

1 BEFORE THE NEVADA STATE BOARD OF  
2 MASSAGE THERAPY

3 In the Matter of:

Case No. NVMT-C-22047

4 Di Wu,

**COMPLAINT AND  
NOTICE OF HEARING**

5 Licensed Massage Therapist  
6 Nevada License No. NVMT.11498,

7 Respondent.

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9 The Nevada State Board of Massage Therapy (Board), by and through its Executive Director,  
10 Elisabeth Barnard, hereby notifies Di Wu (“Respondent”) of an administrative hearing, which is to be  
11 held pursuant to Chapters 233B, 622, 622A of the Nevada Revised Statutes (NRS) and 640C of the  
12 Nevada Revised Statutes (NRS) and the Nevada Administrative Code (NAC). The purpose of the  
13 hearing is to consider the allegations stated below and to determine if the Respondent should be  
14 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.

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

18 IT IS HEREBY ALLEGED AND CHARGED AS FOLLOWS:

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20 **ALLEGED FACTS**

- 21 1. On or about September 4, 2022, Respondent, while working at U Spa located at 4970 S.  
22 Arville St., Las Vegas, Nevada 89118, sexually molested an individual under the age of  
23 eighteen (18) during the course of practicing massage by removing her undergarments and  
24 placing his hands and/or fingers on her breast, buttocks and vagina, and inserted his  
25 finger(s) in her vagina.
- 26 2. On or about September 4, 2022, Respondent was arrested for three counts of open and  
27 gross lewdness with a minor, GROSS MISDEMEANOR, and one count of sexual assault,  
28 FELONY.

- 1 3. On or about March 24, 2023, Respondent was charged with Coercion Sexually Motivated,  
2 FELONY, and Conspiracy to Commit a Crime, GROSS MISDEMEANOR in state of  
3 Nevada, District Court, case number C-22-370234-I.  
4 4. On or about April 26, 2023, Respondent pled GUILTY to Coercion Sexually Motivated,  
5 FELONY, and Conspiracy to Commit a Crime, GROSS MISDEMEANOR, in case  
6 number C-22-370234-I.

7 **VIOLATIONS OF LAW**

8 **COUNT ONE**

- 9 1. By soliciting sexual activity during the course of practicing a massage, Respondent  
10 violated the provisions of NRS 640C.700(4) and/or (9). This is grounds for discipline  
11 pursuant to NRS 640C.700(2).

12 **COUNT TWO**

- 13 2. By being convicted of a crime related to massage therapy, Respondent violated the  
14 provisions of NRS 640C.700(3) and/or (9). This is grounds for discipline pursuant to NRS  
15 640C.700(2).

16 **COUNT THREE**

- 17 3. By being convicted of a crime involving sexual offense, Respondent violated the  
18 provisions of NRS 640C.700(3) and/or (9). This is grounds for discipline pursuant to NRS  
19 640C.700(2).

20 **PRAYER FOR RELIEF**

21 WHEREFORE, Executive Director, Elisabeth Barnard, prays as follows:

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

2  
3 PLEASE TAKE NOTICE that a disciplinary hearing has been set to consider this  
4 Administrative Complaint against the above-named Respondent in accordance with Chapters 233B,  
5 622, 622A and 640C of the Nevada Revised Statutes.

6 THE HEARING WILL TAKE PLACE on **Thursday, November 9, 2023, commencing at**  
7 **9:00 a.m.** or as soon thereafter as the Board is able to hear the matter with video conferencing by  
8 Zoom or by appearing in person.

9 Zoom sign-in available at 8:30 a.m.  
10 Register in advance:

11 <https://us06web.zoom.us/j/83352344698?pwd=WTNBN3Z1VkcydEZBM0RCbmdyZThyUT09>

12 Meeting ID: 833 5234 4698

13 Password: 501453

14 Dial by your location

15 +1 253 215 8782 US (Tacoma)

16 +1 346 248 7799 US (Houston)

17 +1 669 900 6833 US (San Jose)

18 +1 301 715 8592 US (Washington DC)

19 +1 312 626 6799 US (Chicago)

20 +1 929 205 6099 US (New York)

21 Physical Location: 1755 East Plumb Lane, Suite 254, Reno, Nevada 89502

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

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

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

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

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

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

7 Pursuant to NRS 233B.121(5), informal disposition of this case may be made by stipulation,  
8 agreed settlement, consent order, or default. Any attempt to negotiate this case should be made by  
9 contacting Elisabeth Barnard, (775) 687-9951 or ebarnard@lmt.nv.gov.

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

14 Dated this 5<sup>th</sup> day of October, 2023.

15 **NEVADA STATE BOARD OF MASSAGE THERAPY**

16   
17 ELISABETH BARNARD, Executive Director

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22 **CERTIFICATE OF SERVICE**

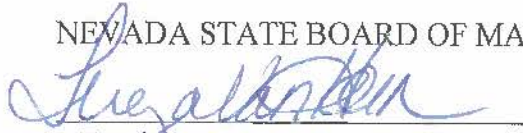
23 I HEREBY CERTIFY that on October 5, 2023, I deposited for mailing at Reno, Nevada, via  
24 Certified U.S. Mail, with return receipt and postage prepaid, a true and correct copy of the foregoing  
25 **COMPLAINT AND NOTICE OF HEARING**, properly addressed as follows:  
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27  
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1 Di Wu  
2 5398 Winning Spirit Lane  
3 Las Vegas, NV 89113

9489 0090 0027 6454 7056 34

4 Lawrence C. Hill, Esq.  
5 2020 W. Sunset Road  
6 Henderson, NV 89014

NEVADA STATE BOARD OF MASSAGE THERAPY

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8 Employee

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