that in or from APACHE County, Arizona:

Such conduct occurred when KATHY C. SALAZAR, in her capacity as office manager for Howard Lee, D.D.S., knowingly submitted false insurance claims to Delta Dental for dental services not provided to patients of Dr. Lee, including but not limited to Vera M. Gastineau, Cory Wilbank, Jerry Naquin, Brenda Naquin, and James Thrailkill. KATHY C. SALAZAR then diverted for her own use the funds paid by Delta Dental for these false claims.

Between January 1, 2005 and July 30, 2006, Defendant KATHY C. SALAZAR without lawful authority, knowingly obtained, by means of material misrepresentation, the property of Delta Dental and/or Howard Lee, D.D.S., to wit cash, of a value of \$25,000 or more, with the intent to deprive Delta Dental and/or Howard Lee, D.D.S., of such property or services, in violation of A.R.S. §§ 13-1802, 13-1801, 13-701, 13-702, 13-703 and 13-801.

COUNT 2: THEFT

Such conduct occurred when KATHY C. SALAZAR, in her capacity as office manager for Howard Lee, D.D.S., knowingly submitted false insurance claims to Delta Dental for dental services not provided to patients of Dr. Lee, including but not limited to Vera M. Gastineau, Cory Wilbank, Jerry Naquin, Brenda Naquin, and James Thrailkill. KATHY C. SALAZAR then diverted for her own use the funds paid by Delta Dental for these false claims.

Between January 1, 2005 and July 30, 2006, Defendant KATHY C. SALAZAR pursuant to a scheme or artifice to defraud, knowingly obtained a benefit, by means of fraudulent pretenses, representations, promises, or material omissions, in violation of A.R.S. §§ 13-2310, 13-701, 13-702, 13-703 and 13-801.

COUNT 1: FRAUDULENT SCHEMES AND ARTIFICES

On or about January 11, 2005, Defendant KATHY C. SALAZAR with the intent to defraud offered falsely made, completed or altered a White Mountain Regional Medical Center check #24222 payable to "Howard Lee, Dds - Springville", a written instrument, in violation of A.R.S. §§ 13-2002(A)(1), 13-2001, 13-701, 13-702, 13-703 and 13-801.

COUNT 3: FORGERY

On or about May 20, 2005, Defendant KATHY C. SALAZAR with the intent to defraud falsely made, completed or altered a United Concordia check #24304473 payable to "HOWARD N LEE DDS", a written instrument, in violation of A.R.S. §§ 13-2002(A)(1), 13-2001, 13-701, 13-702, 13-703 and 13-801.

COUNT 4: FORGERY

On or about September 14, 2005, Defendant KATHY C. SALAZAR with the intent to defraud falsely made, completed or altered a United Concordia check #24700573 payable to "HOWARD N LEE DDS", a written instrument, in violation of A.R.S. §§ 13-2002(A)(1), 13-2001, 13-701, 13-702, 13-703 and 13-801.

COUNT 6: FORGERY

On or about March 7, 2006, Defendant KATHY C. SALAZAR with the intent to defraud falsely made, completed or altered a State of Arizona Employment Administration check #2270153 payable to "LEE, HOWARD N., DDS", a written instrument, in violation of A.R.S. §§ 13-2002(A)(1), 13-2001, 13-701, 13-702, 13-703 and 13-801.

On or about July 10, 2006, Defendant KATHY C. SALAZAR with the intent to defraud

COUNT 7: FORGERY

falsely made, completed or altered a Delta Dental check #0881751 payable to "HOWARD N LEE", a written instrument, in violation of A.R.S. §§ 13-2002(A)(1), 13-2001, 13-701, 13-702,

13-703 and 13-801.

COUNT 8: INSURANCE FRAUD

Between January 1, 2005 and July 30, 2006, Defendant KATHY C. SALAZAR knowingly

presented or prepared with the knowledge or belief that it would be presented an oral or written statement, including computer generated documents, to an insurer, Delta Dental, that contained untrue statements of material fact or that failed to state any material fact with respect to a claim for payment or benefit pursuant to an insurance policy in violation of A.R.S. §§ 20-463, 20-466.01, 20-466.02, 13-701, 13-702, 13-703 and 13-801.

Pursuant to A.R.S. § 21-425, the State Grand Jurors find that the offenses described above were committed in APACHE County, Arizona.

A True Bill  
(A "True Bill")

Dated: 4/5/2010

Foreperson of the State Grand Jury

TERRY GODDARD  
ATTORNEY GENERAL  
STATE OF ARIZONA

BEVERLY J. RUDNICK  
Assistant Attorney General