

## **XI. INDEX TO APPENDICES**

APPENDIX A Decisions of 2<sup>nd</sup> Court of Appeal

APPENDIX B Decision of the Superior Court of California

APPENDIX C Decision of the Supreme Court of California

APPENDIX D the clerk at Supreme Court of California Kicked Petitioner Out their Jurisdiction by holding the notice of wrong case number on the last day.

APPENDIX E Acceptance Letters from Harvard and Baylor med school and a support Letter from UCLA medical school

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

COURT OF APPEAL - SECOND DIST.

DIVISION TWO

FILED

Feb 21, 2020

DANIEL P. POTTER, Clerk

OCarbone Deputy Clerk

BIN YANG,

B298733

Petitioner,

(Super. Ct. No. BS175082)

v.

ORDER

THE SUPERIOR COURT OF  
LOS ANGELES COUNTY,

Respondent;

MEDICAL BOARD OF CALIFORNIA,

Real Party in Interest.

THE COURT:

The court has read and considered the petition for writ of mandate filed June 27, 2019, and the additional exhibits submitted September 16, 2019, and November 26, 2019. The court has also reviewed the exhibits attached to the Motion to Dismiss Appeal filed on May 29, 2019, in *Yang v. Medical Board of California*, case No. B296832. The petition is denied.

  
LUI, P.J.

  
ASHMANN-GERST, J.

  
HOFFSTADT, J.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

COURT OF APPEAL - SECOND DIST.

DIVISION TWO

**FILED**

May 01, 2020

DANIEL P. POTTER, Clerk

Johanna Salazar Deputy Clerk

BIN YANG,

B298733

Petitioner,

(Super. Ct. No. BS175082)

v.

**ORDER**

THE SUPERIOR COURT OF  
LOS ANGELES COUNTY,


Respondent;

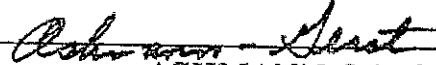
MEDICAL BOARD OF CALIFORNIA,

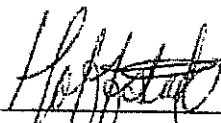
Real Party in Interest.

THE COURT:

The court has read and considered petitioner's second motion to reconsider, filed April 21, 2020. The motion is denied.

  
LUI, P.J.

  
ASHMANN-GERST, J.

  
HOFFSTADT, J.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION TWO

COURT OF APPEAL - SECOND DIST.

**FILED**

MAR 05 2020

DANIEL R. POTTER

Clerk

Deputy Clerk

BIN YANG,

B298733

Petitioner,

(Super. Ct. No. BS175082)

v.

**ORDER**

THE SUPERIOR COURT OF  
LOS ANGELES COUNTY,

Respondent;

MEDICAL BOARD OF CALIFORNIA,

Real Party in Interest.

THE COURT:

The court is in receipt of a motion for reconsideration submitted by petitioner on March 2, 2020. The motion is denied. This court's order denying her petition for writ of mandate was final upon filing. (Cal. Rules of Court, rule 8.490(b)(1).)

LUI, P.J.

ASHMANN-GERST, J.

HOFFSTADT, J.

OFFICE OF THE CLERK, Court of Appeal, Second Appellate District  
300 South Spring Street, Room 2217, Los Angeles, CA 90013 (213) 830-7000  
www.courts.ca.gov/2dca

Yang v. Superior Court of Los Angeles County,

Case No. B298733

\_\_\_\_ YOUR DOCUMENT HAS BEEN RECEIVED FOR FILING. YOU ARE HEREBY NOTIFIED OF  
NON-COMPLIANCE WITH THE CALIFORNIA RULES OF COURT RE:

☒ THE ATTACHED DOCUMENTS ARE BEING RETURNED TO YOU FOR THE FOLLOWING  
REASON(S).

- ☐ INADEQUATE OR LACK OF SERVICE ON: COUNSEL/CLIENT(S)/SUPERIOR COURT/SUPREME COURT. PROOF OF SERVICE SHALL NAME EACH PARTY REPRESENTED BY EACH ATTORNEY SERVED (CRC 8.25(a)). PROVIDE AMENDED PROOF OF SERVICE WITHIN 5 DAYS.
- ☐ LACK OF ORIGINAL SIGNATURE ON: DOCUMENT/PROOF OF SERVICE/VERIFICATION.
- ☐ MOTION DOES NOT INCLUDE A PROPOSED ORDER (CRC Local Rule 2(g) & 4). PROVIDE COMPLETED PROPOSED ORDER WITHIN 5 DAYS.
- ☐ BRIEF/PETITION DOES NOT INCLUDE A CERTIFICATE STATING WORD COUNT (CRC 8.204(c)). PROVIDE CERTIFICATE WITHIN 5 DAYS
- ☐ ATTORNEY'S STATE BAR NUMBER DOES NOT APPEAR ON DOCUMENT.
- ☐ BRIEF/PETITION EXCEEDS WORD LIMIT, MUST SUBMIT REQUEST FOR PERMISSION TO FILE.
- ☐ ELECTRONIC OR SCAN-READY COPY OF PETITION OR BRIEF NOT PROVIDED (CRC Local Rule 7.)
- ☐ CERTIFICATE OF INTERESTED ENTITIES OR PERSONS NOT INCLUDED (CRC 8.208).
- ☐ DOCUMENT IS PREMATURE OR APPLICATION SHOULD BE MADE TO THE TRIAL COURT.
- ☐ STIPULATION OR APPLICATION TO EXTEND TIME NOT SERVED ON CLIENT(S) (CRC 8.60(f)).
- ☐ PETITION IS CIVIL IN NATURE & REQUIRES A \$775.00 STATUTORY FILING FEE (Gov. Code 68926).
- ☐ DOCUMENT REQUIRES A \$390.00 RESPONSIVE FILING FEE (CRC 8.25(c)(2)(D) & Gov.Code 68926).
- ☒ A SEARCH OF OUR RECORDS SHOWS THAT THERE ARE NO ACTIONS PENDING IN OUR COURT REGARDING THIS MATTER.

☒ REMARKS: The motion is returned, not filed. Pursuant to California Rules of Court, Rule 8.490(b), this court's decision of February 21, 2020 was final the day it was filed. This court no longer has jurisdiction to consider your motion.

DATE: May 15, 2020

cc: File

\*CRC - California Rules of Court

FILED  
Superior Court of California  
County of Los Angeles

MAY 13 2019

Sherril R. Carter, Executive Officer/Clerk  
By J. De Luna, Deputy  
Jennifer De Luna

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

**BIN YANG,**

Petitioner and Plaintiff,

v.

**MEDICAL BOARD OF CALIFORNIA,**

Respondent and Defendant.

Case No. BS175082

~~[PROPOSED]~~ JUDGMENT

Judge: Hon. James C. Chalfant  
Action Filed: September 12, 2018

On February 14, 2019, Petitioner Bin Yang and Respondent and Defendant Medical Board of California (Respondent and Defendant), represented by Xavier Becerra, Attorney General of the State of California, Peggie Bradford Tarwater, Deputy Attorney General, appeared before the Honorable James C. Chalfant, in Department 85 of this Court for an Order to Show Cause Re: Dismissal After Demurrer is Sustained Without Leave to Amend.

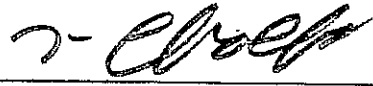
Having heard oral argument and considered the ruling sustaining the Demurrer of Respondent and Defendant without leave to amend, this Court hereby orders:

1. The case is dismissed, pursuant to Code of Civil Procedure, section 581, subdivision (f)(1).

1           2.     A copy of the Notice of Ruling on Demurrer to Petition for Writ of Mandate is  
2 attached hereto as Exhibit A.

3           3.     A copy this Court's minute order dismissing the Petition for Writ of Mandate is  
4 attached hereto as Exhibit B.

5  
6     Dated: 5/13/19

7  
8   
9 \_\_\_\_\_  
10 HONORABLE JAMES CHALFANT  
11 JUDGE OF THE SUPERIOR COURT

12 SUBMITTED BY:

13 XAVIER BECERRA  
14 Attorney General of California  
15 ROBERT MCKIM BELL  
16 Supervising Deputy Attorney General  
17 PEGGIE BRADFORD  
18 Deputy Attorney General  
19 State Bar No. 169127  
20 300 South Spring Street, Suite 1702  
21 Los Angeles, CA 90013  
22 Telephone: (213) 269-6448  
23 Fax: (213) 897-9395

24 *Attorneys for Respondent*  
25 *Medical Board of California*  
26  
27  
28

Respondent Medical Board of California ("Board") demurs to the Petition filed by Petitioner Bin Yang ("Yang"). The court has read and considered the moving papers and opposition<sup>1</sup>, and reply,<sup>2</sup> and renders the following tentative decision.

**A. Statement of the Case**

**1. Petition**

Petitioner Yang commenced this proceeding on September 12, 2018. The verified Petition for Writ of Mandate alleges in pertinent as follows.

Yang is a Chinese national. Pet. pp. 2-3. In China, Yang attended a top medical school. Pet. p.10. In 1994, Yang immigrated to the United States. Pet. p.3. In 1996, Yang obtained a California nursing license. *Ibid.*

In 1997, Yang was rear-ended by an 18-wheeler in Amarillo, Texas and suffered a traumatic brain injury. Pet. p.4. She could not speak for days and had to relearn English. *Ibid.*

In 2002, Yang received a California Postgraduate Training Authorization Letter which she renewed every year. Pet. p.5.

In March 2005, Yang flew from Houston, Texas to Lubbock, Texas. Pet. p.5. After Yang asked the flight attendant for a blanket three times but received no response, Yang "pushed" the attendant's right forearm for attention. *Ibid.* The attendant claimed that Yang punched her stomach and made her fall into a cabinet. *Ibid.* Yang plead guilty to the criminal charges that ensued. Pet. pp. 5-6.

An administrative hearing was held concerning her Postgraduate Training Authorization Letter. Pet. p.3. The Board put an "expert" on the stand who made up evidence. Pet. p.3. The expert was not aware what medical course and internships that Business and Professions Code sections 2085 through 2089 require and could not tell the difference between medicine and nursing internships. Pet. p.7. An administrative law judge ("ALJ") issued an order revoking Yang's Postgraduate Training Authorization Letter even though Yang had not violated Business and Professions Code sections 480, 2036, and 2305. *Ibid.* The Board adopted the ALJ's decision to deny Yang's training permit since her education was "nursing" and because she had not rehabilitated from the airplane incident. *Ibid.*

Yang seeks a writ of mandate directing the Board to (1) renew her postgraduate training authorization letter and remove false online information about her, (2) pay for her career loss and

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<sup>1</sup> Yang attaches an unauthenticated exhibit (a CT Scan) to her opposition brief. The court did not read or consider this exhibit. In evaluating a demurrer, the court only considers the petition's allegations, the petition's exhibits, and judicially noticed materials. *Hoffman v. Smithwoods RV Park, LLC*, (2009) 179 Cal.App.4th 390, 400.

<sup>2</sup> The Board argues that while Yang's opposition was timely filed on January 14, 2019, it was served by mail and not in a manner not reasonably calculated to ensure delivery the next day. CCP §1005(b). Opp. at 2. As the Board was able to file a reply, the court has exercised its discretion to consider Yang's opposition. However, the court did not read or consider Yang's unauthorized "Response to Reply" filed on January 23, 2019.



suffering, and (3) evaluate its staff for human rights violations and defamation. See Pet. p.9. Yang notes that the revocation of her Postgraduate Training Authorization Letter was premised on altered facts and personal interests. Pet. p.13.

### **B. Applicable Law**

Demurrers are permitted in administrative mandate proceedings. CCP §§ 1108, 1109. A demurrer tests the legal sufficiency of the pleading alone and will be sustained where the pleading is defective on its face.

Where pleadings are defective, a party may raise the defect by way of a demurrer or motion to strike or by motion for judgment on the pleadings. CCP §430.30(a); Coyne v. Krempels, (1950) 36 Cal.2d 257. The party against whom a complaint or cross-complaint has been filed may object by demurrer or answer to the pleading. CCP §430.10. A demurrer is timely filed within the 30-day period after service of the complaint. CCP §430.40; Skrbina v. Fleming Companies, (1996) 45 Cal.App.4th 1353, 1364.

A demurrer may be asserted on any one or more of the following grounds: (a) The court has no jurisdiction of the subject of the cause of action alleged in the pleading; (b) The person who filed the pleading does not have legal capacity to sue; (c) There is another action pending between the same parties on the same cause of action; (d) There is a defect or misjoinder of parties; (e) The pleading does not state facts sufficient to constitute a cause of action; (f) The pleading is uncertain ("uncertain" includes ambiguous and unintelligible); (g) In an action founded upon a contract, it cannot be ascertained from the pleading whether the contract is written, is oral, or is implied by conduct; (h) No certificate was filed as required by CCP §411.35 or (i) by §411.36. CCP §430.10. Accordingly, a demurrer tests the sufficiency of a pleading, and the grounds for a demurrer must appear on the face of the pleading or from judicially noticeable matters. CCP §430.30(a); Blank v. Kirwan, (1985) 39 Cal.3d 311, 318.

The face of the pleading includes attachments and incorporations by reference (Frantz v. Blackwell, (1987) 189 Cal.App.3d 91, 94); it does not include inadmissible hearsay. Day v. Sharp, (1975) 50 Cal.App.3d 904, 914.

The sole issue on demurrer for failure to state a cause of action is whether the facts pleaded, if true, would entitle the plaintiff to relief. Garcetti v. Superior Court, (1996) 49 Cal.App.4th 1533, 1547; Limandri v. Judkins, (1997) 52 Cal.App.4th 326, 339. The question of plaintiff's ability to prove the allegations of the complaint or the possible difficulty in making such proof does not concern the reviewing court. Quelimane Co. v. Stewart Title Guaranty Co., (1998) 19 Cal.4th 26, 47. The ultimate facts alleged in the complaint must be deemed true, as well as all facts that may be implied or inferred from those expressly alleged. Marshall v. Gibson, Dunn & Crutcher, (1995) 37 Cal.App.4th 1397, 1403. Nevertheless, this rule does not apply to allegations expressing mere conclusions of law, or allegations contradicted by the exhibits to the complaint or by matters of which judicial notice may be taken. Vance v. Villa Park Mobilehome Estates, (1995) 36 Cal.App.4th 698, 709.

For all demurrers filed after January 1, 2016, the demurring party must meet and confer in person or by telephone with the party who filed the pleading for the purpose of determining whether an agreement can be reached that would resolve the objections to be raised in the demurrer. CCP §430.41(a). As part of the meet and confer process, the demurring party must identify all of the specific causes of action that it believes are subject to demurrer and provide legal support for the claimed deficiencies. Id. The party who filed the pleading must in turn provide legal support for its position that the pleading is legally sufficient or, in the alternative, how the

complaint, cross-complaint, or answer could be amended to cure any legal insufficiency. *Id.* The demurring party is responsible for filing and serving a declaration that the meet and confer requirement has been met. CCP §430.41(a)(3).

### C. Analysis<sup>3</sup>

Respondent Board demurs to the Petition on the grounds that the Petition (1) fails to state facts sufficient to constitute a cause of action because the statute of limitations has passed, and (2) is uncertain. The Board has complied with the meet and confer requirement by discussing the arguments presented in the demurrer with Yang. Tarwater Decl. ¶¶ 3-4.

Government Code<sup>4</sup> section 11523 states that a petition for writ of mandate challenging an administrative decision must be filed "within 30 days after the day on which reconsideration can be ordered." The agency's power to order a reconsideration "shall expire 30 days after the delivery or mailing of a decision to a respondent, or on the date set by the agency itself as the effective date of the decision if that date occurs prior to the expiration of the 30-day period." §11521. Under section 11521, "the earliest date upon which an administrative agency's decision can become effective, thereby commencing the limitations period of section 11523, is the date on which the decision is mailed or delivered." *Koons v. Placer Hills Union Sch. Dist.*, (1976) 61 Cal.App.3d 484, 490.

On September 14, 2011, the Board made a decision to deny Yang's medical license and PTAL to complete her medical license training and continue rehabilitation. RJN Ex. A. Although the judicially noticed portion of Exhibit A does not show when the Board's decision was mailed, Yang's Petition admits that the decision was delivered to her address on October 28, 2011 and actually received by her on December 1, 2011. The Board's decision was effective on November 11, 2011. RJN Ex. A, p.1. This was the last day on which reconsideration could be ordered. §11521(a). Any mandamus petition was required to be filed by December 18, 2011 (absent inapplicable extension for timely ordering the administrative record). §11523.

Petitioner Yang filed a timely Sacramento Petition. RJN Ex. B. After five years passed, the Sacramento Petition was dismissed on August 23, 2017 after an order to show cause hearing. RJN Ex. C. The instant Petition was filed on September 12, 2018, almost seven years too late.

In opposition, Yang attempts to explain her delay and argues that she did not know that her lawyer, Steven L. Simas, filed the Sacramento Petition until this demurrer. Opp. at 2. Yang explains that she was in China from 2009 to 2013 and entered into a contract with Mr. Simas over the telephone. *Ibid.* Mr. Simas made excuses to steal Yang's money and never explained what a mandamus writ was. Yang did not find out she could seek mandamus against the Board until she

<sup>3</sup> In its memorandum of points and authorities, the Board requests judicial notice of (1) the Board's October 11, 2011 decision (Ex. A), (2) Yang's 2011 Petition in Sacramento County Superior Court (No. 34-2011-80001019) ("Sacramento Petition") (Ex. B), and (3) an Order of Dismissal for the Sacramento Petition (Ex. C). The Board's request violates the requirement that requests for judicial notice be made in a separate document. CRC 3.1113(l). The court exercises its discretion to consider the requests despite this error.

The Board's request is granted as to Exhibits B and C. Evid. Code §452(d). The Board's request is granted in part and denied in part as to Exhibit A. Evid. Code §452(c). Specifically, the court takes judicial notice of the Board's decision but declines to take judicial notice of the attached declaration of service by certified and first class mail.

<sup>4</sup> All further statutory references are to the Government Code unless otherwise stated.

learned she could file a mandamus action against the Nursing Board. Opp. at 3.

Yang's reasons for not pursuing the Sacramento Case are not particularly germane to the passage of the statute of limitations.<sup>5</sup> The fact remains that her current Petition is untimely by almost seven years. Yang attempts to excuse her untimely filing by arguing that she is a layman and she did not understand the law. Opp. at 3. This fact is irrelevant. The statute of limitations applies without regard to a party's status or knowledge, and the court is obligated to treat a layperson just like it does a lawyer. See Bistawros v. Greenberg, (1987) 189 Cal.App.3d 189, 193.

Yang argues that the statute of limitations is extended by Penal Code section 1054.7 or CCP section 351. Opp. at 3-4. Neither applies. Penal Code section 1054.7 concerns the right to discovery in a criminal case and has nothing to do with the statute of limitations for mandamus. CCP section 351 tolls the applicable statute of limitations for a cause of action against a defendant who has been out of state during the limitations period. This provision exists to benefit plaintiffs who have difficulty finding, serving, and prosecuting absent defendants. CCP section 351 has nothing to do with a plaintiff, such as Yang, who has been out of the state in China for a period of years. Yang could have always timely prosecuted her claim against the Board, and she did timely file the Sacramento Petition. The fact that she did not pursue it while she was in China is not a matter within the scope of CCP section 351's protections.

Yang's claim against the Board is time-barred.<sup>6</sup>

#### **D. Conclusion**

The Board's demurrer to the Petition is sustained without leave to amend. An OSC re: dismissal is set for February 14, 2019 at 9:30 a.m.

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<sup>5</sup> The court need not decide whether the dismissal of the Sacramento Petition after a five-year delay was on the merits such that the doctrine of *res judicata* would bar Yang's Petition.

<sup>6</sup> The court need not address the Board's claim of uncertainty.

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SACRAMENTO**

**DATE/TIME : FEBRUARY 7, 2019**  
**JUDGE : RICHARD K. SUEYOSHI**  
**REPORTER : N/A**

**DEPT. NO : 28**  
**CLERK : E. GONZALEZ**  
**BAILIFF : N/A**

**BIN YANG,**  
**Petitioner,**

**CASE NO.: 34-2011-80001019**


**VS.**

**MEDICAL BOARD OF CALIFORNIA, Division of**  
**Licensing,**  
**Respondent.**

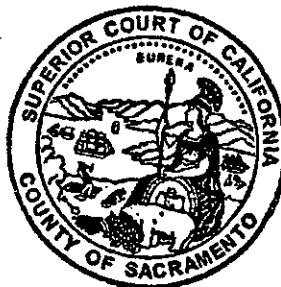
**NATURE OF PROCEEDINGS: ORDER RE: MOTION TO REINSTATE PETITION**

On February 1, 2019, Petitioner filed a "Motion to Reinstate Petition" under the above-referenced case number. This matter was dismissed on August 23, 2017 pursuant to Code of Civil Procedure section 583.360 for failure to bring the matter to trial within five years. Such dismissal was mandatory. Accordingly, the Court no longer has jurisdiction over the petition, and Petitioner has not identified within her motion any statutory authority that provides the Court with jurisdiction to consider a "motion to reinstate" the petition. Accordingly, the Court will not set the matter for hearing and will not issue any further orders on this motion.

Date: February 7, 2019

  
Hon. Richard K. Sueyoshi  
Judge of the Superior Court of the  
State of California, County of Sacramento

Certificate of Service by Mailing attached.



**DEPT : 28**  
**DATE : February 7, 2019**  
**CASE NO. : 34-2011-80001019**  
**CASE TITLE : Bin Yang vs. Medical Board of**  
**California, Division of Licensing**

**Superior Court of California,**  
**County of Sacramento**

**BY: E. GONZALEZ,**  
**Deputy Clerk**

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SACRAMENTO

DATE/TIME : MARCH 5, 2019  
JUDGE : RICHARD K. SUEYOSHI  
REPORTER : N/A

DEPT. NO : 28  
CLERK : E. GONZALEZ  
BAILIFF : N/A

BIN YANG,  
Petitioner,

CASE NO.: 34-2011-80001019


VS.

MEDICAL BOARD OF CALIFORNIA, Division of  
Licensing,  
Respondent.

**NATURE OF PROCEEDINGS: ORDER RE: REQUEST TO RECONSIDER MOTION TO  
REINSTATE PETITION**

On February 7, 2019, this Court issued its Order re: Motion to Reinstate Petition. Since then, this Court has received a document, apparently from Petitioner bearing the title, "Request to Reconsider Motion to Reinstate Petition." The Court refers the parties back to its February 7, 2019 order in which the Court explained that this matter was dismissed on August 23, 2017, and the Court no longer has jurisdiction with respect to the petition.

Date: March 5, 2019

  
Hon. Richard K. Sueyoshi  
Judge of the Superior Court of the  
State of California, County of Sacramento

Certificate of Service by Mailing attached.



DEPT : 28  
DATE : March 5, 2019  
CASE NO. : 34-2011-80001019  
CASE TITLE : Bin Yang vs. Medical Board of  
California, Division of Licensing

Superior Court of California,  
County of Sacramento

BY: E. GONZALEZ,  
Deputy Clerk



## Supreme Court of California

JORGE E. NAVARRETE  
CLERK AND EXECUTIVE OFFICER  
OF THE SUPREME COURT

EARL WARREN BUILDING  
350 McALLISTER STREET  
SAN FRANCISCO, CA 94102  
(415) 865-7000

April 22, 2021

Bin Yang  
P.O. Box 14  
Beverly Hills, California 90213

**Re: S268293 — Yang v. S.C. (Medical Board of California)**

Dear Ms. Yang:

The court has considered your application for relief from default and petition for review. Your application for relief from default has been denied. (Cal. Rules of Court, rule 8.60(d).)

The court has directed that the petition for review received via True-Filing be returned to you. We are returning herewith the original of the petition for review.

Very truly yours,

JORGE E. NAVARRETE  
Clerk and  
Executive Officer of the Supreme Court

*C Wong*

By: C.Wong, Deputy Clerk

cc: Court of Appeal, Second Appellate District, Division Two  
Rec.



## Supreme Court of California

JORGE E. NAVARRETE  
CLERK AND EXECUTIVE OFFICER  
OF THE SUPREME COURT

EARL WARREN BUILDING  
350 McALLISTER STREET  
SAN FRANCISCO, CA 94102  
(415) 865-7000

August 25, 2020

Bin Yang  
P.O. Box 14  
Beverly Hills, CA 90213

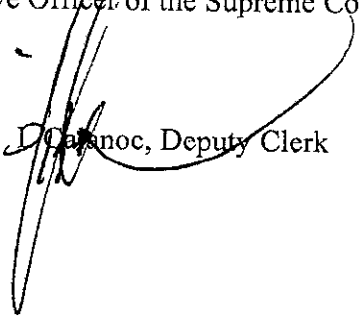
Re: S263404 — Bin Yang v. Superior Court of Los Angeles County (Medical Board of California)

Dear Bin Yang:

Returned unfiled is your "Motion to Reconsider" received thru TrueFiling in the above-captioned case. The order transferring the petition for writ of mandate to the Court of Appeal Second Appellate District was filed on July 29, 2020, and the matter is now closed.

Very truly yours,

JORGE E. NAVARRETE  
Clerk and  
Executive Officer of the Supreme Court

By:  Deputy Clerk

Enclosure

Supreme Court of California  
350 McAllister Street  
San Francisco, CA 94102



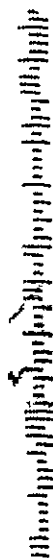
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ZIP 94102 \$ 000.65<sup>0</sup>  
02 4th  
0000342017 AUG 31 C

Bin Yang  
P.O. Box 14  
Beverly Hills, CA 90213

9021380014 E001







SPAULDING  
REHABILITATION  
HOSPITAL  
NETWORK



Harvard  
Medical  
School

Department of Physical Medicine & Rehabilitation  
Tel: 617-573-2770  
Fax: 617-573-2769  
[www.hms.harvard.edu/hms/](http://www.hms.harvard.edu/hms/)

April 20, 2006

Bin Yang, MD  
3940 S. Sepulveda Blvd. #40W  
Culver City, CA 90230

Dear Dr. Bin Yang:

This letter serves as notification of your official appointment to the Harvard Medical School/Spaulding Rehabilitation Hospital Residency Program in Physical Medicine and Rehabilitation. You will begin the program on July 1, 2006 [or such date as agreed upon with the Program Director] in your second physician graduate year (PGY).

During the time before you begin the residency, your responsibilities include, but are not limited to:

- Completing an accredited transitional year OR an internship year which meets the criteria of the American Board of Physical Medicine and Rehabilitation
- Obtaining a valid Massachusetts License to Practice Medicine (limited)
- Obtaining institutional privileges at Spaulding Rehabilitation Hospital through the credentialing process

You will receive guidance from the program as to how to fulfill the licensing and credentialing requirements.

Your signature below indicates that you 1) understand your legal commitment, and 2) you will comply with fulfilling all legal and institutional requirements for beginning this residency program.

Please sign and return this letter to Katrina Mintz, Administrative Assistant for Academics, in the envelope provided. Please feel free to contact her at (617) 573-2758 or [kmintz@partners.org](mailto:kmintz@partners.org) if you any questions.

Sincerely,

David T. Burke, M.D., M.A.

Director, Residency Training Program  
Medical Director, Brain Injury  
Associate Professor, Harvard Medical School

My signature below certifies that I understand my NRMP commitment to this residency program, and I will fulfill all legal and institutional requirements for beginning this residency program.

  
Accepted Applicant's Signature



May 12, 2005

OFFICE OF GRADUATE  
MEDICAL EDUCATION

Bin Yang, M.D.  
533 Oak Brook Dr.  
Martinez, GA 30907

One Baylor Plaza  
Suite 022D  
Houston, Texas 77030-3411  
713-798-4620  
713-798-4334 FAX

Dear Doctor Yang:

We are pleased to inform you that your application for residency in the Department of Neurology at the Baylor College of Medicine Affiliated Hospitals has been approved for the period July 1, 2005 through June 30, 2006.

This appointment will be as a first-year resident, at a stipend level of at least II (\$40,425). This appointment is contingent upon appropriate full registration with the Texas Board of Medical Examiners and completion of all required prerequisites. If you are an international medical graduate or a non-citizen of the United States, you must also provide evidence of the appropriate immigration status for clinical training under Baylor College of Medicine sponsorship. Please contact our International Services Office (713/798-4604) for further information.

Please sign below and return if you wish to accept this appointment. Failure to return this signed document within 30 days of this letter may result in withdrawal of the offer at the discretion of Baylor College of Medicine.

We look forward to having you train with us, and welcome you to Baylor College of Medicine.

Sincerely yours,

Paul E. Schulz, M.D.  
Program Director  
Neurology Residency Program

PES/slr

I accept the appointment outlined above and in the addendum to this letter, and I agree to conform to all rules and regulations of Baylor College of Medicine and of the affiliated institutions to which I am assigned and to discharge the duties of resident as determined jointly by the affiliated hospitals and the respective directors of training programs at Baylor College of Medicine. I understand that my appointment is contingent upon registration with the Texas State Board of Medical Examiners, successful credentialing by Baylor College of Medicine, and completion of all required prerequisites. My signature also indicates receipt of the *Baylor College of Medicine Compact Between Teachers and Learners of Medicine*.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
(A copy of this letter with both signatures will be returned to you to complete your files and to acknowledge our receipt of your acceptance).

## PRIMARY AFFILIATED TEACHING HOSPITALS

## Private Institutions

St. Luke's Episcopal Hospital  
Texas Children's Hospital  
The Institute for Rehabilitation  
and Research  
The Menninger Clinic  
The Methodist Hospital

## Public Institutions

Harris County Hospital District  
Ben Taub General Hospital  
Quentin Mease Community Hospital  
Community Health Centers  
Michael E. DeBakey  
VA Medical Center

**Ramirez, Roger**

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**From:** Ramirez, Roger  
**Sent:** Tuesday, May 24, 2005 12:46 PM  
**To:** Schulz, Paul E; 'luckybwy@hotmail.com'  
**Cc:** Adams, Lori A  
**Subject:** Credential  
**Importance:** High

You are hereby notified that THE FOLLOWING APPLICANTS has been credentialed by Baylor College of Medicine. As a result of our investigation, we have determined the file as a routine and no further documents are required to continue the TSBME Credentialing Process:

BIN YANG

Our records indicate the physician has no registration with the TSBME and is pending a new permit for the program of NEUROLOGY. Upon receiving the new permit, the house officer is eligible to begin training on 07/01/2005, if there are no additional requirements preventing delay.

*Roger Ramirez*  
Graduate Medical Education  
Baylor College of Medicine  
One Baylor Plaza, 022D  
Houston, TX 77030  
(phone) 713-798-5313  
(fax) 713-798-4334



OFFICE OF THE DEAN  
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12-138 CENTER FOR THE HEALTH SCIENCES  
BOX 951722  
LOS ANGELES, CALIFORNIA 90095-1722

April 4, 2008

Medical Board of California  
2005 Evergreen Street, Suite 1200  
Sacramento, CA 95815

To Whom It May Concern:

I have reviewed copies of the transcript, certified clerkship reports, and original diploma for Bin Yang (ATS #136968). It appears that she has completed four years of study equivalent to a Bachelor of Medicine degree. What is unique about her program is the inclusion of nursing coursework, both as separate courses (Basic Nursing and Health Administration) and as an integrated part of medical clerkships in the medical specialties.

Understanding patient care from both a medical and nursing perspective could be extremely helpful. Few U.S. medical schools have the opportunity for this unique training, due to separation between the two specialties.

A report entitled "Current Perspectives on Medical Education in China" (Medical Education, 40:940-9, 2006) reported of the 180 medical schools in China as of 2006, 39 offer three-year programs with the majority offering programs of five years or more. It seems entirely feasible to complete both a medical degree and nursing degree in one four-year, overly-intense program.

Sincerely,

LuAnn Wilkerson, Ed.D.  
Senior Associate Dean for Medical Education  
Director, Center for Educational Development and Research



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