

2020CF-8465 AX

OBTS Number		ARREST / NOTICE TO APPEAR			1. Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		3	Juvenile	N															
ADMINISTRATIVE	Agency ORI Number FL050015A	Agency Name Palm Beach County State Attorney's Office (15th Circuit)			Agency Report Number (N.T.A.'s only) 13-SA20001419																					
	Charge Type Check as many as apply		<input checked="" type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony		<input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor		<input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		If Weapon Seized Enter Type		Multiple Clearance Indicator 1															
	Location of Arrest (Including Name of Business)					Location of Offense (Business Name, Address) 525 10th ST. LAKE PARK, FL 33403, ACADEMY HEALTH SOLUTIONS																				
	Date of arrest	Time of Arrest	Booking Date	Booking Time	Jail Date	Jail Time	Location of Vehicle																			
Name (Last, First, Middle) BIEDA, DAVID ISRAEL											Alias (Name, DOB, Soc. Sec. #, Etc.)															
Race W - White B - Black		1 - American Indian O - Oriental/Asian		W	Sex M	Date of Birth 12/01/1987		Height 5'9	Weight 170	Eye Color BRN	Hair Color BRN	Complexion M	Build M													
Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)								Marital Status UNK		Religion UNK		Indication of Alcohol Influence Drug Influence		Y	N	Unk. <input checked="" type="checkbox"/>										
Local Address (Street, Apt. Number) 19740 SEDGFIELD TER,				(City) BOCA RATON,		(State) FL		(Zip) 33498		Phone ()		Residence Type: 1. City 2. County 3. Florida 4. Out of State														
Permanent Address (Street, Apt. Number)				(City)		(State)		(Zip)		Phone ()		Address Source														
Business Address (Name, Street)				(City)		(State)		(Zip)		Phone ()		Occupation														
D/L Number, State B300-169-87-441-0			Soc. Sec. Number			INS Number			Place of Birth (City, State) NEW YORK			Citizenship USA														
CO-DEF	Co-Defendant Name (Last, First, Middle) BIEDA, LEVI ("LARRY") CHAIM				Race W	Sex M	Date of Birth 03/16/1985		<input checked="" type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large		<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile															
	Co-Defendant Name (Last, First, Middle) BIEDA, MIMI JOY				Race W	Sex F	Date of Birth 07/04/1959		<input checked="" type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large		<input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile															
DEFENDANT	Parent <input type="checkbox"/>		Name (Last) (First) (Middle)		Residence Phone ()																					
	Legal Custodian <input type="checkbox"/>		Other <input type="checkbox"/>		Business Phone ()																					
	Address (Street, Apt. Number) (City) (State) (Zip)				Notified by: (Name) Date Time																					
	Released To: (Name) Relationship				Date Time																					
JUVENILE	The above address was provided by <input type="checkbox"/> defendant and / or <input type="checkbox"/> defendant's parents. The child and / or parent was told to keep the Juvenile Court Clerk's Office (Phone 355-2526) informed of any change of address.				School Attended				Grade																	
	Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> No				Description of Property				Value of Property																	
	Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> No				Description of Property				Value of Property																	
	Property Crime? <input type="checkbox"/> Yes <input type="checkbox"/> No				Description of Property				Value of Property																	
CODE	Drug Activity N. N/A P. Possess		S. Sell B. Buy T. Traffic		R. Smuggle D. Deliver E. Use		K. Dispense/ Distribute		M. Manufacture/ Produce/ Cultivate		Z. Other A. Amphetamine		Drug Type N. N/A B. Barbiturate C. Cocaine E. Heroin		H. Hallucinogen M. Marijuana O. Opium/Deriv.		P. Paraphernalia/ Equipment S. Synthetic		U. Unknown Z. Other							
	Charge Description PATIENT BROKERING				Counts 2		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Statute Violation Number 817.505(1)(b)(4)(c)				Violation of ORD #													
CHARGE	Drug Activity N		Drug Type N		Amount / Unit \$2,183,750.68		Offense # SA20001419		Warrant / Capias Number				Bond													
	Charge Description MONEY LAUNDERING				Counts 1		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Statute Violation Number 896.101(3)(a) AND (5)(c)				Violation of ORD #													
CHARGE	Drug Activity N		Drug Type N		Amount / Unit \$309,414.06		Offense # SA20001419		Warrant / Capias Number				Bond													
	Charge Description				Counts		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Statute Violation Number				Violation of ORD #													
CHARGE	Drug Activity		Drug Type		Amount / Unit		Offense #		Warrant / Capias Number				Bond													
	Charge Description				Counts		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Statute Violation Number				Violation of ORD #													
CHARGE	Drug Activity		Drug Type		Amount / Unit		Offense #		Warrant / Capias Number				Bond													
	Charge Description				Counts		Domestic Violence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Statute Violation Number				Violation of ORD #													
NOTICE TO APPEAR	<input type="checkbox"/> Instruction No. 1 Mandatory Appearance in Court <input type="checkbox"/> Instruction No. 2 You need not appear in Court but must comply with instructions on Reverse Side		Location (Court, Room Number, Address)																							
	Court Date and Time									Month			Day			Year			Time			A.M.			P.M.	
I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED																										
Signature of Defendant (or Juvenile and Parent/ Custodian)											Date Signed															
ADMIN	HOLD for other Agency Name				Signature of Arresting Officer X INVO				Name Verification (Printed by Arrestee)																	
	<input type="checkbox"/> Dangerous <input type="checkbox"/> Suicidal				<input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Other:				Name of Arresting Officer (Print) MARK BERRY SAO #1033				(PRINT)				PAGE									
	Intake Deputy				I.D. #		Pouch #		Transporting Officer				I.D. #		Agency				Witness here if subject signed with an "X"				OF			

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Print Form

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

AFFIDAVIT FOR ARREST WARRANT

BEFORE ME, Judge Maxine Cheesman of the Fifteenth Judicial Circuit Court in and for Palm Beach County Florida, personally appeared, Affiant, Investigator Mark Berey of the Office of the State Attorney-15th Judicial Circuit who, after being duly sworn by me, deposes and requests that an arrest warrant be issued for:

Mimi Joy Bieda

White Female

DOB: 07/04/1959

SSN: [REDACTED]

FL DL: B300-550-59-744-0

Last Known Address: 1089 Exeter E, Boca Raton, Fl. 33434

Levi ("Larry") Chaim Bieda

White Male (son of Mimi)

DOB: 03/16/1985

SSN: [REDACTED]

FL DL: B300-523-85-096-0

Last Known Address: 382 NW 35th Lane, Boca Raton, FL 33431

David Israel Bieda

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White Male (son of Mimi)

DOB: 12/01/1987

SSN: [REDACTED]

FL DL: B300-169-87-441-0

Last Known Address: 19740 Sedgefield Terr., Boca Raton, FL 33498

The targets of this investigation are Mimi Bieda, Levi "Larry" Bieda, and David Bieda, all residents of Palm Beach County, who own addiction treatment and sober home facilities in Palm Beach County, and portions of testing laboratories in Palm Beach and Martin Counties. As detailed below, the targets are engaged in Patient Brokering and Money Laundering activities that impact those counties as well as other areas of south Florida and the country. Affiant hereby makes this Complaint against the above-listed persons based upon probable cause involving two schemes. Those schemes are detailed following a brief background overview:

Background on Substance Abuse Industry and Drug Testing:

Over the past several years, state and local law enforcement agencies have been investigating a growing number of abuses and instances of fraud in the substance abuse treatment and recovery industry. The substance abuse treatment industry in south Florida has grown in recent years, and that growth has correlated with the influx of substance abuse patients, both from other parts of the state and outside the state.

"Sober homes," also known as "halfway houses" or "recovery residences," are dwellings where residents are supposed to live together in a drug-free environment while working to maintain sobriety. As a standard practice, sober homes offer no substance abuse treatment, but encourage treatment to occur at off-site treatment facilities. Sober home residents are expected to pay their own rent and utilities. In an effort to maintain a safe and sober environment, any resident found to be using drugs or alcohol while living there is usually removed from the home.

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Substance abuse treatment facilities offer a wide range of treatment options, from medicated-assisted treatment (“MAT”) to individual or group therapy sessions to assist patients in recovery. The levels and types of treatment are based on the type, stage, and severity of the addiction. Detox facilities typically offer 24-hour medically supervised in-patient detoxification programs, typically lasting from 3-10 days. Many also offer in-patient residential stabilization after the initial detox period.

Federal guidelines and insurance companies categorize these levels as Partial Hospitalization Programs (“PHP”), Intensive Outpatient Programs (“IOP”), and Outpatient Programs (“OP”), among others. PHPs, IOPs, or OPs can be billed to insurance companies when they are medically necessary, provided by, or overseen by, licensed medical professionals, and their services are lawfully rendered.

Pursuant to guidelines published by the Substance Abuse and Mental Health Services Administration (“SAMHSA”), PHPs are formal substance abuse treatment programs for patients with mild to moderate symptoms of withdrawal that are not likely to be severe or life-threatening and that do not require 24-hour medical support. PHPs are considered a “step down” from inpatient detoxification programs. Patients attending PHPs are required to participate in 30 or more hours of treatment per week, often provided in six-hour sessions per day, for five days a week. Clients who successfully complete a PHP program should then transition to an IOP.

According to SAMHSA’s Guidelines, IOPs are formal substance abuse treatment programs that adhere to a set of formal guidelines. IOPs must be overseen by a qualified professional. Patients must receive a thorough evaluation to determine the stage and severity of their illness, including medical and mental disorders. Qualified medical personnel must assign clients to a formal treatment plan.

According to SAMHSA’s Guidelines, OPs, also known as “aftercare” or “continuing care,” are traditional outpatient treatments that follow inpatient or IOP treatment. OPs are generally associated with mutual help support groups such as the 12-Step programs used by Alcoholics Anonymous (“AA”) and Narcotics Anonymous (“NA”). OP patients will occasionally receive formal treatment from a facility during this period.

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Urine Analysis or urinalysis (“UA”) testing is used to detect recent drug or alcohol use by a patient. UA testing complexity ranges from point of care (“POC”) testing which provides instant results, to screening and confirmatory testing, which is sent to a laboratory, for more complex analysis. UAs can be billed to insurance companies, as long as the urine test is medically necessary and ordered by a medical doctor. Sober homes, committed to the sobriety of their residents, use UAs to confirm residents are abiding by house rules against substance abuse. Sober homes acting in compliance with SAMHSA’s recommendations expel residents whose UA show recent drug and/or alcohol use.

Point of Care (“POC”) urine testing involves collecting a client’s urine in a specific cup designed for testing. The specimen is analyzed using a color banded or numbered dipstick, allowing for visual positive or negative results. POC urine testing usually tests for the presence of 9 to 13 specific types of drugs. POC tests typically cost between \$5 and \$10 and could be read easily by a layperson. POC testing is convenient, inexpensive, and the results can be read quickly. POC testing is the most common form of testing performed at sober homes and treatment facilities.

Screening testing is conducted in a laboratory setting and is more sophisticated than POC testing. These tests are typically billed to insurance companies at \$1,000 to \$3,000 per test.

Confirmatory testing, conducted in a laboratory setting, uses gas liquid chromatography, mass spectrometry, and/or gas chromatography, or high-performance liquid chromatography to analyze the urine specimen. These techniques are highly sensitive and accurately identify and quantify specific substances and their metabolites. Results of confirmatory testing take longer, and the tests are significantly more expensive, typically billing insurance companies \$3,000 to \$5,000 for each test.

Affiant’s Background:

Your Affiant is an Investigator at the Office of the State Attorney-15th Judicial Circuit, and until July 10, 2019, was a Detective at the Palm Beach County Sheriff’s Office (“PBSO”) and was associated with PBSO since 2011. At PBSO your Affiant was assigned to the Criminal Investigations/Detective Bureau-District 6. Your Affiant is a Certified Fraud Examiner and holds a MBA in Finance/Accounting from Northwestern University’s Kellogg Graduate School of Management. Your Affiant has extensive experience investigating financial crimes, Patient Brokering violations, Money Laundering, and Insurance Fraud.

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Since early 2017 Your Affiant has participated as a member of the Palm Beach County State Attorney's Office Sober Homes Task Force ("SHTF") in numerous investigations of Patient Brokering (paying or receiving kickbacks for the referral of patients to a health care facility in violation of Fla. Stat § 817.505), Money Laundering, and Insurance fraud. Your Affiant's investigations primarily focused on:

- Clinical labs paying kickbacks to various entities for the referral of patients' urine analysis ("UA") testing
- Addiction treatment centers receiving kickbacks through shell entities
- Labs and treatment centers billing insurance companies for excessive UA testing and medically unnecessary tests.

THE INVESTIGATION

Scheme 1-Patient Brokering between Jayde Lab and Academy owners:

Florida Sunbiz records show Mimi and Larry Bieda as the members of Academy Health Solutions, LLC ("Academy"), an entity which was formed 6/26/16 and owns an addiction treatment center in Lake Park, FL. (A 1/27/18 loan request signed by Mimi and Larry from Academy to Paradise Bank represents Mimi and Larry to each own 50% of Academy, and certified records of Florida's Department of Children and Families show Mimi and Larry Bieda as the listed owners on a license application dated 6/30/17 signed by Mimi Bieda.) As more completely described below, the Biedas had a business arrangement with Jayde Laboratories, LLC, a Palm Beach County company, whereby the Biedas acquired a 20% ownership interest in Jayde (through Quicken Results, LLC, a Florida company listing David Bieda as manager) and then directed their addiction treatment facility to send their patients' UA testing to Jayde. Evidence shows that Quicken received significantly more than 20% of the profits of Jayde for the period in which the Bieda family directed their UAs to Jayde. Evidence detailed hereunder will also show that the Bieda family benefited from the revenues of Quicken.

On February 24, 2019 Adrian S. Rogers, principal owner of Jayde, was arrested and charged by the Florida State Attorney's Office-15th Judicial Circuit with 6 counts of Patient Brokering and 1 count of Conspiracy to commit Patient Brokering. In a September 19, 2019 sworn statement (that was given pursuant to a July 17, 2019 proffer agreement), Rogers confirmed that he negotiated

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with Mimi and Larry Bieda for the sale of a 20% interest of Jayde to the Biedas on or about April 1, 2017. (He said that although Mimi and Larry negotiated the deal, they brought Mimi's younger son, David Bieda, in to sign the agreement on behalf of Quicken.) He also acknowledged that the Biedas' facility provided approximately 80% of Jayde's total testing volume for all or part of the periods that Quicken was receiving payments from Jayde. Furthermore, Rogers provided us with an Amended and Restated Operating Agreement of Jayde Laboratories, LLC in which Quicken is identified as buying a 20% interest in Jayde. That agreement provides for Rogers to have 100% of the class B shares, and it further provides that the class B shares control the operating decisions of Jayde. While the agreement allocates profits and losses 80/20, it has a special provision that "All income received by an income source that was introduced to the Company by Quicken shall be distributed (a) first, 50% to Quicken, and (b) the remainder paid to all remaining Members, on a pro rata basis:" This provision would have the effect of giving Quicken a 50% referral fee on all UAs from Academy. Rogers said that it was Mimi and Larry Bieda who personally negotiated for the 50% referral fee clause for the benefit of Quicken. He said Quicken paid \$50,000 for the 20% interest. Within the first 8 months after making that investment, Quicken received distributions from Jayde of over \$360,000. Adrian Rogers received direct distributions during that same period of \$41,914.00 Even if one adds distributions to entities in which Rogers appears to own an interest, Quicken's distributions for that 8 month period still represent more than 50% of all funds distributed.

In a November 25, 2019 interview with Rogers (pursuant to the above-mentioned proffer agreement), he confirmed that this (unsigned) agreement between Jayde and Quicken was the same version that he and David Bieda signed. F.S.S. 817.505 prohibits payments to or from a health care facility for the referral of patients or patronage. The referral of UAs from the Biedas' facility with corresponding payments from Jayde constitutes a violation of F.S.S. 817.505.

A detailed review of certified bank records for the Jayde Lab account at PNC Bank shows that after Quicken's purchase of 20% of Jayde, from July 6, 2017 through September 12, 2018 (when the final distributions were made), Quicken received 42.7%, or \$431,785.28 of distributions. For that same period, Rogers received 57.3%, or \$579,100 of distributions. During this period, certified Blue Cross Blue Shield ("BCBS") claims records show that approximately 79% of claims from Jayde were for UAs referred by Academy.

A detailed review of Quicken's TD Bank account for 2017-2019 shows more than 25 cash withdrawals almost all of which are between \$5,000 and \$9,500 each. However, in 2018 and 2019,

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\$75,000 was disbursed to Bieda Management, Inc., a Florida Profit Corporation listing Mimi and Larry Bieda as Officers and Directors. (The above-referenced Paradise Bank loan application lists them as 50/50 owners.) Through May 2019, at least \$625,000 was disbursed from the Quicken TD Bank account and deposited into other accounts at Florida Community Bank and City National Bank for which Mimi, Larry, and David are the authorized signers.

The certified BCBS insurance claims records show that for UA claims submitted by Jayde from July, 2017 thru June, 2018, that the top 20 patients (in terms of number of UA claims) who attended Academy accounted for more than 15,000 UA claim line items recorded by BCBS totaling millions of dollars billed. Jayde billed BCBS for more than 400 patients in 2017 and 2018, and, as noted above, approximately 79% of those patients were referred from Academy. [A sampling of all of the billing records for Jayde (for the months of 8/17 and 9/17) showed that more than 87% of all insurance payments to Jayde were from BCBS affiliates alone.]

There are certain safe harbor exceptions to the Patient Brokering Act, including one that permits investments, however, the safe harbor provisions for investors require that eight specified standards be met. Quicken's investment in Jayde meets less than all eight. For example:

- Standard (vi) requires that “No more than 40% of the entity’s gross revenue related to the furnishing of health care items and services in the previous fiscal year or previous 12-month period may come from referrals or business otherwise generated from investors.”
 - As stated above, the referrals to Jayde from Academy were nearly double the maximum permitted.
- Standard (viii) requires that “The amount of payment to an investor in return for the investment interest must be directly proportional to the amount of the capital investment...of that investor.”
 - As stated above, Quicken invested \$50,000 (or 20%) into Jayde Lab, and Quicken received significantly more than 20% of total distributions.

The above evidence forms the basis for one (1) count of Patient Brokering under §§ 817.505(1)(b)(4)(c) and 777.011, Fla. Stat., a 1st deg. Felony, for soliciting or receiving kickbacks in the total amount of \$431,785.28 for the referral of patients or patronage, involving 20 or more patients to or from a health care facility (from Jayde to Quicken/the Bieda family) from July 6, 2017 thru September 12, 2018.

Scheme 2-Patient Brokering and Money Laundering among District Diagnostics, Quicken Results, Campus Wellness, and the owners of Academy:

Florida Sunbiz records show that a lab management company, Nexus Biologix, LLC (“Nexus”) laboratory was established as an entity effective 8/31/17. David Bieda signed as Registered Agent and “member or authorized representative.” A clinical laboratory, District Diagnostics, LLC, (“District”) was also established on 8/31/17 listing David Bieda as Registered Agent and member/authorized rep. This lab was licensed to operate by the State of Florida on 6/7/18. The license application listed Alan Diamond as “Administrator/CEO/Managing Employee” and Chief Financial Officer of District. In a licensing application addendum dated 5/11/18, a provision requiring a list of all persons with a 5% or greater interest in District listed only Alan Diamond and was signed by Alan Diamond. He also represented himself to be 100% owner on 5/11/18.

Rogers said that the Academy UA business moved to the new District lab from Jayde in mid-2018. He said that he wanted to start a new business that would manage labs, including a new lab to replace Jayde, and then close Jayde down and focus on the new business. Insurance company claims records for the two labs show that Jayde filed claims through July, 2018, and District started billing for UA test claims in June, 2018. Rogers said that Nexus and District were owned in the same percentages as each other, and the ownership was himself (50%), the Bieda family (32%) (held by Quicken Results), Carly and Alan Diamond (the owners of the billing company for Academy) (10%), and Rob Meyer (10%). Rogers said that the plan was to own a lab management company, Nexus, and also own District, one of the new labs to be managed by Nexus. Rogers said that only he and the Bieda family invested capital in starting up Nexus and District.

Certified Optum/United Healthcare (“Optum”) claims records for District show that from June 2018 thru December 2019 District submitted 6,877 claims representing 80 insured members. Of these claims, 5,059, or 73%, were referred to District by Academy.

Certified BCBS claims records for District show that from June, 2018 thru November, 2019 District submitted 16,878 claims representing 400 insured BCBS members. Of these claims, 11,556, or 68%, were referred to District by Academy.

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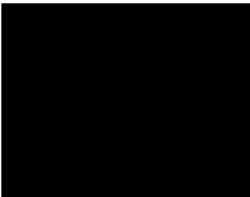
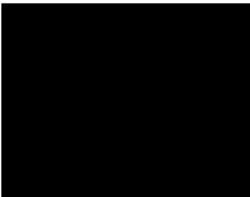
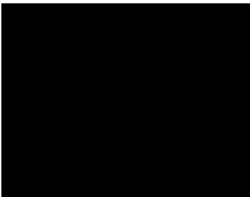
Based on my experience in reviewing thousands of insurance company records regarding addiction treatment centers and labs, BCBS and Optum combined account for a substantial majority of the insurance claims filed by these facilities. (In fact, a review of the 8/17 and 9/17 billing records for Jayde showed that more than 87% of all insurance payments to Jayde were from BCBS affiliates alone.) The combined BCBS and Optum claims filed by District for patient referrals from an Academy medical professional accounted for approximately 70% of all claims filed by District to these two insurers.

A review of distributions to the parties that Rogers identified as owners of District shows that, initially, the payments to Quicken appear to approximate Quicken’s 32% ownership that Rogers described. However, a deeper look into the bank accounts of District, Quicken, and related entities shows that Bieda-related entities, directly and indirectly, received more than \$1.75 million from District between 7/19/18 and 12/13/19 representing 43% of District’s total distributions for this timeframe. Of the \$1.75 million, approximately \$1.45 million went directly to Quicken from multiple District bank accounts.

Quicken also received more than \$300,000 indirectly from District that was funneled through Campus Wellness Group, LLC. Florida Sunbiz records show that Campus Wellness Group, LLC (“Campus”) was established 4/30/17 by Danielle Hoberman. (Social media records show that Hoberman married Larry Bieda in 2016.) Certified Wells Fargo Bank records show that on 5/3/17 Hoberman and Larry Bieda established a bank account for Campus as the two authorized signers. Campus received payments from both the Wells Fargo and City National Bank accounts of District. Portions noted below were then passed on from Campus to Quicken on the same or following day as noted below:

<u>DATE</u>	<u>FROM DISTRICT ACCT</u>	<u>\$ TO CAMPUS</u>	<u>PAID OUT TO QUICKEN</u>
3/9/19	██████████	\$172,500.00	\$86,250.00
4/8/19	██████████	\$35,838.68	
4/8/19	██████████	\$100,000.00	\$50,000.00

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5/2/19		\$162,500.00	\$81,250.00
6/4/19		\$112,500.00	\$36,250.00
8/9/19		\$89,062.50	\$55,664.06

F.S.S. 817.505 prohibits payments to or from a health care facility for the referral of patients or patronage. The referral of UAs from the Biedas' facility (Academy) with corresponding payments from District constitutes a violation of F.S.S. 817.505.

As explained above, there are certain safe harbor exceptions to the Patient Brokering Act, including one that permits investments, however, the safe harbor provisions for investors require that eight specified standards be met. Quicken's investment in District meets less than all eight. For example:

- Standard (vi) requires that "No more than 40% of the entity's gross revenue related to the furnishing of health care items and services in the previous fiscal year or previous 12-month period may come from referrals or business otherwise generated from investors.
 - As described above, the referrals to District from Academy were approximately 70%.

In summary, the Bieda family owned a minority interest in District, and they referred a majority of the UA testing volume of District from their family-controlled facility (Academy.) The family received a disproportionate share of distributions from District. Some of those distributions were funneled through Campus, which then distributed a significant portion of its funds to Quicken. As described above, through May 2019, at least \$625,000 was disbursed from the Quicken TD Bank account and deposited into other accounts at Florida Community Bank and City National Bank for which Mimi, Larry, and David are the authorized signers.

The above evidence forms the basis for the following charges against Mimi Bieda, Larry Bieda, and David Bieda:

- one (1) count of Patient Brokering under §§ 817.505(1)(b)(4)(c) and 777.011, Fla. Stat., a 1st deg. Felony, for soliciting or receiving kickbacks in the total amount of \$1,751,965.40 for the referral of patients or patronage, involving 20 or more patients to or from a health

care facility (from District to Quicken/the Bieda family) from July 19, 2018 through December 13, 2019

- one (1) count of Money Laundering (over \$100,000) under 896.101(3)(a) and (5)(c), Fla. Stat., a 1st deg. Felony, from March 9, 2019 through August 9, 2019, for conducting or attempting to conduct financial transactions which, in fact, involve the proceeds of specified unlawful activity:
 1. with the intent to promote the carrying on of specified unlawful activity; or
 2. knowing that the transaction is designed in whole or in part to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of specified unlawful activity.

Based on all of the above, probable cause exists to issue warrants for the arrest of Mimi Bieda, Levi (“Larry”) Bieda, and David Bieda for:

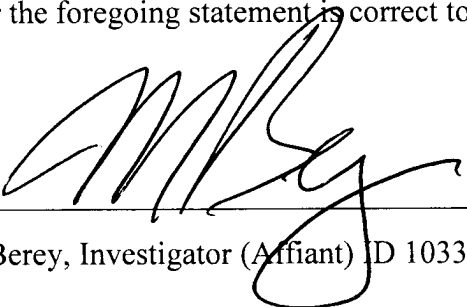
- one (1) count each of Patient Brokering under §§ 817.505(1)(b)(4)(c) and 777.011, Fla. Stat., a 1st deg. Felony, for soliciting or receiving kickbacks in the total amount of \$431,785.28 for the referral of patients or patronage, involving 20 or more patients, to or from a health care facility (from Jayde to Quicken/the Bieda family) from July 6, 2017 thru September 12, 2018.
- one (1) count each of Patient Brokering under §§ 817.505(1)(b)(4)(c) and 777.011, Fla. Stat., a 1st deg. Felony, for soliciting or receiving kickbacks in the total amount of \$1,751,965.40 for the referral of patients or patronage, involving 20 or more patients to or from a health care facility (from District to Quicken/the Bieda family) from July 19, 2018 through December 13, 2019.
- one (1) count each of Money Laundering (over \$100,000) under 896.101(3)(a) and (5)(c), Fla. Stat., a 1st deg. Felony, from March 9, 2019 through August 9, 2019, for conducting or attempting to conduct financial transactions which, in fact, involve the proceeds of specified unlawful activity:
 1. with the intent to promote the carrying on of specified unlawful activity; or

Mimi Bieda et al

Complaint Affidavit

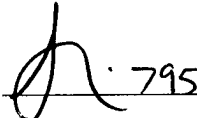
2. knowing that the transaction is designed in whole or in part to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of specified unlawful activity.

I swear the foregoing statement is correct to be best of my knowledge and belief.



Mark Beroy, Investigator (Affiant) ID 1033

Sworn to and subscribed before me this 30th day of June, 2020.



Notary/LEO Det. Alfredo Lima 795
Boca Raton Police Department