

APR 30 2024

TULARE COUNTY SUPERIOR COURT DISTRICT
VISALIA DIVISION, STATE OF CALIFORNIA

STEPHANIE CAMERON, CLERK
BY: 

THE PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff,

vs.

BRUCE RANDOLPH GREENE DOB: 02/22/1952

Defendant(s).

DA No. 20-012227

Court No. VCF454140

INDICTMENT

The Tulare County Grand Jury (hereinafter referred to as Grand Jury) hereby accuses BRUCE RANDOLPH GREENE of the following crimes:

COUNT 1

On or about March 29, 2016, in the County of Tulare, the crime of CONFLICT OF INTEREST, in violation of GOVERNMENT CODE SECTION 1090, a Felony, was committed by **BRUCE RANDOLPH GREENE**, who was a DISTRICT OFFICER OR EMPLOYEE, specifically, THE ATTORNEY AND BOARD COUNSEL OF THE TULARE LOCAL HEALTH CARE DISTRICT dba TULARE REGIONAL MEDICAL CENTER (TRMC), who did willfully and unlawfully MAKE A CONTRACT IN HIS OFFICIAL CAPACITY IN WHICH HE HAD A FINANCIAL INTEREST.

SPECIAL ALLEGATION-STATUTE OF LIMITATIONS-LATE DISCOVERY

It is further alleged as to the above count, as described in Penal Code section 803(c), that the above violation was not discovered until 09/28/16 WHEN CASE NUMBER 267051 WAS FILED IN THE TULARE SUPERIOR COURT ALLEGING THAT HOSPITAL FUNDS WERE USED TO FUND PRIVATE LAWSUITS AGAINST DR. BETRE, The crime of GOVERNMENT CODE 1090(A), CONFLICTS OF INTEREST CONTRACTS, SALES, AND PURCHASES, was not uncovered until that date because the DECISION TO FUND THE LAWSUIT WAS UNDERTAKEN IN CLOSED SESSION & THE MINUTES, CONTROLLED BY THE DEFENDANTS AND THEIR AGENTS, FAILED TO DISCLOSE THE DECISION TAKEN TO FUND PRIVATE LAWSUITS WITH PUBLIC MONEY. NO SUBSEQUENT MINUTES PRIOR TO 09/28/16 DISCLOSED THAT THE LAWSUIT BY DR. BENZEEVI & DR. KUMAR WAS BEING FUNDED WITH PUBLIC FUNDS.

COUNT 2

On or about January 12, 2017, in the County of Tulare, the crime of CONFLICT OF INTEREST, in violation of GOVERNMENT CODE SECTION 1090, a Felony, was committed by **BRUCE RANDOLPH GREENE**, who was a DISTRICT OFFICER OR EMPLOYEE, specifically, THE ATTORNEY AND BOARD COUNSEL OF THE TULARE LOCAL HEALTH CARE DISTRICT dba TULARE REGIONAL MEDICAL CENTER (TRMC), who did willfully and unlawfully MAKE A CONTRACT IN HIS OFFICIAL CAPACITY IN WHICH HE HAD A FINANCIAL INTEREST, TO WIT: AGREEMENT TO POST AN APPELLATE BOND ON BEHALF OF YORAI BENZEEVI FOR A PRIVATE LAWSUIT AGAINST DR. BETRE.

COUNT 3

On or about January 12, 2017, in the County of Tulare, the crime of EMBEZZLEMENT AND FALSIFICATION OF ACCOUNTS BY A PUBLIC OFFICER, in violation of PENAL CODE SECTION 424, a FELONY, was committed by **BRUCE RANDOLPH GREENE**, who, being a person described in Penal Code Section 424 was charged with the receipt, safekeeping, transfer, and distribution of public moneys, did in a manner not incidental and minimal, WILLFULLY, WITHOUT AUTHORITY OF LAW, APPROPRIATE THE SAME, & A PORTION THEREOF, TO PERSONAL USE OR TO THE USE OF ANOTHER, KNOWING THAT HE ACTED WITHOUT AUTHORITY OF LAW, OR BEING CRIMINALLY NEGLIGENT IN NOT KNOWING, TO WIT: CAUSED TO BE POSTED AN APPELLATE BOND FOR PRIVATE LAWSUIT AGAINST DR. BETRE.

COUNT 4

On or about and between March 26, 2016 and January 25, 2017, in the County of Tulare, the crime of CONFLICT OF INTEREST, in violation of GOVERNMENT CODE SECTION 1090(a), a Felony, was committed by **BRUCE RANDOLPH GREENE**, who was a DISTRICT OFFICER OR EMPLOYEE, specifically, THE ATTORNEY AND BOARD COUNSEL OF THE TULARE LOCAL HEALTH CARE DISTRICT AND SOUTHERN INYO LOCAL HEALTH DISTRICT, who did willfully and unlawfully MAKE A CONTRACT IN HIS OFFICIAL CAPACITY IN WHICH HE HAD A FINANCIAL INTEREST.

SPECIAL ALLEGATION-STATUTE OF LIMITATIONS-LATE DISCOVERY

It is further alleged, as to the above count, that the above violation in Penal Code Section 803(c), was not discovered until January 25, 2017 WHEN DR. BENZEEVI DISCLOSED IN A PUBLIC BOARD MEETING THAT HE HAD CAUSED THE TULARE LOCAL HEALTHCARE DISTRICT dba TULARE REGIONAL MEDICAL CENTER (TRMC) TO EXTEND A LINE OF CREDIT TO SOUTHERN INYO HEALTH CARE DISTRICT (SIHD), the crime of GOVERNMENT CODE 1090(A), CONFLICTS OF INTEREST CONTRACT, SALES, AND PURCHASES, was not uncovered until that date because the DEFENDANTS MADE THE LINE OF CREDIT CONTRACT WITH INYO WITHOUT THE PERMISSION OF THE TULARE LOCAL HEALTHCARE DISTRICT'S BOARD, AND WITHOUT DISCLOSING TO THEM, OR THE PUBLIC, THAT HE HAD CAUSED TRMC TO EXTENDED A LINE OF CREDIT TO SIHD.

COUNT 5

On or about January 25, 2017, in the County of Tulare, the crime of USING AN OFFICIAL POSITION FOR PERSONAL GAIN, in violation of GOVERNMENT CODE SECTION 91000(a), a Misdemeanor, was committed by **BRUCE RANDOLPH GREENE**, who was a state or local government official, specifically ATTORNEY & BOARD COUNSEL OF TULARE LOCAL HEALTHCARE DISTRICT, dba TULARE REGIONAL MEDICAL CENTER (TRMC), made, participated in making, or attempted to use his official position to influence a governmental decision in which he knew, or had reason to know that he had a financial interest in, in violation of GOVERNMENT CODE SECTION 87100, to wit, the decision to retroactively approve the line of credit between TLHCD and SIH.

COUNT 6

On or about July 31, 2017, in the County of Tulare, the crime of FAILURE TO TIMELY FILE A STATEMENT OF ECONOMIC INTEREST, in violation of GOVERNMENT CODE SECTION 91000(a), a Misdemeanor, was committed by **BRUCE RANDOLPH GREENE**, who did willfully and unlawfully fail to file a timely statement of economic interest for the year 2016 as required by the Tulare Local Healthcare District's (TRMC) conflict of interest code in violation of GOVERNMENT CODE SECTION 87300.

COUNT 7

On or about June 20, 2017, in the County of Tulare, the crime of USING AN OFFICIAL POSITION FOR PERSONAL GAIN, in violation of GOVERNMENT CODE SECTION 91000(a), a Misdemeanor, was committed by **BRUCE RANDOLPH GREENE**, who was a state or local government official, specifically ATTORNEY & BOARD COUNSEL OF TULARE LOCAL HEALTHCARE DISTRICT, dba TULARE REGIONAL MEDICAL CENTER (TRMC), made, participated in making, or attempted to use his official position to influence a governmental decision in which he knew, or had reason to know that he had a financial interest in, in violation of GOVERNMENT CODE SECTION 87100.

COUNT 8

On or about and between July 26, 2017 and August 23, 2017, in the County of Tulare, the crime of USING AN OFFICIAL POSITION FOR PERSONAL GAIN, in violation of GOVERNMENT CODE SECTION 91000(a), a Misdemeanor, was committed by **BRUCE RANDOLPH GREENE**, who was a state or local government official, specifically ATTORNEY & BOARD COUNSEL OF TULARE LOCAL HEALTHCARE DISTRICT, dba TULARE REGIONAL MEDICAL CENTER (TRMC), made, participated in making, or attempted to use his official position to influence a governmental decision in which he knew, or had reason to know that he had a financial interest in, in violation of GOVERNMENT CODE SECTION 87100.

COUNT 9

On or about August 23, 2017, in the County of Tulare, the crime of USING AN OFFICIAL POSITION FOR PERSONAL GAIN, in violation of GOVERNMENT CODE SECTION 91000(a), a Misdemeanor, was committed by **BRUCE RANDOLPH GREENE**, who was a state or local government official, specifically ATTORNEY & BOARD COUNSEL OF TULARE LOCAL HEALTHCARE DISTRICT, dba TULARE REGIONAL MEDICAL CENTER (TRMC), made, participated in making, or attempted to use his official position to influence a governmental decision in which he knew, or had reason to know that he had a financial interest in, in violation of GOVERNMENT CODE SECTION 87100.

COUNT 10

On or August 23, 2017, in the County of Tulare, the crime of CONSPIRACY TO COMMIT A CRIME, in violation of PENAL CODE SECTION 182(A)(1), a Felony, was committed by **BRUCE RANDOLPH GREENE**, who did unlawfully conspire together and with another person and persons whose identity is unknown to falsely and maliciously indict another of a crime and procure a person to be charged and arrested for a crime, to wit, DISTURBANCE OF PUBLIC ASSEMBLY OF MEETING, in violation of Penal Code Section 403, a Misdemeanor, and that pursuant to and for the purpose of carrying out the objects and purposes of the aforesaid conspiracy, the said DEFENDANT committed the following overt acts at and in the County of Tulare:

1. On 8/23/2017, Bruce Greene sent an email canceling the scheduled board meeting.
2. On 8/23/2017, Bruce Greene sent an additional email canceling the board meeting.
3. On 8/23/2017, Yorai Benzeevi instructed employees to report a disturbance at the meeting to Tulare Police Department.

COUNT 11

On or about August 31, 2017, in the County of Tulare, the crime of CONFLICT OF INTEREST, in violation of GOVERNMENT CODE SECTION 1090, a Felony, was committed by **BRUCE RANDOLPH GREENE**, who was a DISTRICT OFFICER OR EMPLOYEE, specifically, THE ATTORNEY AND BOARD COUNSEL OF THE TULARE LOCAL HEALTH CARE DISTRICT dba TULARE REGIONAL MEDICAL CENTER (TRMC), did willfully and unlawfully MAKE A CONTRACT WITH CELTIC LEASING IN HIS OFFICIAL CAPACITY IN WHICH HE HAD A FINANCIAL INTEREST.

COUNT 12

On or about August 31, 2017, in the County of Tulare, the crime of GRAND THEFT, in violation of PENAL CODE SECTION 487(A), a Felony, was committed by **BRUCE RANDOLPH GREENE**, who did knowingly and designedly, by a false and fraudulent representation and pretense, obtain money, labor and real and personal property by fraud from CELTIC LEASING, specifically, three million dollars (\$3,000,000.00), which had a value exceeding nine hundred fifty dollars (\$950).

COUNT 13

On or about August 31, 2017, in the County of Tulare, the crime of CONSPIRACY TO DEFRAUD ANOTHER OF PROPERTY, in violation of PENAL CODE SECTION 182(A)(4), a Felony, was committed by **BRUCE RANDOLPH GREENE**, who did unlawfully conspire together and with another person and persons whose identity is unknown to cheat and defraud TULARE LOCAL HEALTHCARE DISTRICT dba TRMC of property, by means which are criminal, and obtain money and property by false pretense and by false promises with fraudulent intent not to perform such promises; that pursuant to and for the purpose of carrying out the objectives and purposes of the aforesaid conspiracy, the said defendant(s) **BRUCE RANDOLPH GREENE**, committed the following overt act and acts at and in the County of TULARE:

1. Yorai Benzeevi proposed resolution 852, which allowed him to obtain financing for the hospital, to the TRMC Board on 6/20/2017.
2. At this meeting, Yorai Benzeevi did not declare his conflicts of interest and recuse himself, as required by law.
3. At the 6/20/2017 board meeting, Yorai Benzeevi did not declare the full amount of money he claimed was owed to him or his intention to use the money raised to pay himself the debts he claimed.
4. At the 6/20/2017 meeting, Yorai Benzeevi promised he would use any money raised through Resolution 852 in the best interest of the hospital.
5. Bruce Greene caused the declaration of Senovia Gutierrez's election to be placed in the "Chair Announcement" section of the July 26th Board Meeting Agenda.
6. Shortly before the meeting, Bruce Greene told Board Members that Senovia Gutierrez could not be declared a Board Member because her election was in the wrong part of the agenda, and therefore she did not have the status of a Board Member despite her lawful election to that position.
7. Bruce Greene and Yorai Benzeevi refused to recognize elected Board Member Senovia Gutierrez's vote to rescind Resolution 852.
8. Bruce Greene and Yorai Benzeevi refused to recognize elected Board Member Senovia Gutierrez's vote to terminate Bruce Greene and his law firm.
9. Bruce Greene purported to cancel the next regularly scheduled Board Meeting on 8/23/2017 in order to prevent the Board from voting again to revoke Resolution 852.
10. Bruce Greene wrote a legal opinion letter to Celtic Leasing stating the transaction was legal under California Law.
11. Yorai Benzeevi signed the "Purchase/Leaseback Agreement and Bill of Sale" with Celtic Leasing Corp. on 8/30/2017.
12. On 09/05/17 Bruce Greene sent an email demanding payment from the proceeds of the Celtic transaction.
13. On 9/11/2017 Yorai Benzeevi transferred \$499,727.93 of the proceeds from the Celtic transaction to BakerHostetler, Bruce Greene's law firm.
14. On 9/13/2017 Yorai Benzeevi transferred \$2.4 million of the proceeds of the Celtic transaction to his personal bank account.

COUNT 14

On or about and between September 11, 2017 and September 13, 2017, in the County of Tulare, the crime of GRAND THEFT BY EMBEZZLEMENT OF PUBLIC FUNDS, in violation of PENAL CODE 504 & PENAL CODE SECTION 514, a Felony, was committed by **BRUCE RANDOLPH GREENE**, who fraudulently appropriated public funds exceeding nine hundred fifty dollars (\$950) in value, and/or secreted those funds with a fraudulent intent to appropriate them, while serving as an OFFICER OF TULARE LOCAL HEALTHCARE DISTRICT dba TULARE REGIONAL MEDICAL CENTER (TRMC), specifically, ATTORNEY AND BOARD COUNSEL TRMC, to a use or purpose not in the due and lawful execution of his trust, in his possession and/or under his control by virtue of that trust was an OFFICER OF TRMC and, who fraudulently appropriated to a use or purpose not in the due and lawful execution of that trust, public funds in his possession and/or under his control by virtue of that trust, and/or secreted those funds with a fraudulent intent to appropriate them. The funds exceeded \$1,000,000.00, thus exceeding nine hundred fifty dollars (\$950).

COUNT 15

On or about and between September 11, 2017 and September 13, 2017, in the County of Tulare, the crime of EMBEZZLEMENT AND FALSIFICATION OF ACCOUNTS BY PUBLIC OFFICER, in violation of PENAL CODE SECTION 424, a Felony, was committed by **BRUCE RANDOLPH GREENE**, who being a person described in section 424 charged with the receipt, safekeeping, transfer, and distribution of public moneys, did in a manner not incidental and minimal, WILLFULLY, WITHOUT AUTHORITY OF LAW, APPROPRIATE FUNDS RELATED TO TULARE LOCAL HEALTHCARE DISTRICT dba TULARE REGIONAL MEDICAL CENTER (TRMC), OR A PORTION THEREOF, TO PERSONAL USE OR TO THE USE OF ANOTHER KNOWING THAT HE ACTED WITHOUT AUTHORITY OF LAW, OR BEING CRIMINALLY NEGLIGENT IN NOT KNOWING, TO WIT: FUNDS ACQUIRED THROUGH THE CELTIC TRANSACTION.

COUNT 16

On or about September 11, 2017, in the County of Tulare, the crime of MONEY LAUNDERING, in violation of PENAL CODE SECTION 186.10(A), a Felony, was committed by **BRUCE RANDOLPH GREENE**, who did unlawfully conduct and attempt to conduct a transaction involving a monetary instrument or instruments of a value exceeding \$25,000.00 through a financial institution with the intent to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of criminal activity, to wit: VIOLATIONS OF GOVERNMENT CODE SECTION 1090 as charged in COUNT 11; PENAL CODE SECTION 424(a), as charged as COUNT 15; PENAL CODE SECTION 487(a) as charged in COUNT 12; AND PENAL CODE SECTION 514 as charged COUNT 14; or knowing that the monetary instrument represented the proceeds of, and was derived directly or indirectly from the proceeds of, criminal activity. and knowing that the monetary instrument represented the proceeds of, and was derived directly or indirectly from the proceeds of, criminal activity.

SPEC ALLEG-AGGRAVATED WHITE COLLAR CRIME-LOSS > \$500,000

Furthermore, as to count(s) 1, 2, 3, 4, 11, 12, 13, 14, 15, AND 16, the offenses alleged are related felonies, a material element of which is fraud and embezzlement, which involved a pattern of related felony conduct, and the pattern of related felony conduct involved the taking of, and resulted in the loss by of, more than five hundred thousand dollars (\$500,000), thus subjecting **BRUCE RANDOLPH GREENE** to the additional punishment provided for in Penal Code sections 186.11(a)(2).

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I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS INDICTMENT CONSISTS OF 16 COUNTS.

A TRUE BILL



GRAND JURY FOREPERSON

Witness List



