

***EXHIBIT 5***

190302MH

COPY  
Approved by OMB  
3060-0034  
Expires 11/30/97

# FCC 340

## APPLICATION FOR CONSTRUCTION PERMIT FOR NONCOMMERCIAL EDUCATIONAL BROADCAST STATION

(Carefully read instructions before filing form) Return only form to FCC

FOR COMMISSION USE ONLY

FILE NO.

### Section I - GENERAL INFORMATION

1. Name of Applicant  Fatima Response, Inc.		
Street Address or P.O. Box PO Box 611		
City Keno	State OR	ZIP Code 97627
Telephone Number (include Area Code) 541-884-8074		

Send notices and communications to the following person at the address below:		
Name Franck Kato		
Street Address or P.O. Box PO Box 611		
City Keno	State OR	ZIP Code 97627
Telephone Number (include Area Code) 541-884-8074		

2. This application is for:

AM

FM

TV

(a) Channel No. or Frequency

253A

(b) Principal Community

City

State

Keno

OR

(c) Check one of the following boxes:

- Application for NEW station
- MAJOR change in licensed facilities; call sign: \_\_\_\_\_
- MINOR change in licensed facilities; call sign: \_\_\_\_\_
- MAJOR modification of construction permit; call sign: \_\_\_\_\_  
File No. of construction permit; call sign: \_\_\_\_\_
- MINOR modification of construction permit; call sign: \_\_\_\_\_  
File No. of construction permit; call sign: \_\_\_\_\_
- AMENDMENT to pending application: Application File Number: BFED-950206MH

NOTE: It is not necessary to use this form to amend a previously filed application. Should you do so, however, please submit only Section I and those other portions of the form that contain the amended information.

3. Is this application mutually exclusive with a renewal application?

Yes  No

If Yes, state:

Call letters \_\_\_\_\_

Community of License \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

**Section II - LEGAL QUALIFICATIONS**

Name of Applicant Fatima Response, Inc.

Applicant is: (check one box below)

- (a) governmental or public educational agency, board or institution
- (b) private nonprofit educational institution
- (c) nonprofit educational corporation
- (d) other (specify)

2. For applicants 1(c) or (d), describe in an Exhibit the nature and educational purposes of the applicant.

Exhibit No  
A

3. For applicants 1(c) or 1(d) applying for a new noncommercial educational television station only, describe in an Exhibit how the applicant's officers, directors and members of its governing board are broadly representative of the educational, cultural and civic segments of the principal community to be served.

Exhibit No

4. Describe in an Exhibit how the proposed station will be used, in accordance with 47 C.F.R. Section 73.503 or Section 73.621, for the advancement of an educational program.

Exhibit No  
B

5. Is there any provision contained in any by-laws, articles of incorporation, partnership agreement, charter, statute or other document which would restrict the applicant in advancing an educational program or complying with any Commission rule, policy or provision of the Communications Act of 1934, as amended?

Yes  No

If Yes, provide particulars in an Exhibit.

Exhibit No

**CITIZENSHIP AND OTHER STATUTORY REQUIREMENTS**

6. (a) Is the applicant in violation of the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments? (See Instruction B to Section II.)

Yes  No

(b) Will any funds, credits or other financial assistance for the construction, purchase or operation of the station(s) be provided by aliens, foreign entities, domestic entities controlled by aliens, or their agents?

Yes  No

If the answer to (b) above is Yes, attach an Exhibit giving full disclosure concerning this assistance.

Exhibit No

7. Has an adverse finding been made or an adverse final action been taken by any court or administrative body as to the applicant, any party to this application, or any non-party equity owner in the applicant, in a civil or criminal proceeding brought under the provisions of any law related to the following: any felony; mass media related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination?

Yes  No

If the answer is Yes, attach as an Exhibit a full disclosure concerning the persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers), and a description of the disposition of the matter. Where the requisite information has been earlier disclosed in connection with another application or as required by 47 C.F.R. Section 1.65, the applicant need only provide: (i) an identification of that previous submission by reference to the file number in the case of an application, the call letters of the station regarding which the application or Section 1.65 information was filed, and the date of filing; and (ii) the disposition of the previously reported matter.

Exhibit No

**PARTIES TO THE APPLICATION**

Complete the following Table with respect to all parties to this application.

(NOTE: If the applicant considers that to furnish complete information would pose an unreasonable burden, it may request that the Commission waive the strict terms of this requirement with appropriate justification.

**INSTRUCTIONS:** If applicant is a corporation or an unincorporated association with 50 or fewer stockholders, stock subscribers, holders of membership certificates or other ownership interests, fill out all columns, giving the information requested as to all officers, directors and members of governing board. In addition, give the information as to all persons or entities who are the beneficial or record owners of or have the right to vote capital stock, membership ownership interests or are subscribers to such interest. If the applicant has more than 50 stockholders, stock subscribers or holders of membership certificates or other ownership interests, furnish the information as to officers, directors, members of governing board, and all persons or entities who are the beneficial or record owners of or have the right to vote 1% or more of the capital stock, membership or ownership interests. If applicant is a governmental or public educational agency, board or institution, fill out columns (a), (b), and (c) as to all members of the governing board and chief executive officers.

Name and Residence Address(es)  (a)	Office Held  (b)	Director or Member of Governing Board		% of: Ownership (O) or Voting Stock (VS) or Membership (M)  (d)
		Yes	No	
		(c)		
Franck Kato 603 S. Rampart Blvd., #63 Los Angeles, CA 90057	President	Yes		(M)

**Section II - LEGAL QUALIFICATIONS(Page 4)**

9. Does the applicant, or any party to the application, have a petition to migrate to the expanded band (1605-1705 (kHz)) or a permit or license either in the existing band or expanded band that is held in combination with the AM facility proposed to be modified herein?

Yes  No

If Yes, provide particulars as an Exhibit.

Exhibit No.

10. Does the applicant or any party to the application have, or have they had, any interest in:

(a) a broadcast station, or pending broadcast station application before the Commission?

Yes  No

(b) a broadcast application which has been dismissed with prejudice by the Commission?

Yes  No

(c) a broadcast application which has been denied by the Commission?

Yes  No

(d) a broadcast station, the license of which has been revoked?

Yes  No

(e) a broadcast application in any pending or concluded Commission proceeding which left unresolved character issues against the applicant?

Yes  No

If the answer to any of the questions in (a)-(e) above is Yes, state in an Exhibit the following information:

Exhibit No.  
C

(1) Name of party having interest;

(2) Nature of interest or connection, giving dates;

(3) Call letters of stations or file number of application or docket; and

(4) Location.

EXHIBIT C

Fatima Response, Inc., an Oregon non-profit corporation, has a construction permit application BPED-951108NE for a new FM station using FM Channel 289A at Merrill, Oregon.

**SECTION VI - EQUAL EMPLOYMENT OPPORTUNITY PROGRAM**

Does the applicant propose to employ five or more full-time employees?

Yes  No

If Yes, the applicant must include an EEO program called for in the separate Broadcast Equal Employment Opportunity Program Report (FCC Form 396-A). (See also 47 C.F.R. Section 73.2080.)

**SECTION VII - CERTIFICATIONS**

1. Has or will the applicant comply with the public notice requirements of 47 C.F.R. Section 73.3580?

Yes  No  
 Not applicable (minor change)

2. By checking Yes, the applicant certifies, that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862, or, in the case of a non-individual applicant (e.g., corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits that includes FCC benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. Section 1.2002(b).

Yes  No

The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

The APPLICANT acknowledges that all the statements made in this application and attached Exhibits are considered material representations, and that all Exhibits are a material part hereof and incorporated herein.

The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with 47 C.F.R. Section 1.65, the APPLICANT has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in information furnished.

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Name Fatima Response, Inc.	Signature <i>Frank Kato</i>
Title President	Date 1 March 99
Typed or Printed Name of Person Signing Frank Kato	

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

***EXHIBIT 6***

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

MLI NV G

APRIL 8, 1992

HONORABLE:

MALCOLM H MACKKEY  
R BURT

JUDGE  
Deputy Sheriff

P. LOUISE  
N GRAHN

Deputy Clerk  
Reporter

(Parties and counsel checked if present)

PA 002779  
PEOPLE OF THE STATE OF CALIFORNIA  
VS

Counsel for People: A FLIER ✓  
DEPUTY DISTRICT ATTY:

01 SOHO, SANDRA ✓  
AKA SOHO, STANLEY  
H11353(a) -02cts ; H11156 -02cts

Counsel for Defendant: R . FORGETTE, PVT ✓

NATURE OF PROCEEDINGS

JURY TRIAL

BAIL

12-21-90

Trial/deliberation resumes from April 7, 1992 with all jurors present as heretofore.

At 9:05 a.m., jury resumes deliberations.

At 11:40 A.M., the jury returns to the Courtroom with the following verdicts:

TITLE OF COURT AND CAUSE

"We, the jury in the above entitled action , find the Defendant, Sandra Soho, guilty of UNLAWFUL CONTROLLED SUBSTANCE PRESCRIPTION in violation of Section 11153(a) HEALTH AND SAFETY CODE, a felony, as charged in Count I of the amended Information. This 8th day of April , 1992., Steven Tunick , Foreman."

TITLE OF COURT AND CAUSE

"We, the jury in the above entitled action , find the defendant, Sandra Soho, guilty of UNLAWFUL CONTROLLED SUBSTANCE PRESCRIPTION, in violation of Section 11153 (a) HEALTH AND SAFETY CODE, a felony, as charged in Count II of the Amended Information.

TITLE OF COURT AND CAUSE

"We, the jury in the above-entitled action , find the Defendant, Sandra Soho, guilty , of prescribing a controlled substance to an addict or habitual user or any person representing herself as such, in violation of Section 11156 Health and Safety Code, a felony, as charged in Count III of the Information. This 8th day of April, 1992 Steven Tunick, Foreman ,"

TITLE OF COURT AND CAUSE

"We, the jury , in the above entitled action, find the Defendant, Sandra Soho, guilty of prescribing a controlled substance , to an addict or habitual user, or any person, representing herself as such, in violation of Section 11156 Health and Safety Code, a felony, as charged in Count IV of the Information. This 8th day of April , 1992, Steven Tunick, Foreman"

The verdicts are read. The jury is polled . All twelve jurors answer in the affirmative . The verdicts are recorded. Reading of the verdict as recorded is

MINUTES ENTERED  
4-8-92  
COUNTY CLERK

DEPT.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

APRIL 8, 1992

Date:  
HONORABLE:

MALCOLM H MACKEY  
R BURT

JUDGE  
Deputy Sheriff

P. LOUISE

Deputy  
Reporter

N GRAHN

PA 002779	(Parties and counsel checked if present)
PEOPLE OF THE STATE OF CALIFORNIA	Counsel for People:
VS	DEPUTY DISTRICT ATTY: A FLIER
01 SOHO, SANDRA	Counsel for Defendant:
AKA SOHO, STANLEY	R FORGETTE, PVT.
H11353 ( a ) ; -02cts; H11156 -02cts	

NATURE OF PROCEEDINGS      JURY TRIAL      BAIL      12-21-90

PAGE 2 of 2

waived. All verdict forms and instructions to the jury, given and refused, are filed. The jurors are thanked and excused.

People's motions to 1) remand defendant pending sentencing and 2) order defendant not to practice medicine pending sentencing are each denied.

Probation and Sentence is set May 15, 1992 at 8:30 AM., this department. Defendant waives further probation report and agrees preplea report may be used in Probation and Sentence. Defendant intends to supplement the report by submitting documents prepared on behalf of defendant.

Defendant ordered to return.

BAIL

Pursuant to Section 803.5 Business and Professions Code, the defendant being a licensed physician in the State of California a copy of this order is sent via U.S. Mail this date to Board of Medical Quality Assurance  
attn; Secretary  
1020 "N" Street  
Sacramento, CA 95814

***EXHIBIT 7***

BEFORE THE  
MEDICAL BOARD OF CALIFORNIA  
DIVISION OF MEDICAL QUALITY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation	)	
Against	)	
	)	
SANDRA SOHO, M.D.	)	No. D-3952
Certificate No. G-15318	)	
	)	
	)	
	)	
Respondent.	)	

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DECISION

The attached Proposed Decision of the Medical Quality Review Committee is hereby adopted by the Division of Medical Quality of the Medical Board of California as its Decision in the above-entitled matter.

This Decision shall become effective on May 13, 1992.

IT IS OR ORDERED April 13, 1992.

DIVISION OF MEDICAL QUALITY  
MEDICAL BOARD OF CALIFORNIA

By: *Theresa L. Claassen*  
THERESA L. CLAASSEN  
Secretary/Treasurer

RECEIVED  
SACRAMENTO  
MEDICAL BOARD  
OF CALIFORNIA

FEB 21 9 09 AM '92

BEFORE THE  
MEDICAL BOARD OF CALIFORNIA  
DIVISION OF MEDICAL QUALITY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation	)	
Against:	)	
	)	
SANDRA SOHO, M.D.	)	D-4500
aka Stanley Soho	)	
24827 North San Fernando Road	)	OAH No. L-53820
Newhall, California 91321	)	
	)	
Physician and Surgeon	)	
Certificate No. G15318,	)	
	)	
Respondent.	)	

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PROPOSED DECISION

This matter came on regularly for hearing before a Panel of Medical Quality Review Committee, at Los Angeles, California on 16, 17, 21 and 22 January 1992, at Los Angeles, California. Richard J. Lopez, Administrative Law Judge of the Office of Administrative Hearings presiding. Panel members present were:

Marian Brubaker, M.D. - District 11

Mary Bailiff, Public Member - Sub-District 12

Pierre Haig, M.D. - Sub-District 13, Chairman

Maurice Mulville, M.D. - Sub-District 13

Gloria Barrios, Deputy Attorney General, appeared on behalf of complainant.

Respondent appeared in person and was represented by Alex J. Forgette, Attorney at Law.

Oral and documentary evidence and evidence by way of official notice and stipulation was received and the matter then argued and submitted. The Panel then deliberated in Executive Session. The Administrative Law Judge was present during said deliberations.

The Panel now finds, determines and orders as follows:

Parties and Jurisdiction

1

Complainant, Kenneth J. Wagstaff, is the Executive Director of the California State Medical Board of California and brought subject amended accusation in said official capacity.

2

On 26 August 1968, Physician and Surgeon Certificate No. G15318 was issued by the Board to Sandra Soho, aka Stanley Soho, respondent herein, and at all times relevant herein, said license has been in full force and effect.

3

On 5 January 1981, said license was revoked by the Board. The Board stayed respondent's revocation subject to five years probation with certain terms and conditions. Respondent completed her probation.

4

All pre-hearing jurisdictional requirements have been met. Jurisdiction for this proceeding does exist.

Findings

Re  
Amended Accusation

5

Patient Valerie L.

(A) Respondent saw patient Valerie L. from on or about 11 January 1989, through or about 28 February 1990, for ~~rheumatic~~ chronic lumbar arthritis.

*Traumatic*

(B) Respondent excessively prescribed approximately 4,300 tablets of Vicodin, a Schedule III drug, from on or about 11 January 1989, through on or about 28 February 1990, to patient Valerie L. or approximately 10 tablets of Vicodan a day.

*AVH*

(C) Respondent did not examine patient Valerie L. adequately or at sufficient intervals.

2

(D) Vicodin should not be prescribed for chronic traumatic lumbar arthritis.

(E) Respondent continued to prescribe excessive amounts of drugs to patient Valerie L., even though she knew patient Valerie L. was giving away and/or selling the drugs to other people.

(F) Respondent treated patient Valerie L. with intramuscular progesterone injections for no documented diagnosis.

(G) On or about 24 October 1989, respondent was aware that patient Valerie L. was a drug abuser. Yet, respondent continued to prescribe excessive amounts of drugs to patient Valerie L.

(H) Respondent's diagnosis does not justify respondent's excessive prescriptions to patient Valerie L. of controlled substances.

6

Patient Deborah L.

(A) Respondent saw patient Deborah L. from on or about 29 August 1989, through on or about 27 February 1990, for acute and chronic lumbar spine and scoliosis.

(B) Respondent excessively prescribed approximately 100 or more 30 milligrams (hereinafter "mg") tablets of Tylenol with Codeine #3, a Schedule III drug, per week to patient Deborah L.

(C) Respondent did not examine patient Deborah L. adequately or at sufficient intervals.

(D) Respondent's diagnosis does not justify respondent's excessive prescriptions to patient Deborah L. of controlled substances.

7

Patient Sharon B.

(A) Respondent saw patient Sharon B. from on or about 25 September 1989, through on or about 24 February 1990, for migraine headaches.

3

(B) Respondent excessively prescribed approximately 2,015 tablets of Vicodin, a Schedule III drug, from on or about 25 September 1989, through on or about 24 February 1990, to patient Sharon B.

(C) Respondent did not examine patient Sharon B. adequately or at sufficient intervals.

(D) Respondent's diagnosis does not justify respondent's excessive prescriptions to patient Sharon B. of controlled substances.

8

Patient Robert M.

(A) Respondent saw patient Robert M. from on or about 5 December 1989, through on or about 29 March 1990, for traumatic arthritis, lumbar spine and knees, lumbar disk disease, osteoarthritis and back fracture.

(B) Respondent excessively prescribed massive dosages of 30 mg tablets of Tylenol with Codeine #3 and 60 mg tablets of Tylenol with Codeine #4, Schedule III drugs, from on or about 5 December 1989, through on or about 29 March 1990, to patient Robert M.

(C) After the initial examination said patient received no further examinations during numerous visits over a period of four months.

(D) During one three and one half month period respondent prescribed approximately 350 tablets of Vicodin, a Schedule II drug, and 1,300 tablets of Tylenol with Codeine #4, a Schedule III drug.

(E) On 8 January 1990, respondent was aware that patient Robert M. was a drug abuser. Yet, respondent continued to prescribe excessive amounts of drugs to patient Robert M.

(F) Respondent's diagnosis does not justify respondent's excessive prescriptions to patient Robert M. of controlled substances.

9

Respondent Sandra Soho, M.D., engaged in unprofessional conduct by over prescribing controlled substances to patients as set forth in Findings 5, 6, 7 and 8, and each of them.

4

10

Respondent Sandra Soho, M.D., over prescribed controlled substances to patients as set forth in Findings 5, 6, 7 and 8 and each of them.

11

Respondent Sandra Soho, M.D., was grossly negligent by over prescribing controlled substances to patients as set forth in Findings 5, 6, 7 and 8 and each of them.

12

Respondent Sandra Soho, M.D., was repeatedly negligent by over prescribing controlled substances to patients as set forth in Findings 5, 6, 7 and 8.

13

Respondent Sandra Soho, M.D., was incompetent by over prescribing controlled substances to patients as set forth in Findings 5, 6, 7 and 8 and each of them.

14

Respondent Sandra Soho, M.D., was engaged in conduct which would have warranted the denial of a certificate because she over prescribed drugs to the patients as set forth in Findings 5, 6, 7 and 8.

15

Respondent Sandra Soho, M.D., prescribed drugs to addicts as set forth in Findings 5, 6, 7 and 8.

16

Respondent Sandra Soho, M.D. prescribed drugs without medical indication as set forth in Findings 5, 6, 7 and 8.

17

Respondent Sandra Soho, M.D., prescribed controlled substances with the knowledge that they were being used for illegitimate purposes in that patient Valerie L., with respondent's knowledge, gave portions of certain of her prescriptions to another.

18

Respondent Sandra Soho, M.D., knowingly prescribed controlled substances for no adequately documented or diagnosed pathology except addiction as set forth in Findings 5, 6, 7 and 8.

19

Respondent Sandra Soho, M.D., prescribed controlled substances to addicts as set forth in Findings 5, 6, 7 and 8.

20

Respondent Sandra Soho, M.D., prescribed controlled substances without any legitimate medical reason as set forth in Findings 5, 6, 7 and 8.

21

All factual allegations of the amended accusation not hereinbefore found to be established are found to be unproved.

DETERMINATION OF ISSUES

I

Business and Professions Code (BPC) Sections 2004 and 2220 empower the Division of Medical Quality of the Medical Board of California to enforce and administer the disciplinary provisions of the Medical Practice Act (Section 2000 et seq. of the BPC) as they relate to physicians and surgeons.

II

Cause exists for discipline of respondent's Certificate pursuant to the Medical Practice Act for violation of the following sections of the Business and Professions Code:

- (A) Section 725 by reason of Findings 5, 6, 7 and 8 separately and severally;
- (B) Section 2234 by reason of Finding 9;
- (C) Section 2234(a) by reason of Finding 10;
- (D) Section 2234(b) by reason of Finding 11;
- (E) Section 2234(c) by reason of Finding 12;
- (F) Section 2234(d) by reason of Finding 13;

6

- (G) Section 2234(f) by reason of Finding 14;
- (H) Section 2241 by reason of Finding 15;
- (I) Section 2242 by reason of Finding 16;  
collectively.

## III

Additional cause exists for discipline of respondent's Certificate for violation of the following sections of the Health and Safety Code:

- (A) Section 11153(a) by reason of Finding 17;
- (B) Section 11154(a) by reason of Finding 18;
- (C) Section 11156 by reason of Finding 19;
- (D) Section 11352(a) by reason of Finding 20.

ORDER

Certificate No. G-15318, heretofore issued by the Board to Sandra Soho, M.D., is hereby revoked.

Dated:

Feb 13, 1992

MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
MEDICAL QUALITY REVIEW COMMITTEE

By

Pierre Haig  
Pierre Haig, M.D.  
Chairman

RJL:lf

## DECLARATION OF SERVICE BY MAIL

In the Matter of the Accusation

Re: Against: Sandra Soho, M.D. No. D-4500

I, the undersigned, declare that I am over 18 years of age and not a party to the within cause, my business address is 1430 Howe Avenue, Sacramento, CA 95825. I served a true copy of the attached:

## DECISION

by certified mail on each of the following, by placing same in an envelope (of envelopes) addressed (respectively) as follows:

NAME AND ADDRESSCERT. NO.

SANDRA SOHO, M.D.  
24827 North Fernando Rd.  
Newhall, CA 91321

P 397 771 366

Alex J. Forgette, Esq.  
2382 S. E. Bristol St., Suite A  
Santa Ana Heights, CA 93707

Gloria Barrios  
Deputy Attorney General  
300 South Spring Street  
5th Floor - North  
Los Angeles, CA 90013

Richard J. Lopez  
Administrative Law Judge  
Office of Administrative Hearings  
314 West First Street  
Los Angeles, CA 90012

Each said envelope was then, on April 13, 1992, sealed and deposited in the United States mail at Sacramento, California, the county in which I am employed, as certified mail, with the postage thereon fully prepaid, and return receipt requested.

Executed on April 13, 1992, at Sacramento, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Karen Kruger  
DECLARANT

***EXHIBIT 8***

## DEPARTMENT OF CORRECTIONS



Central California Women's Facility  
P.O. Box 1501  
23370 Road 22  
Chowchilla, CA 93610-1501

December 22, 1992

DIAGNOSTIC STUDY AND RECOMMENDATION BY  
THE CALIFORNIA DEPARTMENT OF CORRECTIONS  
UNDER PROVISIONS OF PENAL CODE SECTION 1203.03

Honorable Malcomb McCay  
Judge of the Superior Court  
County of Los Angeles  
P.O. Box 151  
Los Angeles, CA 90053

Dear Judge McCay:

A diagnostic study and recommendation under the provisions of Penal Code Section 1203.03 was requested and has been completed in the case of Sandra Soho, County Court Number PA002779-01, California Department of Corrections Number W-46026-Z.

This evaluation was prepared with the objective of assessing the defendant's potential for functioning successfully on probation or under other supervision and the level of threat to the community if she should fail to live up to that potential. It has not focused on the issue of deterrence nor of punishment; those are factors which are not responsive to the interview and evaluation format of the Section 1203.03 process.

This 49 year old inmate was received on October 29, 1992 by the Department of Corrections from Superior Court, County of Los Angeles on a charge of Unlawful Issuance of Prescription, H&S 11353.

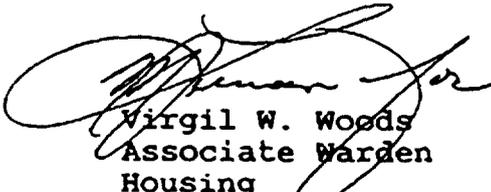
The instant offense occurred between August 29, 1989 through February 27, 1992 and involves Ms. Soho unlawfully prescribing large quantities of narcotics to patients.

Honorable Malcomb McCay  
Judge of the Superior Court  
Page Two

It is respectfully recommended to the Court that Ms. Soho be considered for probation under standard terms and conditions including the following:

1. That Ms. Soho be ordered to serve a period of confinement at the local level.
2. That she be ordered to pay restitution as directed by the probation officer.
3. That she be ordered to submit her person, property, place of abode and vehicle to search and seizure any time of the day or night with or without a warrant by any peace or probation officer.
4. That she be ordered to seek and maintain gainful employment.

Departmental staff have assessed Ms. Soho as a suitable candidate for probation. Staff have taken into consideration the seriousness of the crime but have also considered the lack of a prior record of criminal conduct. Ms. Soho has expressed a willingness and ability to comply with conditions of probation should it be granted in this case. Her current confinement at the Department of Corrections appears to have a significant impact upon her and it is anticipated she will affect a positive behavior modification without the benefit of incarceration at the state level. It is felt Ms. Soho would present a minimal risk to the community. Therefore, it is recommended that Ms. Soho be given an opportunity to succeed on probation with a clear understanding that should she fail to comply with any conditions of probation, she will be returned to prison.



Virgil W. Woods  
Associate Warden  
Housing  
(209) 665-5531 Ext. 5530

CCWF RECEPTION CENTERINSTITUTIONAL STAFF RECOMMENDATION SUMMARY

SOURCES OF REPORT: Los Angeles County Probation Officer's Report dated February 15, 1991 and Supplemental Report dated October 8, 1992, CLETS printout dated October 30, 1992 and personal interviewed conducted on December 11, 1992.

CONFIDENTIAL INFORMATION: None

HOLDS/DETAINERS: None noted in file as of December 11, 1992. Ms. Soho claims same.

MEDICAL/DENTAL: California Department of Corrections (CDC 128C-1) medical evaluation unavailable for review at time of dictation. Ms. Soho claims presently her concern is a severe back injury which she wears a lumbosacral corset.

PSYCHIATRIC/PSYCHOLOGICAL: No referral indicated at this time.

WORK SKILLS: Ms. Soho worked as a physician and has skills as an engineer and in computer operations.

NARCOTICS/DRUGS/ALCOHOL: Ms. Soho denies any use of narcotics, drugs or alcohol.

ESCAPE HISTORY: None noted in file as of December 11, 1992. Ms. Soho claims same.

ARSON HISTORY: None noted in file as of December 11, 1992. Ms. Soho claims same.

SEX-RELATED OFFENSES: None noted in file as of December 11, 1992. Ms. Soho claims same.

ACADEMIC/VOCATIONAL: Ms. Soho is a high school graduate and received a Bachelor of Science in chemistry; Bachelor of Science in mathematics; Doctor of Medicine (M.D.) from the University of Oregon and a Masters in Public Health from the University of California, Los Angeles.

CASE WORK FOLLOW-UP The CII/FBI printouts have been requested by Reception Center staff for possible future incorporation into the Central file.

NO.: W-46026Z NAME: SOHO, CCWF/RC VM/nr 12-16-92 PAGE 1  
SANDRA

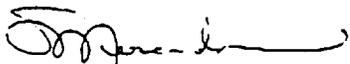
Criminal History: Criminal history consists of two arrests in Los Angeles on November 14, 1988 and April 3, 1988 for Exhibiting a Firearm, where she was detained and released.

EVALUATION: Sandra Soho is a 49 year old, White, female transexual received by the Department of Corrections on October 29, 1992 from Los Angeles County for a diagnostic study and recommendation pursuant to the provisions of Penal Code Section 1203.03. The current offense is Unlawful Issuance of Prescription, in violation of Section 11353 H&S. The instant offense occurred between August 29, 1989 until February 27, 1990. During this time Ms. Soho prescribed large quantities of narcotics and analgesics to various patients, without examination, over a lengthy period of time.

Ms. Soho was polite during the diagnostic interview, however, does not deny her guilt but declines to answer any questions in regards to her case. She states that she has some difficulty dealing with the inmate population as well as the regimented environment. Soho sometimes has problems in dealing with reality since her change from male to female in 1987 and is able to control it at this time. Ms. Soho seeks probation in the instant matter and believes she will have no difficulty in successfully completing a grant of probation. If released on probation, Ms. Soho plans to resume residence with Shannon Jacob at 23528 North Fernando Road, #5, Newhall, California, 91321, phone number (805) 255-2053. With regards to employment Ms. Soho states that she will continue to work for Sandra Faulk, managing editor of Motion, at 2030 Hillman Circle, Orange, California, 92613, phone number (714) 974-0200.

After careful consideration of all case factors, it is felt that probation is a viable alternative to prison at this time. Ms. Soho has the ability to successfully complete a grant of probation with a minimal risk to the community should she fail. With the exception of an arrest for Exhibiting a Firearm in 1988 she has lived the majority of her 49 years free from criminality. She served in the U.S. Air Force for four years and received a medical discharge. Most recent she was self-employed as a physician.

It is felt that her present confinement has made a significant impact upon her, therefore, it is respectfully recommended to the Court that Ms. Soho be considered for probation under the conditions outlined in the cover letter of this report.



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