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

4 In the Matter of:

5 Yan Guan,

6 Licensed Massage Therapist
7 Nevada License No. NVMT.9302,

8 Respondent.

Case No. NVMT-C-22018

**VOLUNTARY SURRENDER
IN LIEU OF OTHER DISCIPLINE**

9 I, Yan Guan, wish to voluntarily surrender my Nevada Massage Therapy License.

10 1. It is alleged that:

- 11 a. On or about March 17, 2022, while working at Cloud 9 Spa located at 4001 S Decatur
12 Ave., Las Vegas, Nevada 89103, I was arrested for soliciting sexual activity to an
13 undercover police officer during the course of practicing massage.
14 b. When police officers entered the building, I ran and hid; when police officers ordered
15 me to come out, I refused, thereby, obstructing police officers in the lawful discharge
16 of their duties.
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18 2. I admit only that these factual allegations constitute grounds for disciplinary action pursuant to
19 NRS 640C.710 because the conduct violates NRS 640C.700(4) and (9).
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21 3. I am aware of, understand, and have been advised of the effect of this Voluntary Surrender.

22 4. I have read this Voluntary Surrender and I fully understand and acknowledge its facts and terms.
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24 5. I am aware that I have certain constitutional rights, including:

- 25 (a) I have the right to hire an attorney to represent me in this proceeding;
26 (b) I have the right to demand a hearing on the charges against me, and I can require the
27 Board's staff to prove the allegations;
28 (c) I have the right to cross-examine the witnesses against me;

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

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

(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 January 18, 2023.

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 January 18, 2023.

1 I, Yan Guan, by my signature affixed below, agree with the foregoing facts and representations and
2 thus choose to voluntarily surrender my License to practice as a massage therapist in Nevada.
3 NEVADA STATE BOARD OF MASSAGE THERAPY retains jurisdiction in this case until all
4 conditions have been met to the satisfaction of the Board.
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8 NEVADA STATE BOARD
9 OF MASSAGE THERAPY

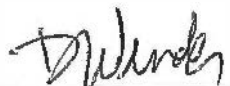
RESPONDENT

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11  01-07-23
12  Yan Guan, Respondent Date

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ELISABETH BARNARD, Board Chair

LEGAL COUNSEL



Dan Winder, Esq.
Winder Law Office
3507 W. Charleston Blvd.
Las Vegas, Nevada 89102
Dan.winder@attorneydanwinder.com
for the Respondent