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**STATE OF WASHINGTON  
KING COUNTY SUPERIOR COURT**

STATE OF WASHINGTON,

Plaintiff,

vs.

DAVID MUNGAI NJENGA,  
a/k/a DAVE NJENGA MUNGAI  
DOB: 09/09/1960,

EVERLYN LOISE WAMBUI NJUKI,  
a/k/a EVELYN NJUKI  
DOB: 08/21/1989,

HERITAGE MEDICAL STAFFING, INC.,  
n/k/a HERITAGE MEDICAL STAFFING  
S.S. & J.K., INC., UBI # 604 123 300,  
a Washington Profit Corporation

PRO MED ALLIANCE MEDICAL  
STAFFING, INC., n/k/a ONE STOP  
TERMINATORS, INC., UBI # 604 403 307,  
a Washington Profit Corporation

AND EACH OF THEM,

Defendants.

NOS. 23-C-00810-0 (Njenga)  
23-C-05281-8 (Njuki)  
23-C-05282-6 (Heritage)  
23-C-05283-4 (Pro Med)

**INFORMATION**

Count 1: Leading Organized  
Crime, 9A.82.060(1)(a)

Count 2-8: Identity Theft in the First  
Degree, 9.35.020

Count 9-14: Theft in the First Degree,  
9A.56.020(c) /  
9A.56.030(1)(a)

Count 15: Money Laundering,  
9A.83.020

Count 16: Use of Proceeds of Criminal  
Profiteering, 9A.82.080

I, ROBERT W. FERGUSON, Attorney General for the State of Washington, with the  
concurrence of King County Prosecuting Attorney LEESA MANION, pursuant to

1 RCW 43.10.232, and through Assistant Attorney General ERIC A. SENTA, do accuse  
2 DAVID MUNGAI NJENGA a/k/a DAVE NJENGA MUNGAI, EVERLYN LOISE WAMBUI  
3 NJUKI a/k/a EVELYN NJUKI, HERITAGE MEDICAL STAFFING, INC., n/k/a HERITAGE  
4 MEDICAL STAFFING S.S. & J.K., INC., UBI # 604 123 300, and PRO MED ALLIANCE  
5 MEDICAL STAFFING, INC., n/k/a ONE STOP TERMINATORS, INC., UBI # 604 403 307,  
6 of the following crimes, which are based on the same conduct or a series of acts connected  
7 together or constituting parts of a common scheme or plan: **Leading Organized Crime, Identity**  
8 **Theft in the First Degree, Theft in the First Degree, Money Laundering, and Use of**  
9 **Criminal Proceeds**, committed as follows:

10 **COUNT I – LEADING ORGANIZED CRIME**

11 And ROBERT W. FERGUSON, Attorney General for the State of Washington, further  
12 does accuse that the defendants, DAVID MUNGAI NJENGA, a/k/a DAVE NJENGA  
13 MUNGAI, of the crime of Leading Organized Crime, a crime of the same or similar character  
14 as another crime charged herein, which crimes were part of a single scheme or plan, committed  
15 as follows:

16 On, about, or between May 2017 through October 2019, in King County, Washington,  
17 did commit the crime of Leading Organized Crime when he: Intentionally organized, managed,  
18 directed, supervised, or financed any three or more persons with the intent to engage in a pattern  
19 of criminal profiteering activity.

20 All of which is a Class A Felony offense and contrary to RCW 9A.82.060(1)(a), and  
21 against the peace and dignity of the State of Washington.

22 **COUNT II – IDENTITY THEFT FIRST DEGREE**

23 And ROBERT W. FERGUSON, Attorney General for the State of Washington, further  
24 does accuse that the defendants, DAVID MUNGAI NJENGA, a/k/a DAVE NJENGA  
25 MUNGAI, EVERLYN LOISE WAMBUI NJUKI a/k/a EVELYN NJUKI, HERITAGE  
26 MEDICAL STAFFING, INC., n/k/a HERITAGE MEDICAL STAFFING S.S. & J.K., INC., UBI

1 # 604 123 300, and PRO MED ALLIANCE MEDICAL STAFFING, INC., n/k/a ONE STOP  
2 TERMINATIONS, INC., UBI # 604 403 307, of the crime of Identity Theft in the First Degree,  
3 a crime of the same or similar character as another crime charged herein, which crimes were part  
4 of a single scheme or plan, committed as follows:

5 On, about, or between May 2017 through October 2019, in King County, Washington,  
6 as principal or accomplice, did commit the crime of Identity Theft in the First Degree when  
7 he/she/they: (1) knowingly obtained, possessed, used, or transferred a means of identification or  
8 financial information of another person, living or dead, with the intent to commit, or to aid or  
9 abet, any crime; and knowing that the means of identification or financial information belonged  
10 to another person (2) obtained credit, money, goods, services, or anything else of value in excess  
11 of one thousand five hundred dollars in value; and (3) such value was either obtained in a single  
12 transaction or as any series of transactions involving a single person's means of identification or  
13 financial information which, when considered separately, constitute identity theft in the second  
14 degree because of value, and the series of transactions are a part of a common scheme or plan.  
15 To wit: the defendants did, as principal or accomplice, violate this law as it pertains to S. K.'s  
16 identity.

17 All of which is a Class B Felony offense and contrary to RCW 9.35.020, and against the  
18 peace and dignity of the State of Washington.

19 **COUNT III – IDENTITY THEFT FIRST DEGREE**

20 And ROBERT W. FERGUSON, Attorney General for the State of Washington, further  
21 does accuse that the defendants, DAVID MUNGAI NJENGA, a/k/a DAVE NJENGA  
22 MUNGAI, EVERLYN LOISE WAMBUI NJUKI a/k/a EVELYN NJUKI, HERITAGE  
23 MEDICAL STAFFING, INC., n/k/a HERITAGE MEDICAL STAFFING S.S. & J.K., INC.,  
24 UBI # 604 123 300, and PRO MED ALLIANCE MEDICAL STAFFING, INC., n/k/a ONE  
25 STOP TERMINATIONS, INC., UBI # 604 403 307, of the crime of Identity Theft in the First  
26

1 Degree, a crime of the same or similar character as another crime charged herein, which crimes  
2 were part of a single scheme or plan, committed as follows:

3 On, about, or between May 2017 through October 2019, in King County, Washington,  
4 as principal or accomplice, did commit the crime of Identity Theft in the First Degree when  
5 he/she/they: (1) knowingly obtained, possessed, used, or transferred a means of identification or  
6 financial information of another person, living or dead, with the intent to commit, or to aid or  
7 abet, any crime; and knowing that the means of identification or financial information belonged  
8 to another person (2) obtained credit, money, goods, services, or anything else of value in excess  
9 of one thousand five hundred dollars in value; and (3) such value was either obtained in a single  
10 transaction or as any series of transactions involving a single person's means of identification or  
11 financial information which when considered separately, constitute identity theft in the second  
12 degree because of value, and the series of transactions are a part of a common scheme or plan.  
13 To wit: the defendants did, as principal or accomplice, violate this law as it pertains to S.M.'s  
14 identity.

15 All of which is a Class B Felony offense and contrary to RCW 9.35.020, and against the  
16 peace and dignity of the State of Washington.

17 **COUNT IV – IDENTITY THEFT FIRST DEGREE**

18 And ROBERT W. FERGUSON, Attorney General for the State of Washington, further  
19 does accuse that the defendants, DAVID MUNGAI NJENGA, a/k/a DAVE NJENGA  
20 MUNGAI, EVERLYN LOISE WAMBUI NJUKI a/k/a EVELYN NJUKI, HERITAGE  
21 MEDICAL STAFFING, INC., n/k/a HERITAGE MEDICAL STAFFING S.S. & J.K., INC.,  
22 UBI # 604 123 300, and PRO MED ALLIANCE MEDICAL STAFFING, INC., n/k/a ONE  
23 STOP TERMINATIONS, INC., UBI # 604 403 307, of the crime of Identity Theft in the First  
24 Degree, a crime of the same or similar character as another crime charged herein, which crimes  
25 were part of a single scheme or plan, committed as follows:  
26

1 On, about, or between May 2017 through October 2019, in King County, Washington,  
2 as principal or accomplice, did commit the crime of Identity Theft in the First Degree when  
3 he/she/they: (1) knowingly obtained, possessed, used, or transferred a means of identification or  
4 financial information of another person, living or dead, with the intent to commit, or to aid or  
5 abet, any crime; and knowing that the means of identification or financial information belonged  
6 to another person (2) obtained credit, money, goods, services, or anything else of value in excess  
7 of one thousand five hundred dollars in value; and (3) such value was either obtained in a single  
8 transaction or as any series of transactions involving a single person's means of identification or  
9 financial information which when considered separately, constitute identity theft in the second  
10 degree because of value, and the series of transactions are a part of a common scheme or plan.  
11 To wit: The defendants did, as principal or accomplice, violate this law as it pertains to L.W.'s  
12 identity.

13 All of which is a Class B Felony offense and contrary to RCW 9.35.020, and against the  
14 peace and dignity of the State of Washington.

15 **COUNT V – IDENTITY THEFT FIRST DEGREE**

16 And ROBERT W. FERGUSON, Attorney General for the State of Washington, further  
17 does accuse that the defendants, DAVID MUNGAI NJENGA, a/k/a DAVE NJENGA  
18 MUNGAI, EVERLYN LOISE WAMBUI NJUKI a/k/a EVELYN NJUKI, HERITAGE  
19 MEDICAL STAFFING, INC., n/k/a HERITAGE MEDICAL STAFFING S.S. & J.K., INC.,  
20 UBI # 604 123 300, and PRO MED ALLIANCE MEDICAL STAFFING, INC., n/k/a ONE  
21 STOP TERMINATIONS, INC., UBI # 604 403 307, of the crime of Identity Theft in the First  
22 Degree, a crime of the same or similar character as another crime charged herein, which crimes  
23 were part of a single scheme or plan, committed as follows:

24 On, about, or between May 2017 through October 2019, in King County, Washington,  
25 as principal or accomplice, did commit the crime of Identity Theft in the First Degree when  
26 he/she/they: (1) knowingly obtained, possessed, used, or transferred a means of identification or

1 financial information of another person, living or dead, with the intent to commit, or to aid or  
2 abet, any crime; and knowing that the means of identification or financial information belonged  
3 to another person (2) obtained credit, money, goods, services, or anything else of value in excess  
4 of one thousand five hundred dollars in value; and (3) such value was either obtained in a single  
5 transaction or as any series of transactions involving a single person's means of identification or  
6 financial information which, when considered separately, constitute identity theft in the second  
7 degree because of value, and the series of transactions are a part of a common scheme or plan.  
8 To wit: The defendants did, as principal or accomplice, violate this law as it pertains to C.N.'s  
9 identity.

10 All of which is a Class B Felony offense and contrary to RCW 9.35.020, and against the  
11 peace and dignity of the State of Washington.

12 **COUNT VI – IDENTITY THEFT FIRST DEGREE**

13 And ROBERT W. FERGUSON, Attorney General for the State of Washington, further  
14 does accuse that the defendants, DAVID MUNGAI NJENGA, a/k/a DAVE NJENGA  
15 MUNGAI, EVERLYN LOISE WAMBUI NJUKI a/k/a EVELYN NJUKI, HERITAGE  
16 MEDICAL STAFFING, INC., n/k/a HERITAGE MEDICAL STAFFING S.S. & J.K., INC.,  
17 UBI # 604 123 300, and PRO MED ALLIANCE MEDICAL STAFFING, INC., n/k/a ONE  
18 STOP TERMINATIONS, INC., UBI # 604 403 307, of the crime of Identity Theft in the First  
19 Degree, a crime of the same or similar character as another crime charged herein, which crimes  
20 were part of a single scheme or plan, committed as follows:

21 On, about, or between May 2017 through October 2019, in King County, Washington,  
22 as principal or accomplice, did commit the crime of Identity Theft in the First Degree when  
23 he/she/they: (1) knowingly obtained, possessed, used, or transferred a means of identification or  
24 financial information of another person, living or dead, with the intent to commit, or to aid or  
25 abet, any crime; and knowing that the means of identification or financial information belonged  
26 to another person (2) obtained credit, money, goods, services, or anything else of value in excess

1 of one thousand five hundred dollars in value; and (3) such value was either obtained in a single  
2 transaction or as any series of transactions involving a single person's means of identification or  
3 financial information which, when considered separately, constitute identity theft in the second  
4 degree because of value, and the series of transactions are a part of a common scheme or plan.  
5 To wit: the defendants did, as principal or accomplice, violate this law as it pertains to I.B.G.'s  
6 identity.

7 All of which is a Class B Felony offense and contrary to RCW 9.35.020, and against the  
8 peace and dignity of the State of Washington.

9 **COUNT VII – IDENTITY THEFT FIRST DEGREE**

10 And ROBERT W. FERGUSON, Attorney General for the State of Washington, further  
11 does accuse that the defendants, DAVID MUNGAI NJENGA, a/k/a DAVE NJENGA  
12 MUNGAI, EVERLYN LOISE WAMBUI NJUKI a/k/a EVELYN NJUKI, HERITAGE  
13 MEDICAL STAFFING, INC., n/k/a HERITAGE MEDICAL STAFFING S.S. & J.K., INC.,  
14 UBI # 604 123 300, and PRO MED ALLIANCE MEDICAL STAFFING, INC., n/k/a ONE  
15 STOP TERMINATIONS, INC., UBI # 604 403 307, of the crime of Identity Theft in the First  
16 Degree, a crime of the same or similar character as another crime charged herein, which crimes  
17 were part of a single scheme or plan, committed as follows:

18 On, about, or between May 2017 through October 2019, in King County, Washington,  
19 as principal or accomplice, did commit the crime of Identity Theft in the First Degree when  
20 he/she/they: (1) knowingly obtained, possessed, used, or transferred a means of identification or  
21 financial information of another person, living or dead, with the intent to commit, or to aid or  
22 abet, any crime; and knowing that the means of identification or financial information belonged  
23 to another person (2) obtained credit, money, goods, services, or anything else of value in excess  
24 of one thousand five hundred dollars in value; and (3) such value was either obtained in a single  
25 transaction or as any series of transactions involving a single person's means of identification or  
26 financial information which, when considered separately, constitute identity theft in the second

1 degree because of value, and the series of transactions are a part of a common scheme or plan.  
2 To wit: The defendants did, as principal or accomplice, violate this law as it pertains to R.K.'s  
3 identity.

4 All of which is a Class B Felony offense and contrary to RCW 9.35.020, and against the  
5 peace and dignity of the State of Washington.

6 **COUNT VIII – IDENTITY THEFT FIRST DEGREE**

7 And ROBERT W. FERGUSON, Attorney General for the State of Washington, further  
8 does accuse that the defendants, DAVID MUNGAI NJENGA, a/k/a DAVE NJENGA  
9 MUNGAI, EVERLYN LOISE WAMBUI NJUKI a/k/a EVELYN NJUKI, HERITAGE  
10 MEDICAL STAFFING, INC., n/k/a HERITAGE MEDICAL STAFFING S.S. & J.K., INC.,  
11 UBI # 604 123 300, and PRO MED ALLIANCE MEDICAL STAFFING, INC., n/k/a ONE  
12 STOP TERMINATIONS, INC., UBI # 604 403 307, of the crime of Identity Theft in the First  
13 Degree, a crime of the same or similar character as another crime charged herein, which crimes  
14 were part of a single scheme or plan, committed as follows:

15 On, about, or between May 2017 through October 2019, in King County, Washington,  
16 as principal or accomplice, did commit the crime of Identity Theft in the First Degree when  
17 he/she/they: (1) knowingly obtained, possessed, used, or transferred a means of identification or  
18 financial information of another person, living or dead, with the intent to commit, or to aid or  
19 abet, any crime; and knowing that the means of identification or financial information belonged  
20 to another person (2) obtained credit, money, goods, services, or anything else of value in excess  
21 of one thousand five hundred dollars in value; and (3) such value was either obtained in a single  
22 transaction or as any series of transactions involving a single person's means of identification or  
23 financial information which, when considered separately, constitute identity theft in the second  
24 degree because of value, and the series of transactions are a part of a common scheme or plan.  
25 To wit: The defendants did, as principal or accomplice, violate this law as it pertains to S.K.'s  
26 identity.

1 All of which is a Class B Felony offense and contrary to RCW 9.35.020, and against the  
2 peace and dignity of the State of Washington.

3 **COUNT IX – THEFT IN THE FIRST DEGREE**

4 And ROBERT W. FERGUSON, Attorney General for the State of Washington, further  
5 does accuse that the defendants, DAVID MUNGAI NJENGA, a/k/a DAVE NJENGA  
6 MUNGAI, EVERLYN LOISE WAMBUI NJUKI a/k/a EVELYN NJUKI, HERITAGE  
7 MEDICAL STAFFING, INC., n/k/a HERITAGE MEDICAL STAFFING S.S. & J.K., INC.,  
8 UBI # 604 123 300, and PRO MED ALLIANCE MEDICAL STAFFING, INC., n/k/a ONE  
9 STOP TERMINATIONS, INC., UBI # 604 403 307, of the crime of Theft in the First Degree, a  
10 crime of the same or similar character as another crime charged herein, which crimes were part  
11 of a single scheme or plan, committed as follows:

12 On, about, or between May 2017 through October 2019, in King County, Washington,  
13 as principal or accomplice, did commit the crime of Theft in the First Degree when he/she/they:  
14 (1) by color or aid of deception, obtained control over the property or services of another or the  
15 value thereof, with intent to deprive him or her of such property or services, and (2) the property  
16 or services exceeded five thousand dollars in value; and (3) such value was either obtained in a  
17 single transaction or as any series of transactions which considered separately, constitute theft  
18 in a lesser degree due to value, and the series of transactions are part of a criminal episode or a  
19 common scheme or plan. To wit: The defendants did, as principal or accomplice, violate this law  
20 as it pertains to Vashon Community Care.

21 All of which is a Class B Felony offense and contrary to RCW 9A.56.020(c) and  
22 9A.56.030(1)(a), and against the peace and dignity of the State of Washington.

23 **COUNT X –THEFT IN THE FIRST DEGREE**

24 And ROBERT W. FERGUSON, Attorney General for the State of Washington, further  
25 does accuse that the defendants, DAVID MUNGAI NJENGA, a/k/a DAVE NJENGA  
26 MUNGAI, EVERLYN LOISE WAMBUI NJUKI a/k/a EVELYN NJUKI, HERITAGE

1 MEDICAL STAFFING, INC., n/k/a HERITAGE MEDICAL STAFFING S.S. & J.K., INC.,  
2 UBI # 604 123 300, and PRO MED ALLIANCE MEDICAL STAFFING, INC., n/k/a ONE  
3 STOP TERMINATIONS, INC., UBI # 604 403 307, of the crime of Theft in the First Degree, a  
4 crime of the same or similar character as another crime charged herein, which crimes were part  
5 of a single scheme or plan, committed as follows:

6 On, about, or between May 2017 through October 2019, in King County, Washington,  
7 as principal or accomplice, did commit the crime of Theft in the First Degree when he/she/they:  
8 (1) by color or aid of deception, obtained control over the property or services of another or the  
9 value thereof, with intent to deprive him or her of such property or services, and (2) the property  
10 or services exceeded five thousand dollars in value; and (3) such value was either obtained in a  
11 single transaction or as any series of transactions which considered separately, constitute theft  
12 in a lesser degree due to value, and the series of transactions are part of a criminal episode or a  
13 common scheme or plan. To wit: The defendants did, as principal or accomplice, violate this law  
14 as it pertains to Willow Springs Care and Rehabilitation.

15 All of which is a Class B Felony offense and contrary to RCW 9A.56.020(c) and  
16 9A.56.030(1)(a), and against the peace and dignity of the State of Washington.

17 **COUNT XI –THEFT IN THE FIRST DEGREE**

18 And ROBERT W. FERGUSON, Attorney General for the State of Washington, further  
19 does accuse that the defendants, DAVID MUNGAI NJENGA, a/k/a DAVE NJENGA  
20 MUNGAI, EVERLYN LOISE WAMBUI NJUKI a/k/a EVELYN NJUKI, HERITAGE  
21 MEDICAL STAFFING, INC., n/k/a HERITAGE MEDICAL STAFFING S.S. & J.K., INC.,  
22 UBI # 604 123 300, and PRO MED ALLIANCE MEDICAL STAFFING, INC., n/k/a ONE  
23 STOP TERMINATIONS, INC., UBI # 604 403 307, of the crime of Theft in the First Degree, a  
24 crime of the same or similar character as another crime charged herein, which crimes were part  
25 of a single scheme or plan, committed as follows:  
26

1 On, about, or between May 2017 through October 2019, in King County, Washington,  
2 as principal or accomplice, did commit the crime of Theft in the First Degree when he/she/they:  
3 (1) by color or aid of deception, obtained control over the property or services of another or the  
4 value thereof, with intent to deprive him or her of such property or services, and (2) the property  
5 or services exceeded five thousand dollars in value; and (3) such value was either obtained in a  
6 single transaction or as any series of transactions which considered separately, constitute theft  
7 in a lesser degree due to value, and the series of transactions are part of a criminal episode or a  
8 common scheme or plan. To wit: The defendants did, as principal or accomplice, violate this law  
9 as it pertains to Bothell Health Care.

10 All of which is a Class B Felony offense and contrary to RCW 9A.56.020(c) and  
11 9A.56.030(1)(a), and against the peace and dignity of the State of Washington.

12 **COUNT XII –THEFT IN THE FIRST DEGREE**

13 And ROBERT W. FERGUSON, Attorney General for the State of Washington, further  
14 does accuse that the defendants, DAVID MUNGAI NJENGA, a/k/a DAVE NJENGA  
15 MUNGAI, EVERLYN LOISE WAMBUI NJUKI a/k/a EVELYN NJUKI, HERITAGE  
16 MEDICAL STAFFING, INC., n/k/a HERITAGE MEDICAL STAFFING S.S. & J.K., INC.,  
17 UBI # 604 123 300, and PRO MED ALLIANCE MEDICAL STAFFING, INC., n/k/a ONE  
18 STOP TERMINATIONS, INC., UBI # 604 403 307, of the crime of Theft in the First Degree, a  
19 crime of the same or similar character as another crime charged herein, which crimes were part  
20 of a single scheme or plan, committed as follows:

21 On, about, or between May 2017 through October 2019, in King County, Washington,  
22 as principal or accomplice, did commit the crime of Theft in the First Degree when he/she/they:  
23 (1) by color or aid of deception, obtained control over the property or services of another or the  
24 value thereof, with intent to deprive him or her of such property or services, and (2) the property  
25 or services exceeded five thousand dollars in value; and (3) such value was either obtained in a  
26 single transaction or as any series of transactions which considered separately, constitute theft

1 in a lesser degree due to value, and the series of transactions are part of a criminal episode or a  
2 common scheme or plan. To wit: The defendants did, as principal or accomplice, violate this law  
3 as it pertains to Emerald Care.

4 All of which is a Class B Felony offense and contrary to RCW 9A.56.020(c) and  
5 9A.56.030(1)(a), and against the peace and dignity of the State of Washington.

6 **COUNT XIII –THEFT IN THE FIRST DEGREE**

7 And ROBERT W. FERGUSON, Attorney General for the State of Washington, further  
8 does accuse that the defendants, DAVID MUNGAI NJENGA, a/k/a DAVE NJENGA  
9 MUNGAI, EVERLYN LOISE WAMBUI NJUKI a/k/a EVELYN NJUKI, HERITAGE  
10 MEDICAL STAFFING, INC., n/k/a HERITAGE MEDICAL STAFFING S.S. & J.K., INC.,  
11 UBI # 604 123 300, and PRO MED ALLIANCE MEDICAL STAFFING, INC., n/k/a ONE  
12 STOP TERMINATIONS, INC., UBI # 604 403 307, of the crime of Theft in the First Degree, a  
13 crime of the same or similar character as another crime charged herein, which crimes were part  
14 of a single scheme or plan, committed as follows:

15 On, about, or between May 2017 through October 2019, in King County, Washington,  
16 as principal or accomplice, did commit the crime of Theft in the First Degree when he/she/they:  
17 (1) by color or aid of deception, obtained control over the property or services of another or the  
18 value thereof, with intent to deprive him or her of such property or services, and (2) the property  
19 or services exceeded five thousand dollars in value; and (3) such value was either obtained in a  
20 single transaction or as any series of transactions which considered separately, constitute theft  
21 in a lesser degree due to value, and the series of transactions are part of a criminal episode or a  
22 common scheme or plan. To wit: The defendants did, as principal or accomplice, violate this law  
23 as it pertains to Redmond Care and Rehabilitation Center.

24 All of which is a Class B Felony offense and contrary to RCW 9A.56.020(c) and  
25 9A.56.030(1)(a), and against the peace and dignity of the State of Washington.

1 **COUNT XIV –THEFT IN THE FIRST DEGREE**

2 And ROBERT W. FERGUSON, Attorney General for the State of Washington, further  
3 does accuse that the defendants, DAVID MUNGAI NJENGA, a/k/a DAVE NJENGA  
4 MUNGAI, EVERLYN LOISE WAMBUI NJUKI a/k/a EVELYN NJUKI, HERITAGE  
5 MEDICAL STAFFING, INC., n/k/a HERITAGE MEDICAL STAFFING S.S. & J.K., INC.,  
6 UBI # 604 123 300, and PRO MED ALLIANCE MEDICAL STAFFING, INC., n/k/a ONE  
7 STOP TERMINATIONS, INC., UBI # 604 403 307, of the crime of Theft in the First Degree, a  
8 crime of the same or similar character as another crime charged herein, which crimes were part  
9 of a single scheme or plan, committed as follows:

10 On, about, or between May 2017 through October 2019, in King County, Washington,  
11 as principal or accomplice, did commit the crime of Theft in the First Degree when he/she/they:  
12 (1) by color or aid of deception, obtained control over the property or services of another or the  
13 value thereof, with intent to deprive him or her of such property or services, and (2) the property  
14 or services exceeded five thousand dollars in value; and (3) such value was either obtained in a  
15 single transaction or as any series of transactions which considered separately, constitute theft  
16 in a lesser degree due to value, and the series of transactions are part of a criminal episode or a  
17 common scheme or plan. To wit: The defendants did, as principal or accomplice, violate this law  
18 as it pertains to any facility similarly situated to those facilities listed in Counts 9-13.

19 All of which is a Class B Felony offense and contrary to RCW 9A.56.020(c) and  
20 9A.56.030(1)(a), and against the peace and dignity of the State of Washington.

21 **COUNT XV –MONEY LAUNDERING**

22 And ROBERT W. FERGUSON, Attorney General for the State of Washington, further  
23 does accuse that the defendants, DAVID MUNGAI NJENGA, a/k/a DAVE NJENGA  
24 MUNGAI, and EVERLYN LOISE WAMBUI NJUKI a/k/a EVELYN NJUKI, of the crime of  
25 Money Laundering, a crime of the same or similar character as another crime charged herein,  
26 which crimes were part of a single scheme or plan, committed as follows:

1 On, about, or between May 2017 through October 2019, in King County, Washington,  
2 DAVID MUNGAI NJENGA, a/k/a DAVE NJENGA MUNGAI, and EVERLYN LOISE  
3 WAMBUI NJUKI a/k/a EVELYN NJUKI, as principal or accomplice, did commit the crime of  
4 Money Laundering when he/she: (1) conducted or attempted to conduct a financial transaction  
5 involving the proceeds of specified unlawful activity when he knew the property is proceeds of  
6 specified unlawful activity.

7 All of which is a Class B Felony offense and contrary to RCW 9A.83.020, and against  
8 the peace and dignity of the State of Washington.

9 **COUNT XVI – USE OF PROCEEDS OF CRIMINAL PROFITEERING**

10 And ROBERT W. FERGUSON, Attorney General for the State of Washington, further  
11 does accuse that the defendants, DAVID MUNGAI NJENGA, a/k/a DAVE NJENGA  
12 MUNGAI, and EVERLYN LOISE WAMBUI NJUKI a/k/a EVELYN NJUKI, of the crime of  
13 Use of Proceeds of Criminal Profiteering, a crime of the same or similar character as another  
14 crime charged herein, which crimes were part of a single scheme or plan, committed as follows:


15 On, about, or between May 2017 through October 2019, in King County, Washington,  
16 DAVID MUNGAI NJENGA, a/k/a DAVE NJENGA MUNGAI, and EVERLYN LOISE  
17 WAMBUI NJUKI a/k/a EVELYN NJUKI, as principal or accomplice, did commit the crime of  
18 Use of Proceeds of Criminal Profiteering when he/she: having knowingly received any of the  
19 proceeds derived, directly or indirectly, from a pattern of criminal profiteering activity used or  
20 invested, whether directly or indirectly, any part of the proceeds, or the proceeds derived from  
21 the investment or use thereof, in the acquisition of any title to, or any right, interest, or equity in,  
22 real property or in the establishment or operation of any enterprise.

1 All of which is a Class B Felony offense and contrary to RCW 9A.82.080, and against  
2 the peace and dignity of the State of Washington.

3 DATED this 6th day of July 2023.

4 ROBERT W. FERGUSON  
5 Attorney General

6 By:

  
7 \_\_\_\_\_  
8 Eric A. Senta, WSBA #57982  
9 Assistant Attorney General  
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**STATE OF WASHINGTON  
KING COUNTY SUPERIOR COURT**

STATE OF WASHINGTON,

Plaintiff,

vs.

DAVID MUNGAI NJENGA,  
a/k/a DAVE NJENGA MUNGAI  
DOB: 09/09/1960,

EVERLYN LOISE WAMBUI NJUKI,  
a/k/a EVELYN NJUKI  
DOB: 08/21/1989,

HERITAGE MEDICAL STAFFING, INC.,  
n/k/a HERITAGE MEDICAL STAFFING  
S.S. & J.K., INC., UBI # 604 123 300,  
a Washington profit corporation,

PRO MED ALLIANCE MEDICAL  
STAFFING, INC., n/k/a ONE STOP  
TERMINATORS, INC., UBI # 604 403  
307, a Washington profit corporation,

AND EACH OF THEM,

Defendants.

NOS. 23-C-00810-0 (Njenga)  
23-C-05281-8 (Njuki)  
23-C-05282-6 (Heritage)  
23-C-05283-4 (Pro Med)

CERTIFICATION FOR  
DETERMINATION OF PROBABLE  
CAUSE

I, NANCY LEWIN, am a Senior Special Agent (SA) with the Washington State Attorney General's Office (AGO) Medicaid Fraud Control Division (MFCD). I am the primary investigator assigned to this case. Prior to September 15, 2022, Senior Special Agent

1 Reynaldo Punzalan (SSA Punzalan) of the MFCD was the primary investigator assigned to this  
2 case. The facts identified in this document are based on my knowledge, observations, interviews,  
3 and review of records and regulations pertaining to the subject matter of this investigation, and  
4 the account of it by former MFCD SSA Punzalan and other MFCD Special Agents.

5 Based on my investigation, I believe probable cause exists that  
6 DAVID MUNGAI NJENGA committed the crimes of Leading Organized Crime, 9A.82.060, a  
7 Class A felony; Identity Theft in the First Degree, 9A.35.020, a Class B felony (7 counts); Theft,  
8 9A.56.030, 9A.56.020, Class B felonies (6 counts); Use of Proceeds of Criminal Profiteering,  
9 9A.82.080, a Class B felony; and Money Laundering, 9A.83.020, a Class B felony, in King  
10 County, Washington.

11 I believe probable cause exists that EVERLYN NJUKI committed the crimes of Identity  
12 Theft in the First Degree, 9A.35.020, a Class B felony (7 counts); Theft, 9A.56.030, 9A.56.020,  
13 Class B felonies (6 counts); Use of Proceeds of Criminal Profiteering, 9A.82.080, a Class B  
14 felony; and Money Laundering, 9A.83.020, a Class B felony, in King County, Washington.

15 I believe probable cause exists that PRO MED ALLIANCE MEDICAL STAFFING,  
16 INC., n/k/a ONE STOP TERMINATORS, INC., UBI # 604 403 307 committed the crimes of  
17 Identity Theft in the First Degree, 9A.35.020, a Class B felony (7 counts); Theft, 9A.56.030,  
18 9A.56.020, Class B felonies (6 counts), in King County, Washington.

19 I believe probable cause exists that HERITAGE MEDICAL STAFFING, INC., n/k/a  
20 HERITAGE MEDICAL STAFFING S.S. & J.K. Inc., UBI # 604 123 300 committed the crimes  
21 of Identity Theft in the First Degree, 9A.35.020, a Class B felony (7 counts); Theft, 9A.56.030,  
22 9A.56.020, Class B felonies (6 counts);, in King County, Washington.

23 This case contains the following information on which the Certification for Determination  
24 of Probable Cause is made.  
25  
26

1 **I. INITIAL INVESTIGATION**

2 On January 15, 2019, the MFCD received information from Pierce County Deputy  
3 Prosecutor Scott Peters (Peters) that his office was charging Sarah Njoki Kagwara (Kagwara) with  
4 Identity Theft, First Degree, and Criminal Impersonation, First Degree. Kagwara had been  
5 arrested by the University Place Police Department after she purportedly used fake identification  
6 documents to claim to be a licensed RN by the name of S.M. (Victims of identity theft referred  
7 to by initials in this affidavit are identified in Attachment A.) Medical staffing agency APlus  
8 Healthcare LLC (APlus) discovered irregularities in Kagwara’s credential expiration date and  
9 personal information, and reported it to authorities.

10 In a Declaration for Determination of Probable Cause filed by Peters with the Pierce  
11 County Superior Court on or about January 15, 2019, Peters writes:

12 “On January 2, 2019, police were called by APlus Health Care because of an  
13 ongoing fraud with an employee. The owner reported that the defendant was hired as a  
14 registered nurse (RN). At that time, she provided the name [SM] and a RN license with  
15 the same name. For about 8 months the defendant was working at APlus Health Care  
16 under that name as an RN. She was responsible for the health and wellbeing of many  
17 patients during this time. APlus began to notice several issues. The defendant got upset  
18 when her first paycheck had the last name [SM]. She claimed she got married and her  
19 new last name was KAGWARA. She asked for the paychecks to be changed and they  
20 were. The business asked for a marriage certificate, but it was never provided. The  
21 defendant applied for another job and gave false information about her work at APlus.  
22 Another nurse got suspicious and asked the defendant a question a RN would know. The  
23 defendant got upset and began to yell at the co-worker. That co-worker is an RN and  
24 noted the defendant "talks like a CNA and not an RN." Finally, APlus noticed the  
25 defendant's date of birth did not match the expiration date on her RN license. The date  
26 should match to show it was the correct person. APlus then learned the real SM lived in  
Woodland WA. Department of Health contacted the real [SM], she was shocked someone  
was using her RN license. On January 14, 2019, the defendant came to APlus for her  
paycheck and police contacted her. She said she was not [SM] and did not know who that  
was. She said she was a nurse in Kenya and had worked as a RN in Missouri, but did not  
have an RN license in Missouri. She originally said the owner of APlus gave her the RN  
license and told her to use it. Upon further questioning, she stated she had used [SM]’s  
license to be a RN at a different location. When police pointed out that she used the  
license prior to A Plus she said that some man gave her the license to use. She admitted  
she was not an RN. The defendant admitted she knew it was wrong to use the license.  
Police learned that the defendant was given a \$5,000 bonus when hired because  
she was hired as a RN.”

1 On January 17, 2019, the MFCD opened a case and SSA Punzalan was assigned as the  
2 primary investigator. SSA Punzalan learned that Kaguara started working for APlus Healthcare  
3 LLC using the stolen identity, on or about April 6, 2018.

4 Prior to working for APlus Healthcare LLC, Kaguara worked for another medical staffing  
5 agency, Heritage Medical Staffing, Inc. (Heritage) located in Kent, Washington. Kaguara also  
6 worked for a provider facility, Regency North Bend (Regency), using a false name and  
7 credentials, beginning work there at least as early as December 1, 2017. Heritage and its business  
8 principals, David Mungai Njenga a/k/a Dave Njenga Mungai (Njenga) and Everlyn Njuki (Njuki)  
9 began organizing false identification documents for Kaguara to use before her employment with  
10 Regency in December 2017. There was a note written on an invoice from Regency North Bend,  
11 dated December 5, 2017 listing S.M. as the person who worked at Regency. At the bottom of  
12 the page, an unidentified individual wrote "I sent email requesting W9 12/5/17." Form W-9 is an  
13 IRS form, Request for Taxpayer Identification Number and Certification. On July 22, 2019,  
14 SSA Punzalan contacted potential victim S.M. and confirmed that she had not worked at Regency  
15 North Bend or for Heritage.

16 Heritage, later rebranded as Pro Med Alliance Medical Staffing, Inc. (Pro Med), was  
17 owned and operated by Njenga. Heritage/Pro Med were medical staffing agencies providing  
18 Certified Nursing Assistants (CNAs), License Practical Nurses (LPNs) and Registered Nurses  
19 (RNs) to long term care facilities.

20 According to the Washington State Secretary of State website, Heritage was formed on  
21 May 4, 2017. Articles of Incorporation state the business purpose as "medical staffing." The  
22 incorporation documentation names Njuki as the registered agent for the corporation, and Njenga  
23 as a governor. The first annual report, submitted April 14, 2018, and signed by Njuki, lists Njuki  
24 and Dave N. Mungai as governors.

25 On May 10, 2019, SSA Punzalan learned that Detective John Crane of the Kent,  
26 Washington Police Department had been working with Department of Health Investigators on a

1 case in which another individual was impersonating a RN. This individual, (purporting to be  
2 R.K.), had been placed at Bothell Health Care and Rehabilitation (Bothell Health Care), a nursing  
3 home, by Heritage. R.K. filed a complaint of identification fraud under Kent Police Department  
4 case number 19-28-91.

5 Detective Crane identified another RN who was a potential victim of identity theft. The  
6 potential victim was S.K. The person presenting as S.K. was also sent to work at Bothell Health  
7 Care by Heritage. Additionally, the person purporting to be S.K. was of African descent and had  
8 a dark complexion; however, Detective Crane located a photocopy of S.K.'s driver's license,  
9 which reflected his ethnicity as Asian.

10 Detective Crane and Department of Health (DOH) Investigator Lynn Batchelder  
11 informed SSA Punzalan that based upon their investigation; Bothell Health Care paid Heritage  
12 approximately \$500,000, of which a large percentage was based upon invoices sent by Heritage  
13 to Bothell Health Care for work performed by underqualified or unqualified individuals using  
14 stolen identities and credentials. The Director of Nursing at Bothell Health Care, Jennifer  
15 Alcantara, confirmed this amount to SSA Punzalan as well.

16 SSA Punzalan also learned from Detective Crane that Heritage had been re-named to Pro  
17 Med Alliance Medical Staffing, Inc., but the individuals involved in the day-to-day operation  
18 were still the same.

19 On October 1, 2019, SSA Punzalan and MFCD Senior Special Agent Randy Knox  
20 (SSA Knox), interviewed Kagwara at the Pierce County Jail with her attorney present. Kagwara  
21 related that she had been a nurse in Kenya, having completed an Associate Degree from Kenya  
22 Medical Training College. Kagwara admitted to using the identity of S.M. and another individual  
23 to fraudulently work as a health care professional with Heritage and APlus Staffing. Kagwara  
24 admitted she had been using S.M.'s credential since October 17, 2019.

1 Kaguara stated that Njenga had a database of names and would manufacture IDs and  
2 provide them to the workers. Kaguara stated that with full mutual knowledge she would assume  
3 the identity of credentialed nurses provided to her by Njuki and Njenga.

4 Kaguara identified Vashon Community Care, Bothell Health Care, and North Bend as  
5 facilities where she had worked. She also identified The Oaks at Lakewood, Alaska Gardens,  
6 Weatherly Inn, Patriots Glen, Bellevue, and Detox Center (Tacoma) on Fawcett Street, as places  
7 she had worked as a nurse under fraudulent pretenses.

8 **II. HERITAGE MEDICAL STAFFING AND PRO MED**  
9 **ALLIANCE MEDICAL STAFFING**

10 Pro Med Alliance Medical Staffing, Inc., n/k/a One Stop Terminators, Inc.,  
11 UBI # 604 403 307 (Pro Med) operated as a temporary staffing services company and/or a  
12 services referral agency. Heritage Medical Staffing, Inc., n/k/a Heritage Medical Staffing S.S.  
13 & J.K. Inc., UBI # 604 123 300 (Heritage), was a predecessor company to Pro Med, and was  
14 owned and operated by the same individuals, with the same clients and employees, and engaged  
15 in the same work. A “temporary staffing services company” is defined in RCW 50.04.245(4)(a)  
16 as an individual or entity that engages in: recruiting and hiring its own employees; finding other  
17 organizations that need the services of those employees; and assigning those employees on a  
18 temporary basis to perform work at or services for a client to support or supplement the client’s  
19 workforces, or to provide special assistance in special work situations, such as employee  
20 absences, skill shortages, and seasonal workloads, or to perform special assignments or projects,  
21 all under the direction and supervision of the client. A “services referral agency” is defined in  
22 RCW 50.04.245(4)(b) as an agency that is engaged in the business of offering the services of one  
23 or more individuals to perform specific tasks for a third party.

24 On July 19, 2019, SSA Hartley checked the Washington State Health Care Authority’s  
25 (HCA) Fraud and Abuse Detection System (FADS), which links a user with various aspects of  
26 Medicaid provider enrollment and claims payment data. A search for Heritage Medical Staffing

1 revealed no results. However, a search for Pro Med Alliance showed that as of April 10, 2019,  
2 Pro Med was enrolled in Washington’s Medicaid provider database as a participating provider to  
3 provide nursing services. Pro Med Alliance reported having National Provider Identifier (NPI):  
4 of 1790248557, and was assigned Medicaid Provider Number: 2125361. Cinceria Dowlen was  
5 listed as the Office Manager.

6 According to the Washington Secretary of State website, Heritage was formed on  
7 May 4, 2017; the Secretary of State assigned UBI # 604 123 300 to Heritage. Articles of  
8 Incorporation state the business purpose as “medical staffing.” The incorporation documentation  
9 named Njuki as the registered agent for the corporation. The same incorporation documents listed  
10 David Njenga Mungai as a governor. The first annual report, submitted April 14, 2018, and  
11 signed by Njuki, listed Njuki and Dave N. Mungai as governors. The address associated with the  
12 business was 23830 Pacific Highway South, #201, Kent, Washington 98032.

13 Njenga and Njuki incorporated Pro Med Alliance Medical Staffing, Inc. on  
14 January 28, 2019; the Secretary of State assigned UBI # 604 403 307. Njuki’s name appeared on  
15 the Articles of Incorporation; however, the Initial Report listed Dave Mungai and Njuki as  
16 governors. Njuki was listed as the registered agent.

17 On July 23, 2019, SSA Hartley conducted an internet search for both Heritage and Pro  
18 Med. Web pages for both businesses were found; <http://www.heritagemedicalstaffing.com> and  
19 <http://www.promedalliancems.com>. Both businesses listed 23830 Pacific Highway South,  
20 Suite 201, Kent, Washington 98032 as their business location. The Heritage website, however,  
21 had other locations listed: a location in Eastern Washington with no address listed; a Western  
22 Washington location at 2705 W. Lincoln Avenue, Suite 306, Tacoma, Washington 98902; a  
23 California location at 39120 Argonaut Way, Fremont, California 94538 (no phone number was  
24 listed); and a North Carolina location at 15 Cheltenham Drive, Clayton, North Carolina 27520.

25 RCW 74.42.360(1) requires nursing homes to maintain adequate staff. “The facility shall  
26 have staff on duty twenty-four hours daily sufficient in number and qualifications to carry out

1 the provisions of RCW 74.42.010 through 74.42.570 and the policies, responsibilities, and  
2 programs of the facility.” Nursing homes must provide a minimum of 3.4 hours per resident day  
3 of direct care, as defined by RCW 74.42.010. RCW 74.42.360(2). The minimum staffing  
4 standard includes the time when such staff are providing hands-on care related to activities of  
5 daily living and nursing-related tasks, as well as care planning.

6 Your affiant is aware based upon training and experience that in order to meet these  
7 requirements, nursing facilities often contract with medical staffing agencies to fill shortages and  
8 meet Washington’s facility staffing requirements. Both Heritage and Pro Med contracted with  
9 various facilities providing nursing services across Washington to provide medical staff,  
10 including Certified Nursing Assistants (CNAs), Licensed Practical Nurses (LPNs), and  
11 Registered Nurses (RNs), on a temporary as-needed basis.

12 Your affiant is further aware based upon training and experience that in order to provide  
13 medical care in Medicaid-funded long term care facilities, staff sent to the facilities from staffing  
14 agencies must meet several requirements, including federally mandated requirements. These  
15 requirements include presenting a photo ID to the facility, the facility running a comprehensive  
16 background check on the staff member, the staffing agency providing a facility with the staff  
17 member’s current license, and the staffing agency providing the facility with a preliminary  
18 background check. The facility may also require the staff member provide proof of a negative  
19 TB test. The staff member typically has a timesheet filled out by the facility, which the staff  
20 member turns into the staffing agency.

### 21 **III. SPECIAL AGENTS VISIT FACILITIES**

#### 22 **A. Regency North Bend**

23 On July 17, 2019, SSA Knox and SSA Punzalan visited Regency North Bend (Regency),  
24 a Medicaid-funded health care facility located at 219 Cedar Avenue South, North Bend,  
25 Washington 98045. SSAs Punzalan and Knox spoke with Executive Administrator Darren  
26 Glazier (Glazier). Glazier stated their facility had used Heritage and Pro Med a few times.

1 Additionally, Glazer acknowledged that Heritage employees had caused medication errors while  
2 working at Regency. Regency's Business Office Manager Mae LeBret (LeBret) provided  
3 invoices pertaining to the employment of S.M. (identified as Kaguara) who purported to be a RN  
4 and had been sent to the facility by Heritage. During this preliminary conversation, Regency  
5 initially identified that they had paid Heritage \$480 per day for RN services.

6 On July 22, 2019, SSA Punzalan received a medication error report from LeBret  
7 indicating a medication error by the person purporting to be S.M. Regency conducted an internal  
8 investigation, which included an interview of the patient, and found that records erroneously  
9 indicated pain medications had been administered when they had not.

10 **B. Bothell Health Care**

11 On July 17, 2019, SSAs Knox and Punzalan visited Bothell Health Care, a Medicaid-  
12 funded facility located at 707 228th Street SW, Bothell, Washington. They were met by Director  
13 of Nursing (DON) Jennifer Alcantara (Alcantara). Alcantara provided copies of the invoices paid  
14 to Heritage in an electronic form as well as a copy of the contract. The invoices from Heritage  
15 appear to be computer-generated and list multiple telephone numbers: (206) 429-2346,  
16 (425) 581-8500, (206) 519-0994 and (206) 519-1001. The email address listed was  
17 heritagemedicalstaffing@yahoo.com. Alcantara related that there was no longer a valid staffing  
18 contract in effect between Bothell Health Care, and Heritage or Pro Med. The reason for this was  
19 they were made aware of a criminal investigation by Kent Police Department concerning  
20 fraudulent staff. While reviewing the records Alcantara provided, SSA Punzalan identified a  
21 person purporting to be S.K. was listed as having worked at Bothell Health Care. Alcantara  
22 described S.K. as an African, black male. Based upon information provided by Detective John  
23 Crane, SSA Punzalan knew S.K. was an Asian male.

24 Bothell Health Care Administrator/Business owner Julie Behne (Behne) was also  
25 contacted and agreed to provide financial invoices for payments made to Heritage. Among the  
26 documents she provided was a computer generated letter, dated February 15, 2019, on what

1 appeared to be Heritage letterhead. The letter stated that Heritage could no longer continue to  
2 staff personnel and that Pro Med would assume all Heritage clients. This document bore the  
3 signature of Mr. Jacob Kabitu (governing agent for Heritage per Washington Secretary of State).  
4 A handwritten annotation on the letter was signed by Behne, and indicated the date had been  
5 “back dated.” Further, it had arrived without a postmark. Also in the records was another  
6 computer-generated letter on what appeared to be letterhead dated October 15, 2018, addressing  
7 compensation. This letter bore the signature of Njuki, Executive Director for Heritage. The  
8 contract provided also bore the signature of Njuki. These documents also bore a signature above  
9 the name Elvis Njenga (David Njenga’s son), who is identified as the Director of Heritage  
10 Schools Inc.

11 **C. Redmond Health and Rehabilitation**

12 On July 18, 2019, SSAs Knox and Punzalan went to Redmond Health and Rehabilitation  
13 Center, 7900 Willows Drive Northeast, Redmond, Washington, a Medicaid-funded facility. They  
14 were met by DON Anne Richter (Richter). SSA Punzalan explained to Richter that he suspected  
15 fraudulent/unqualified personnel were purporting to be RNs and CNAs from Heritage and Pro  
16 Med. Richter told SSA Punzalan they currently had an active contract with Pro Med. There were  
17 no identified staff from Heritage or Pro Med in the facility at the time of the visit. SSA Punzalan  
18 received a list of staff who had been previously provided by Heritage and Pro Med that included  
19 several stolen identities overlapping those that were provided by Bothell Health Care. Among  
20 these was victim S.K., and additional victims L.W. and C.N.

21 On July 24, 2019, SSA Hartley called potential victim C.N. in SSA Punzalan’s presence.  
22 C.N. confirmed she had never worked for any nursing staffing agency of any kind. C.N. had been  
23 employed as a RN at Swedish Medical Center for the last five years. C.N. did recall receiving a  
24 call from an investigator, possibly from Adult Protective Services, asking if she had been  
25 involved in an incident in Yakima. SSA Punzalan asked if the facility was Willow Springs, as  
26 DOH Investigator Batchelder had developed information indicating Heritage may have provided

1 staff at that location. C.N. confirmed that the inquiry was related to Willow Springs. C.N. stated  
2 she has never lived or worked in the Yakima area.

3 **D. The Oaks at Forest Bay**

4 On July 18, 2019, SSAs Knox and Punzalan visited the Oaks at Forest Bay, a Medicaid-  
5 funded facility located at 16357 Aurora Avenue North, Shoreline, Washington, 98133. Upon  
6 their arrival, they met with Administrator Amanda Moss (Moss) and Human Resources Director  
7 Whitney Hunter. SSA Punzalan explained that he suspected fraudulent/unqualified personnel  
8 were purporting to be RNs and CNAs from Heritage and Pro Med. Moss told SSA Punzalan there  
9 was a current active contract with Pro Med. SSA Punzalan received a list of staff provided by  
10 Heritage and Pro Med.

11 **IV. SURVEILLANCE**

12 On July 25, 2019, SSAs Knox and Punzalan conducted surveillance at Heritage's former  
13 location, then the location of Pro Med, at 23830 Pacific Highway South, Suite 201, Kent,  
14 Washington. A Vern Fonk insurance office was located on the bottom floor of the building, and  
15 appeared to be occupied and open for business. SSAs Knox and Punzalan entered the public  
16 areas of the building and found a typed note on the door of Pro Med indicating they were closed  
17 until further notice and if further assistance was needed to contact the call center. No number for  
18 the call center was provided. SSAs Knox and Punzalan found no apparent occupants present as  
19 they visited each of the three floors of the building.

20 On August 1, 2019, Special Agents from the MFCD conducted surveillance in the area  
21 of the business located at 23830 Pacific Highway, Kent, Washington, in an attempt to identify  
22 vehicles and persons associated with Heritage and Pro Med. A white box was affixed to the right  
23 front of the door that had the words "ProMed Alliance time sheets." Multiple documents could  
24 be seen through a slot at the top of the secured box.

25 Multiple digital images of persons and vehicles parked, and arriving and leaving, at that  
26 address were recorded. In the course of collecting these images, a heavysset black male wearing

1 a dark shirt was observed exiting a Toyota Camry, bearing Washington license plate BNW 3739,  
2 which was later confirmed to be registered to Heritage. SSA Punzalan later texted former  
3 Heritage employee Cinceria Dowlen (Dowlen) a copy of the photograph of the individual.  
4 Dowlen identified the heavyset black male in a dark shirt, seen arriving and leaving in the Toyota  
5 Camry, as David Njenga.

## 6 V. SITE SEARCH WARRANTS

7 On September 30, 2019, a search warrant for the business at 23830 Pacific Highway S,  
8 Suites 201 and 206, Kent, Washington, and a residence at 32824 43rd Place SW, Federal Way,  
9 Washington were obtained from Thurston County Superior Court.

10 On October 2, 2019, special agents executed the search warrants on the business and the  
11 residence.

12 A review of the personnel items seized during the search confirmed that the business used  
13 several identities previously identified as stolen, including, but not limited to, S.M., R.K., S.K.,  
14 S.K.2, L.W., and C.N.

15 Based on records found during the search of Njenga's residence, which identified an  
16 off-site storage unit rented by Njenga, a supplemental search warrant was obtained and on  
17 October 2, 2019, the search warrant was served at the storage facility. SSA Punzalan located  
18 items confirming the use of stolen identities including personnel files and financial documents.  
19 Other items were located by other special agents as well to include evidence of manufacture of  
20 false identifications including forged identification cards. Among the items seized were multiple  
21 forged resident alien identification cards ("green cards"), forged social security cards, and forged  
22 Washington State driver's licenses and identifications. As one example, investigators seized a  
23 fraudulent immigration card displaying the name and identifiers of S.K., but depicting the  
24 photograph of a black male. S.K. is a victim of identity theft in this matter and is of Asian  
25 ethnicity.

1 During the course of the search warrant services described above, MFCD special agents  
2 seized large quantities of paper documents. These paper documents include invoices, printed  
3 email communication, and contracts associated with Pro Med and Heritage.

4 The email addresses heritagemedicalstaffing@yahoo.com and  
5 promedalliance@yahoo.com were consistently used to direct Dowlen's Heritage/Pro Med work.  
6 From these email addresses, Dowlen received lists of work to be done, scripts telling her what to  
7 tell other people, what to write in emails and letters, and many other routine business  
8 correspondence. She also received identity and certification documents from these email  
9 addresses that were provided to facilities where the staffing company had contracts to provide  
10 nursing services. Many documents attached to emails from the aforementioned Yahoo! emails  
11 contain names and documents associated with fraudulent use, including, but not limited to, S.M.,  
12 R.K., S.K., S.K.2, L.W., and C.N. The Yahoo! addresses sent employee schedules to Dowlen to  
13 have her forward them to the staff of Heritage/Pro Med and to the facilities where the staff were  
14 to work; those schedules included the names of identity theft victims. Dowlen consistently cc'd  
15 these addresses when dealing with customers and would forward emails to it so that she would  
16 know how to respond.

## 17 VI. ID THEFT VICTIMS

### 18 A. S.K.

19 On April 29, 2022, SSA Punzalan and I met with S.K. at the Vancouver Police  
20 Department West Precinct. S.K. provided his Oregon driver's license as proof of identity. SSA  
21 Punzalan asked S.K. if he had any affiliation with Heritage or Pro Med; S.K. denied ever being  
22 associated with either of these agencies.

23 S.K. was asked if he ever worked at Willow Springs Care and Rehabilitation in Yakima,  
24 Vashon Community Care, Bothell Health and Rehabilitation, or Redmond Health and Rehabilitation  
25 Center. S.K. stated he had never worked at any of these facilities.

1 S.K. was shown copies of documents seized during the search warrant, which were in his  
2 name. A permanent resident card bearing S.K.'s first, middle and last names and date of birth with  
3 the picture of a black male was one of the items. S.K. is of Asian descent. S.K. was also provided a  
4 background check authorization allegedly signed by S.K. and bearing his name. S.K. was shown a  
5 background result from Washington State Patrol WATCH which was also in S.K.'s name. He denied  
6 initiating this document. He noted that the credential number on the second page was in fact his  
7 associated credential as a RN. A copy of a first aid card in his name was also presented for his review.  
8 S.K. denied signing this card. Lastly, S.K. was shown a Tuberculosis (TB) chest X-ray result in his  
9 name indicating he was seen by Dr. David Shook. S.K. denied any contact with Dr. David Shook or  
10 that he submitted to this examination.

11 **B. C.N.**

12 On April 27, 2022, SSA Punzalan and I interviewed C.N. at the Seattle Police  
13 Department, 610 5th Ave, Seattle, Washington. C.N. provided photo identification. It was noted  
14 that C.N. is of Asian descent and not the black female depicted in identification used by a  
15 Heritage/Pro Med employee working at Willow Springs in Yakima and other facilities. SSA  
16 Punzalan showed C.N. copies of a social security card, Washington State Patrol WATCH  
17 background check, Washington driver's license, and permanent resident card with her name and  
18 date of birth. C.N. established that these documents were not signed by her or initiated by her in  
19 any fashion. She further stated that the social security number associated with her full name was  
20 not her social security number. None of the documents appeared to bear a signature that  
21 resembled hers. Although the credential number submitted in conjunction with the background  
22 check was in fact hers, she did not apply for or sign the background check authorization. C.N.  
23 was also shown a TB test result administered by Dr. David Shook on December 10, 2016. C.N.  
24 denied ever seeing this provider or having knowledge of him. C.N. also noted that the document  
25 reflected a history of positive TB tests. C.N. related she has never had a positive TB test. C.N.

1 denied ever working for Heritage or Pro Med. C.N. denied ever working for Willow Springs  
2 skilled nursing facility in Yakima, Washington or for Vashon Community Care.

3 **C. L.W.**

4 On July 19, 2019, SSA Hartley called and spoke with potential victim L.W. L.W.  
5 confirmed that she is a RN and has worked for a nursing staffing agency in the past, the last time  
6 being in 2017 when she worked for Restorative Health Services, which was owned by her sister.  
7 When asked, L.W. said that she did hear a rumor, about three weeks prior, that someone may be  
8 using her identity to work as a nurse on an island. She tried to investigate the rumor further but  
9 could not locate any additional information.

10 On June 14, 2022, SSA Punzalan and Senior Special Agent Bob Kocher, interviewed  
11 L.W. She denied ever having worked for Heritage or Pro Med Alliance. She knows Njenga as  
12 her sister Cynthia's ex-boyfriend. She denied ever working for Njenga.

13 SSA Punzalan showed L.W. pictures of a Social Security Card, a green card, and a  
14 background check authorization form. L.W. said the Social Security Card had an incorrect middle  
15 name, and an incorrect social security number. The background authorization check was not  
16 something L.W. authorized or signed, and contained an incorrect email address and middle name.  
17 The fake green card bore an incorrect middle name and birth month.

18 **D. R.K.**

19 On July 25, 2019, SSA Hartley called and spoke with potential victim R.K. R.K.  
20 confirmed she is a RN, having obtained her license in 2015. R.K. stated she works at St. Peter  
21 Hospital in Olympia, Washington, which is the only location she has worked as an RN. R.K. was  
22 an LPN from 2010-2015 and prior to that she was a patient administration specialist in the  
23 Unites States Army. R.K. explained that in October or November 2018, she received a letter from  
24 the Washington DOH Nursing Commission saying her case was closed. R.K. was confused and  
25 emailed the commission. R.K. said she received another letter informing her the Commission  
26 was investigating a medication error, involving a nurse using her DOH license, at Bothell Health

1 Care. R.K. contacted the Director of Nursing at Bothell and by comparing drivers licenses figured  
2 out that her identity had been stolen. R.K. then made a police report to the Kent Police  
3 Department. R.K. confirmed she never worked for Heritage or Pro Med.

4 **E. S.M.**

5 On April 19, 2022, SSA Punzalan and I met with S.M. at her home in Woodland,  
6 Washington. S.M. provided her Washington state driver's license to confirm her identity. The  
7 purpose of this interview was to establish if S.M. ever worked for Heritage or Pro Med during  
8 2018-2019 or at any time in the past. SSA Punzalan had spoken to S.M. by phone on  
9 July 22, 2019, and she had verbally confirmed she had no previous employment relationship with  
10 either Heritage or Pro Med.

11 S.M. was asked if she had ever worked for Heritage or Pro Med as a traveling nurse or in  
12 any capacity and she replied, "no." SSA Punzalan provided S.M. with a photocopy of a  
13 Washington State driver's license with her first and last name and date of birth. The picture on  
14 the Washington license was that of a black female identified previously as Sarah Kaguara. S.M.  
15 did not know Kaguara and it was apparent the person depicted was not S.M. S.M. was shown a  
16 background check authorization, which she denied filling out. The social security number on the  
17 form was not S.M.'s. The address on the background authorization was not familiar to S.M.  
18 A Washington State Patrol WATCH identification and criminal history result with S.M.'s date  
19 of birth was also something not familiar to S.M. A copy of verification of credentials from  
20 documents found incident to the search warrant bearing a registered nurse credential number was  
21 verified by S.M. to be her credential number. A TB chest x-ray report also in the name of S.M.  
22 was provided and she denied ever seeing Dr. David Shook for the purposes of a TB test.

23 **F. S.K.2**

24 On July 19, 2019, MFCD SSA Hartley called and spoke with potential victim S.K.2.  
25 S.K.2 indicated he worked in the information network section for the hospital Catholic Health  
26 Initiatives (CHI) Franciscan Tacoma. S.K.2 maintains his RN license for work, but is not a

1 practicing RN and has not worked with any staffing agency for over ten years. S.K.2 never worked  
2 for Heritage Medical Staff or Pro Med Alliance Medical Staffing.

3 **G. I.B.G.**

4 Federal Permanent Resident identification cards – colloquially called “green cards” – are  
5 federally issued cards consisting of an immigrant’s name, date of birth, country of birth, United  
6 States Customs and Immigration Services number, and a fingerprint. Investigators observed  
7 approximately 14 physical green cards located in Njenga’s storage unit, and another several  
8 scanned into the defendants’ computers, all depicting personal identifiers of victims of identity  
9 theft (i.e. C.N.) but pictures of non-licensed workers (i.e. a photo of Caroline Ngugi, who used  
10 C.N.’s identity). Several of the green cards, along with other fraudulent documentation, were  
11 provided to facilities contracted with Heritage/Pro Med to provide staffing, as part of establishing  
12 the identity of fraudulent workers, for which Njenga, Njuki, Heritage and Pro Med received far  
13 in excess of \$5,000. Investigators further observed that each of the several green cards all bore  
14 the same fingerprint. SA Punzalen asked FBI Special Agent Abel Peterson (SA Peterson) for  
15 assistance to identify the owner of the fingerprint. SA Peterson identified the fingerprint as  
16 belonging to I.B.G., a federal inmate with a significant criminal history. SSA Knox recently  
17 contacted FBI Special Agent Matthew McCormick (SA McCormick) to discover that I.B.G. was  
18 arrested by US Customs and Border Patrol in 2006 and subsequently deported to Mexico.  
19 SA McCormick was unable to provide any additional information on I.B.G.’s whereabouts.

20 **VII. EMPLOYEE INTERVIEWS**

21 **A. Theresia Nduta Muune**

22 On July 29, 2019, SSAs Knox and Punzalan met with Theresia Nduta Muune (Muune), a  
23 former employee of Heritage/Pro Med. Cinceria Dowlen was also present. The meeting with  
24 Muune and Dowlen was in a public place and not conducive to a recorded interview. At the  
25 beginning of the meeting, Dowlen commented she had just received a text message from Njenga  
26 indicating he was in "NC" with his wife. Dowlen believed “NC” to mean North Carolina. Muune

1 identified Susan Kidali as Njenga's wife who lived in North Carolina. Muune explained she had  
2 been familiar with Njenga through his brother, Jacob Kabit, since the mid-1990's. Muune also  
3 believed Caroline Ngugi may be Njenga's daughter, and identified Elvis Njenga as his son.

4 SSA Punzalan asked Muune whether she had information about the scheme involving  
5 placement of staff in facilities using stolen identities. Muune told SSA Punzalan that Njenga  
6 engaged with a specific CNA school called Crystal Point. Muune said "Ms. D" was his point of  
7 contact at Crystal Point. An internet search revealed that Crystal Point is a CNA training school  
8 located in Federal Way, Washington. According to Muune, Njenga would recruit Kenyans in the  
9 community and pay tuition for them to receive CNA training. Once they received their CNA  
10 certification, he would staff them at facilities as RNs under stolen credentials, presumably for  
11 financial gain. According to Muune, Njenga maintained a computer database with legitimate RN  
12 identification and licensing information, and would manufacture Washington driver's licenses  
13 for employees who fraudulently assumed the identities of licensed RNs.

14 Most recently, Muune worked for Heritage from December 3, 2018 through  
15 February 22, 2019. At the time of her hiring, Muune was somewhat familiar with Njenga and his  
16 criminal past, having known his family personally. When hired, she specifically asked to work  
17 as a sub-contractor. She received an IRS 1099 form from Njenga that had erroneous data  
18 identifying Muune as being married with a false address and inaccurate inflated earnings. Muune  
19 told SSA Punzalan she insisted that Njenga provide an accurate IRS form 1099. Muune also  
20 stated she had other documentation of payments from Njenga. Muune stated she would provide  
21 that document at the next meeting with SSA Punzalan.

22 Muune explained that Evelyn Njuki was Njenga's girlfriend and she was complicit in the  
23 scheme. Muune was unsure of the exact address where Njenga and Njuki live, however believed  
24 it to be 32824 43rd Place Southwest, Federal Way, Washington.

25 Muune also identified C.N. as a potential victim. Muune stated Caroline Mbugua had  
26 fraudulently used C.N.'s credentials and identification to work at The Willows in Yakima.

1 Over the course of the interview, Muune identified David Njenga, Evelyn Njuki, Elvis  
2 Njenga, Jacob Kabitu and John Njenga as the individuals who organized and were operating the  
3 fraudulent nursing scheme. She also identified Caroline Ngugi, Lydia Wafula, George Odhiambo  
4 and George Oyango as individuals who used stolen identities of RNs to work at various facilities  
5 in the region.

6 Follow up interviews with Dowlen and Muune were scheduled to take place on  
7 July 31, 2019, at the Renton Police Department, 1055 S. Grady Way, Renton, Washington. Both  
8 Dowlen and Muune agreed to voluntarily submit to separate recorded interviews at that time.

9 On July 31, 2019, SSAs Knox and Punzalan met with Muune at the Renton Police  
10 Department. Muune submitted to the interview voluntarily and gave her consent to record.  
11 Muune told SSA Punzalan she had emigrated from Kenya in 1993. Muune had come to know  
12 Jacob Njenga aka “Kabita” in about 1998. Jacob is the brother of David Njenga. Muune was  
13 working at the Bessie Burton Nursing Home near Seattle at that time. This facility has since  
14 closed.

15 SSA Punzalan asked Muune to explain what she knew about the scheme regarding Njenga  
16 and the staffing agencies. Muune explained that Njenga would often place ads in local online  
17 forums advertising, “Safeway was hiring” and then solicit these applications to steal personal  
18 information. Muune explained that Njenga would hire and frequently send unqualified personnel  
19 to work as CNA/Nursing Assistant-Registered (NAR) or send a CNA/NAR to work as a LPN, or  
20 RN when they did not have credentials or training. Muune explained that the difference in  
21 compensation to Heritage/Pro Med for a CNA to an LPN, for example, may be from \$30-\$60 per  
22 hour, and an RN as much as \$70.00 per hour.

23 Muune stated she moved back to Africa from 2013-2018 and ran a restaurant in Uganda.  
24 Upon her return to the United States, she contacted Njenga through social media. Muune has a  
25 background as a CNA and attended an Adult Family Home Administration class while employed  
26 by Heritage. Muune acknowledged her CNA credentials were currently pending at Washington

1 DOH. Muune explained she continued to work as a CNA from October to November 2018 at  
2 Vashon Community Care Center. Muune then returned to Africa. Muune again returned to the  
3 United States and worked at Heritage/Pro Med from March 2019 through May 13, 2019. Muune  
4 noted that the business changed names in April 2019, but the principal players were still David  
5 Njenga, Evelyn Njuki and Elvis Njenga. Muune became increasingly suspicious because the  
6 employees did not receive any notification of the name change.

7 Njenga had the means to acquire personal data and manufacture fraudulent licenses.  
8 Muune believed Njenga was able to steal the identity of L.W. because he had once dated her  
9 older sister and he used that opportunity to steal L.W.'s information.

10 SSA Punzalan asked Muune if she was aware of any patient harm as a result of  
11 unqualified personnel working in facilities. Muune stated that medication errors were prevalent.  
12 She specifically recalled an incident that had occurred at Bothell Health Care where a client was  
13 given the wrong medications. It is believed that D.J. was responsible for this medication error  
14 while she was posing as R.K.

15 Another incident occurred when Muune worked at Vashon Community Care as a CNA.  
16 Upon reporting to work she was asked to conduct an orientation for a new CNA identified as  
17 "[S]," a staffing employee from Heritage. Muune quickly discovered that [S] did not know how  
18 to take blood pressure and had no training at all. [S] told Muune he was hired over the phone.  
19 Muune told the charge nurse and [S] was sent home. A few days later Muune was surprised to  
20 see [S] at the ferry dock to Vashon returning to work at Vashon Community Care. Muune called  
21 Njenga who told her [S] had his NAR.

22 Muune also recalled staff who were unable to perform basic tasks such as taking blood  
23 pressure, and were unfamiliar with the spelling of common over the counter medications such as  
24 Tylenol. Another person she suspected as being unqualified was purporting to be R.K. R.K. had  
25 allegedly made some significant medication errors and was not familiar with basic medical  
26 procedures.

1 Muune also identified several additional suspects and victims, including George  
2 Odhiambo and George Oyango, who were using fraudulent nursing credentials to work in long  
3 term care facilities. Muune believed George Oyango was fraudulently working as an RN at  
4 Vashon Community Care. There were two additional individuals suspected of using fraudulent  
5 nursing certificates, who Muune could not identify, who were sent to The Oaks at Forest Bay in  
6 Shoreline, Washington. Additionally, a female who went by "Jessica" was also at Willow Springs  
7 in Yakima working under fraudulent pretenses.

8 Muune also was aware that Njenga would charge his employees for fraudulent licenses,  
9 training, rent and any other associated expenses, and deduct funds from their checks. Muune  
10 believed Njenga paid a substandard wage to employees, most of whom had immigrated to the  
11 United States from Kenya, and profited from placing them to work at facilities at inflated  
12 qualifications. Muune also stated that Njenga "held himself out to be an immigration attorney to  
13 employees." Dowlen corroborated this information.

14 **B. Cinceria Dowlen**

15 Dowlen told SSAs Punzalan and Knox she was employed at Heritage from March 1, 2019  
16 through May 13, 2019. Dowlen reported being immediately suspicious of the operation. Dowlen  
17 told us Njenga and Njuki were the owners of Heritage/Pro Med, and they would only come into  
18 the office late in the day just before closing or on the weekend.

19 Dowlen reported there were multiple businesses operated by Njenga and Njuki, including  
20 a rental car agency, which were located in the same building as Heritage and Pro Med.

21 Dowlen told SSAs Punzalan and Knox she saw a letter that "Patrick," who is John Njenga  
22 and David Njenga's brother, sent to multiple facilities advising that Heritage Medical Staffing  
23 had dissolved and a new entity called Pro Med Alliance Medical Staffing was formed. The letter  
24 identified Dowlen as General Manager, and Mark Huston as Executive Director of Pro Med. The  
25 letter appeared to be signed by Huston, but Dowlen reported Huston denied signing or having  
26 knowledge of the correspondence. Business cards for Dowlen and Huston were attached to the

1 letter. These business cards depicted photos of Dowlen and Huston. Once Huston had knowledge  
2 of this matter, he summarily quit. Dowlen did not have contact information for Huston.

3 SSA Punzalan asked Dowlen if she encountered any issues being paid and she told him  
4 she did early on. Dowlen said her primary concern was being paid for all the hours she worked.  
5 Dowlen explained she was constantly fielding calls after hours and submitted her time. Njenga  
6 did not want to pay for all the time she worked.

7 Dowlen also explained a connection between Njenga and Pro Med with the State of  
8 California. Dowlen provided a digital image of Njenga's California driver's license. The address  
9 listed was 1299 S. Main Street, Apartment 106, Yreka, California 96097. The business website  
10 for Pro Med Alliance Medical Staffing listed a second location with this same address.

11 On August 26, 2019 at 11:00 a.m., SSA Hartley and SSA Punzalan met with Cinceria  
12 Dowlen at the Seattle Police Department, South Precinct, 3001 S. Myrtle Street, Seattle,  
13 Washington. Dowlen reiterated the facts of her employment with Pro Med beginning on  
14 May 18, 2019. Dowlen said she responded to a Craigslist ad for an Office Manager. At the time  
15 of her interview about 15 other applicants were all scheduled to interview at the same time. Most  
16 left with the exception of three. Dowlen related that Njenga and Njuki hired her. Dowlen  
17 described Njenga as heavy set, dark skin, Kenyan male. She described Njuki as 5'8", thin with  
18 braids, and a medium "caramel" skin tone.

19 Multiple facility appointments were arranged for Mark Huston and Cinceria Dowlen.  
20 Dowlen prepared packets, which included contracts for the facilities. Dowlen had been directed  
21 by Njuki to brand all Heritage policies as Pro Med. Dowlen also mailed out actual contracts to  
22 multiple facilities in Pierce County and King County.

23 During a visit to Bothell Health Care, Dowlen recalled that upon their arrival the  
24 administrator, who she believed was named "Julie," was in possession of a letter of introduction  
25 with their cards attached that had been dropped off at the facility by someone. The letter was  
26 signed by Huston and Dowlen. Huston and Dowlen denied signing the document. Dowlen

1 observed the letter was not postmarked. Julie called attention to this according to Dowlen. Julie  
2 was specifically skeptical of the new company they represented (Pro Med) and according to  
3 Dowlen believed them to be a re-branded version of Heritage, which sent unqualified staff  
4 resulting in medication errors and procedural lapses in narcotics and medication controls.  
5 Administration at this facility did not engage in a contract with Pro Med. It was at this time that  
6 both Dowlen and Huston became very suspicious of the legitimacy of the business. Njenga did  
7 not enter the facility and only met Dowlen and Huston outside at the conclusion of their meeting.  
8 Dowlen suspected that this was because Njenga had negotiated the pre-existing contract with  
9 Heritage at Bothell Health Care and did not want to reveal his association with Pro Med. Dowlen  
10 remembered visiting other facilities including Redmond Rehabilitation, and Oaks at Shoreline.

11 Dowlen also could recall some staff names. Dowlen recalled Caroline Ngugi, aka C.N.,  
12 whom she believed still worked at Willow Springs in Yakima, as well as several others. Many  
13 employees were hired on the weekend when Dowlen was not there and applications were left in  
14 the office.

15 Dowlen recalled a credential search done on her computer by Njenga or Njuki. She asked  
16 them about it because she had found some irregularities that made her believe the identity of the  
17 employee was inaccurate. Dowlen specifically cited differing dates of birth, Social Security  
18 Numbers, and names listed corresponding to the actual names of employees.

19 SSA Punzalan asked Dowlen about other persons involved in the business, Dowlen stated  
20 that Njenga and Njuki were the primary persons; however, "Patrick" and "Mary" were purported  
21 to be owners though she had never met them. Elvis Njenga, David's son, worked in the business  
22 at David's direction according to Dowlen.

### 23 **C. Samuel Mugo**

24 On February 24, 2021, SSA Hartley and SSA Punzalan interviewed former Heritage/Pro  
25 Med employee Samuel Mugo (Mugo) via Zoom. Mugo's attorney Matthew Furness was also  
26 present.

1 Mugo related he is a RN in Oregon effective July 20, 2019. His previous medical training  
2 was at a Kenyan medical training school in Siaya, Kenya in November 2017. Mugo described  
3 that in 2017 he had responded to an advertisement in the “Kenyan Gazette” recruiting nurses to  
4 work in the United States. Mugo told us that he was provided transportation to the United States  
5 and arrived in Washington, D.C. for U.S. immigration purposes. Mugo believed it was Njuki’s  
6 mother who organized recruiting efforts in Kenya. He then proceeded onto Seattle where within  
7 two hours of his arrival he was on his way to Yakima, Washington, where he was to be employed  
8 as an RN. Mugo described a green SUV, possibly a Mitsubishi, as the vehicle in which he was  
9 transported.

10 Mugo explained that he was given a nametag with only his first name. When he had to  
11 fill out paperwork, he was provided a resident alien card with the name S.K. He was not permitted  
12 to retain this identification however. The identification was kept by Heritage. The name error  
13 was explained as an administrative error by his handlers. Mugo later identified Njenga as the  
14 overall person in charge. He described Njuki as the person who handled financial matters.  
15 Mugo’s words were “David is the mastermind.” “Evelyn signed checks.” Mugo was briefed that  
16 other employees’ last names and identities were not to be discussed. Mugo recalled that he  
17 initially lived on Lincoln Street in Yakima. Mugo was paid \$20 per hour as an RN. Expenses for  
18 rent and transportation were deducted from his earnings by Heritage. Mugo recalled he worked  
19 at Selah in the Yakima- area and lived with Caroline Ngugi who also worked at the same facility  
20 using C.N.’s stolen identity.

21 Mugo reported that every few weeks he would move and work at a different facility.  
22 Mugo recalled working at facilities in Bothell, Vashon, Redmond, Yakima, and Selah while using  
23 S.K.’s identity to work as an RN. Mugo stated when working in Western Washington he would  
24 stay at an apartment rented by Heritage in Federal Way. When confronted with his willing  
25 participation in the fraud of S.K.’s RN credential and criminal impersonation, Mugo admitted to  
26

1 working under S.K.'s certification for two years. He also admitted to signing employment  
2 documents in S.K.'s name.

3 Mugo identified Njenga's brother, who was known as John and sometimes Patrick, as  
4 working as a CNA on shift at various facilities.

5 Mugo expressed his intention to leave employment with Heritage to Njenga. Njenga  
6 continued to manipulate him telling Mugo he did not have immigration documents and therefore  
7 no means to legally work in the United States. When Mugo was able to save enough money and  
8 told Njenga he was finished, Njenga did not pay Mugo the nearly four thousand dollars he claims  
9 he was owed.

10 Mugo was shown a collection of photos of suspected employees of Heritage Medical  
11 staffing. These people were identified only by numerical designation. Mugo positively identified  
12 Njenga and Njuki, among others.

13 **D. Mark Huston**

14 On August 20, 2019 at approximately 1:00 p.m., SSA Hartley and SSA Punzalan made  
15 contact with Mark Huston at his residence in Tacoma, Washington. Huston was employed as  
16 Executive Director at Pro Med from January 2019 to February 2019. SSA Hartley and  
17 SSA Punzalan had a brief discussion with Huston about his employment with Pro Med and the  
18 reasons he left. Huston explained that he contacted facilities and learned that unqualified  
19 personnel were being sent into the facilities by Pro Med as temporary staff, and were attending  
20 to patients. According to Huston, this had resulted in some errors in care being made. Huston  
21 agreed to meet SSA Hartley and SSA Punzalan at Lakewood Police Department to participate in  
22 a voluntary recorded interview.

23 Huston explained in January 2019 he had been living at a house located on the northeast  
24 side of the intersection of N. 9th Street and Alder Street in the city of Tacoma. Huston's  
25 roommate was a Kenyan male he knew by the name of Eric. Huston was actively seeking  
26 employment at the time and Eric was aware of that. Eric suggested to a relative, Patrick Njenga,

1 that Huston could work for his company. Huston was familiar with Patrick as he paid his rent to  
2 Patrick. Huston met with Patrick, Njenga and David Njenga's wife. David Njenga offered Huston  
3 a position and ultimately designated him Executive Director of Pro Med. Huston had spent his  
4 entire 40-year career as a heavy equipment operator, and had no relevant experience in the  
5 medical field or staffing business when he was named Executive Director. Huston identified  
6 Njuki from a Washington DOL photo as the woman he knew as Njenga's wife. Huston believed  
7 Patrick was also from Kenya.

8 Other residents at the house located at N. 9th Street and Alder Street in Tacoma told  
9 Huston that Njenga previously lived at the house and was reportedly manufacturing false  
10 identifications for Kenyans at that residence. Huston could not specifically identify who had told  
11 him this, as there were multiple residents and many visitors, usually other Kenyans. He suspected  
12 that the persons who received false identifications were possibly working for Heritage.

13 Huston mentioned that during his tenure of employment he had been tasked, along with  
14 "CeCe" (Cinceria Dowlen), to visit facilities in order to regain contracts vacated by Heritage.  
15 Njenga took Huston to Men's Warehouse in Southcenter and purchased a suit for him along with  
16 shirt, belt, shoes, and tie. Huston believed this was a couple of days prior to the facility visits. In  
17 February 2019, Huston and Dowlen visited facilities at the direction of Njenga. Njenga met them  
18 at a couple of the locations, but did not go inside the facilities. Huston estimated his employment  
19 lasted through the last two weeks of February 2019.

20 Huston met with "Julie" at Redmond Health Care and learned of persons who had been  
21 staffed at the facility by Heritage. These persons were found to be unqualified and made errors  
22 in patient care. Huston specifically recalled an opioid medication error. Julie asked Huston if Pro  
23 Med was the same company as Heritage, just with a different name. Huston and Dowlen could  
24 not explain but suspected it was the same company operating under a new name.

25 Huston believed there were four or five facilities they had visited that single day in an  
26 attempt to secure contracts for Pro Med. He recalled meeting with two men at Redmond. At

1 Shoreline, he recalled meeting with a male administrator, and that Njenga was present. This was  
2 the last appointment scheduled. Huston believed these facilities did engage in contracted services  
3 with Pro Med.

4 Huston recalled one of the administrators had a letter that preceded his and Dowlen's  
5 employment. Both Huston and Dowlen allegedly signed it. Huston denied signing any letter of  
6 introduction. According to Huston, Dowlen was surprised to see the documents, and believed she  
7 did not sign the letter either. Dowlen also confided in Huston that the police had visited the office  
8 recently.

9 SSA Punzalan inquired what Huston's daily duties were at the business. Huston said that  
10 the office was often closed. Njenga opened the doors. Huston did not have a key. Huston initially  
11 told Njenga he had no experience in this field, and Njenga told him not to worry about it because  
12 he would be trained and would only have to sign the occasional document. Huston acknowledged  
13 he signed three or four documents in his short tenure.

14 Huston was able to identify Njenga, Njuki, Patrick Njenga, and Dowlen from photos  
15 shown to him by SSA Hartley.

16 **E. Evelyn Njuki**

17 On August 29, 2022 at about 9:29 a.m., SSA Punzalan had arranged for a virtual interview  
18 of AP Evelyn Njuki using a Zoom meeting link. I also monitored and asked questions.  
19 SSA Punzalan asked Njuki if we could record the interview and she gave her consent.  
20 SSA Punzalan further advised Njuki that she was participating in the interview voluntarily and  
21 she could decline to answer any questions asked or leave the interview at any time. The interview  
22 was recorded to Zoom and SSA Punzalan recorded the conversation as a backup on his agency-  
23 issued digital recorder. SSA Punzalan recorded a digital image of the face of the person who  
24 identified herself as Evelyn Njuki using his agency-issued cellphone. SSA Punzalan later  
25 included that image in the case file for reference as well.

1 SSA Punzalan first asked Njuki how the whole scheme had initiated. Her response was  
2 that she would not refer it to as a scheme. The perspective was that Njenga was the principal and  
3 although she had carried out duties under his direction, she did not originate the plan or have  
4 knowledge of certain intricacies.

5 When asked specifically about how identifications were manufactured, Njuki said she  
6 had no knowledge and believed that a person named Jose was the individual Njenga used to  
7 obtain false immigration cards and work permits. She denied that any Washington State licenses  
8 had been manufactured to her knowledge.

9 With regard to how names were procured, and whose identities were used by fraudulent  
10 health care workers provided by Heritage/ProMed, Njuki said some were previous applicants and  
11 some were found when verifying credentials on the DOH Website.

12 SSA Punzalan asked about the company structure and why the principal officers were  
13 often changed on Washington Secretary of State paperwork. Njuki claimed that this was a  
14 strategy by Njenga to remove himself from direct responsibility in the operations of the company.  
15 Njuki elaborated that sometimes persons were not aware that they were designated as officers  
16 within the company. This line of questioning specifically led to the role of Caroline Mbugua who  
17 had (along with Ngugi) assumed C.N.'s identity and credentials. Njuki told us that Caroline  
18 Mbugua was an employee and did not have any managing role within the company structure.  
19 Njuki identified herself as a designated Director within the company structure.

20 When asked about the role of Elvis Njenga and Patrick aka John Njenga, Njuki stated that  
21 although Elvis was paid it was more like an "allowance." He never actually worked in a facility.  
22 Njuki identified John aka Patrick as Njenga's brother who lived at a house in Tacoma near  
23 N. 9th and Alder, where other employees stayed as well. This was a location where Mark Huston  
24 had lived and was also identified as Patrick Njenga's residence.

25 When confronted with the planning and execution of the crimes, Njuki said that much of  
26 what Njenga did was done on his own accord and that he did not let her know all of the details.

1 SSA Punzalan asked the specific details of employee's payment. Njuki was asked if rent,  
2 transportation and other expenses were deducted from pay. Njuki confirmed that they were. She  
3 was also asked if taxes were paid, but she could not confirm if they were always paid.

4 When the interview turned to the methodology of payment and collections of fees from  
5 facilities. Njuki stated that she, Dowlen and Njenga sent out invoices. At Njenga's direction,  
6 personnel timesheets were separated and Njenga would decide the individual wages paid. Njuki  
7 and Dowlen did this breakdown of time sheet classifications.

8 Njuki stated that although Njenga usually made deposits she had made some deposits but  
9 was evasive in this particular line of questioning. When asked about where the money was sent,  
10 Njuki was non-committal but did mention that maybe some money had gone to Kenya and Japan.  
11 She believed Njenga may have bought a car from Japan. Njuki also responded that the monies  
12 were sent by electronic transfer. SSA Punzalan specifically asked if any money had been taken  
13 by individual couriers and she denied any knowledge that had occurred. When asked about who  
14 had received the monies, Njuki declined to answer this particular question. Njuki denied  
15 knowledge of any properties, aircraft or boats that had been purchased.

16 Njuki identified Sarah Kagwara as being John/Patrick Njenga's girlfriend. Njuki was  
17 aware Kagwara had been detected using a false nursing credential at a facility but not while  
18 working for Heritage or Pro Med. SSA Punzalan asked if she was familiar with the name S.M.  
19 and Njuki confirmed that this was the name Kagwara had used to falsely identify herself as a  
20 credentialed RN in facilities. When asked how many facilities were involved, Njuki named  
21 Vashon, Willow Springs, Bothell, Redmond and Life Care.

22 The line of questioning then focused on the name S.K. that had been used by Samuel  
23 Mugo. Njuki confirmed that Samuel Mugo had used S.K.'s name and worked under his  
24 credential. She also confirmed that Caroline Ngugi had used C.N.'s name and credential as well.  
25 Njuki was also familiar with Celestine Olale. Njuki confirmed that L.W.'s name and credential  
26

1 had been used but unknown by whom. Njuki estimated that she knew about 20 fraudulent  
2 identifications.

3 SSA Punzalan specifically asked Njuki if Njenga had done this before and where. She  
4 said she had no direct knowledge and only knew he had been in the “Bay Area” before coming  
5 to Washington.

6 During the interview, Njuki stated that she could provide additional information, but that  
7 would further implicate her culpability in the matter.

8 **F. Caroline Ngugi**

9 On September 1, 2022, Senior Special Agent Mary Ann Unger (SA Unger), and I  
10 interviewed former Pro Med employee Caroline Ngugi (Ngugi) by Zoom. Ngugi participated  
11 from Kenya, Africa. She consented to recording the interview.

12 After finishing nursing school in Kenya, Ngugi responded to an online recruitment  
13 seeking Kenyan nurses to work in the United States. She was instructed to apply for a visitor visa  
14 and, once she arrived in the United States, Pro Med would assist her to obtain her Washington  
15 state nursing license. Ngugi worked for Pro Med from August-September 2017 until  
16 approximately April 2019. In fall 2017, she arrived at Sea-Tac Airport. She had been given a  
17 phone number to call, which she did, and was picked up at the airport by Njenga, and taken  
18 immediately to Yakima. This was her first meeting with Njenga. Pro Med had prepaid her airfare  
19 from Kenya.

20 Upon arriving in Yakima, she was taken to an apartment rented by Njenga. Njenga took  
21 her to get a cell phone from PCS Metro, and to open a bank account at Wells Fargo. The bank  
22 account was opened using Ngugi’s legal name. Njenga told Ngugi she would be working for Pro  
23 Med under the name C.N. until documents and credentials could be obtained with her legal name.

24 Two to three days after arriving in Washington, Ngugi was sent by Pro Med to work as a  
25 RN at the Willow Springs Care nursing home in Yakima using the name C.N. Ngugi worked  
26

1 very briefly for nursing facilities on Vashon Island, and in Bothell, but otherwise worked at  
2 Willow Springs during her tenure with Pro Med.

3 Njenga allowed Ngugi to reside at an apartment he provided rent-free for the first three  
4 months; after that, he began deducting rent payments from her paycheck. She was also provided  
5 with the use of a vehicle owned by Njenga, for which he also deducted payments from her  
6 paycheck. Ngugi's paychecks were usually mailed to her from Pro Med's office in Seattle. The  
7 paychecks were made out to her legal name and were deposited into the Wells Fargo bank  
8 account bearing her legal name.

9 I showed Ngugi a photo of a Washington driver's license bearing a photo, and the name  
10 of C.N., with the address 2700 W Lincoln Avenue, Yakima, Washington 989002, birthdate  
11 XX/XX/1991. Ngugi confirmed the photo was of her. Issue date for the license is 11/23/2018.  
12 Ngugi denied the signature on the license is hers; she has never seen the license. The address on  
13 the license is not the correct address where Ngugi lived while in Yakima; the birthdate is not  
14 Ngugi's; and the zip code is six digits. While she was in the United States, Ngugi used her Kenyan  
15 driver's license and passport as identification.

16 By 2018, Ngugi became concerned about the way ProMed was operating. She became  
17 aware of an investigation being conducted by the FBI, and she still had not received her nursing  
18 license or other documentation under her real name. She continued to work under the name C.N.  
19 Njenga asked Ngugi to obtain a legal name change to C.N. Ngugi refused. She terminated her  
20 employment with ProMed in April 2019.

21 I asked Ngugi about a King County District Court Docket for  
22 Case No. 192-11879-KCDC, which shows that on June 3, 2019, a Caroline Ngugi petitioned the  
23 court to legally change her name to C.N. Ngugi. The court granted that request on June 6, 2019.  
24 Ngugi denied any knowledge of this name change.

1 During the course of her employment with ProMed, Ngugi made infrequent trips to Pro  
2 Med's office in Seattle to drop off timesheets, and it was there she met Njuki. They became  
3 friends and Ngugi was Njuki's attendant at her August 2019 wedding to Njenga.

4 After leaving ProMed, Ngugi was homeless and was invited to stay in the basement of a  
5 home in Federal Way where Njenga and Njuki lived. Njenga instructed her to "take the 5th" in  
6 the event that she was questioned by law enforcement.

7 I showed Ngugi a document named "Certified Community Residential Services and  
8 Supports Initial Application," a Washington State Department of Social and Health Services  
9 form. Caroline N. Ngagi Dowlen was identified as the President of Pro Med Alliance Medical  
10 Staffing dba PMA Supported Living. Yakima County is the county in which the services are to  
11 be provided. Ngugi's correct date of birth was given on the form. I showed Ngugi the signature  
12 page of the document. She denied that was her signature, and denied any knowledge of the form.  
13 Ngugi returned to Kenya in September 2019 and has not returned to the United States.

14 **G. Celestine Olale**

15 On January 26, 2023, Celestine Olale (Olale), was interviewed by FBI Special Agents  
16 Chad Tuura and Caleb Williamson at her home. Olale had a Community Health Nurse (ECHN)  
17 license from St. Elizabeth Hospital in Mukumu, Kenya. The license is an equivalent to a Licensed  
18 Practical Nurse certification in the United States. She worked as an ECHN until she earned her  
19 Registered Community Health Nurse License from a nursing school in Nairobi, Kenya.

20 In March 2018, Olale arrived in the United States. The only forms of identification she  
21 possessed was a passport and a "soft copy" identification from Kenya. When she first got to the  
22 United States, she spent her time studying English and studying for the National Council  
23 Licensure Examination (NCLEX). Olale used YouTube videos to study for the English exam.  
24 She took the NCLEX exam sometime in October of 2019 in Washington.

25 In the first few months of Olale arriving in the United States, she attended a four-week  
26 Certified Nursing Assistant (CNA) course. Upon completion of the course, she earned a CNA

1 and CPR certification. Olale learned of Heritage/Pro Med through a friend, Margaret Rono  
2 (Rono). Shortly after she arrived in the United States, Rono worked for Heritage/Pro Med. Olale  
3 recalled Heritage/Pro Med getting her a job working as a CNA at a group home in Washington.  
4 She recalled working for Heritage/Pro Med for approximately three to four months.

5 Olale met David Njenga approximately eight months after she arrived in the United  
6 States. She did not know him before she moved to the country. Olale recalled meeting Njenga in  
7 person only one time. Rono introduced Olale to Njenga. Olale also met Njenga's wife, Everlyn  
8 Njenga. Olale described Everlyn as being very young. Olale knew Njenga and Everlyn were both  
9 from Kenya but from a different area and tribe than her own. Olale assumed Njenga and Everlyn  
10 ran Heritage/Pro Med; she was told the two owned Heritage/Pro Med.

11 The Heritage/Pro Med office was located in Federal Way, Washington. Olale assumed  
12 Njenga and Everlyn ran the office. They both had offices there.

13 Olale rented a room of a house from somebody she knew. Heritage/Pro Med did not  
14 provide housing. Olale used her personal vehicle for transportation during her time at  
15 Heritage/Pro Med.

16 Olale stated she never worked under a different name. She heard of the name L.W. Olale  
17 recalled working with her somewhere in Seattle. Olale has used the name Celeste, but had never  
18 used Ogelsby as a last name. Olale does not recall receiving or using any ID cards/badges with  
19 another person's name on it. She did not know who created the ID cards/badges. Olale explained  
20 her ID badge read "Celeste O." To her, the "O" represented her last name, Olale.

21 Olale was paid by both direct deposit and physical check. She did not know how she  
22 would be paid on any given week. Often, she would have to ask Everlyn when she would be paid.  
23 Everlyn would tell her the money would be deposited into Olale's account, or someone would  
24 deliver a check directly to her. Olale was told taxes were already taken out of each paycheck  
25 upon delivery, but Olale never received a pay stub or W-2 from Heritage/Pro Med. Olale was  
26 paid approximately \$21-\$22 per hour while working for Heritage/Pro Med. Olale tracked her

1 hours on a paper time sheet. Her time sheet only had her name on them because she wrote it on  
2 them herself. She assumed the time sheets were sent to Everlyn because she seemed to handle  
3 payroll.

4 The last time Olale spoke to Everlyn was before Everlyn left Washington in 2019. The  
5 last she heard, Everlyn had left the country.

6 Olale noticed something was wrong about Heritage/Pro Med when she was filing her  
7 taxes. She asked Heritage/Pro Med about her tax information and was told Heritage/Pro Med had  
8 already filed her taxes. After about a month of not getting an answer about her tax information,  
9 Olale quit her job with Heritage/Pro Med.

10 Olale was asked if she knew anything about the following names: Samuel Mugo and  
11 S.K: Olale remembered the name Sam, but she did not recall a last name. She thought he may  
12 have been a driver for Heritage/Pro Med. Sam was Kenyan, from the same tribe, and spoke with  
13 the same dialect as Everlyn.

14 Caroline Ngugi and C.N.: Olale recalled a Carol who was really close to Everlyn. Carol  
15 was Kenyan, from the same tribe, and spoke with the same dialect as Everlyn as well.

16 As Olale understood, Elvis Njenga was Njenga's son from another woman. Before Olale  
17 took her driving test, Elvis drove around with her as a sort of driving coach for approximately  
18 three days. Olale paid him for this. She did not think Elvis worked anywhere.

19 Olale began working as a nurse in the U.S. after she passed the English exam and  
20 NCLEX. In 2019, she worked as a RN at Renton Rehab and Nursing Home, at a facility called  
21 Judas Park, and at a CHI Hospital during this period.

22 In 2020, Olale applied for a RN job in Fargo, North Dakota at Vibra Health, where she  
23 still works.

#### 24 **VIII. PAYMENTS TO HERITAGE/PRO MED BY FACILITIES**

25 The payments described in this section are representative of a small fraction of the total  
26 payments made by facilities to Heritage/Pro Med, meant to exceed the \$5,000 probable cause

1 threshold only, but are not a full accounting of all payments made. Njenga sent several full-time  
2 staff members using fake IDs and fake credentials to each facility, and according to company tax  
3 returns bearing his signature, he profited \$1,200,000 per year from this identity theft scheme.

4 **A. Willow Springs**

5 By invoice dated March 16, 2018, Heritage invoiced Willow Springs for \$10,167.75,  
6 which included a charge for 58.5 hours of work under the credential of C.N. for  
7 March 1-15, 2018, at the rate of \$60 per hour, for a total of \$3,510. As noted above, C.N. is a  
8 victim of identity theft and has never worked at Willow Springs. By check dated April 30, 2018,  
9 Willow Springs remitted to Heritage the amount of \$10,167.75. Heritage deposited that check  
10 into its Bank of America account on May 2, 2018.

11 By invoice dated June 21, 2018, Heritage invoiced Willow Springs for \$15,345, which  
12 included a charge for 90.5 hours of work, again under the credential of C.N., for June 1-15, 2018,  
13 at the rate of \$55 per hour, for a total of \$4,977.50. Heritage deposited a check for \$15,345 into  
14 its Bank of America account on September 14, 2018.

15 **B. Bothell Health Care**

16 By invoice dated June 20, 2018, Heritage invoiced Bothell Health Care for \$18,721.25,  
17 which included charges for 140.5 hours of RN work under the credentials of identity theft victims  
18 S.K. and L.W., for May 16-31, 2018, at the rate of \$50 per hour, for a total of \$7,025.55. Heritage  
19 deposited a check for \$18,721.25 into its bank account on June 26, 2018.

20 **C. Emerald Care**

21 By invoice dated January 4, 2018, Heritage invoiced Emerald Care for \$5,320, which  
22 included charges for 59 hours of RN work under the credentials of C.N. and S.K., for  
23 December 16-31, 2017, at the rate of \$65 per hour, for a total of \$3,832. By check dated  
24 March 2, 2018, Emerald Care remitted to Heritage the amount of \$5,320. Heritage deposited that  
25 check into its bank account on March 2, 2018.

1 By invoice dated April 10, 2018, Heritage invoiced Emerald Care for \$31,596.25, which  
2 included charges for 36.25 hours of RN work under the credential of C.N., for  
3 March 16-31, 2018, at the rate of \$65 per hours, for a total of \$2,356.25. By check dated  
4 April 12, 2018, Emerald Care remitted \$15,000 to Heritage. Heritage deposited that check into  
5 its Bank of America account on April 16, 2019.

6 **D. Vashon Community Care**

7 By invoice dated October 23, 2018, Heritage invoiced Vashon Community Care for  
8 \$30,582.50, which included charges for 92 hours of RN work under the credentials of C.N. and  
9 L.W., for October 1-15, 2018, at the rate of \$55 per hour, for a total of \$5,060. By check dated  
10 December 19, 2018, Vashon Community Care remitted \$173,092.85 to Heritage. That amount  
11 included payment for four invoices, which included the above invoice for October 1-15, 2018,  
12 for \$30,582.50. Heritage deposited that check into its Bank of America account on  
13 December 26, 2018.

14 **E. Redmond Care and Rehabilitation Center**

15 On/about September 16, 2019, Redmond Care and Rehab provided SSA Punzalan a  
16 spreadsheet, which identified hours worked by Heritage/Pro Med staff working under the  
17 credentials of C.N., S.K., L.W. and S.K.2, for the period December 1, 2017 through  
18 July 15, 2019. Total hours for those four individuals for that period equaled 184 hours, of which  
19 167 hours were paid at an hourly rate of \$60, and 17 hours were paid at an hourly rate of \$65.  
20 Total payment for those hours by Redmond Care to Heritage/Pro Med amounted to \$11,125.

21 Again, as stated above, these payments are representative of a small fraction of the total  
22 payments made by facilities to Heritage/Pro Med and are not a full accounting of all payments  
23 made.

1 **IX. BANK ACCOUNTS/MONEY LAUNDERING**

2 MFCD Forensic Data Analyst April Minton reviewed the following records.

3 **A. Bank of America**

4 Bank of America (BoA), December 2018 account statement for Heritage. The statement  
5 shows a deposit on December 26, 2018, into the BoA account in the amount of \$173,092.85.  
6 That deposit reflects a payment made by Vashon Community Care to Heritage for staff Heritage  
7 provided to Vashon Community Care involving four separate invoices. Invoice# VCC08/01-  
8 08/31COMBINED REVISED HMS for the amount of \$83,335, Invoice#VCC10/01-10/15  
9 REVISED HMS for the amount of \$30,582.50, Invoice# VCC10-16-10/30HMS in the amount  
10 of \$28,546.10, and Invoice#VCC11/01-11/15HMS for the amount of \$30,629.25 totaling  
11 \$173,092.85, which was deposited into Heritage's BoA account on December 26, 2018.

12 The December 2018 BoA statement also shows cash withdrawals on December 26, 2018  
13 in the amounts of \$9,000, \$1,500, \$25,015, and a \$10,000 withdrawal on December 28, 2018.

14 Also reflected on the December 2018 BoA statement was a check withdrawal on  
15 December 28, 2018, for \$50,000, and two check withdrawals on December 31, 2018 in the  
16 amounts of \$50,000, and \$40,000. Images of the BoA checks obtained by search warrant show  
17 that the three checks were payable to Heritage Medical Staffing, signed by Everlyn Njuki, and  
18 two of the three were endorsed by David Njenga.

19 The total of the above withdrawals was \$185,515.

20 **B. Wells Fargo**

21 Wells Fargo, December 2018-May 2019 account statements for Heritage. The statement  
22 for December 2018 shows deposits of \$50,000 and \$10,000 on December 28, 2018, with  
23 additional deposits for \$50,000 and \$40,000 on December 31, 2018. These deposits total  
24 \$150,000.

25 Wells Fargo Account statements for January 2019-May 2019 show that wire transfers  
26 were made from Heritage's Wells Fargo account to Emmah Wanjiru, Everlyn Njuki's mother in

1 Kenya, in the amounts of \$50,000 on January 28, 2019; \$100,000 on February 27, 2019; \$24,000  
2 on April 4, 2019; \$30,700 on May 14, 2019 and \$21,550 on May 15, 2019, for a total of \$226,500.  
3 Wells Fargo documents obtained by search warrant show that \$176,250 of the money that was  
4 wire transferred to Emmah Wanjiru was specifically noted as being for the purpose of  
5 “PURCHASE OF LAND.”

6 **C. Purchase of Land in Kenya**

7 Additional documents obtained by search warrant related to Njenga’s purchase of land in  
8 Kenya.

9 An Agreement for Sale of land in Kitengela, Kajiado Country, Kenya, which identifies  
10 David Mungai Njenga and Loise Wambui Njuki (aka Everlyn Njuki) as “The Purchaser.” The  
11 purchase price was the sum of Five Million Kenya Shillings per acre totaling Twenty Million  
12 Kenya Shillings for a four-acre piece of property. Currently, \$20M Kenya shilling equals  
13 approximately \$158,642 US dollars.

14 A 2019 Memorandum of Understanding (MOU), identifying David Mungai Njenga as  
15 the principle purchaser who shall solely pay the entire purchase price himself and is purchasing  
16 the land for his own interest and that of his wife Everlyn and his children.

17 Land Control Regulation and The Land Control Act documents of the Republic of Kenya  
18 dated February 6, 2019 show land transferred to David Mungai Njenga and Loise Wambui Njuki,  
19 and a signed and notarized Agreement for Sale for the land dated February 4, 2018.

20 A Petition to Invalidate Marriage filed June 21, 2022 with King County Superior Court of  
21 Washington by David Mungai Njenga in which he stated that in early 2019 he sent \$150,000 to  
22 Njuki’s mom to purchase land and for construction of a home in Kenya.

23 **X. HERITAGE/PRO MED STAFF BACKGROUND CHECKS**

24 RCW 18.52C.040(5) requires that nursing pools conduct criminal background checks on  
25 all employees and independent contractors prior to employment or referral of the employee or  
26 independent contractor.

1 On January 17, 2023, SSA Knox and I spoke with Bridget Lakin, Chief of the DSHS  
2 Background Check Central Unit (BCCU). Chief Larkin advised a background check inquiry  
3 could be made by the staffing agency, or by the facility that would be utilizing the employee of  
4 the staffing agency. The inquiry is made by submitting a form to DSHS with the subject's  
5 identifying information. Chief Lakin found that background check inquiries had been made using  
6 the personal identifying information of C.N., S.K.2, S.M., and L.W. Once a long term health care  
7 worker passes a Washington State name and date of birth background check, and arrange for  
8 their fingerprints to be taken, they are allowed to have unsupervised access to vulnerable adults  
9 for a period of 120 days, pending the results of the fingerprint-based background check.  
10 (WAC 388-06-0030)

11 On January 19, 2023, SSA Knox and I spoke with Deborah Collinsworth, the Assistant  
12 Division Commander of the Identification and Background Check Section for the Washington  
13 State Patrol (WSP). Commander Collinsworth had earlier been provided the names of David  
14 Njenga and Everlyn Njuki with a request for her unit to search for inquiries made into the WSP's  
15 background check system by these subjects. A total of 106 names were searched by Njenga,  
16 Njuki and other Heritage/Pro Med staff, including the names of C.N., L.W., S.K., S.K.2, and  
17 S.M. As noted throughout this document, those individuals are all victims of identity theft.

18 In interviews noted above, S.K., C.N., L.W., and S.M. all denied they ever initiated DSHS  
19 and/or WSP background checks.

## 20 XI. CONCLUSION

21 Based on the foregoing, I believe that DAVID MUNGAI NJENGA (D.O.B. 09/09/1960  
22 and Social Security Number xxx-xx-3298) has committed the crimes of Leading Organized  
23 Crime, 9A.82.060, a Class A felony; Identity Theft in the First Degree, 9A.35.020, a Class B  
24 felony (7 counts); Theft, 9A.56.030, 9A.56.020, Class B felonies (6 counts); Use of Proceeds of  
25 Criminal Profiteering, 9A.82.080, a Class B felony; and Money Laundering, 9A.83.020, a Class  
26 B felony, in King County, Washington.

1 I believe that EVERLYN NJUKI (D.O.B. 08/21/1989 and Social Security Number xxx-  
2 xx-3310) committed the crimes of Identity Theft in the First Degree, 9A.35.020, a Class B felony  
3 (7 counts); Theft, 9A.56.030, 9A.56.020, Class B felonies (6 counts); Use of Proceeds of  
4 Criminal Profiteering, 9A.82.080, a Class B felony; and Money Laundering, 9A.83.020, a Class  
5 B felony, in King County, Washington.

6 I believe that PRO MED ALLIANCE MEDICAL STAFFING, INC., n/k/a ONE STOP  
7 TERMINATORS, INC., UBI # 604 403 307 committed the crimes of Identity Theft in the First  
8 Degree, 9A.35.020, a Class B felony (7 counts); Theft, 9A.56.030, 9A.56.020, Class B felonies  
9 (6 counts), in King County, Washington.

10 I believe that HERITAGE MEDICAL STAFFING, INC., n/k/a HERITAGE MEDICAL  
11 STAFFING S.S. & J.K. Inc., UBI # 604 123 300 committed the crimes of Identity Theft in the  
12 First Degree, 9A.35.020, a Class B felony (7 counts); Theft, 9A.56.030, 9A.56.020, Class B  
13 felonies (6 counts), in King County, Washington.

14 I have confirmed David Mungai Njenga's address as 16609 E. Desmet Court, Apt F301,  
15 Spokane Valley, Washington.

16 I have confirmed Everlyn Njuki's address as Box 244 ATHI-River, 19631 – Konyu,  
17 Baricho, Nariobi, Kenya.

18 I have confirmed Everlyn Njuki as the registered agent for One Stop Terminators, Inc.,  
19 UBI # 604 403 307, which was administratively dissolved by the Washington Secretary of State  
20 on June 3, 2021.

21 I have confirmed Jacob Kabitu, Njenga's brother who lives in Kenya and has not been in  
22 the United States since 11/13/2003, and an alias that Njenga regularly uses, to be the current  
23 registered agent of Heritage Medical Staffing.

1 I certify under penalty of perjury under the laws of the state of Washington that the  
2 foregoing is true and correct.

3 DATED this 2nd day of July, 2023, at Olympia, Washington.

4  
5 *Nancy D Lewin*

6 \_\_\_\_\_  
7 NANCY LEWIN, Senior Special Agent  
8 Medicaid Fraud Control Division  
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# SUPERFORM

CCN/JCN NUMBER

B/A NUMBER

PCN NUMBER

AGENCY:  Medicaid Fraud Division, AGO CITY OF

23-C-05281-8

CASE NUMBER

FILE NUMBER

S U S P E C T  D A T A	DATE OF ARREST/TIME	BOOKING DATE/TIME	ARREST LOCATION							
	NAME (LAST, FIRST, MIDDLE/JR., SR., 1 <sup>ST</sup> , 2 <sup>ND</sup> ) Njuki Loise Wambui Everlyn			ALIAS, NICKNAMES Evelyn Nujuki						
	IDENTITY IN DOUBT? YES <input type="checkbox"/> NO <input type="checkbox"/>	DOB 08-21-1989	SEX F	RACE	HGT 5.09	WGT 190	EYES Blk	HAIR	SKIN TONE	
	SCARS, MARKS, TATTOOS, DEFORMITIES							ARMED/DANGEROUS YES <input type="checkbox"/> NO <input type="checkbox"/>		
	LAST KNOWN ADDRESS Plot 21 Swanvilla Utahala Nairobi Kenya			CITY	SATE	ZIP	RESIDENCE PHONE		BUSINESS PHONE	CITIZENSHIP
	OCCUPATION		EMPLOYER, SCHOOL (ADDRESS,SHOP/UNION NUMBER)				SOCIAL SECURITY NUMBER			
	DRIVER'S LICENSE #		STATE	AFIS #		FBI #		STATE ID #		
	VEHICLE LICENSE #	STATE	YEAR	MAKE	MODEL	VEHICLE LOCATION		TOW COMPANY		
	PERSON TO BE CONTACTED IN CASE OF EMERGENCY			RELATIONSHIP	ADDRESS			CITY	STATE	PHONE
	O F F E N S E  D A T A	1) OFFENSE <input type="checkbox"/> DV Identity Theft in the First Degree x 7		RCW/ORD# 9.35.020		COURT/CAU#		CITATION #		
2) OFFENSE <input type="checkbox"/> DV Theft in the First Degree x 6		RCW/ORD# 9A.56.020(c) /		COURT/CAU#		CITATION #				
3) OFFENSE <input type="checkbox"/> DV Money Laundering		RCW/ORD# 9A.83.020		COURT/CAU#		CITATION #				
4) OFFENSE <input type="checkbox"/> DV Use of Proceeds of Criminal Profitee		RCW/ORD# 9A.82.080		COURT/CAU#		CITATION #				
ANY OTHER ADDITIONAL CHARGES			CRIMINAL TRAFFIC CITATION ATTACHED? YES <input type="checkbox"/> NO <input type="checkbox"/>		ACCOMPLICES					
P R O P E R T Y	LIST VALUABLE ITEMS OR PROPERTY LEFT FOR ARRESTEE AT JAIL									
	LIST VALUABLE ITEMS OR PROPERTY ENTERED INTO EVIDENCE YES <input type="checkbox"/> NO <input type="checkbox"/> IF YES DESCRIBE: (SIMPLE DESCRIPTION, IDENTIFYING MARKS, SERIAL #)									
	TOTAL CASH OF ARRESTEE \$		WAS CASH TAKEN INTO EVIDENCE? YES <input type="checkbox"/> NO <input type="checkbox"/> AMOUNT: \$			SIGNATURE OF JAIL STAFF RECEIVING ITEMS/SERIAL #				
	ARRESTING OFFICER/SERIAL #			TRANSPORTING OFFICER/SERIAL #			SUPERVISOR SIGNATURE/SERIAL #			
O F F	SUPERFORM COMPLETED BY (SIGNATURE/SERIAL #)				CONTACT PERSON FOR ADDITIONAL INFORMATION (NAME/SERIAL #/PHONE)					
	<b>MISDEMEANOR BOOKINGS:</b> Complete to this line. <b>FELONY BOOKINGS:</b> Complete both sides. <b>OBJECTION TO RELEASE (MISDEMEANOR OR FELONY) IS ON REVERSE SIDE.</b>									
C O U R T  F I L E	SUPERIOR COURT <input type="checkbox"/>		IN CUSTODY		COURT CAUSE (STAMP OR WRITE)					
	FILING INFO. <input type="checkbox"/>		AT LARGE							
		OUT ON BOND <input type="checkbox"/>								
COURT/DIST.		DIST. CT.		SUP. CT. DATE		WARRANT NUMBER				
CT.NO.		BOND \$								
W A R R A N T  I N F O. / E X T R A D I T E	WARRANT DATE		OFF CODE OFFENSE			AMOUNT OF BAIL \$		FELONY <input type="checkbox"/> BENCH <input type="checkbox"/>		
								MISD <input type="checkbox"/> ARREST <input type="checkbox"/>		
	POLICE AGENCY ISSUING		COURT			WARRANT RELEASED TO: SERIAL UNIT DATE TIME				
PERSON APPROVING EXTRADITION			SEAKING-LOCAL ONLY WACIC-STATE WIDE <input type="checkbox"/>		NCIC-WILL EXTRADITE FROM ID & OR ONLY <input type="checkbox"/>		NCIC-WILL EXTRADITE FROM OR,ID,MT,WY, CA, NV, UT, CO, AZ, NM, HI,AK <input type="checkbox"/>		NCIC-WILL EXTRADITE FROM ALL 50 STATES <input type="checkbox"/>	
CCN# _____		DOE _____		C L E A R A N C E		DOC _____				
WAC# _____		TOE _____				TOC _____				
NIC# _____		OP# _____				OP# _____				

SUSPECT NAME: Njuki Loise Wambui Everlyn

23-C-05281-8

CASE NUMBER

### STATEMENT OF PROBABLE CAUSE: NON-VUCSA FELONY

CONCISELY SET FORTH FACTS SHOWING PROBABLE CAUSE FOR EACH ELEMENT OF THE OFFENSE AND THAT THE SUSPECT COMMITTED THE OFFENSE. IF NOT PROVIDED, THE SUSPECT WILL BE AUTOMATICALLY RELEASED. INDICATE ANY WEAPON INVOLVED. (DRUG CRIME CERTIFICATE BELOW.)

**ON DATE AT TIME, WITHIN THE , COUNTY OF KING, STATE OF WASHINGTON, THE FOLLOWING DID OCCUR:**

See Certification for Determination of Probable Cause.

I CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

REQUEST 72-HOUR RUSH FILE?	
YES <input type="checkbox"/>	NO <input type="checkbox"/>
ANTICIPATED FILING DATE	

DATE AND PLACE

SIGNATURE/AGENCY \_\_\_\_\_

### DRUG CRIME CERTIFICATE

**Part I: On (DATE) the suspect (SUSPECT'S NAME)  DELIVERED  POSSESSED WITH INTENT TO DELIVER/MANUFACTURE  POSSESSED what the undersigned officer (OFFICER'S NAME) based on training and experience, believes to be (approximate quantity and type of controlled substance) (QUANTITY AND TYPE OF SUBSTANCE). Approximate street value of the controlled substance is (value of drug) \$ .**

**Part II: FACTS INDICATING THE SUSPECT  DELIVERED  POSSESSED WITH INTENT TO DELIVER/MANUFACTURE or  POSSESSED THE CONTROLLED SUBSTANCE:**

On (date) at (time) within the , County of King, State of Washington,

My source of information about this crime (e.g., myself, other person with firsthand knowledge)

Other Facts:

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Date and Place:

Signature/Agency:

REQUEST 72-HOUR RUSH FILE? YES <input type="checkbox"/> NO <input type="checkbox"/>	SODA ZONE YES <input type="checkbox"/> NO <input type="checkbox"/>	DRUG FREE ZONE? Exact location is required: YES <input type="checkbox"/> NO <input type="checkbox"/>
ANTICIPATED FILING DATE	LAB WORK REQUESTED? (Date/Type)	

**LAW ENFORCEMENT OBJECT TO RELEASE? YES  NO .** IF YES, EXPLAIN WHY SAFETY OF INDIVIDUAL OR PUBLIC WILL BE THREATENED IF SUSPECT IS RELEASED ON BAIL OR RECOGNIZANCE (CONSIDER HISTORY OF VIOLENCE, MENTAL ILLNESS, DRUG DEPENDENCY, DRUG DEALING, DOCUMENTED GANG MEMBER, FAILURE TO APPEAR, LACK OF TIES TO COMMUNITY). INCLUDE FARR GUIDELINES. DESCRIBE TYPE OF WEAPON. **BE SPECIFIC.**

TIES TO COMMUNITY (MARITAL STATUS, TIME IN COUNTY, ETC.)

CONVICTION RECORD:

SUBJECT ARMED/DANGEROUS       SUSPECT IDENTITY IN QUESTION       WARRANT(S) FOR FTA  
 HISTORY OF FTA'S (LIST)

PRELIMINARY APPEARANCE DATE	JUDGE	BAIL AMOUNT \$
RETURN DATE	CONDITIONS	P.R. Y/N    RETURNED Y/N    EXCUSED Y/N

NON DRUG CRIME PROBABLE

DRUG CRIME CERTIFICATE

OBJECT TO RELEASE

DATA



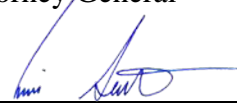
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The defendant has no known criminal convictions.

DATED this 6th day of July 2023.

ROBERT W. FERGUSON  
Attorney General

By:

  
\_\_\_\_\_  
Eric A. Senta, WSBA #57982  
Assistant Attorney General