

**BEFORE THE  
BOARD OF BEHAVIORAL SCIENCES  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

CHERYL STOEBER  
446 S. Anaheim Hills Rd., #222  
Anaheim Hills, CA 92807

7658 Cerritos Avenue #J  
Stanton, CA 90680

4343 North Rancho Drive #132  
P.M.B. 113  
Las Vegas, Nevada 89130

Marriage and Family Therapist License  
No. MFC 32923

Respondent.

Case No. MF-2004-271

OAH No. L-2005 060335

**DECISION AND ORDER**

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Behavioral Sciences, as its Decision in this matter.

This Decision shall become effective on March 16, 2006.

It is so ORDERED February 14, 2006.



FOR THE BOARD OF BEHAVIORAL SCIENCES

1 BILL LOCKYER, Attorney General  
of the State of California  
2 LINDA L. SUN, State Bar No. 207108  
Deputy Attorney General  
3 California Department of Justice  
300 So. Spring Street, Suite 1702  
4 Los Angeles, CA 90013  
Telephone: (213) 897-6375  
5 Facsimile: (213) 897-2804

6 Attorneys for Complainant

7 **BEFORE THE**  
8 **BOARD OF BEHAVIORAL SCIENCES**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
10 **STATE OF CALIFORNIA**

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15 Stanton, CA 90680  
16 4343 North Rancho Drive #132  
P.M.B. 113  
Las Vegas, Nevada 89130  
17 Marriage and Family Therapist License  
No. MFC 32923

18 Respondent.

Case No. MF-2004-271

OAH No. L-2005 060335

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

19  
20 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this  
21 proceeding that the following matters are true:

22 PARTIES

23 1. Paul Riches (Complainant) is the Executive Officer of the Board of  
24 Behavioral Sciences (Board), Department of Consumer Affairs, State of California. He brought  
25 this action solely in his official capacity and is represented in this matter by Bill Lockyer,  
26 Attorney General of the State of California, by Linda L. Sun, Deputy Attorney General.

27 2. CHERYL STOEBER (Respondent) is represented in this proceeding by  
28 attorney O. Brandt Caudill, Jr., whose address is Callahan, McCune & Willis, 111 Fashion Lane

1 Tustin, CA 92780.

2 3. On or about November 14, 1995, the Board of Behavioral Sciences issued  
3 Marriage and Family Therapist License No. MFC 32923 to Respondent. The License was in full  
4 force and effect at all times relevant to the charges brought in Accusation No. MF-2004-271 and  
5 will expire on December 31, 2006, unless renewed.

6 JURISDICTION

7 4. Accusation No. MF-2004-271 was filed before the Board, and is currently  
8 pending against Respondent. The Accusation and all other statutorily required documents were  
9 properly served on Respondent on May 17, 2005. Respondent timely filed her Notice of Defense  
10 contesting the Accusation. A copy of Accusation No. MF-2004-271 is attached as Exhibit A and  
11 incorporated herein by reference.

12 ADVISEMENT AND WAIVERS

13 5. Respondent has carefully read, fully discussed with counsel, and  
14 understands the charges and allegations in Accusation No. MF-2004-271. Respondent also has  
15 carefully read, fully discussed with counsel, and understands the effects of this Stipulated  
16 Surrender of License and Order.

17 6. Respondent is fully aware of her legal rights in this matter, including the  
18 right to a hearing on the charges and allegations in the Accusation; the right to be represented by  
19 counsel, at her own expense; the right to confront and cross-examine the witnesses against her;  
20 the right to present evidence and to testify on her own behalf; the right to the issuance of  
21 subpoenas to compel the attendance of witnesses and the production of documents; the right to  
22 reconsideration and court review of an adverse decision; and all other rights accorded by the  
23 California Administrative Procedure Act and other applicable laws.

24 7. Respondent voluntarily, knowingly, and intelligently waives and gives up  
25 each and every right set forth above.

26 STIPULATIONS

27 8. Respondent makes no present admissions to the charges and allegations in  
28 Accusation No. MF-2004-271, but she understands that the charges and allegations in Accusation

1 No. MF-2004-271, if proven at a hearing, constitute cause for imposing discipline upon her  
2 Marriage and Family Therapist License.

3 9. For the purpose of resolving the Accusation without the expense and  
4 uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could  
5 establish a factual basis for the charges in the Accusation and that those charges constitute cause  
6 for discipline. Respondent hereby gives up her right to contest that cause for discipline exists  
7 based on those charges.

8 10. The admissions made in this stipulation are made solely for the purpose of  
9 resolving the charges in the Accusation, and may not be used in any other legal proceedings,  
10 actions or forms, except as provided in the stipulation.

11 11. Respondent fully understands that when the Board adopts this stipulation,  
12 Respondent will not longer be permitted to practice as a Marriage and Family Therapist in the  
13 State of California. Respondent further understands that the license surrender of her license,  
14 upon adoption, shall be considered to be a disciplinary action and shall become a part of  
15 Respondent's license history.

16 12. Respondent further agrees that with the adoption by the Board of her  
17 license surrender, Respondent may not petition the Board for reinstatement of the surrendered  
18 license.

19 13. Respondent understands that by signing this stipulation, she enables the  
20 Board to accept the surrender of her Marriage and Family Therapist License without further  
21 process.

22 CONTINGENCY

23 14. The parties understand and agree that facsimile copies of this Stipulated  
24 Surrender of License and Order, including facsimile signatures thereto, shall have the same force  
25 and effect as the originals.

26 15. The admissions made in this stipulation shall have no legal effect in whole  
27 or in part if the Board does not adopt the stipulation as its decision and order.

28 16. In consideration of the foregoing stipulations, the parties agree that the

1 Board may, without further notice or formal proceeding, issue and enter the following Order:

2 ORDER

3 IT IS HEREBY ORDERED that Marriage and Family Therapist License No.  
4 MFC 32923, issued to Respondent CHERYL STOEBER is surrendered and accepted by the  
5 Board.

6 17. The surrender of Respondent's Marriage and Family Therapist License and  
7 the acceptance of the surrendered license by the Board shall constitute the imposition of  
8 discipline against Respondent. This stipulation constitutes a record of the discipline and shall  
9 become a part of Respondent's license history with the Board.

10 18. Respondent shall lose all rights and privileges as a Marriage and Family  
11 Therapist in California as of the effective date of the Board's Decision and Order.

12 19. Respondent shall cause to be delivered to the Board both her wall and  
13 renewal license certificates on or before the effective date of the Decision and Order.

14 20. Respondent understands and agrees that if she ever applies for licensure in  
15 the State of California, the Board shall treat it as a new application for licensure. Respondent  
16 must meet all current requirements for licensure including, but not limited to, filing a current  
17 application, meeting all current educational requirements, and taking and passing any and all  
18 examinations required of new applicants.

19 21. Should Respondent ever apply or reapply for a new license or certification,  
20 or petition for reinstatement of a license, by any other health care licensing agency in the State of  
21 California, all of the charges and allegations contained in Accusation, No. MF-2004-271 shall be  
22 deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of  
23 Issues or any other proceeding seeking to deny or restrict licensure.

24 22. Respondent has no present obligation to pay the Board its costs of  
25 investigation and enforcement. Should Respondent apply for a new license, she shall pay the  
26 Board the amount \$7,581.00 prior to issuance of the new license.

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28 ///



Accusation No. MF-2004-271

Exhibit A

1 BILL LOCKYER, Attorney General  
of the State of California  
2 LINDA L. SUN, State Bar No. 207108  
Deputy Attorney General  
3 California Department of Justice  
300 So. Spring Street, Suite 1702  
4 Los Angeles, CA 90013  
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11 In the Matter of the Accusation Against:

Case No. MF-2004-271

12 **CHERYL STOEBER**  
13 7658 Cerritos Avenue, #J  
Stanton, CA 90680

**A C C U S A T I O N**

14 446 S. Anaheim Hills Rd., #222  
Anaheim Hills, CA 92807

15 4343 N. Rancho Dr., #132  
16 P.M.B. 113  
Las Vegas, NV 89130

17 Marriage and Family Therapist License No.  
18 MFC 32923

19 Respondent.

20 Complainant alleges:

21 PARTIES

22 1. Paul Riches (Complainant) brings this Accusation solely in his official  
23 capacity as the Executive Officer of the Board of Behavioral Sciences (Board), Department of  
24 Consumer Affairs.

25 2. On or about November 14, 1995, the Board issued Marriage and Family  
26 Therapist License No. MFC 32923 to Cheryl Stoeber (Respondent). The license was in full  
27 force and effect at all times relevant to the charges brought herein and will expire on December  
28

1 31, 2006, unless renewed.

2 JURISDICTION

3 3. This Accusation is brought before the Board under the authority of the  
4 following laws. All section references are to the Business and Professions Code unless otherwise  
5 indicated.

6 4. Section 4982 states:

7 "The board may refuse to issue any registration or license, or may suspend or  
8 revoke the license or registration of any registrant or licensee if the applicant, licensee, or  
9 registrant has been guilty of unprofessional conduct. Unprofessional conduct shall include, but  
10 not be limited to:

11 "(d) Gross negligence or incompetence in the performance of marriage  
12 and family therapy.

13 "(e) Violating, attempting to violate, or conspiring to violate any of the  
14 provisions of this chapter or any regulation adopted by the board.

15 . . . .

16 "(i) Intentionally or recklessly causing physical or emotional harm to any client.

17 "(j) The commission of any dishonest, corrupt, or fraudulent act substantially  
18 related to the qualifications, functions, or duties of a licensee or registrant.

19 . . . .

20 "(m) Failure to maintain confidentiality, except as otherwise required or permitted  
21 by law, of all information that has been received from a client in confidence during the course of  
22 treatment and all information about the client which is obtained from tests or other means."

23 4. Section 118, subdivision, (b) provides that the suspension, expiration, or  
24 forfeiture by operation of law of a certificate does not deprive the Board of authority or  
25 jurisdiction to institute or continue with disciplinary action against the certificate or to order  
26 suspension or revocation of the certificate, during the period within which the certificate may be  
27 renewed, restored, reissued or reinstated.

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- 1 (b) Respondent failed to take into consideration L. S. and P. J.'s emotional  
2 background when she arranged the meeting which resulted in a physical  
3 altercation between the two on or about September 21, 2003;
- 4 (c) Respondent jeopardized L. S.'s safety when she arranged the meeting  
5 between L. S. and P. J. because she had knowledge of P. J.'s prior  
6 occupational background;
- 7 (d) On or about September 20, 2003, Respondent failed to obtain written  
8 consent from both L. S. and P. J. when she met with both patients at P. J.'s  
9 father's residence to discuss their cases;
- 10 (e) In or about September, 2003, Respondent shared documents and  
11 information in L. S.'s file with P. J. without L. S.'s written consent;
- 12 (f) In or about September, 2003, Respondent shared information in P. J.'s file  
13 with L. S. without P. J.'s written consent;
- 14 (g) On or about September 21, 2003, in a 911 call, Respondent falsely  
15 reported that L. S. was raped by P. J. and that P. J. was armed;
- 16 (h) On or about September 21, 2003, Respondent jeopardized the safety of P.  
17 J.'s mother by asking her to go to P. J.'s father's residence to calm him  
18 down.

19 **THIRD CAUSE FOR DISCIPLINE**

20 (Intentionally or Recklessly Causing Physical or Emotional Harm)

21 9. Respondent has subjected her license to discipline pursuant to section  
22 4982, subdivision (i), in that Respondent recklessly caused physical and/or emotional harm to her  
23 patients as follows:

24 **P. J.**

- 25 (A) In or about September, 2003, Respondent arranged a meeting between P. J.  
26 and L. S. without regard of the consequences that ensued;
- 27 (B) In or about September, 2003, Respondent shared information in P. J.'s file  
28 with L. S. without his written consent;

1 (C) On or about September 21, 2003, in a 911 call to the sheriff's department,  
2 Respondent falsely reported that L. S. was raped by P. J. and that P. J. was  
3 armed;

4 **L. S.**

5 (A) In or about September, 2003, Respondent arranged a meeting between P. J.  
6 and L. S. without regard of the consequences that ensued;

7 (B) In or about September, 2003, Respondent shared documents and  
8 information in L. S.'s file with P. J. without L. S.'s written consent.

9 **FOURTH CAUSE FOR DISCIPLINE**

10 (Commission of Any Dishonest, Corrupt, or Fraudulent Act)

11 10. Respondent has subjected her license to discipline pursuant to section  
12 4982, subdivision (j), in that on or about September 21, 2003, Respondent made false claims to  
13 the Ventura County Sheriff's Department when she reported that L. S. had been raped by P. J.  
14 and that P. J. was armed.

15 **FIFTH CAUSE FOR DISCIPLINE**

16 (Failure to Maintain Confidentiality)

17 11. Respondent has subjected her license to discipline pursuant to section  
18 4982, subdivision (m), in that Respondent failed to maintain the confidentiality of information  
19 received from patients L. S. and P. J., during the course of their treatment. The circumstances are  
20 as fully set forth above in paragraph 8 (a), (d), (e) and (f).

21 **SIXTH CAUSE FOR DISCIPLINE**

22 (Violating Statutory Provisions)

23 12. Respondent has subjected her license to discipline pursuant to section  
24 4982, subdivision (e), in that Respondent has violated section 4982, subdivisions (d), (i), (j) and  
25 (m). The circumstances are as set forth above in paragraphs 8 through 11.

26 ///  
27 ///  
28 ///

1 PRAYER

2 WHEREFORE, Complainant requests that a hearing be held on the matters herein  
3 alleged, and that following the hearing, the Board of Behavioral Sciences issue a decision:

4 1. Revoking or suspending Marriage and Family Therapist License No.  
5 MFC 32923, issued to Cheryl Stoeber;

6 2. Ordering Cheryl Stoeber to pay the Board of Behavioral Sciences the  
7 reasonable costs of the investigation and enforcement of this case, pursuant to Business and  
8 Professions Code section 125.3;

9 3. Taking such other and further action as deemed necessary and proper.

10 DATED: May 11, 2005

11  
12 

13 PAUL RICHES  
14 Executive Officer  
15 Board of Behavioral Sciences  
16 Department of Consumer Affairs  
17 State of California  
18 Complainant