

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

UNITED STATES OF AMERICA

vs.

Case No.: 4:17cr4-MW/CAS

MELISSA MONIZ
a/k/a Melissa Taylor

STATEMENT OF FACTS

THE UNITED STATES OF AMERICA and the Defendant provide this factual basis for the acceptance of a guilty plea from the Defendant. This Statement of Facts does not contain each and every fact relating to the commission of the offenses charged in the Indictment in the captioned case, but is only a recitation of those facts necessary to provide a factual basis for the Defendant's plea of guilty to Counts Three and Six of the Indictment. Should this case proceed to trial, the government is prepared to present evidence as follows:

In August 2014, Gynecology and Obstetrics Associates, Inc., (GOA), located in Tallahassee, Florida, hired a forensic auditing firm to conduct an audit of all financial activities at GOA since the doctors believed there were improprieties occurring at their practice. The auditing firm was requested to review the office processes, procedures, and accounting records of GOA. The audit revealed fraud in

the payment of monies to vendors, false records of payees and payments, false supporting documentation for many payments, the apparent “washing” of funds by payment of GOA funds to business entities, and subsequent transfer of funds to personal accounts of various individuals.

On October 8, 2014, on behalf of GOA, the auditing firm contacted the Leon County Sheriff’s Office (LCSO) and reported that an audit of GOA’s financial records revealed that the defendant’s sister, Tamara McNamara (McNamara), the office manager for GOA, had issued many checks to payees or vendors not approved by GOA, and had created and presented false documentation for many of the payments. LCSO commenced an investigation of this matter and discovered that many of the copies of checks maintained electronically in the records of GOA by McNamara were different than the actual checks that were obtained from the GOA bank account with respect to actual payees and dates of the issuance of the checks.

The investigation further revealed that many of the checks were issued to companies belonging to McNamara and her husband, the monies were deposited into those accounts, and then transferred into the personal checking account of McNamara and her husband. A smaller number of GOA checks were issued to Phyllis Taylor, the mother of McNamara, and to the defendant. Between 3/9/07 and 4/15/13, McNamara stole approximately \$1.5 million from GOA. On 10/16/14,

LCSO deputies attempted to arrest McNamara at her residence, but McNamara committed suicide.

LCSO continued the investigation, reviewing the issuance of checks to various payees. From the GOA records, checks were located that were issued to a company known as "BCS" between March 2007 and August 2008. The defendant had been hired by McNamara to conduct collections services for GOA during this period of time under the business "BCS." McNamara had been authorized by GOA to hire a collection agency for GOA.

BCS was created as a Florida corporation on 4/18/07 and the defendant was the president and sole officer. It was administratively dissolved by the State of Florida on 9/26/08 for failure to file an annual report. Almost five years later, on 6/21/13, a fictitious name company in the name of Billing and Collection Services was created in the State of Florida with a mailing address used by the defendant in Marianna, Florida, and the listed owner of the company as a corporation owned by the defendant's husband – Appliance Services of North Florida, Inc. (at the same listed address in Marianna). As part of that fictitious name application, the defendant signed a document with the state cancelling the previous fictitious name – Billing and Collection Services. On 6/6/14, a Florida limited liability company was created

in Florida by the defendant's mother in the name of "Billing and Collection Services LLC." The mailing address for BCS remained the same as the previous BCS entities.

Further investigation of the GOA records revealed 39 recorded checks issued to BCBS (Blue Cross Blue Shield) between September 2008 and December 2012, in the total amount of \$116,813.77. In review of the actual checks processed by the bank, although the 39 checks had the payee of "BCBS" on the checks, and most of the checks were endorsed with an actual signature. The signatures on the checks were of the defendant, either as "Melissa Taylor" or "Melissa Moniz." These GOA checks, except for two checks, were signed by the defendant's sister, the office manager at GOA, for a period of more than four years, despite the defendant performing no services for GOA during this period. The GOA checks were made to falsely appear as if they were being issued to "BCBS" (Blue Cross Blue Shield) and were falsely recorded in the records of GOA as being made payable to "BCBS." Virtually no collections work was done by the defendant for GOA after August 2008 justifying the payments. Between January 2009 and December 2012, the defendant had full-time employment in South Florida, where she lived.

In December 2012, the defendant applied for employment with the Jackson County Hospital (JCH) in Marianna, Florida, as Director of Physician Practices. The defendant submitted a resume that included false

information concerning her experience and prior employment. The defendant failed to list her ownership in BCS or her connection to any of the resurrected BCS companies. In her application to JCH, the defendant provided false statements concerning her background and medical management experience, including falsely stating that she had been employed at Tallahassee Memorial Hospital for four years and providing false information concerning her prior duties and responsibilities there, and providing false information concerning her duties at a South Florida hospital, including that she was on the hospital's board of directors. Although the defendant did work for Diagnostic Professionals in Fort Lauderdale for about two years as a site manager, her 2010 application for employment falsely claimed that she was employed from 2005-2009 at GOA, that she "ran ob/gyn clinic of 6 doctors," and that her supervisor was McNamara.

Based upon her resume which contained false claims of extensive medical management experience, the defendant was hired by JCH as Director of Physician Practices and she started employment there on December 17, 2012. One of her duties for this position was to recommend the hiring of a collections service for the JCH physicians practice. The defendant urged JCH to use BCS as a collections agency and claimed that

she used BCS for collections previously and knew the owner of BCS, McNamara, personally. The defendant recommended as a Senior Manager at JCH that BCS be given the collections contract. Based upon the defendant's recommendation, two contracts with BCS were signed by JCH. On June 6, 2013, a Business Associate Agreement was executed between JCH and BCS in which BCS agreed to comply with all state and federal rules and laws concerning patient privacy and protected health information. This agreement was signed by McNamara as President of BCS. This was prior to the legal re-creation of the existence of BCS. JCH also signed a contract for the collection of accounts receivable from the physicians practice section of JCH with BCS on June 24, 2013. This contract was signed by the defendant's sister (McNamara) as president of BCS, with the business address in Marianna – a PO Box at the UPS Store in Marianna. As noted above, BCS was an inactive Florida corporation and just three days earlier, a fictitious name company in the name of Billing and Collection Services was created with the state of Florida with the mailing address in Marianna and the listed owner of the company a corporation owned by the defendant's husband. JCH was unaware of the relationship of the defendant with BCS and McNamara.

On September 16, 2014, the defendant was interviewed by the JCH Chief Executive Officer, Human Resources Director, and Director of Compliance. The defendant denied any familial relationship with Tamara McNamara, who the defendant falsely stated owned BCS. The defendant admitted that her mother, Phyllis Taylor, worked for BCS and had for several years, but that there was no conflict because she had no control in the company. The defendant stated there was no conflict of interest nor was there any wrongdoing on her part. Later that day, the defendant filed a formal complaint against JCH alleging “harassment and targeting in the workplace.”

On September 17, 2014, the three JCH officials again met with the defendant. The defendant claimed that she spoke to her mother last night and learned for the first time that her mother was now the owner of BCS. When asked about the involvement and ownership of the defendant’s husband with BCS, she denied any involvement of her husband in BCS. She stated that her husband had never had any ownership interest in BCS.

Between August 2, 2013 and November 21, 2014, JCH issued 15 checks totaling \$26,775.01 to BCS for alleged collection activities. The JCH officials will testify that JCH would not have hired the defendant had they known that she had falsified her resume about material matters including her

claimed medical management experience, and JCH would not have contracted with BCS to perform collections work for JCH had they known that BCS was actually the defendant's company in that she received monies from GOA in the past five years using BCS, that she had direct ties to BCS, that the defendant's relatives were on recent legal documents filed with the State of Florida relating to BCS, that she would receive the monies paid to BCS, and was depositing the JCH checks made payable to BCS into her personal account.

As to Count Three: On October 16, 2012, a \$3,987.60 check issued by McNamara, on the account of GOA, made payable to BCBS, was deposited by the defendant in her Washington Mutual (now JP Morgan) account, which deposit caused the interstate wire transfer of monies from the Federal Reserve Bank in Atlanta, Georgia into the Northern District of Florida to cover the deposited funds.

As to Count Six: On November 1, 2013, a \$6,384.63 check issued by JCH to BCS, was deposited into a Regions Bank account, which deposit caused the interstate wire transfer of monies from the Federal Reserve Bank in Atlanta, Georgia into the Northern District of Florida to cover the deposited funds.

ELEMENTS OF THE OFFENSE

18 U.S.C. § 1343

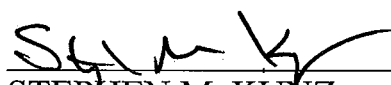
1. The Defendant knowingly devised or participated in a scheme to defraud, or to obtain money or property using false pretenses, representations, or promises;
2. The false pretenses, representations, or promises were about a material fact;
3. The Defendant acted with the intent to defraud; and
4. The Defendant transmitted, or caused to be transmitted, by wire some communication in interstate commerce to help carry out the scheme to defraud.

CHRISTOPHER P. CANOVA
United States Attorney



GEORGE E. TRAGOS, ESQ.
Attorney for Defendant

5/25/17
Date



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MELISSA MONIZ
Defendant

5/25/17
Date

May 25, 2017
Date