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6 Attorneys for Complainant/Petitioner
7 Sherrie Moffet-Bell, Bureau Chief
Cemetery and Funeral Bureau
8 Department of Consumer Affairs

9
10 **BEFORE THE**
DIRECTOR OF CONSUMER AFFAIRS
FOR THE CEMETERY AND FUNERAL BUREAU
11 **STATE OF CALIFORNIA**

12 In the Matter of the Petition for Interim
Suspension Against:

13 **Grandview Memorial Park, Inc.**
14 **Marsha Howard, President**
Moshe Goldsman, Secretary
15 **Charles F. Ramsey, Sr., Trustee**
Thomas E. Trimble, Trustee
16 1341 Glenwood Road
Glendale, CA 91201

17 Certificate of Authority No. COA 562

18 **Marsha Lee Howard**
19 1343 Glenwood Road
Glendale, CA 91201
20 Cemetery Manager License No. CEM 97
Crematory Manager License No. CRM 120
21 Funeral Director License No. 953

22 **Moshe Lawrence Goldsman**
23 13017 North Lopez Canyon Road
Sylmar, CA 91342
Cemetery Salesperson Lic. No. CES 31319

24 **Grandview Memorial Park Crematory**
25 1341 Glenwood Road
Glendale, CA 91201

26 Crematory License No. CR 165

27 Respondents.

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Case No. A1 2005 83

OAH No. L-2005110029

STIPULATION TO MODIFY
INTERIM SUSPENSION ORDER

Original Hearing on Petition:

Date: Thursday, November 3, 2005

Time: 1:30pm

Place: Office of Administrative Hearings
320 West Fourth Street
Suite 630
Los Angeles, CA 90013

1 The parties agree to the following modifications of the Interim Suspension Order,
2 granted on November 3, 2005:

3 1. Respondents shall immediately cease all sales of cemetery plots, graves or
4 interment rights at Grand View Memorial Park.

5 2. Respondents shall not perform any cremations without the express
6 authorization of the Bureau or its designated representative, except under the circumstances
7 identified in Paragraph 16 below.

8 3. Respondents shall immediately surrender all records related to the
9 operation of Grand View Memorial Park to the Bureau or its designated representative;

10 4. The Bureau or its designated representative shall be given unrestricted
11 access to the property of Grand View Memorial Park and to all of its records.

12 5. Respondent Marsha Howard shall immediately surrender any records or
13 other property related to Grand View Memorial Park, including bank records, check books and
14 keys.

15 6. The Bureau may, in its discretion, change or install locks on the property,
16 to secure records or evidence, for the following structures: office, chapel, mausoleums,
17 crematory and storage units. In the event that such a change is made, a copy of the key will be
18 provided to Respondent Goldsman or the interim manager.

19 7. Respondent Marsha Howard shall not engage in any activity for which a
20 license from the Bureau is required. Respondent Howard shall not participate or interfere with
21 the operation of Grandview Memorial Park. Respondent Howard may continue to reside in her
22 residence on the property and shall access her residence from the front door on Glenwood Road.
23 Respondent Howard shall not enter the offices of Grandview or be on the property of the
24 cemetery, other than her residence, except in the immediate presence of her attorney or his agent
25 or a representative of the Bureau. Respondent Howard may open and close the front gates of the
26 cemetery.

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1 8. Respondents shall immediately provide the Bureau or its designated
2 representative with the names and pertinent information of any deceased persons whose remains
3 are currently being handled by Respondent;

4 9. Subject to the paragraph regarding an interim manager, Respondents shall
5 not solicit or accept new business.

6 a. In the event that there is a deceased person whose remains are
7 currently being handled by Respondents, the Bureau may appoint a representative to supervise
8 the disposition of such remains by Respondent. The Bureau shall have the discretion to allow
9 Respondents to complete any necessary services for the deceased person or person, or to have
10 the remains handled by a Bureau appointee.

11 b. In the event of the death of a person who had previously made pre-
12 need arrangements to be buried at Grandview Memorial Park, the Bureau may authorize
13 Respondents to fulfill the preneed agreement.

14 10. Respondents shall not withdraw or otherwise disturb or transfer any funds
15 or assets of the endowment care funds for Grandview Memorial Park;

16 11. Respondents shall immediately surrender to the Bureau or its designated
17 representative all records related to endowment care funds for Grand View Memorial Park,
18 including all documentation related to the fund's investments and bank records;

19 12. With the exception of Cemetery Salesperson License No. CES 31319,
20 Respondents shall immediately deliver to the Bureau all indicia of licensure, including, but not
21 limited to, the wall certificates of authority issued by the Bureau.

22 13. Respondents shall not in any way alter or disturb the cemetery grounds or
23 any of the remains contained therein without express authorization by the Bureau, other than
24 routine landscaping and maintenance.

25 14. Respondents may designate an interim person or persons to operate the
26 cemetery and crematory. Such person must be approved by the Bureau in advance and shall be
27 subject to restrictions imposed by the Bureau.

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1 15. Respondent Goldsman shall have the authority to operate and manage the
2 cemetery subject to the above restrictions until an interim manager is approved by the Bureau.

3 16. Respondent Grand View Memorial Park may conduct cremations on
4 behalf of the Los Angeles County Coroner’s Office, under the following conditions:

5 a. All cremations shall be conducted in accordance with all laws and
6 regulations related to cremations;

7 b. All cremations and any activity related to the cremations will be
8 supervised by Craig Harvey, who holds Crematory Manager License No. CRM 267.

9 c. A timecard based case tracking and verification system, that is
10 approved in advance by the Bureau, will be implemented and adhered to.

11 d. Mr. Harvey shall ensure that all staff involved with cremations
12 have been properly trained. In accordance with Health & Safety Code section 8347, a
13 written plan shall be submitted to the Bureau before any cremation may be authorized.

14 e. No cremations may be performed unless Mr. Harvey is physically
15 present at Grand View. Mr. Harvey shall be present at any time a cremation is in
16 progress.

17 f. Prior to the resumption of performing cremations, Respondent
18 Grand View through its interim manager shall provide the Bureau with a list of every
19 employee who will be involved in performing cremations. The list shall include the
20 employee’s name, current address and date of birth. The interim manager shall
21 immediately notify the Bureau of any changes to personnel involved in performing
22 cremations. No person may be involved with a cremation without prior notification to
23 the Bureau.

24 g. All records related to cremations shall be available for the Bureau
25 to inspect and copies shall be provided to the Bureau every other week.

26 h. The Bureau shall have the authority to modify any of the terms of
27 this order related to cremations. The modification shall be effective upon service on
28 Respondents or their counsel and may be served by facsimile.

ACCEPTANCE

The parties agree that the Interim Suspension Order shall continue in effect until a decision issued by the Director of Consumer Affairs becomes effective following a hearing on an accusation, if an accusation is filed, or until such other order of the Director or the Administrative Law Judge is issued regarding the Interim Suspension Order. The parties further agree to waive the time requirements for the filing of an accusation.

On behalf of Respondent Grand View Memorial Park, Inc., I have carefully read and understand the modifications to the order of interim suspension. Respondent Grand View Memorial Park, Inc., agrees to the issuance of this order.

DATED: _____
_____ for Grand View Memorial Park, Inc.

I have carefully read and understand the modifications to the order of interim suspension. I agree to the issuance of this order.

DATED: _____
_____ MOSHE LAWRENCE GOLDSMAN
Respondent

I have read and discussed this stipulated order with Respondent Goldsman. I approve its form and content.

DATED: _____
_____ DAVID BAUM
Attorney for Respondent Goldsman

I have carefully read and understand the modifications to the order of interim suspension. I agree to the issuance of this order.

DATED: _____
_____ MARSHA LEE HOWARD
Respondent

I have read and discussed this stipulated order with Respondent Howard. I approve its form and content.

DATED: _____
_____ MYLES MATTENSON
Attorney for Respondent Howard

ACCEPTANCE

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On behalf of Respondent Grand View Memorial Park, Inc., I have carefully read and understand the modifications to the order of interim suspension. Respondent Grand View Memorial Park, Inc., agrees to the issuance of this order.

DATED: 05/19/2006 [Signature]
for Grand View Memorial Park, Inc.

I have carefully read and understand the modifications to the order of interim suspension. I agree to the issuance of this order.

DATED: 05/19/2006 [Signature]
MOSHE LAWRENCE GOLDSMAN
Respondent

I have read and discussed this stipulated order with Respondent Goldsman. I approve its form and content.

DATED: _____ DAVID BAUM
Attorney for Respondent Goldsman

I have carefully read and understand the modifications to the order of interim suspension. I agree to the issuance of this order.

DATED: _____ MARSHA LEE HOWARD
Respondent

I have read and discussed this stipulated order with Respondent Howard. I approve its form and content.

DATED: _____ MYLES MATTENSON
Attorney for Respondent Howard

5.
STIPULATION TO MODIFY INTERIM SUSPENSION ORDER

ACCEPTANCE

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On behalf of Respondent Grand View Memorial Park, Inc., I have carefully read and understand the modifications to the order of interim suspension. Respondent Grand View Memorial Park, Inc., agrees to the issuance of this order.

DATED: 5/23/06 
for Grand View Memorial Park, Inc.

I have carefully read and understand the modifications to the order of interim suspension. I agree to the issuance of this order.

DATED: _____ MOSHE LAWRENCE GOLDSMAN
Respondent

I have read and discussed this stipulated order with Respondent Goldsman. I approve its form and content.

DATED: _____ DAVID BAUM
Attorney for Respondent Goldsman

I have carefully read and understand the modifications to the order of interim suspension. I agree to the issuance of this order.

DATED: 5/23/06 
MARSHA LEE HOWARD
Respondent

I have read and discussed this stipulated order with Respondent Howard. I approve its form and content.

DATED: 5/24/06 
MYLES MATTEENSON
Attorney for Respondent Howard

ACCEPTANCE

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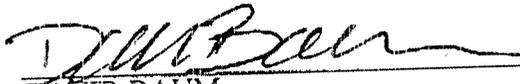
On behalf of Respondent Grand View Memorial Park, Inc., I have carefully read and understand the modifications to the order of interim suspension. Respondent Grand View Memorial Park, Inc., agrees to the issuance of this order.

DATED: _____
for Grand View Memorial Park, Inc.

I have carefully read and understand the modifications to the order of interim suspension. I agree to the issuance of this order.

DATED: _____
MOSHE LAWRENCE GOLDSMAN
Respondent

I have read and discussed this stipulated order with Respondent Goldsman. I approve its form and content.

DATED: 5-19-06

DAVID BAUM
Attorney for Respondent Goldsman

I have carefully read and understand the modifications to the order of interim suspension. I agree to the issuance of this order.

DATED: _____
MARSHA LEE HOWARD
Respondent

I have read and discussed this stipulated order with Respondent Howard. I approve its form and content.

DATED: _____
MYLES MATTENSON
Attorney for Respondent Howard

1 On behalf of the Cemetery and Funeral Bureau, I agree to the modifications to
2 the order of interim suspension.

3 DATED: May 31, 2006

Sherrie Moffet Bell
SHERRIE MOFFET BELL
Chief, Cemetery and Funeral Bureau
Department of Consumer Affairs

Petitioner

ORDER

8 The parties' stipulation to modify the order of interim suspension issued on
9 November 3, 2005 is granted and the order is so modified.

10
11 DATED: 6/2/06

H. Stuart Waxman
H. STUART WAXMAN
Administrative Law Judge
Office of Administrative Hearings
State of California

CERTIFICATION OF MAIL

I, Rosario Magalit, declare as follows: I am over 18 years of age and have no interest in the above matter herein; my place of employment and business address is:

Office of Administrative Hearings
320 West 4th Street, Suite 630
Los Angeles, CA 90013

On June 6, 2006, I served a copy of the following document:

STIPULATION TO MODIFY INTERIM SUSPENSION ORDER – OAH NO. L2005110029

Addressed as follows:

Joseph N. Zimring, Deputy Attorney General
Office of the Attorney General
Department of Justice
300 South Spring Street, #1702
Los Angeles, CA 90013

David M. Baum, Esq.
2476 Purdue Avenue, #100
Los Angeles, CA 90064

Myles M. Mattenson, Esq.
5550 Topanga Canyon Bl., #200
Woodland Hills, CA 91367

By the following method:

US MAIL: by enclosing the action in a sealed envelope and placing the envelope for collection and mailing on that date and at the Office of Administrative Hearings, City of Los Angeles, County of Los Angeles, State of California, following ordinary business practices. I am readily familiar with the Office of Administrative Hearings' practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

Regular Mail / Certified Mail/Return Receipt

MESSENGER SERVICE – by causing such envelope(s) to be delivered to the office of the addressee(s) listed above by:

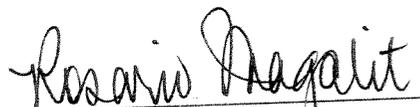
Golden State Overnight - Federal Express - UPS

FACSIMILE TRANSMISSION – by personally transmitting to the above-named person(s), who has previously agreed to receive documents via facsimile transmission, to the facsimile number(s) shown above, on the date and time listed below, from facsimile machine number, pursuant to California Rules of Court, rules 2003-2008, Government Code Section 11440.20, and California Code of Regulations, title 1, Section 1008, subdivision (d). A true copy of the above-described document(s) was transmitted by facsimile transmission and the transmission was reported as complete and without error. A copy of the transmission report, properly issued by the transmitting machine, is attached to this proof of service.

PERSONAL SERVICE – by causing a true copy of the above-described document(s) to be hand delivered to the office(s) of the addressee(s) listed above, pursuant to California Code of Regulations, title 1, Section 1008, subdivision (b).
Name of Person to whom document delivered.

ELECTRONIC MAIL – by personally transmitting to the above-named person(s), who has previously agreed to receive documents via electronic mail, to the email address(es) shown above, on the date and time listed below, originating from the Department of General Services' electronic mail address, pursuant to California Rules of Court, rule 2060 and Government Code Section 11440.20. A true copy of the above-described document(s) was transmitted by electronic transmission through the Department of General Services' mail server, which did not report any error in sending the transmission

I certify and declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct and was executed in Los Angeles, California on June 6, 2006.


ROSARIO MAGALIT, Declarant