

## **NOTIFICATION OF COURT ORDER**

On December 5, 2016, an Order was issued in *The People of the State of California vs. Brian Joseph Cassmassi, M.D.*, Los Angeles County Superior Court, Case No. 6AR1138. Under the Order, as a condition of bail, BRIAN JOSEPH CASSMASSI, M.D. (Physician's and Surgeon's Certificate Number A113944), is restricted effective December 5, 2016. A copy of the Order is attached.

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF LOS ANGELES

NO. 6AR11381

PAGE NO. 1  
CURRENT DATE 03/13/17

THE PEOPLE OF THE STATE OF CALIFORNIA VS.  
DEFENDANT 01: BRIAN JOSEPH CASSMASSI  
LAW ENFORCEMENT AGENCY EFFECTING ARREST: CALIFORNIA CONSUMER AFFAIRS

BAIL: APPEARANCE DATE	AMOUNT OF BAIL	DATE POSTED	RECEIPT OR BOND NO.	SURETY COMPANY	REGISTER NUMBER
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CASE FILED ON 06/29/16.

COMPLAINT FILED, DECLARED OR SWORN TO CHARGING DEFENDANT WITH HAVING  
COMMITTED, ON OR ABOUT 10/13/15 IN THE COUNTY OF LOS ANGELES, THE FOLLOWING  
OFFENSE(S) OF:

COUNT 01: 314(1) PC MISD

NEXT SCHEDULED EVENT:

ARREST WARRANT TO ISSUE

07/14/16 ARREST WARRANT IN THE AMOUNT OF \$10,000.00 BY ORDER OF JUDGE EDWARD B.  
MORETON, JR ISSUED. (07/14/16).

ON 09/15/16 AT 800 AM :

DEFENDANT WAS ARRESTED AND CITED OUT BY THE LOS ANGELES COUNTY  
SHERIFF'S DEPARTMENT TO APPEAR ON 09/19/16 IN DEPARTMENT W71 FOR  
A BENCH WARRANT HEARING. CITATION NUMBER AA329436.

NEXT SCHEDULED EVENT:

09/19/16 830 AM BENCH WARRANT HEARING DIST AIRPORT COURTHOUSE DEPT W71

09/15/16 ARREST WARRANT IN THE AMOUNT OF \$10,000.00 RECALLED. (09/15/16).

ON 09/19/16 AT 830 AM IN AIRPORT COURTHOUSE DEPT W71

CASE CALLED FOR BENCH WARRANT HEARING

PARTIES: UPINDER S. KALRA (JUDGE) KATHLEEN NEAL (CLERK)  
DIANA WHITESEL (REP) STEPHANIE X. MIYATA (DA)

DEFENDANT IS NOT PRESENT IN COURT, BUT REPRESENTED BY ERICK MUNOZ PRIVATE  
COUNSEL

DEFENDANT APPEARING BY COUNSEL PURSUANT TO PENAL CODE SECTION 977 ET SEQ, BY  
ERICK MUNOZ PRIVATE COUNSEL

DEFENDANT PLEADS NOT GUILTY TO COUNT 01, 314(1) PC.

COURT ORDERS AND FINDINGS:

-THE COURT ORDERS THE DEFENDANT TO APPEAR ON THE NEXT COURT DATE.  
THE ARREST WARRANT IS RECALLED AND QUASHED.

THE PRETRIAL HEARING IS SET FOR OCTOBER 20, 2016 AT 8:30 A.M.  
IN DEPARTMENT W71.

COUNSEL INDICATES THAT THE DEFENDANT HAS POSTED BOND.

THE BOND IS TO STAND.

NEXT SCHEDULED EVENT:

10/20/16 830 AM PRETRIAL HEARING DIST AIRPORT COURTHOUSE DEPT W71

ON 10/04/16 AT 830 AM :

ATTORNEYS FOR APPLICANT FILE NOTICE OF APPEARANCE AND APPLICATION BY STATE LICENSING AGENCY FOR ORDER RESTRICTING DEFENDANT FROM PRACTICE AS A PHYSICIAN AND SURGEON WITH THE COURT.

ON 10/18/16 AT 1000 AM :

DEFENDANT BRIAN CASSMASSI'S OPPOSITION TO APPLICATION BY STATE LICENSING AGENCY FOR ORDER RESTRICTING DEFENDANT FROM PRACTICE AS A PHYSICIAN AND SURGEON; MEMORANDUM OF POINTS AND AUTHORITIES IS FILED THIS DATE.

ON 10/20/16 AT 830 AM IN AIRPORT COURTHOUSE DEPT W71

CASE CALLED FOR PRETRIAL HEARING

PARTIES: JOSH M. FREDRICKS (JUDGE) KATHLEEN NEAL (CLERK)  
DIANA WHITESEL (REP) MARIA LISA GHOBADI (DA)

DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY ERICK V. MUNOZ PRIVATE COUNSEL APPEARING BY BENJAMIN FENTON  
DEPUTY ATTORNEY GENERAL EDWARD KIM APPEARS FOR THE MEDICAL BOARD OF CALIFORNIA.

THE COURT READS AND CONSIDERS THE ATTORNEY GENERAL'S MOTION RESTRICTING THE DEFENDANT FROM PRACTICING AS A PHYSICIAN AND SURGEON, FILED OCTOBER 4, 2016; AND DEFENDANT'S OPPOSITION TO THAT MOTION, FILED OCTOBER 18, 2016.

THE ATTORNEY GENERAL'S MOTION RESTRICTING THE DEFENDANT FROM PRACTICING AS A PHYSICIAN AND SURGEON IS ARGUED AND GRANTED IN PART.

THE COURT ORDERS THAT THE DEFENDANT IS TO HAVE NO CONTACT WITH PATIENTS WITHOUT A NURSE, MENTAL HEALTH WORKER OR CLINICAL PARTNER PRESENT; SAID CHAPERONE IS TO BE A LICENSED MEDICAL PROVIDER LICENSED BY A STATE AGENCY.

DEPUTY ATTORNEY GENERAL EDWARD KIM IS TO PREPARE THE ORDER.

THE PRETRIAL HEARING IS CONTINUED TO NOVEMBER 22, 2016 AT 8:30 A.M. IN DEPARTMENT W71.

THE DEFENDANT INDICATES THAT HE HAS POSTED BAIL. THE COURT MAKES HIS ORDER ON MOTION AS A CONDITION OF BAIL.

THE BOND IS TO STAND.

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DEF NO. 01

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COURT ORDERS AND FINDINGS:

-THE COURT ORDERS THE DEFENDANT TO APPEAR ON THE NEXT COURT DATE.  
WAIVES STATUTORY TIME.

NEXT SCHEDULED EVENT:

11/22/16 830 AM PRETRIAL HEARING DIST AIRPORT COURTHOUSE DEPT W71  
DAY 00 OF 15

ON 10/28/16 AT 1000 AM :

ORDER RESTRICTING THE PRACTICE OF BRIAN JOSEPH CASSMASSI, M.D.,  
AS A PHYSICIAN AND SURGEON IS SIGNED AND FILED THIS DATE.

ON 11/22/16 AT 830 AM IN AIRPORT COURTHOUSE DEPT W71

CASE CALLED FOR PRETRIAL HEARING

PARTIES: UPINDER S. KALRA (JUDGE) LISA KING (CLERK)  
DIANA WHITESEL (REP) MARIA LISA GHOBADI (DA)  
DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY BENJAMIN FENTON PRIVATE  
COUNSEL

MATTER IS TRAILED TO THE DATE AND TIME SHOWN BELOW AS 10/15.

COURT ORDERS AND FINDINGS:

-THE COURT ORDERS THE DEFENDANT TO APPEAR ON THE NEXT COURT DATE.

NEXT SCHEDULED EVENT:

12/02/16 830 AM JURY TRIAL DIST AIRPORT COURTHOUSE DEPT W71  
DAY 10 OF 15

CUSTODY STATUS: DEFENDANT REMAINS ON OWN RECOGNIZANCE

ON 12/02/16 AT 830 AM IN AIRPORT COURTHOUSE DEPT W71

CASE CALLED FOR JURY TRIAL

PARTIES: UPINDER S. KALRA (JUDGE) KENNETH JOHNSON (CLERK)  
DIANA WHITESEL (REP) DAVID E. BORSACK (DA)  
DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY ERICK V. MUNOZ PRIVATE

COUNSEL APPEARING BY FEMI BANJO

DEFENDANT ANNOUNCE READY TO PROCEED TO TRIAL.

PEOPLE DO NOT ANNOUNCE READY, THEY DO NOT HAVE A TRIAL ATTORNEY  
ASSIGNED TO THE CASE.

PEOPLE REQUEST THAT THE COURT NOT ORDER JURORS YET.

COURT WILL TRAIL THIS CASE TO THE DATE OF 12/05/16 FOR JURY  
TRIAL IN DEPARTMENT W71 AT 08:30 AM, OVER THE DEFENDANT'S  
OBJECTION.

COURT WANTS PEOPLE TO HAVE SOMEONE ASSIGNED TO THE CASE FOR  
TRIAL.

COURT ORDERS AND FINDINGS:

-THE COURT ORDERS THE DEFENDANT TO APPEAR ON THE NEXT COURT DATE.  
NEXT SCHEDULED EVENT:  
12/05/16 830 AM JURY TRIAL DIST AIRPORT COURTHOUSE DEPT W71  
DAY 08 OF 10

CUSTODY STATUS: DEFENDANT REMAINS ON OWN RECOGNIZANCE

ON 12/05/16 AT 830 AM IN AIRPORT COURTHOUSE DEPT W71

CASE CALLED FOR JURY TRIAL

PARTIES: H. JAY FORD III (JUDGE) KATHLEEN NEAL (CLERK)  
SYDNEY LAWRENCE (REP) MARIA LISA GHOBADI (DA)  
DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY ERICK V. MUNOZ PRIVATE  
COUNSEL

ON PEOPLE'S MOTION, COURT ORDERS COMPLAINT AMENDED BY INTERLINEATION TO ADD  
VIOLATION 647(A) PC MISD AS COUNT 02.  
DEFENDANT WAIVES ARRAIGNMENT, READING OF COMPLAINT, AND STATEMENT OF

CONSTITUTIONAL AND STATUTORY RIGHTS.  
DEFENDANT ADVISED OF AND PERSONALLY AND EXPLICITLY WAIVES THE FOLLOWING RIGHTS:  
WRITTEN ADVISEMENT OF RIGHTS AND WAIVERS FILED, INCORPORATED BY REFERENCE  
HEREIN

TRIAL BY COURT AND TRIAL BY JURY

CONFRONTATION AND CROSS-EXAMINATION OF WITNESSES;  
SUBPOENA OF WITNESSES INTO COURT TO TESTIFY IN YOUR DEFENSE;  
AGAINST SELF-INCRIMINATION;

DEFENDANT ADVISED OF THE FOLLOWING:

THE NATURE OF THE CHARGES AGAINST HIM, THE ELEMENTS OF THE OFFENSE IN THE  
COMPLAINT, AND POSSIBLE DEFENSES TO SUCH CHARGES;  
THE POSSIBLE CONSEQUENCES OF A PLEA OF GUILTY OR NOLO CONTENDERE, INCLUDING  
THE MAXIMUM PENALTY AND ADMINISTRATIVE SANCTIONS AND THE POSSIBLE LEGAL  
EFFECTS AND MAXIMUM PENALTIES INCIDENT TO SUBSEQUENT CONVICTIONS FOR THE  
SAME OR SIMILAR OFFENSES;

THE EFFECTS OF PROBATION;

IF YOU ARE NOT A CITIZEN, YOU ARE HEREBY ADVISED THAT A CONVICTION OF THE  
OFFENSE FOR WHICH YOU HAVE BEEN CHARGED WILL HAVE THE CONSEQUENCES OF  
DEPORTATION, EXCLUSION FROM ADMISSION TO THE UNITED STATES, OR DENIAL OF  
NATURALIZATION PURSUANT TO THE LAWS OF THE UNITED STATES.

COUNSEL FOR THE DEFENDANT JOINS IN THE WAIVERS AND CONCURS IN THE PLEA.

COURT FINDS THAT EACH SUCH WAIVER IS KNOWINGLY, UNDERSTANDINGLY, AND EXPLICITLY  
MADE;

THE DEFENDANT WITH THE COURTS APPROVAL, PLEADS NOLO CONTENDERE TO COUNT 02 A  
VIOLATION OF SECTION 647(A) PC. THE COURT FINDS THE DEFENDANT GUILTY.

COUNT (02) : DISPOSITION: CONVICTED

COURT ORDERS AND FINDINGS:

-TAHL WAIVER IS ORDERED FILED.

COURT FINDS THAT THERE IS A FACTUAL BASIS FOR DEFENDANT'S PLEA, AND COURT  
ACCEPTS PLEA.

THE MATTER IS CALLED IN DEPARTMENT W70 FOR DEPARTMENT W71.

WAIVES TIME FOR SENTENCE.

NEXT SCHEDULED EVENT:

SENTENCING

DEFENDANT WAIVES ARRAIGNMENT FOR JUDGMENT AND STATES THERE IS NO LEGAL CAUSE  
WHY SENTENCE SHOULD NOT BE PRONOUNCED. THE COURT ORDERED THE FOLLOWING

JUDGMENT:  
AS TO COUNT (02):  
IMPOSITION OF SENTENCE SUSPENDED  
DEFENDANT PLACED ON SUMMARY PROBATION

FOR A PERIOD OF 036 MONTHS UNDER THE FOLLOWING TERMS AND CONDITIONS:  
PLUS \$30.00 CRIMINAL CONVICTION ASSESSMENT (PURSUANT TO 70373 G.C.)  
\$40.00 COURT OPERATIONS ASSESSMENT (PURSUANT TO 1465.8(A)(1) P.C.)  
\$10.00 CITATION PROCESSING FEE (PURSUANT TO 1463.07 P.C.)

DEFENDANT SHALL PAY A RESTITUTION FINE IN THE AMOUNT OF \$150.00 TO THE COURT  
TOTAL DUE: \$230.00

IN ADDITION:

-THE DEFENDANT IS TO STAY AWAY FROM AND HAVE NO CONTACT WITH ANY  
MALE PATIENTS WITHOUT A MEDICAL PROFESSIONAL CHAPERONE FOR THE  
FULL TERM OF PROBATION.

-THE DEFENDANT IS TO COMPLETE 12 MONTHS OF CONTINUOUS SEXUAL  
COMPULSIVE COUNSELING, AT A RATE OF ONE SESSION PER WEEK, WITH  
DOCTOR JUSTIN NATOLI.

-DEFENDANT IS ORDERED TO PAY A PROBATION REVOCATION RESTITUTION

FINE PURSUANT TO PENAL CODE SECTION 1202.44, IN THE AMOUNT OF  
\$ 150.00. THIS FINE SHALL BECOME EFFECTIVE UPON THE REVOCATION  
OF PROBATION.

-OBEY ALL LAWS AND ORDERS OF THE COURT.

-DEFENDANT ACKNOWLEDGES TO THE COURT THAT THE DEFENDANT  
UNDERSTANDS AND ACCEPTS ALL THE PROBATION CONDITIONS, AND  
DEFENDANT AGREES TO ABIDE BY SAME.

COURT ORDERS AND FINDINGS:

-THE COURT ORDERS THE DEFENDANT TO APPEAR ON THE NEXT COURT DATE.  
THE DEFENDANT DOES NOT HAVE TO REGISTER AS A SEX OFFENDER.

THE MATTER IS CONTINUED TO JUNE 8, 2017 AT 8:30 A.M. IN  
DEPARTMENT W71 FOR A PROGRESS REPORT HEARING ON THE DEFENDANT'S  
COUNSELING, AND PROOF OF PAYMENT OF FINE/FEES.

THE PEOPLE'S ORAL MOTION TO DISMISS THE REMAINING COUNT  
PURSUANT TO PENAL CODE SECTION 1385 IS GRANTED.

COUNT (02): DISPOSITION: CONVICTED

REMAINING COUNTS DISMISSED:

COUNT (01): DISMISSAL IN FURTH OF JUSTICE PER 1385 PC  
DMV ABSTRACT NOT REQUIRED

NEXT SCHEDULED EVENT:

06/08/17 830 AM PROGRESS REPORT DIST AIRPORT COURTHOUSE DEPT W71

CUSTODY STATUS: ON PROBATION.

12/09/16 ARREST DISPOSITION REPORT SENT VIA FILE TRANSFER TO DEPARTMENT OF  
JUSTICE

03/13/17

~~I HEREBY CERTIFY THIS TO BE A TRUE AND CORRECT COPY OF THE ELECTRONIC DOCKET~~  
~~ON FILE IN THIS OFFICE AS OF THE ABOVE DATE.~~  
SHERRI R. CARTER, EXECUTIVE OFFICER/CLERK OF SUPERIOR COURT,  
ANGELES, STATE OF CALIFORNIA

BY *A. Surya Nowell*, DEPUTY

