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**BEFORE THE NEVADA STATE BOARD OF  
MASSAGE THERAPY**

4 In the Matter of:  
5 Joseph Ponticello,  
6 Licensed Massage Therapist  
7 Nevada License No. NVMT.2728,  
8 Respondent.

Case No. NVMT-C-22067

**VOLUNTARY SURRENDER  
IN LIEU OF OTHER DISCIPLINE**

9 I, Joseph Ponticello, wish to voluntarily surrender my Nevada Massage Therapy License.

10 1. It is alleged that:

11 a. On or about November 29, 2022, while working at the Linq Spa located at 3535 S. Las  
12 Vegas Blvd., Las Vegas, Nevada 89109, I massaged S.M. and during the course of the  
13 massage, I cupped and squeezed her breasts and pinched her nipples.  
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15 2. I admit these factual allegations may constitute grounds for disciplinary action pursuant to NRS  
16 640C.710 because the conduct may have violated NRS 640C.700(2)(4) and/or (9).  
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18 3. I am aware of, understand, and have been advised of the effect of this Voluntary Surrender.

19 4. I have read this Voluntary Surrender and I fully understand and acknowledge its facts and terms.

20 5. I am aware that I have certain constitutional rights, including:

21 (a) I have the right to hire an attorney to represent me in this proceeding;

22 (b) I have the right to demand a hearing on the charges against me, and I can require the  
23 Board's staff to prove the allegations;

24 (c) I have the right to cross-examine the witnesses against me;

25 (d) I have the right to call witnesses to provide evidence on my own behalf;

26 (e) I have other rights accorded to me under the Nevada Revised Statutes  
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28 Chapters 233B, 622, 622A and 640C; and



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(f) I have the right to obtain judicial review of the Board's decision:

6. I am aware of the foregoing rights in paragraph five (5), and I voluntarily, knowingly, and intelligently waive these rights in return for the Board accepting my voluntary surrender of my massage therapist license in lieu of other disciplinary action.
7. I understand this Voluntary Surrender is considered disciplinary action and as such will become part of my permanent record.
8. I understand this Voluntary Surrender is considered public information.
9. I understand this Voluntary Surrender is considered disciplinary action and will be reported to the national repository, which records disciplinary action taken against licensees, or any agency or another state, which regulates the practice of Massage Therapy.
10. I understand this Voluntary Surrender may be used in any subsequent hearings by the Board as evidence against me to establish a pattern of behavior and for the purpose of proving additional acts of misconduct.
11. This Voluntary Surrender shall not be construed as excluding or reducing any criminal or civil penalties or sanctions in any other matter.
12. I understand that this surrender is effective on the date it was accepted by the Board, which is June 7, 2023; *however, I agree not to practice massage effective the date of my signature.*
13. I agree not to apply for re-licensure with the Board as a massage therapist until *three years* have passed from the date of the Board's acceptance of this Voluntary Surrender, which was at its meeting held on June 7, 2023.

I, Joseph Ponticello, by my signature affixed below, agree with the foregoing facts and representations and thus choose to voluntarily surrender my License to practice as a massage therapist in Nevada.




1 NEVADA STATE BOARD OF MASSAGE THERAPY retains jurisdiction in this case until all  
2 conditions have been met to the satisfaction of the Board.

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NEVADA STATE BOARD  
OF MASSAGE THERAPY

RESPONDENT

Board Chair \_\_\_\_\_ Date \_\_\_\_\_

 4/12/23  
Joseph Ponticello, Respondent Date

