

FILED

OCT 12 2000

United States District Court
Western District Of Oklahoma

ROBERT D. DENNIS
U.S. DIST. COURT, WESTERN DIST. OKLA
BY [Signature] DEPUTY

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed on or After November 1, 1987)

v.

CASE NUMBER: CR-99-107-T

Christopher Kluding

E. Joe Lankford
Defendant's Attorney

RECEIVED
OCT 13 2000
U.S. PROBATION OFFICE
OKLAHOMA CITY, OKLA.
DOCKETED

THE DEFENDANT:

- pleaded guilty to count(s) _____
- pleaded nolo contendere to count(s) _____
- was found guilty on count 1 and 2 of the indictment after a plea of not guilty.

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 U.S.C. § 371	Conspiracy to commit fraud against the United States; a class D felony	May 31, 1996	1
42 U.S.C. § 1320a-7b(a)(2) and 18 U.S.C. § 2	Medicare fraud; a class D felony	May 31, 1996	2

The defendant is sentenced as provided in pages 2 through 8 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- The defendant has been found not guilty on count 3 of the indictment
- Count(s) _____ (is)(are) dismissed on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: _____

Defendant's Date of Birth: November 24, 1971

Defendant's USM No.: 14374-064

Defendant's Residence Address:
2408 Santa Fe, #106
Moore, Oklahoma 73160

Defendant's Mailing Address:
same

October 4, 2000
Date of Imposition of Judgment
[Signature]
Signature of Judicial Officer
Name & Title of Judicial Officer

RALPH G. THOMPSON, UNITED STATES, DISTRICT JUDGE
Name and Title of Judicial Officer

OCT 12 2000
Date

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PART A. THE OFFENSE

Charge(s) and Conviction(s)

1. On June 15, 1999, a three-count Indictment was returned charging the defendant. Count 1 charged that beginning in or about the spring of 1995 and continuing thereafter until in or about December 1997, the defendant, Christopher Kluding, did knowingly and intentionally conspire, combine and agree with others not charged in the Indictment to: 1) defraud the United States and agencies thereof, specifically, the United States Department of Health and Human Services; and 2) to commit offenses against the United States; namely, to knowingly and willfully make, or cause to be made, a false statement or a representation of a material fact for use in determining rights to such benefit and payment under the Medicare Part A Program, in that the defendant caused to be submitted a false Medicare Cost Report for Qualicare, for the year ending December 31, 1995, in violation of 42 U.S.C. § 1320a-7b(a)(2), all in violation of 18 U.S.C. § 371.
2. Count 2 charges that on or about May 31, 1996, the defendant knowingly and willfully caused to be made a false statement or a representation of a material fact for use in determining rights to such benefit and payment under the Medicare Part A Program, in that the defendant, and others known to the grand jury, prepared and signed a false Medicare Cost Report for Qualicare for the year ending December 31, 1995, which was submitted to Medicare, knowing that said Medicare Cost Report contained expenses for Monarch, an undisclosed related party, thereby fraudulently inflating the expenses which were used to determine the cost of reimbursement for Medicare-approved services for Qualicare, all in violation of 42 U.S.C. § 1320a-7b(a)(2) and 18 U.S.C. § 2.
3. Count 3 charged that on or about May 31, 1996, the defendant, in a matter within the jurisdiction of the United States Department of Health and Human Services, knowingly and willfully made and caused to be made false, fictitious, and fraudulent statements and representations of a material fact, in that the defendant caused to be submitted a Cost Report to Medicare for the year 1995 for Qualicare, which was false in that: it stated there were no related party transactions in that year, when in truth the defendant knew there were related party transactions with Monarch, all in violation of 18 U.S.C. § 1001 and 18 U.S.C. § 2.
4. On February 23, 2000, the jury returned a guilty verdict on Counts 1 and 2 and a not guilty verdict on Count 3. A presentence report was ordered and the defendant was continued on personal recognizance bond with standard conditions pending sentencing. To date, the defendant has complied with all of the bond conditions.