



STATE OF NEW YORK  
DEPARTMENT OF HEALTH

433 River Street, Suite 303

Troy, New York 12180-2299

Antonia C. Novello, M.D., M.P.H., Dr.P.H.  
*Commissioner*

Dennis P. Whalen  
*Executive Deputy Commissioner*

PUBLIC

March 10, 2003

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

John Scott McClintock, M.D.  
Booking #01160400A  
Vista Detention Facility  
325 South Melrose Drive  
Suite 200  
Vista, California 92083

Robert Bogan, Esq.  
NYS Department of Health  
Division of Legal Affairs  
Hedley Park Place  
433 River Street  
Troy, New York 12180-2299

**RE: In the Matter of John Scott McClintock, M.D.**

Dear Parties:

Enclosed please find the Determination and Order (No. 03-62) of the Hearing Committee in the above referenced matter. This Determination and Order shall be deemed effective upon the receipt or seven (7) days after mailing by certified mail as per the provisions of §230, subdivision 10, paragraph (h) of the New York State Public Health Law.

Five days after receipt of this Order, you will be required to deliver to the Board of Professional Medical Conduct your license to practice medicine together with the registration certificate. Delivery shall be by either certified mail or in person to:

Office of Professional Medical Conduct  
New York State Department of Health  
Hedley Park Place  
433 River Street - Fourth Floor  
Troy, New York 12180

If your license or registration certificate is lost, misplaced or its whereabouts is otherwise unknown, you shall submit an affidavit to that effect. If subsequently you locate the requested items, they must then be delivered to the Office of Professional Medical Conduct in the manner noted above.

As prescribed by the New York State Public Health Law §230, subdivision 10, paragraph (i), and §230-c subdivisions 1 through 5, (McKinney Supp. 1992), "the determination of a committee on professional medical conduct may be reviewed by the Administrative Review Board for professional medical conduct." Either the licensee or the Department may seek a review of a committee determination.

Request for review of the Committee's determination by the Administrative Review Board stays penalties other than suspension or revocation until final determination by that Board. Summary orders are not stayed by Administrative Review Board reviews.

All notices of review must be served, by certified mail, upon the Administrative Review Board and the adverse party within fourteen (14) days of service and receipt of the enclosed Determination and Order.

The notice of review served on the Administrative Review Board should be forwarded to:

James F. Horan, Esq., Administrative Law Judge  
New York State Department of Health  
Bureau of Adjudication  
Hedley Park Place  
433 River Street, Fifth Floor  
Troy, New York 12180

The parties shall have 30 days from the notice of appeal in which to file their briefs to the Administrative Review Board. Six copies of all papers must also be sent to the attention of Mr. Horan at the above address and one copy to the other party. The stipulated record in this matter shall consist of the official hearing transcript(s) and all documents in evidence.

Parties will be notified by mail of the Administrative Review Board's Determination and Order.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tyrone T. Butler".

Tyrone T. Butler, Director  
Bureau of Adjudication

TTB:djh  
Enclosure

**COPY**

IN THE MATTER

OF

**JOHN SCOTT MCCLINTOCK, M.D.**

DETERMINATION

AND

ORDER

BPMC #03-62

A hearing was held on February 25, 2003, regarding charges brought by the New York State Department of Health ("the Petitioner"). A Commissioner's Summary Order, dated December 26, 2001, a Notice of Referral Proceeding, dated January 30, 2003, and a Statement of Charges, dated January 30, 2003, were served upon the Respondent, **John Scott McClintock, M.D.** **Peter S. Koenig, Sr.**, Chairperson, **Ernst A. Kopp, M.D.**, and **Margery W. Smith, M.D.**, duly designated members of the State Board for Professional Medical Conduct, served as the Hearing Committee in this matter pursuant to Section 230(10)(e) of the Public Health Law. **John Wiley, Esq.**, Administrative Law Judge, served as the Administrative Officer.

The Petitioner appeared by **Donald P. Berens, Jr., Esq.**, General Counsel, by **Robert Bogan, Esq.**, of Counsel. The Respondent did not appear at the hearing, either in person or by counsel. He did submit one document for the Hearing Committee's consideration, which was taken into evidence as Respondent's Ex. A.

Evidence was received and transcripts of these proceedings were made.

After consideration of the entire record, the Hearing Committee issues this Determination and Order.



2. On October 30, 2002, in the Superior Court of California, San Diego County, the Respondent was convicted of ten counts of Performing Lewd Acts Upon a Child, in violation of California Penal Code Section 288(a) and 288(c)(1), a felony; three counts of Child Molesting, in violation of California Penal Code Section 484, a misdemeanor; one count of Petty Theft, in violation of California Penal Code Section 484, a misdemeanor; and fifteen counts of Knowingly Possessing Matter Depicting a Person Under the Age of 18 Engaging in or Simulating Sexual Conduct, in violation of California Penal Code Section 311.11(a), a misdemeanor. On January 9, 2003, the Respondent was sentenced to confinement for 30 years to life, to pay a \$3000.00 restitution fine and additional restitution to victims to be determined later, and to have no contact with the victims. (Petitioner's Ex. 1, 7).

#### **VOTE OF THE HEARING COMMITTEE**

#### **SPECIFICATION**

"Respondent violated New York Education Law Section 6530(9)(a)(iii) by having been convicted of committing an act constituting a crime under the laws of another jurisdiction and which, if committed within this state, would have constituted a crime under New York state law..."

VOTE: Sustained (3-0)

#### **HEARING COMMITTEE DETERMINATION**

The Respondent was served with the papers for this hearing (Petitioner's Ex. 2, 4, 5). He did not appear at the hearing, the reason being that he is incarcerated. The Respondent submitted a document (Respondent's Ex. A), which, among other things, requested an adjournment. The Hearing Committee denied that request and the hearing proceeded in the Respondent's absence.

The Respondent was convicted of numerous counts relating to the sexual abuse of children and to child pornography. Rather than expressing remorse or claiming rehabilitation, the Respondent, in Respondent's Ex. A, denied his guilt. The Hearing Committee is bound to reject such denial by the requirements of Public Health Law Section 230(10)(p). This statute requires the Hearing Committee to accept the findings of the criminal conviction as accurate.

The Petitioner recommended that the Respondent's license to practice medicine be revoked. Given the nature of the Respondent's crimes, the Hearing Committee concludes that no lesser sanction is sufficient.

**ORDER**

**IT IS HEREBY ORDERED THAT:**

1. The Respondent's license to practice medicine is revoked.
2. This Order shall be effective upon service on the Respondent or the Respondent's attorney by personal service or by certified or registered mail.

DATED: DeWitt, New York  
March 6, 2003



Peter S. Koenig, Sr.  
Chairperson

Ernst A. Kopp, M.D.  
Margery W. Smith, M.D.

# APPENDIX 1

ORIGINAL

1  
EV 2/25/03 JW

STATE OF NEW YORK DEPARTMENT OF HEALTH  
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER

OF

JOHN SCOTT MCCLINTOCK, M.D.  
CO-01-09-4701-A

COMMISSIONER'S  
SUMMARY  
ORDER

TO: JOHN SCOTT MCCLINTOCK, M.D.  
Booking Number: 01160400A  
Vista Detention Facility  
325 South Melrose Drive  
Suite 200  
Vista, CA 92083

The undersigned, Antonia C. Novello, M.D., M.P.H., Dr. P.H., Commissioner of Health, pursuant to N.Y. Public Health Law §230, upon the recommendation of a committee on Professional Medical Conduct of the State Board for Professional Medical Conduct, has determined that the duly authorized professional disciplinary agency of another jurisdiction (The Superior Court of California, County of San Diego, Central Division, pursuant to California Penal Code, Section 23, having superseded the Division of Medical Quality, Medical Board of California, Department of Consumer Affairs) has made a finding substantially equivalent to a finding that the continued practice of medicine by JOHN SCOTT MCCLINTOCK, M.D. (the Respondent) in that jurisdiction constitutes an imminent danger to the health of its people, as is more fully set forth in documents of the Superior Court of California, County of San Diego, Central Division and California Penal Code, Section 23, that are attached hereto as Appendix "A" and made a part of hereof. JOHN SCOTT MCCLINTOCK, M.D. was authorized to practice medicine in New York State on July 2, 1990, by the issuance of license number 182856 by the New York State Education Department.

It is therefore:

ORDERED, pursuant to N.Y. Public Health Law Section 230(12)(b), that effective immediately, JOHN SCOTT MCCLINTOCK, M.D., Respondent, shall not practice medicine in the State of New York or in any other jurisdiction where that practice is dependent on a valid New York State license to practice medicine.

Any practice of medicine in the State of New York in violation of this Commissioner's Summary Order shall constitute Professional Misconduct within the meaning of N.Y. Educ. Law §6530 and may constitute unauthorized medical practice, a Felony defined by N.Y. Educ. Law §6512.

This Order shall remain in effect until the final conclusion of a hearing which shall commence within thirty days after the final conclusion of the proceeding in the State of California. The hearing will be held pursuant to the provisions of NY. Pub. Health Law §230, and N.Y. State Admin. Proc. Act §§301-307 and 401. The hearing will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct on a date and at a location to be set forth in a written Notice of Summary Hearing, together with a Statement of Charges to be provided to the Respondent after the final conclusion of the California proceeding. Said written Notice may be provided in person, by mail, or by other means. If Respondent wishes to be provided said written notice at an address other than that set forth above, Respondent shall so notify, in writing, both the attorney whose name is set forth on this Order, and the Director of the Office of Professional Medical Conduct, at the addresses set forth below.

Respondent shall notify the Director of the Office of Professional Medical Conduct, New York State Department of Health, 433 River Street, Suite 303, Troy, NY 12180-2299 via Certified Mail, Return Receipt Requested, of the final conclusion of the Maryland proceeding immediately upon such conclusion.

THESE PROCEEDINGS MAY RESULT IN A DETERMINATION THAT YOUR LICENSE TO PRACTICE MEDICINE IN NEW YORK STATE BE REVOKED OR SUSPENDED, AND/OR THAT YOU MAY BE FINED OR SUBJECT TO OTHER SANCTIONS SET FORTH IN NEW YORK PUBLIC HEALTH LAW SECTION 230-A. YOU ARE URGED TO OBTAIN AN ATTORNEY FOR THIS MATTER.

DATED: Albany, New York  
December 26, 2001

ANTONIA C. NOVELLO, M.D. M.P.H, Dr. P.H.  
Commissioner

  
BY: DENNIS P. WHALEN  
Deputy Executive Commissioner

Inquires should be addressed to:

Robert Bogan  
Associate Counsel  
Office of Professional Medical Conduct  
433 River Street – Suite 303  
Troy, New York 12180  
(518) 402-0828

SAN DIEGO SUPERIOR COURT CASE CD162444 JURIS AA071401  
DATE 091001 AT 1:30 DEPT. PA JUDGE/COMMISSIONER DAVID M. SZUMOWSKI  
CLK T SUITTS RPT M BARLOW PEO VS JOHN SCOTT HERRINGTON MCCLINTOCK  
VIOLATION(S) PC288(A) X 1 PC667.6(A) X 6 PC484

Prin Attorney for People  
Michael M. Stein pro-poor Atty for Def (AOC)  
Interpreter 01160400A (Sig. No.)  
FUTURE DATES:  CONFIRMED  VACATED

Defendant present by with without counsel  In pro per  via substitute Star Zagon Deputy Atty General  not present address  Defendant failed to appear  
Case called for  Arraignment  Bail Review  Readiness/DWT  Jury Trial  Prelim. Exam.  DEJ

Complaint amended by interjection to read  
 Amended  Amendment to complaint filed  charging  adding  VC23103 (a) pursuant to VC23103.5  
 VC22107, VC21854(a), PC647(f)  as INFRACTION(S) pursuant to PC17(d)(2).  other:  
 Defendant advised of and waives the right to a separate and conflict-free attorney / interpreter for this court appearance.  
 Defendant duly arraigned and advised of the constitutional and statutory rights as indicated on the reverse side of this docket.  
 Acknowledgment of advisal of constitutional rights signed and filed.  Defendant has received copy of complaint.  
 Defendant waives reading of complaint.  Def. states true name is \_\_\_\_\_  on complaint  line)  
 DEFENDANT PLEADS NOT GUILTY and denies any prior allegations/separate convictions alleged  on amended complaint.  
 Defendant waives time for speedy trial.  Defendant waives 10 day/80 day statutory time for prelim. hearing.  
 Defendant waives personal presence  per PC977.  Defendant waives jury trial.  Defendant waives preliminary hearing.

COUNSEL  REQUEST FOR COURT APPOINTED COUNSEL  Granted  Denied  
 Public Defender  Alternate Public Defender  Private Conflict Counsel APPOINTED.  
 Referred to Neat Indigent Panel. Atty: \_\_\_\_\_  Def. to retain counsel.  
 The Court finds the defendant  is  is not qualified to represent self PRO PER.  Lopez Waiver signed and filed.

CONVICTION  Def. is sworn and examined.  Defendant withdraws any previously entered plea.  
DEFENDANT PLEADS:  GUILTY  NO CONTEST to: \_\_\_\_\_  VC23152(a) / (b)  
 Admits \_\_\_\_\_ separate conviction(s) alleged/  
\_\_\_\_\_ allegation(s)  
 charges contained in the  amended complaint  amendment to complaint  as a factor included offense of \_\_\_\_\_  
 On motion of Court/People/Defendant Count(s) \_\_\_\_\_ remaining to/are DISMISSED  FOJ  VOP   
 On motion of Court/People/Defendant Allegation(s)/Prior(s) \_\_\_\_\_ remaining to/are STRICKEN  FOJ  VOP   
 Plea form executed and filed  with statement of prosecutor.  Pro vs. West  Harvey Waiver  Arbuckle Waiver  BAC: \_\_\_\_\_  
 Court finds a knowing and intelligent waiver of constitutional rights and factual basis for the plea.  
 PC1210  accepted  declined.  Time waived for sentencing, see JUDGMENT.  
 Stipulated bindover.  Case certified as a general jurisdiction matter.

MOTIONS  Motion for Continuance by People/Defendant with/without objection granted/denied.  
DEFERRED ENTRY OF JUDGMENT  Def. spools for D.E.J. pursuant to PC1000 as to Count(s) \_\_\_\_\_ time waived for sentencing.  
 Deferred Entry of Judgment  granted  reinstated for \_\_\_\_\_ mo./yrs.  Tier 1 / Tier 2  New term  S.O. Rescue Mission Program  
 Tier and term to be determined by Assessor. Comply with all orders of Assessor.  Enroll by \_\_\_\_\_  
 Pay \$ \_\_\_\_\_ Admin. fee  \$ \_\_\_\_\_ DEJ Restitution fee (PC1001.80)  
 \$ \_\_\_\_\_ credit for time served TOTAL AMOUNT DUE \$ \_\_\_\_\_  Forthwith  By \_\_\_\_\_  Waived.  
 Defendant has satisfactorily COMPLETED the DEJ Program, previously entered plea to court(s) \_\_\_\_\_ set aside and charges dismissed.  
 Defendant has FAILED to satisfactorily perform in the DEJ Program.  PC1000 set aside and any unpaid fees pertaining thereto deleted.  
 Court strikes a finding of guilt to the charge(s) pled.  Time waived for sentencing, see JUDGMENT.

REFERRALS Report  forthwith  by \_\_\_\_\_ to  Assessment Unit  Probation Department  
 Pre-Sentence  Mini  Supplemental  Psych.  Limited re: Drugs/Alcohol/Domestic Violence/Anger Mgmt/Redirection Report Ordered  
 Court Collections  for payment of Attorney fee \* \$ \_\_\_\_\_  Indigent as to Attorney Fees.  
\* The Court finds that the defendant has the ability to repay the County of San Diego for the costs of Court Appointed Attorney fees.

HEARINGS Set/continued on motion of  People  Defense  Opposed  Unopposed  By Stipulation, Time is  Waived  
 Re-Attny FILE at \_\_\_\_\_ in Dept. \_\_\_\_\_  Motion/PC1536.5 \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_  
 Arraignment 9-19-01 at 50 in Dept. 12  Jury / Court Trial \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_  
 Bail Review \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_  Sentencing \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_  
 Pre-Trial \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_  Prob. Hrg. & Sent \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_  
 Readiness/DWT \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_  DEJ Hearing \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_  
 Prelim Exam \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_  
 Set  with case(s) \_\_\_\_\_  for revocation with this matter  Requested from:  C  B  NC  SC

OTHER  Verbal notice of license suspension (DL 310) signed. request chambers conference held (without defendant) and media coverage

Media request granted with objection  
Court suspends defendant's license to practice medicine per PC 23.

CUSTODY STATUS  Def. REMANDED to custody of Sheriff, bail \$ 2,000,000  WITHOUT BAIL  Per PC1275  as set  
 increased  reduced  Bail Unit Report Ordered re: SOR  
 Def. RELEASED:  on bail posted \$ \_\_\_\_\_  on prob.  case dism.  after booking  credit for time served  OR/SOR/DEJ  
 to an authorized representative of \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_  
 Release Conditions:  Attns \_\_\_\_\_ AA/CANA Migs. per week and submit proof at each court hearing.  Totally abstain from alcohol.  
 Def. waives 4<sup>th</sup> amendment rights and agrees to submit person, property, place of residence, vehicle, personal effects to search at any time with or without a warrant, and with or without reasonable cause, when required by a Probation Officer or other law enforcement officer  until revoked.  for the duration of deferred entry of judgment.  
 Have no contact with / stay away from: anybody age of 18 except daughter with Supervisor.

WARRANT  Arrest  Bench Warrant ordered  Bail set at \$ \_\_\_\_\_  No Bail  
 Schedule for court  Mandatory Appearance  Night Service Authorized  Cash bail may be forfeited.  
 HOLD issuance of warrant to DATE SET ABOVE.  Warrant Ordered:  rescinded  recalled on \_\_\_\_\_  cleared by arrest  
 Affidavit Requested. Hearing set for \_\_\_\_\_  
BAIL STATUS Bail is  exonerated  forfeited  Fine from bail, refund balance.  Decl. of non-confusion/ resumption of liability filed.  
 Bail forfeiture set aside and bond reinstated/exonerated  upon payment of court cost \$ \_\_\_\_\_ within 30 days  cost waived  
 Bond #: \_\_\_\_\_ Bond \$ \_\_\_\_\_ Bond Co. \_\_\_\_\_

Distribution by: MB on 9/20/01 to Judge Atty. Pres. Prob. RSR Interpreter Assessor Other: \_\_\_\_\_

IN CUSTODY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO  
CENTRAL DIVISION

THE PEOPLE OF THE STATE OF CALIFORNIA,  
Plaintiff,  
v.  
JOHN SCOTT MCCLINTOCK,  
dob 08/03/61, Booking No. 01160400A,  
Defendant

CT No. CD162444

DA No. AAN714

COMPLAINT-FELONY

INFORMATION  
Date: \_\_\_\_\_

CHARGE SUMMARY

Count	Charge	Issue Type	Sentence Range	Special Allegations	Allegation Effect
1	PC288(a) MCCLINTOCK, JOHN SCOTT	Felony	3-6-8	PC1203.066(a)(8)	Prison Presum
2	PC288(a) MCCLINTOCK, JOHN SCOTT	Felony	3-6-8	PC1203.066(a)(8)	Prison Presum
3	PC288(a) MCCLINTOCK, JOHN SCOTT	Felony	3-6-8	PC1203.066(a)(8)	Prison Presum
4	PC288(a) MCCLINTOCK, JOHN SCOTT	Felony	3-6-8	PC1203.066(a)(8)	Prison Presum
5	PC288(a) MCCLINTOCK, JOHN SCOTT	Felony	3-6-8		
6	PC647.6(a) MCCLINTOCK, JOHN SCOTT	Misdemeanor	Fine\1 Yr		
7	PC647.6(a) MCCLINTOCK, JOHN SCOTT	Misdemeanor	Fine\1 Yr		
8	PC647.6(a) MCCLINTOCK, JOHN SCOTT	Misdemeanor	Fine\1 Yr		

CHARGE SUMMARY (cont'd)

Count	Charge	Issue Type	Sentence Range	Special Allegations	Allegation Effect
9	PC647.6(a) MCCLINTOCK, JOHN SCOTT	Misdemeanor	Fine\1 Yr		
10	PC288(a) MCCLINTOCK, JOHN SCOTT	Felony	3-6-8	PC1203.066(a)(8)	Prison Presum
11	PC288(a) MCCLINTOCK, JOHN SCOTT	Felony	3-6-8	PC1203.066(a)(8)	Prison Presum
12	PC288(a) MCCLINTOCK, JOHN SCOTT	Felony	3-6-8	PC1203.066(a)(8)	Prison Presum
13	PC288(a) MCCLINTOCK, JOHN SCOTT	Felony	3-6-8	PC1203.066(a)(8)	Prison Presum
14	PC288(a) MCCLINTOCK, JOHN SCOTT	Felony	3-6-8	PC1203.066(a)(8)	Prison Presum
15	PC288(a) MCCLINTOCK, JOHN SCOTT	Felony	3-6-8		
16	PC288(a) MCCLINTOCK, JOHN SCOTT	Felony	3-6-8		
17	PC288(a) MCCLINTOCK, JOHN SCOTT	Felony	3-6-8		
18	PC647.6(a) MCCLINTOCK, JOHN SCOTT	Misdemeanor	Fine\1 Yr		
19	PC647.6(a) MCCLINTOCK, JOHN SCOTT	Misdemeanor	Fine\1 Yr		
20	PC484 MCCLINTOCK, JOHN SCOTT	Misdemeanor	6 Mos		

PC1054.3

INFORMAL REQUEST FOR DISCOVERY

The undersigned, certifying upon information and belief, complains that in the County of San Diego, State of California, the Defendant(s) did commit the following crime(s):

## CHARGES

### COUNT 1 - LEWD ACT UPON A CHILD

On or about and between May 1, 2001 and August 19, 2001, JOHN SCOTT MCCLINTOCK did willfully and lewdly commit a lewd and lascivious act upon and with the body and any part and member thereof of BRIAN P., a child under the age of fourteen years, with the intent of arousing, appealing to and gratifying the lust, passions and sexual desires of the said defendant and the said child (to wit: rubbing baby powder on Victim's penis at beach - first time), in violation of PENAL CODE SECTION 288(a).

And it is further alleged JOHN SCOTT MCCLINTOCK did have substantial sexual conduct with BRIAN P., a child under fourteen years of age, in the commission of the above described felony of Lewd Acts On A Child, within the meaning of PENAL CODE SECTION 1203.066(a)(8).

### COUNT 2 - LEWD ACT UPON A CHILD

On or about and between May 1, 2001 and August 19, 2001, JOHN SCOTT MCCLINTOCK did willfully and lewdly commit a lewd and lascivious act upon and with the body and any part and member thereof of BRIAN P., a child under the age of fourteen years, with the intent of arousing, appealing to and gratifying the lust, passions and sexual desires of the said defendant and the said child (to wit: rubbing baby powder on Victim's penis at beach - next time), in violation of PENAL CODE SECTION 288(a).

And it is further alleged JOHN SCOTT MCCLINTOCK did have substantial sexual conduct with BRIAN P., a child under fourteen years of age, in the commission of the above described felony of Lewd Acts On A Child, within the meaning of PENAL CODE SECTION 1203.066(a)(8).

### COUNT 3 - LEWD ACT UPON A CHILD

On or about and between May 1, 2001 and August 19, 2001, JOHN SCOTT MCCLINTOCK did willfully and lewdly commit a lewd and lascivious act upon and with the body and any part and member thereof of BRIAN P., a child under the age of fourteen years, with the intent of arousing, appealing to and gratifying the lust, passions and sexual desires of the said defendant and the said child (to wit: rubbing baby powder on Victim's penis at beach - last time), in violation of PENAL CODE SECTION 288(a).

And it is further alleged JOHN SCOTT MCCLINTOCK did have substantial sexual conduct with BRIAN P., a child under fourteen years of age, in the commission of the above described felony of Lewd Acts On A Child, within the meaning of PENAL CODE SECTION 1203.066(a)(8).

### COUNT 4 - LEWD ACT UPON A CHILD

On or about and between May 1, 2001 and August 19, 2001, JOHN SCOTT MCCLINTOCK did willfully and lewdly commit a lewd and lascivious act upon and with the body and any part and member thereof of BRIAN P., a child under the age of fourteen years, with the intent of arousing, appealing to and gratifying the lust, passions and sexual desires of the said defendant and the said child (to wit: Defendant touches Victim's penis when Victim in bed), in violation of PENAL CODE SECTION 288(a).

## CHARGES (cont'd)

And it is further alleged JOHN SCOTT MCCLINTOCK did have substantial sexual conduct with BRIAN P., a child under fourteen years of age, in the commission of the above described felony of Lewd Acts On A Child, within the meaning of PENAL CODE SECTION 1203.066(a)(8).

### COUNT 5 - LEWD ACT UPON A CHILD

On or about and between May 1, 2001 and August 19, 2001, JOHN SCOTT MCCLINTOCK did willfully and lewdly commit a lewd and lascivious act upon and with the body and any part and member thereof of BRIAN P., a child under the age of fourteen years, with the intent of arousing, appealing to and gratifying the lust, passions and sexual desires of the said defendant and the said child (to wit: Defendant touches Victim's testicles while carrying Victim up Torrey Pines Hill), in violation of PENAL CODE SECTION 288(a).

### COUNT 6 - CHILD MOLESTING

On or about and between May 1, 2001 and August 19, 2001, JOHN SCOTT MCCLINTOCK did willfully and unlawfully annoy and molest BRIAN P., a child under the age of eighteen years, in violation of PENAL CODE SECTION 647.6(a).

### COUNT 7 - CHILD MOLESTING

On or about and between May 1, 2001 and August 19, 2001, JOHN SCOTT MCCLINTOCK did willfully and unlawfully annoy and molest BRIAN P. - teaching Victim how to check for cancer on his penis, a child under the age of eighteen years, in violation of PENAL CODE SECTION 647.6(a).

### COUNT 8 - CHILD MOLESTING

On or about and between May 1, 2001 and August 19, 2001, JOHN SCOTT MCCLINTOCK did willfully and unlawfully annoy and molest BRIAN P. - making Victim wear specific underwear while in Defendant's presence, a child under the age of eighteen years, in violation of PENAL CODE SECTION 647.6(a).

### COUNT 9 - CHILD MOLESTING

On or about and between May 1, 2001 and August 19, 2001, JOHN SCOTT MCCLINTOCK did willfully and unlawfully annoy and molest BRIAN P. - Defendant touches own penis and teaches Victim how to masturbate, a child under the age of eighteen years, in violation of PENAL CODE SECTION 647.6(a).

## CHARGES (cont'd)

### COUNT 10 - LEWD ACT UPON A CHILD

On or about and between May 1, 2001 and August 19, 2001, JOHN SCOTT MCCLINTOCK did willfully and lewdly commit a lewd and lascivious act upon and with the body and any part and member thereof of STEVE P., a child under the age of fourteen years, with the intent of arousing, appealing to and gratifying the lust, passions and sexual desires of the said defendant and the said child (to wit: Defendant touches Victim's penis and testicles while carrying Victim in water), in violation of PENAL CODE SECTION 288(a).

And it is further alleged JOHN SCOTT MCCLINTOCK did have substantial sexual conduct with STEVE P., a child under fourteen years of age, in the commission of the above described felony of Lewd Acts On A Child, within the meaning of PENAL CODE SECTION 1203.066(a)(8).

### COUNT 11 - LEWD ACT UPON A CHILD

On or about and between May 1, 2001 and August 19, 2001, JOHN SCOTT MCCLINTOCK did willfully and lewdly commit a lewd and lascivious act upon and with the body and any part and member thereof of STEVE P., a child under the age of fourteen years, with the intent of arousing, appealing to and gratifying the lust, passions and sexual desires of the said defendant and the said child (to wit: rubbing baby powder on Victim's penis at beach - first time), in violation of PENAL CODE SECTION 288(a).

And it is further alleged JOHN SCOTT MCCLINTOCK did have substantial sexual conduct with STEVE P., a child under fourteen years of age, in the commission of the above described felony of Lewd Acts On A Child, within the meaning of PENAL CODE SECTION 1203.066(a)(8).

### COUNT 12 - LEWD ACT UPON A CHILD

On or about and between May 1, 2001 and August 19, 2001, JOHN SCOTT MCCLINTOCK did willfully and lewdly commit a lewd and lascivious act upon and with the body and any part and member thereof of STEVE P., a child under the age of fourteen years, with the intent of arousing, appealing to and gratifying the lust, passions and sexual desires of the said defendant and the said child (to wit: rubbing baby powder on Victim's penis at beach - next time), in violation of PENAL CODE SECTION 288(a).

And it is further alleged JOHN SCOTT MCCLINTOCK did have substantial sexual conduct with STEVE P., a child under fourteen years of age, in the commission of the above described felony of Lewd Acts On A Child, within the meaning of PENAL CODE SECTION 1203.066(a)(8).

### COUNT 13 - LEWD ACT UPON A CHILD

On or about and between May 1, 2001 and August 19, 2001, JOHN SCOTT MCCLINTOCK did willfully and lewdly commit a lewd and lascivious act upon and with the body and any part and member thereof of STEVE P., a child under the age of fourteen years, with the intent of arousing, appealing to and gratifying the lust, passions and sexual desires of the said defendant and the said child (to wit: rubbing baby powder on Victim's penis at beach - last time), in violation of PENAL CODE SECTION 288(a).

## CHARGES (cont'd)

And it is further alleged JOHN SCOTT MCCLINTOCK did have substantial sexual conduct with STEVE P., a child under fourteen years of age, in the commission of the above described felony of Lewd Acts On A Child, within the meaning of PENAL CODE SECTION 1203.066(a)(8).

### COUNT 14 - LEWD ACT UPON A CHILD

On or about and between May 1, 2001 and August 19, 2001, JOHN SCOTT MCCLINTOCK did willfully and lewdly commit a lewd and lascivious act upon and with the body and any part and member thereof of STEVE P., a child under the age of fourteen years, with the intent of arousing, appealing to and gratifying the lust, passions and sexual desires of the said defendant and the said child (to wit: rubbing baby powder on Victim's penis - not at beach), in violation of PENAL CODE SECTION 288(a).

And it is further alleged JOHN SCOTT MCCLINTOCK did have substantial sexual conduct with STEVE P., a child under fourteen years of age, in the commission of the above described felony of Lewd Acts On A Child, within the meaning of PENAL CODE SECTION 1203.066(a)(8).

### COUNT 15 - LEWD ACT UPON A CHILD

On or about and between May 1, 2001 and August 19, 2001, JOHN SCOTT MCCLINTOCK did willfully and lewdly commit a lewd and lascivious act upon and with the body and any part and member thereof of STEVE P., a child under the age of fourteen years, with the intent of arousing, appealing to and gratifying the lust, passions and sexual desires of the said defendant and the said child (to wit: touching Victim's genitals while on couch), in violation of PENAL CODE SECTION 288(a).

### COUNT 16 - LEWD ACT UPON A CHILD

On or about and between May 1, 2001 and August 19, 2001, JOHN SCOTT MCCLINTOCK did willfully and lewdly commit a lewd and lascivious act upon and with the body and any part and member thereof of STEVE P., a child under the age of fourteen years, with the intent of arousing, appealing to and gratifying the lust, passions and sexual desires of the said defendant and the said child (to wit: rubbing lotion on Victim's buttocks), in violation of PENAL CODE SECTION 288(a).

**CHARGES (cont'd)**

**COUNT 17 - LEWD ACT UPON A CHILD**

On or about and between May 1, 2001 and August 19, 2001, JOHN SCOTT MCCLINTOCK did willfully and lewdly commit a lewd and lascivious act upon and with the body and any part and member thereof of STEVE P., a child under the age of fourteen years, with the intent of arousing, appealing to and gratifying the lust, passions and sexual desires of the said defendant and the said child (to wit: rubbing baby powder on Victim's penis at pool), in violation of PENAL CODE SECTION 288(a).

**COUNT 18 - CHILD MOLESTING**

On or about and between May 1, 2001 and August 19, 2001, JOHN SCOTT MCCLINTOCK did willfully and unlawfully annoy and molest STEVE P. - Defendant strokes his own penis in front of Victim, a child under the age of eighteen years, in violation of PENAL CODE SECTION 647.6(a).

**COUNT 19 - CHILD MOLESTING**

On or about and between May 1, 2001 and August 19, 2001, JOHN SCOTT MCCLINTOCK did willfully and unlawfully annoy and molest STEVE P. - Defendant takes out penis and testicles in front of Victim (checking for cancer), a child under the age of eighteen years, in violation of PENAL CODE SECTION 647.6(a).

**COUNT 20 - PETTY THEFT**

On or about July 13, 2001, JOHN SCOTT MCCLINTOCK did unlawfully steal, misappropriate and fraudulently take the property and labor of another, thereby committing the crime of petty theft, in violation of PENAL CODE SECTION 484.

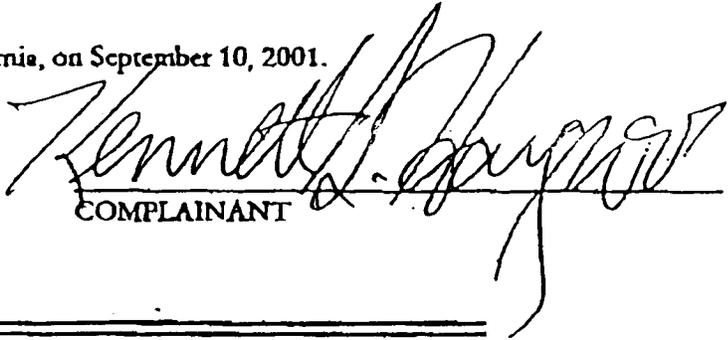
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**NOTICE:** If any of the above-named defendant(s) are presently on probation in San Diego County, any evidence presented at a Preliminary Examination in the instant case will be used not only for a basis for a holding in this case but also as a circumstance for a violation of probation and, at any formal hearing at that violation of probation. The People will move the transcript of the Preliminary Examination into evidence as a basis for the violation and for sentencing purposes.

Pursuant to PENAL CODE SECTION 1054.5(b), the People are hereby informally requesting that defendant's counsel provide discovery to the People as required by PENAL CODE SECTION 1054.3.

DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT, CASE NUMBER CD162444, CONSISTS OF 20 COUNTS.

Executed at San Diego, County of San Diego, State of California, on September 10, 2001.

  
COMPLAINANT

INFORMATION

PAUL J. PFINGST  
District Attorney  
County of San Diego  
State of California  
by:

Deputy District Attorney

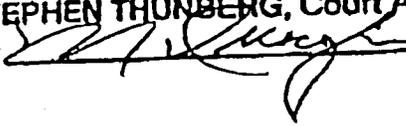
Date



DATE: SEP 14 2001

Attest: A true copy.

STEPHEN THUNBERG, Court Administrator

By  Deputy

a. An attempt to commit a crime consists of two elements: a specific intent to commit the crime, and a direct but ineffectual act done toward its commission.

22. (a) No act committed by a person while in a state of voluntary intoxication is less criminal by reason of his or her having been in that condition. Evidence of voluntary intoxication shall not be admitted to negate the capacity to form any mental states for the crimes charged, including, but not limited to, purpose, intent, knowledge, premeditation, deliberation, or malice aforethought, with which the accused committed the act.

(b) Evidence of voluntary intoxication is admissible solely on the issue of whether or not the defendant actually formed a required specific intent, or, when charged with murder, whether the defendant premeditated, deliberated, or harbored express malice aforethought.

(c) Voluntary intoxication includes the voluntary ingestion, injection, or taking by any other means of any intoxicating liquor, drug, or other substance.

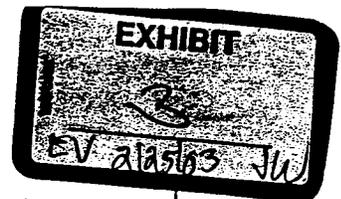
23. In any criminal proceeding against a person who has been issued a license to engage in a business or profession by a state agency pursuant to provisions of the Business and Professions Code or the Education Code, the state agency which issued the license may voluntarily appear to furnish pertinent information, make recommendations regarding specific conditions of probation, or provide any other assistance necessary to promote the interests of justice and protect the interests of the public, or may be ordered by the court to do so, if the crime charged is substantially related to the qualifications, functions, or duties of a licensee.

For purposes of this section, the term "license" shall include a permit or a certificate issued by a state agency.

For purposes of this section, the term "state agency" shall include any state board, commission, bureau, or division created pursuant to the provisions of the Business and Professions Code or the Education Code to license and regulate individuals who engage in certain businesses and professions.

24. This Act, whenever cited, enumerated, referred to, or amended, may be designated simply as THE PENAL CODE, adding, when necessary, the number of the section.

ORIGINAL



STATE OF NEW YORK DEPARTMENT OF HEALTH  
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER

NOTICE OF

OF

REFERRAL

JOHN SCOTT MCCLINTOCK, M.D.  
CO-01-09-4701-A

PROCEEDING

TO: JOHN SCOTT MCCLINTOCK, M.D.  
Booking Number: 01160400A  
Vista Detention Facility  
325 South Melrose Drive  
Suite 200  
Vista, CA 92083

**PLEASE TAKE NOTICE THAT:**

An adjudicatory proceeding will be held pursuant to the provisions of N.Y. Pub. Health Law § 230(10)(p) and N.Y. State Admin. Proc. Act Sections 301-307 and 401. The proceeding will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct (Committee) on the 25<sup>th</sup> day of February 2003, at 10:00 in the forenoon of that day at the Clarion Inn & Suites, Capital Room, 611 Troy-Schenectady Road, Latham, New York 12110.

At the proceeding, evidence will be received concerning the allegations set forth in the attached Statement of Charges. A stenographic record of the proceeding will be made and the witnesses at the proceeding will be sworn and examined.

You may appear in person at the proceeding and may be represented by counsel. You may produce evidence or sworn testimony on your behalf. Such evidence or sworn testimony shall be strictly limited to evidence and testimony relating to the nature and severity of the penalty to be imposed upon the licensee. Where the charges are based on the conviction of state law crimes in other jurisdictions, evidence may be offered that would show that the conviction would not be a crime in New York state. The Committee also may limit the number of witnesses whose testimony will be received, as well as the length of time any witness will be permitted to testify.

If you intend to present sworn testimony, the number of witnesses and an estimate of the time necessary for their direct examination must be submitted to the New York State Department of Health, Division of Legal Affairs, Bureau of Adjudication,

Hedley Park Place, 5<sup>th</sup> Floor, 433 River Street, Troy, New York, ATTENTION: HON. TYRONE BUTLER, DIRECTOR, BUREAU OF ADJUDICATION, (hereinafter "Bureau of Adjudication") as well as the Department of Health attorney indicated below, on or before February 17, 2003.

Pursuant to the provisions of N.Y. Public Health Law §230(10)(p), you shall file a written answer to each of the Charges and Allegations in the Statement of Charges no later than ten days prior to the hearing. Any Charge of Allegation not so answered shall be deemed admitted. You may wish to seek the advice of counsel prior to filing such an answer. The answer shall be filed with the Bureau of Adjudication, at the address indicated above, and a copy shall be forwarded to the attorney for the Department of Health whose name appears below. You may file a brief and affidavits with the Committee. Six copies of all such papers you wish to submit must be filed with the Bureau of Adjudication at the address indicated above on or before February 17, 2003, and a copy of all papers must be served on the same date on the Department of Health attorney indicated below. Pursuant to Section 301(5) of the State Administrative Procedure Act, the Department, upon reasonable notice, will provide at no charge a qualified interpreter of the deaf to interpret the proceedings to, and the testimony of, any deaf person.

The proceeding may be held whether or not you appear. Please note that requests for adjournments must be made in writing to the Bureau of Adjudication, at the address indicated above, with a copy of the request to the attorney for the Department of Health, whose name appears below, at least five days prior to the scheduled date of the proceeding. Adjournment requests are not routinely granted. Claims of court engagement will require detailed affidavits of actual engagement. Claims of illness will require medical documentation. Failure to obtain an attorney within a reasonable period of time prior to the proceeding will not be grounds for an adjournment.

The Committee will make a written report of its findings, conclusions as to guilt, and a determination. Such determination may be reviewed by the Administrative Review Board for Professional Medical Conduct.

SINCE THESE PROCEEDINGS MAY RESULT IN A DETERMINATION THAT SUSPENDS OR REVOKES YOUR LICENSE TO PRACTICE MEDICINE IN NEW YORK STATE AND/OR IMPOSES A FINE FOR EACH OFFENSE CHARGED, YOU ARE URGED TO OBTAIN AN ATTORNEY TO REPRESENT YOU IN THIS MATTER.

DATED: Albany, New York

*January 30, 2003*

*Peter D. Van Buren*

PETER D. VAN BUREN

Deputy Counsel

Bureau of Professional Medical Conduct

Inquiries should be addressed to:

Robert Bogan  
Associate Counsel  
New York State Department of Health  
Office of Professional Medical Conduct  
433 River Street – Suite 303  
Troy, New York 12180  
(518) 402-0828

STATE OF NEW YORK

DEPARTMENT OF HEALTH

STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

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IN THE MATTER  
OF  
JOHN SCOTT MCCLINTOCK, M.D.  
CO-01-09-4701-A

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STATEMENT  
OF  
CHARGES

JOHN SCOTT MCCLINTOCK, M.D., the Respondent, was authorized to practice medicine in New York state on July 2, 1990, by the issuance of license number 182856 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A. On or about October 30, 2002, in the Superior Court of California, San Diego County, State of California, Respondent was convicted of ten (10) counts of Performing lewd acts upon on a child, in violation of California Penal Code 288(a), and 288(c)(1), a felony, three (3) counts of Child Molesting, in violation of California Penal Code 647.6(a), a misdemeanor, one (1) count of Petty theft, in violation of California Penal Code 484, a misdemeanor, and fifteen (15) counts of Knowingly possessing matter depicting a person under the age of 18 engaging in or simulating sexual conduct, in violation of California Penal Code 311.11(a), a misdemeanor, and on or about January 9, 2003, Respondent was sentenced to confinement for thirty (30) years to life, to pay a \$3,000.00 restitution fine and additional restitution to victims to be determined, and to have no contact with the victims.

**SPECIFICATION**

Respondent violated New York Education Law §6530(9)(iii) by having been convicted of committing an act constituting a crime under the law of another jurisdiction and which, if committed within this state, would have constituted a crime under New York state law, in that Petitioner charges:

1. The facts in Paragraphs A.

DATED: *January 30*, 2003  
Albany, New York

*Peter D. Van Buren*  
PETER D. VAN BUREN  
Deputy Counsel  
Bureau of Professional Medical Conduct

SUMMARY OF DEPARTMENT OF HEALTH HEARING RULES

(Pursuant to Section 301 SAPA)

The following items are addressed by the Uniform Hearing Procedures Rules of the New York State Department of Health:

Applicability

Definitions

Notice of Hearing

Adjournment

Answer or Responsive Pleading

Amendment of Pleadings

Service of Papers

Discovery

Hearing Officer/Pre-Hearing Conference

Pre-Hearing Conference

Stipulations and Consent Orders

The Hearing

Hearing Officer's Report

Exceptions

Final Determination and Order

Waiver of Rules

Time Frames

Disqualification for Bias

The exact wording of the rules is found at 10 NYCRR Part 51 of Volume 10 of the New York Code of Rules and Regulations. Each of the above items may be summarized as following:

51.1 Applicability. These regulations apply to most hearings conducted by the Department of Health.

51.2 Definitions.

1. "Commissioner" means Commissioner of the New York State Department of Health.
2. "CPLR" means Civil Practice Law and Rules.
3. "Department" means New York State Department of Health.
4. "Hearing Officer" means the person appointed to preside at the hearing or the person designated as administrative officer pursuant to Public Health Law Section 230.
5. "Party" means all persons designated as petitioner, respondent or intervenor.
6. "Report" means the Hearing Officer's summary of the proceeding and written recommendation or the findings, conclusions and determination of the hearing committee pursuant to Public Health Law Section 230.

51.3 The Department's Notice of Hearing and/or Statement of Charges should be served at least 15 days prior to the first hearing date, specify time, place and date(s) and should contain the basis for the proceeding. Pursuant to Public Health Law §230, the Notice of Hearing must, additionally, specify that the licensee shall file a written answer.

51.4 Adjournment. Only the Hearing Officer may grant an adjournment and only after he/she has consulted with both parties. In hearings pursuant to Public Health Law Section 230, an adjournment on the initial day may be granted by the hearing committee.

51.5 Answer or Responsive Pleading. A party may serve an answer or response to the allegations of the Department. In matters governed by PHL §230, the licensee is required to file a written answer to each of the charges and allegations of the Department. Under the law, any charge or allegation which is not so answered shall be deemed admitted.

51.6 Amendment to Pleadings. A party may usually amend papers if no substantial prejudice results by leave of the Hearing Officer.

51.7 Service of Papers. Except for the Notice of Hearing and/or Statement of Charges, all papers may be served by ordinary mail.

51.8 Disclosure. Generally, there is no disclosure of any kind and the Hearing Officer cannot require it, unless all parties agree. If agreed to, the Hearing Officer will ensure all parties proceed in accordance with their agreement. However, in a hearing in which revocation of a license or permit is sought or possible, a party may demand in writing that another party disclose the names of witnesses, document or other evidence such other party intends to offer at the hearing. A demand for such disclosure must be served at least 10 days prior to the first scheduled hearing date. Disclosure of a statement that the party has nothing to disclose must be made at least 7 days before the first scheduled hearing date. A party that determines to present witnesses or evidence not previously disclosed must supplement its disclosure as soon as is practicable. The Hearing Officer may, upon good cause shown, modify the times for demands for and response to disclosure or allow a party not to disclose or limit, condition or regulate the use of information disclosed and may preclude the introduction of evidence not disclosed pursuant to a demand.

51.9 Hearing Officer. He/she presides over the hearing and has the authority to ensure it is conducted in an orderly fashion. He/she may also order the parties to meet before the hearing to discuss the procedure. He/she does not have the authority to remove testimony from the transcript and/or dismiss charges unless authorized by delegation.

51.10 Stipulation and Consent and Surrender Orders. At any

time prior to a final order, parties may resolve all or any issues by stipulation. An order issued pursuant to a stipulation has the same force and effect as one issued after hearing.

51.11 The Hearing. A party may have an attorney represent him or her. Failure to appear may result in an adverse ruling. A hearing may be combined with or separated from another hearing depending on whether such action will result in delay, cost or prejudice. While the rules of evidence as applied in a courtroom are not observed, witnesses must be sworn or give an affirmation and each party has the right to present its case and to cross-examine. The Department has broad discretion to place documents into evidence. A record of the proceeding must be made. In enforcement cases, the Department has the burden of proof and of going forward. In matters relating to neglect or abuse of patients under Public Health Law Section 2803-d, the Hearing Officer may not compel disclosure of the identity of the person making the report or who provided information in the investigation of the report.

Complaints relating to Public health Law Section 230 may not be introduced into evidence by either party and their production cannot be required by the Hearing Officer.

Claims that a hearing has been unreasonably delayed is treated as an affirmative defense (Section 51.5) or as part of the claimant's case. The burden of going forward and of proof are on the claimant.

A verbatim record of the proceeding shall be made by any means determined by the Department. The record shall include notice of hearing and any statement of charges, responsive pleadings, motions, rulings, transcript or recording, exhibits, stipulations, briefs, any objections filed, any decision, determination, opinion, order or report rendered.

51.12 Hearing Officer or Hearing Committee Report. The report or determination should be submitted within 60 days of completion of the hearing.

51.13 Filing of Exceptions. Within 30 days of the date of a copy of the report of the Hearing Officer and proposed order any party may submit exceptions to said report and proposed order

to the Supervising Administrative Law Judge. On notice of all parties, a party may request, before the expiration of the exception period, the Supervising Law Judge to extend the exception period. All parties have the opportunity to state their position on the extension on the record. Extensions may be granted on good cause shown; however, they are not granted to allow a party to respond to exceptions already filed. Pursuant to PHL 230(c), a notice of request for review of the Hearing Committee determination must be served upon the ARB within 14 days of service of the determination. All parties have 30 days thereafter to submit briefs and 7 days from service of a brief to submit a reply.

51.14 Final Determination Order. The hearing process ends when an order is issued by the Commissioner or his designee or the appropriate board of council. The order should state a basis for the decision. Each party receives a copy of the order.

51.15 Waiver of Rules. These rules and regulations may be dispensed with by agreement and/or consent.

51.16 Establishment, Construction, Rate Hearings. Hearings involving any of these issues have time limits concerning the issuance of notices of hearing of 365 days of receipt by the Department of a request for hearing.

51.17 Disqualification for Bias. Bias shall disqualify a Hearing Officer and/or a committee member in hearings governed by Public Health Law Section 230. The party seeking disqualification must submit to the hearing officer an affidavit pursuant to SAPA Section 303. Mere allegations are insufficient. The Hearing Officer rules on the request.

DATED: Albany, New York  
March 10, 1997

  
HENRY M. GREENBERG  
General Counsel

