

LAW OFFICES OF MICHAEL I. GOWDEY, LTD.*
TRIAL LAWYERS

*A Professional Corporation

815 SOUTH CASINO CENTER BLVD.
LAS VEGAS, NV 89101
www.gowdeylaw.com

FROM THE DESK OF:
MICHAEL I. GOWDEY
Email: mgowdey@aol.com

TEL. (702) 471-4321
FAX. (702) 471-1275

October 13, 2021

Sandra J. Anderson
Executive Director
Nevada State Board of Massage Therapy
1755 E. Plumb Lane, Ste. 252
Reno, NV 89502

Re: Complaint No. NVMT-C-1956
Date of Hearing: January 8, 2020
Respondent: Xiaomei Shen

Dear Ms. Anderson:

I am in receipt of your email dated October 12, 2021. Please be advised that this office represents Xiaomei Shen with respect to the issues regarding her massage license. Tereza Van Horn and I spoke on September 20 regarding the results of the above-referenced Massage Board hearing regarding the massage license of Xiaomei Shen. When I inquired if there might be a way to appeal the Board's decision, she suggested that I contact Sophia Long at the Attorney General's office. As you are now aware, I spoke with Ms. Long. She informed me that, as long as I was looking only to ask the Board to reconsider only the fines, and not the license revocation, she would get the matter placed back in front of the Board for this month's agenda. She asked that I contact Ms. Van Horn to formally request that we be placed on calendar for purpose of reconsideration of the fines imposed at the hearing where my client was not present because she did not get notice of the hearing. I formally request that in my response to Ms. Van Horn.

It appears that the Notice of Hearing sent by the Nevada Board of Massage Therapy to Ms. Shen was sent to her business address some time after that business was closed

October 13, 2021
Sandra Anderson
Page Two

down. As a result, she never received the Notice of Hearing.

Pursuant to your request for me to provide this information, Ms. Shen's current mailing address is 4470 Elk Point Circle, Las Vegas, NV 89147-6207.

I thank you for your attention to this matter, and I await your response as to when the matter may be placed on calendar.

Sincerely,
/s/ Michael I. Gowdey
MICHAEL I. GOWDEY, ESQ.

MIG/ab

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FROM THE DESK OF:
MICHAEL I. GOWDEY
Email: mgowdey@aol.com

TEL. (702) 471-0321
FAX. (702) 471-1275

October 6, 2021

Tereza Van Horn
Executive Assistant
Nevada State Board of Massage Therapy
1755 E. Plumb Lane, Ste. 252
Reno, NV 89502

Re: Complaint No. NVMT-C-1956
Date of Hearing: January 8, 2020
Respondent: Xiaomei Shen

Dear Ms. Van Horn:

If you will recall, you and I spoke on September 20 regarding the results of the above-referenced Massage Board hearing regarding the massage license of Xiaomei Shen. When I inquired if there might be a way to appeal the Board's decision, you suggested that I contact Sophia Long at the Attorney General's office. I spoke with Ms. Long yesterday. She informed me that, as long as I was looking only to ask the Board to reconsider only the fines, and not the license revocation, she would get the matter placed back in front of the Board for this month's agenda. She asked that I contact you to formally request that we be placed on calendar for purpose of reconsideration of the fines imposed at the hearing where my client was not present because she did not get notice of the hearing. I formally request that now.

I thank you for your courtesy in this matter, and look forward to hearing back from you.

Sincerely,
/s/ Michael I. Gowdey
MICHAEL I. GOWDEY, ESQ.

MIG/ab



Nevada State Board of Massage Therapy

1755 E. Plumb Lane Suite 252

Reno, NV 89502

Phone (775) 687-9955

Fax (775) 786-4264

Email: nvmassagebd@lmt.nv.gov

Website: <http://massagetherapy.nv.gov>

May 11, 2021

Xiaomei Shen
4810 Spring Mountain Rd. Ste A
Las Vegas, NV 89102

Re: Notice of Debt Collection

Ms. Shen,

We have made several attempts to collect the outstanding balance on your account. To date, your account is now more than 90 days past due.

This is a formal notice that your account has been scheduled to be sent to the Nevada State Controller office for debt collection on June 14, 2021.

You have 15 days from the date of this letter to pay your outstanding balance in full.

The current balance owed on your account is \$15,000.00. If you would like to make payment arrangements, please contact us.

If you choose to pay off this balance, payment must be paid in the form of a cashier's check, money order or credit card and made payable to Nevada State Board of Massage Therapy (NSBMT).

If we do not receive the full balance by June 7, 2021, your account will be sent to the Nevada State Controller for debt collection.

For questions please email us at nvmassagebd@lmt.nv.gov

Sincerely,

A handwritten signature in blue ink, appearing to read "Tereza Van Horn".

Tereza Van Horn
Executive Assistant
NSBMT

Enclosed

COPY

Please Note: It is a misdemeanor to practice or advertise Massage Therapy without a current valid NSBMT Massage License.

Nevada Board of Massage Therapy
 1755 E. Plumb Lane, Suite 252
 Reno, NV 89502

Statement

| |
|-----------|
| Date |
| 4/20/2021 |

| |
|---|
| To: |
| Xiaomei Shen NVMT.400 4810 Spring Mountain Rd. Ste A Las Vegas, NV 89102 |

| | | Amount Due | Amount Enc. | | |
|----------------|---|----------------------------|----------------------------|------------------------------|-------------------|
| | | \$15,000.00 | | | |
| Date | Transaction | Amount | Balance | | |
| 01/17/2020 | INV #1024. Due 04/16/2020. Orig. Amount \$15,000.00. --- Administrative Fine, 3 @ \$5,000.00 = 15,000.00 | 15,000.00 | 15,000.00 | | |
| CURRENT | 1-30 DAYS PAST DUE | 31-60 DAYS PAST DUE | 61-90 DAYS PAST DUE | OVER 90 DAYS PAST DUE | Amount Due |
| 0.00 | 0.00 | 0.00 | 0.00 | 15,000.00 | \$15,000.00 |

Nevada Board of Massage Therapy

1755 E. Plumb Lane, Suite 252
Reno, NV 89502

Invoice

| Date | Invoice # |
|-----------|-----------|
| 1/17/2020 | 1024 |

Phone # 775-687-9955

| Bill To |
|---|
| Xiaomei Shen NVMT.400 4810 Spring Mountain Rd. Ste A Las Vegas, NV 89102 |

| Terms | Due Date |
|---------|-----------|
| 90 Days | 4/16/2020 |

| Description | Amount |
|---|--------------------|
| Administrative Fine - Board imposed fine 1/8/2020 - 3 counts of violations. Violation of NRS.640C.700(3)(4)(9) and (10) | 15,000.00 |
| Total | \$15,000.00 |



Nevada State Board of Massage Therapy

1755 E. Plumb Lane Suite 252

Reno, NV 89502

Reno Phone (775) 687-9955

Fax (775) 786-4264

Email: nvmassagebd@state.nv.us

Website: <http://massagetherapy.nv.gov>

January 16, 2020

Xiaomei Shen
4810 Spring Mountain Rd. Ste A
Las Vegas, NV 89102

RE: January 8, 2020 Hearing

Dear Ms. Shen:

As a result of the hearing held on January 8, 2020, your massage therapy license bearing the number NVMT.400 has been revoked for ten (10) years.

The Board found you guilty of NRS.640C.700(3)(4)(9) and/or (10). You were found guilty of all three counts. The Board imposed a fine of \$5,000.00 per count for a total of \$15,000.00 owed. We have attached an invoice for your records. If you would like a payment arrangement please contact me directly right away.

Please return all three portions of your license including the blue laminated one, bearing the number NVMT.400 as soon as possible.

If you have any questions, please contact our office via email at nvmassagebd@state.nv.us.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tereza Van Horn".

Tereza Van Horn
Executive Assistant
NSBMT

COPY

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

10. Formal Hearing Xiaomei Shen – NVMT #400 – NVMT-C-1956. (The Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health of a person.) (For Possible Action)

Xiaomei Shen was not present.

Diane Huleva swore in Kimberly Buckingham, Administrative Assistant III to provide testimony.

Diane Huleva motioned to find Ms. Shen was properly noticed, seconded by Lorna Benedict. Motion carried unanimously.

Senior Deputy Attorney General Sophia Long advised the Board in reference to NRS.622A.350 the Board would continue with the formal hearing without Xiaomei Shen in attendance.

Teresa Lopez motioned to accept the alleged facts, seconded by April Whiting. Motion carried unanimously.

Elisabeth Barnard motioned to find Ms. Shen guilty of NRS.640C.700(3)(4)(9)(10), seconded by Lorna Benedict. Motion carried unanimously.

Elisabeth Barnard motioned to revoke license for ten (10) years with assessed fines of five thousand (\$5,000.00) per count for a total of fifteen thousand dollars (\$15,000.00), seconded Teresa Lopez. Motion carried unanimously.

BEFORE THE NEVADA STATE BOARD OF
MASSAGE THERAPY

In the Matter of:

Xiaomei Shen,

Licensed Massage Therapist
Nevada License No. NVMT.400,

Respondent.

Case No. NVMT-C-1956

**COMPLAINT AND
NOTICE OF HEARING**

The Nevada State Board of Massage Therapy (Board), by and through its Executive Director, Sandra Anderson, hereby notifies Xiaomei Shen ("Respondent") of an administrative hearing, which is to be held pursuant to Chapters 233B, 622, 622A of the Nevada Revised Statutes (NRS) and 640C of the Nevada Revised Statutes (NRS) and the Nevada Administrative Code (NAC). The purpose of the hearing is to consider the allegations stated below and to determine if the Respondents should be subject to an administrative penalty as set forth in NRS 640C.710, if the stated allegations are proven at the hearing by the evidence presented.

Respondent is currently and at all times mentioned herein, licensed as a massage therapist in the State of Nevada and is therefore, subject to the jurisdiction of the Board and the provisions of NRS Chapter 640C.

IT IS HEREBY ALLEGED AND CHARGED AS FOLLOWS:

ALLEGED FACTS

1. Respondent, at all times relevant herein was the manager of Oasis Health Spa located at 4810 Spring Mountain Rd, Las Vegas, Nevada 89102.
2. On or about September 30, 2018 to October 30, 2018, Respondent did willfully, unlawfully and feloniously, conduct or attempt to conduct financial transactions involving a monetary instrument that represent the proceeds of or are directly or indirectly derived from any unlawful activity, to wit: PANDERING and/or LIVING FROM THE EARNINGS OF A PROSTITUTE, specifically by operating an illegal house of prostitution.

 ORIGINAL

1 3. On or about November 4, 2019, Respondent was convicted of MONEY LAUNDERING, a
2 category D felony, wherein, among other things, Respondent was ordered: "no employment
3 as a masseuse nor ownership of massage parlor."

4 **VIOLATIONS OF LAW**

5 **COUNT ONE**

6 4. By engaging in or soliciting sexual activity during the course of practicing massage,
7 Respondent violated the provisions of NRS 640C.700(4), NRS 640C.700(9), and/or NRS
8 640C.700(10). This is grounds for discipline pursuant to NRS 640C.700(2).

9 **COUNT TWO**

10 5. By operating an illegal house of prostitution at Oasis Health Spa, Respondent violated the
11 provisions of NRS 640C.700(9), and/or NRS 640C.700(10). This is grounds for discipline
12 pursuant to NRS 640C.700(2).

13 **COUNT THREE**

14 6. By being convicted of a crime involving prostitution, Respondent violated the provisions
15 of NRS 640C.700(3), and/or NRS 640C.700(9). This is grounds for discipline pursuant to
16 NRS 640C.700(2).

17 **PRAYER FOR RELIEF**

18 WHEREFORE, Executive Director, Sandra Anderson, prays as follows:

19 7. That the Board conduct a hearing on this complaint as provided by statute, and after such
20 hearing, that the Board impose upon Respondent the discipline permitted by NRS 640C.710,
21 which may include the following, (a) the imposition of an administrative fine of not more than
22 \$5,000.00 per violation, (b) recovery of reasonable investigative fees and costs incurred, (c)
23 recovery of attorney fees pursuant to NRS 622.400, (d) licensee be publicly reprimanded, (e)
24 suspend, revoke or place conditions on the licensee's license, (f) place the licensee on
25 probation, and/or (g) such other impositions as may be permitted by Nevada law.

26 PLEASE TAKE NOTICE that a disciplinary hearing has been set to consider this
27 Administrative Complaint against the above-named Respondent in accordance with Chapters 233B,
28 622, 622A and 640C of the Nevada Revised Statutes.

1 THE HEARING WILL TAKE PLACE on **Wednesday, January 8, 2020, commencing at**
2 **9:00 a.m.** or as soon thereafter as the Board is able to hear the matter at the Legislative Counsel Bureau,
3 located at 401 S. Carson Street, Room 2135, Carson City, Nevada 89701, with video conferencing to
4 the Grant Sawyer Building, located at 555 E. Washington Ave., Room 4412, Las Vegas, Nevada 89101.

5 PURSUANT TO NRS 622A.320, Respondent may, but is not required to, file an answer to this
6 Complaint with the Board.

7 PURSUANT TO NRS 622A.330, Respondent may seek limited discovery from the Board.

8 As the Respondent, you are specifically informed that you have the right to appear and be heard
9 in your defense, either personally or through counsel of your choice. You have the right to respond
10 and to present relevant evidence and argument on all issues involved. You have the right to call and
11 examine witnesses, introduce exhibits, and cross-examine opposing witnesses on any matter relevant
12 to the issues involved.

13 You have the right to request that the Board issue subpoenas to compel witnesses to testify
14 and/or evidence to be offered on your behalf. In making this request, you may be required to
15 demonstrate the relevancy of the witnesses' testimony and/or evidence.

16 The purpose of the hearing is to determine if the Respondent has violated the provisions of
17 Chapter 640C of NRS and if the allegations contained herein are substantially proven by the evidence
18 presented to further determine what administrative penalty is to be assessed against the Respondent, if
19 any, pursuant to NRS 640C.710.

20 Should the Respondent fail to appear at the hearing, a decision may still be reached by the
21 Board. As the Respondent, you are further advised that you may be charged with the attorney's fees
22 and/or costs associated with the hearing pursuant to NRS 622.400.

23 Pursuant to NRS 233B.121(5), informal disposition of this case may be made by stipulation,
24 agreed settlement, consent order, or default. Any attempt to negotiate this case should be made by
25 contacting Sandra Anderson, (775) 687-9951 or sjanderson@lmt.nv.gov.

26 Pursuant to NRS 241.033(2)(b), the Nevada State Board of Massage Therapy may, without
27 further notice, take administrative action against your license and/or certificate to practice within the
28 State of Nevada if the Board determines that such administrative action is warranted after considering
your character, alleged misconduct, professional competence, or physical or mental health.

 ORIGINAL

1
2 Dated this 6th day of December, 2019.

3 **NEVADA STATE BOARD OF MASSAGE THERAPY**

4 
5 SANDRA ANDERSON, Executive Director

6
7 **CERTIFICATE OF SERVICE**

8 I HEREBY CERTIFY that on December 6, 2019, I deposited for mailing at Reno, Nevada, via
9 Certified U.S. Mail, with return receipt and postage prepaid, a true and correct copy of the foregoing
10 **COMPLAINT AND NOTICE OF HEARING**, properly addressed as follows:

11
12 Xiaomei Shen
13 4810 Spring Mountain Rd. Ste A
14 Las Vegas, NV 89102

9489 0090 0027 6087 0613 74

15
16 NEVADA STATE BOARD OF MASSAGE THERAPY

17 
18 Employee

19
20
21
22
23
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27
28 

50129
LIC. NVMT. 400

NEVADA STATE BOARD OF MASSAGE THERAPY



This is to Certify that **XIAOMEI SHEN**

HAS MET THE REQUIREMENTS SET FORTH UNDER THE RULES AND REGULATIONS OF THE BOARD IN THE PRINCIPLES AND PRACTICE OF A MASSAGE THERAPIST; THEREFORE, UNDER A PROVISION OF AN ACT TO REGULATE THE PRACTICE OF MASSAGE THERAPY, THE SAME BEING CHAPTER 640 C, NEVADA REVISED STATUTES, THE NEVADA STATE BOARD OF MASSAGE THERAPY HEREBY GRANTS THIS LICENSE AND CAUSES THE NAME TO BE ENTERED UPON THE RECORDS OF THE BOARD TO PRACTICE AS A

Massage Therapist

THIS LICENSE IS REVOCABLE FOR CAUSE AS SPECIFIED BY LAW. IN WITNESS WHEREOF, THE SIGNATURE OF THE CHAIR AND THE OFFICIAL SEAL OF THE NEVADA STATE BOARD OF MASSAGE THERAPY ARE HEREBY AFFIXED AND GIVEN AT RENO, NEVADA,

THE

29th

DAY OF

November, 2018

Stacie Heuleka
CHAIR'S SIGNATURE



MASSAGE THERAPIST

Issue date: **01/01/19**

License expires: **12/31/20**

SEPARATE THE LICENSE ABOVE AND DETACH
AND CARRY THE ID BELOW

FOR TAX RECORDS



NEVADA STATE BOARD
OF
MASSAGE THERAPY

1755 E. Plumb Lane, Suite 252
Reno, Nevada 89502



MASSAGE THERAPIST

NVMT. 400 ISSUED THIS LICENSE TO
LICENSE NO.

EXPIRATION DATE

12/31/2020

XIAOMEI SHEN
4810 SPRING MOUNTAIN RD STE A
LAS VEGAS, NV 89102



NEVADA STATE BOARD
OF
MASSAGE THERAPY

1755 E. Plumb Lane, Suite 252
Reno, Nevada 89502

License # NVMT. 400
License Year 01/19 TO 12/20
Amount \$295.00

XIAOMEI SHEN
4810 SPRING MOUNTAIN RD STE A
LAS VEGAS, NV 89102



Nevada State Board of Massage Therapy

1755 E. Plumb Lane Suite 252

Reno, NV 89502

Reno Phone (775) 687-9955

Fax (775) 786-4264

Email: nvmassagebd@lmt.nv.gov

Website: <http://massagetherapy.nv.gov>

December 9, 2021

Xiaomei Shen
C/O Law Offices of Michael I. Gowdey, LTD.
815 S. Casino Center Blvd.
Las Vegas, NV 89101

Re: Notice of meeting of the Nevada State Board of Massage Therapy to consider her character, alleged misconduct, competence, or physical or mental health.

Dear Ms. Shen:

Pursuant to your request, the Board has agreed to reconsider your fines or fees in connection with the complaint NVMT-C-1956 heard on January 8, 2020, the Nevada State Board of Massage Therapy (Board) may consider your character, alleged misconduct, competence or physical or mental health at its meeting(s) on January 12, 2022. There will be no physical location for this meeting. Participants can join the meeting via Zoom. The meeting will begin at 9:00 a.m:

Zoom sign-in available at 8:30 a.m.
Register in advance for both meetings:

<https://us06web.zoom.us/j/86981107368?pwd=cVhxOFhuVGRNOTV3clhvTnRPOUZKdz09>

Meeting ID: 869 8110 7368

Password: 627930

The meeting is a public meeting. You are not required to attend; however, attendance is recommended. Pursuant to NAC 640C.070 your completed investigation results may be discussed. You may choose to have an attorney or other representative of your choosing present during the meeting, present written evidence, provide testimony, present witnesses relating to your character, alleged misconduct, professional competence, or physical or mental health. Please be aware you are one of many agenda items, and the Board may take items out of order. The meeting may last until 4:30 p.m.

If the Board determines it necessary, after considering your character, alleged misconduct, professional competence, or physical or mental health whether in a closed meeting or open meeting, it may take administrative action against you at this meeting. This informational statement is in lieu of any notice that may be required pursuant to NRS 241.034. This notice is provided to you under NRS 241.033.

In the event you need an interpreter, please provide one at your own expense.

If you have any questions, please feel free to contact the office at (775) 687-9955.

Sincerely,


Sandra J. Anderson

Executive Director

CC: Michael I. Gowdey

9489 0090 0027 6351 4477 05