

Joseph

Original - Court
1st copy - File

2nd copy - Defendant
3rd copy - Financial Service Dept.

STATE OF MICHIGAN
THIRD JUDICIAL COURT
CRIMINAL DIVISION

ORDER FOR PAYMENT
FINES, COSTS, AND
RESTITUTION

CASE NO.

03-12122

ORI
MI 820031-J

Court Address
1441 St. Antoine, Detroit, Michigan 48226

Court Telephone

THE PEOPLE OF THE STATE OF MICHIGAN

v

DEFENDANT'S NAME, ADDRESS & TELEPHONE No.

*A DENTER CENTER,
P.C.*

CTN SID DOB

TERM

OFFENSE

IT IS ORDERED that the defendant shall pay the following:

Fine	\$	<u>1,000.00</u>
Costs	\$	<u>300.00</u>
Restitution	\$	<u>1,662.29</u>
Crime Victim	\$	_____
Atty Fees	\$	_____
Other	\$	_____
TOTAL	\$	_____

Pay to: State of Michigan

Name _____

Address _____

City _____ State _____ Zip Code _____

Pay Forthwith

The total amount due may be paid to the Third Judicial Court Financial Services Department, Room ____, of \$ _____ per _____ starting on _____ Date

Failure to comply with this order may result in a citation for Contempt of Court.

11-17-03
Date

Gregory D. Bill
Judge Bar no.

HON. GREGORY D. BILL

Pay w/ 30 Days.

I have read or heard the above order and have received a copy. I understand and agree to comply with this order. I understand a record of my payments will be submitted to the sentencing judge for review.

Date _____

Defendant Signature _____

THE PEOPLE OF THE STATE OF MICHIGAN v. Defendant's Name
A. Dental Center, P.C - Southgate

SID LPD

PRETRIAL SETTLEMENT OFFER

No charge reduction Charge reduction

COUNT: SPECIFY CHARGE(S)	PACC	ATTEMPT 750.92	STATUTORY MAXIMUM PENALTY
<u>5 Medicaid Fraud MCL 400.607(G)</u>	<u>490 6071</u>		<u>4 yrs \$0,000</u>

Sentence Agreement Agree to Guideline Sentence Sentence Recommendation

People agree to PA 511 sentence People object to PA 511 sentence

Sentence is mandatorily consecutive by law to _____

People agree to withdraw notice to enhance sentence.

Dismiss Remaining Counts in exchange for plea in this case.

Other prosecutorial agreement _____

11-17-03 Richard L Keeney
 Date Prosecuting Attorney

NOTICE OF ACCEPTANCE

I HEREBY ACCEPT THE ABOVE PRETRIAL SETTLEMENT OFFER AND WAIVE THE FOLLOWING RIGHTS:

1. THE RIGHT TO A JURY TRIAL OR TRIAL BY THE COURT WITH THE PROSECUTOR'S CONSENT.
2. THE RIGHT TO BE PRESUMED INNOCENT UNLESS PROVEN GUILTY BEYOND A REASONABLE DOUBT.
3. THE RIGHT TO CONFRONT AND QUESTION THE WITNESSES AGAINST ME.
4. THE RIGHT TO HAVE THE COURT COMPEL WITNESSES TO COME TO COURT AND TESTIFY FOR ME.
5. THE RIGHT TO TESTIFY AT MY TRIAL. THE RIGHT TO REMAIN SILENT AND NOT HAVE MY SILENCE USED AGAINST ME.
6. THE RIGHT TO CLAIM MY PLEA WAS THE RESULT OF PROMISES OR THREATS NOT DISCLOSED TO THE COURT, OR THAT IT WAS NOT MY CHOICE TO PLEAD GUILTY.
7. THE RIGHT TO APPEAL AS OF RIGHT AS TO CONVICTION AND SENTENCE.

[Signature] 11/17/03 *[Signature]* 11/17/03
 Defendant Date Defense Attorney Date

IN THE MATTER OF:

THE PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

vs.

Case No. 03-7218

District Court Case No. 03-FM5577

I DENNIS POTOCSKY, D.D.S., P.C.,

Defendant.

THE PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

vs.

Case No. 03-010674

District Court Case No. 03-FA5578

A DENTAL CENTER, P.C. – ALLEN PARK,

Defendant.

THE PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

vs.

District Court Case No. 03-0411FY

A DENTAL CENTER, P.C. – SOUTHGATE,

Defendant.

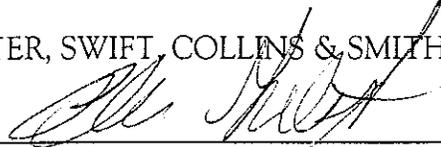
PLEA AGREEMENT

The People of the State of Michigan and the above three entities, through their respective counsel, agree to the following resolution of all three cases:

1. I. Dennis Potocsky, D.D.S., P.C., will plead guilty to Count I of the information.
2. A Dental Center, P.C. – Allen Park, will plead guilty to Count I of the information.

3. A Dental Center, P.C. – Southgate will plead guilty to Count I of the information.
4. The Attorney General's Office will dismiss all remaining counts against the Defendants listed above.
5. A Dental Center, P.C. – Southgate will waive its preliminary examination scheduled for October 24, 2003.
6. The Defendants agree to restitution to the State of Michigan in the following amounts:
 - a. I. Dennis Potocsky, D.D.S., P.C.: \$17,453.56;
 - b. A Dental Center, P.C. – Allen Park: \$7,430.48;
 - c. A Dental Center, P.C. – Southgate: \$1,662.29.
7. All three Defendants agree to pay the identical amounts as an additional penalty in November, 2004.
8. The Assistant Attorney General represents that the investigation did not reveal sufficient evidence to charge I. Dennis Potocsky, D.D.S., personally.
9. The State of Michigan releases all three Defendants, their employees, agents, shareholders, and directors from any civil monetary claims the State of Michigan may have pursuant to MCL 400.612, and any claims the State of Michigan may have under common law theories of payment by mistake, unjust enrichment and breach of contract for the Covered Conduct, as well as any administrative claims seeking to collect the overpayment.

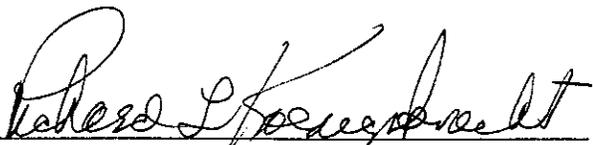
FOSTER, SWIFT, COLLINS & SMITH, P.C.,

By: 

Alan G. Gilchrist (P23408)
Attorney for Defendants
I. Dennis Potocsky, D.D.S., P.C.,
A Dental Center – Allen Park,
A Dental Center – Southgate

Dated: 10/15/03

STATE OF MICHIGAN

By: 
Richard L. Koenigsnecht (P23013)
Assistant Attorney General
Health Care Fraud Division

Dated: 10/15/03