

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES**

**Civil Division**

Central District, Stanley Mosk Courthouse, Department 38

**21STCV00923**

October 31, 2025

**THE STATE OF CALIFORNIA vs STERLING PATHOLOGY,**

11:22 AM

**et al.**

Judge: Honorable Maureen Duffy-Lewis

CSR: None

Judicial Assistant: Andrew Bojorquez

ERM: None

Courtroom Assistant: Nancy Del Real

Deputy Sheriff: None

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**APPEARANCES:**

For Plaintiff(s): No Appearances

For Defendant(s): No Appearances

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**NATURE OF PROCEEDINGS:** Ruling on Submitted Matter

The Court, having taken the matter under submission on 10/27/2025 for Hearing on Motion for Judgment on the Pleadings (CRS #5118), now rules as follows:

The Motion for Judgment on the Pleadings (CRS #5118) filed by Elite Medical Billing Corporation, Jenny Chang on 10/02/2025 is Denied.

This is a qui tam action regarding medical bill fraud, specifically the California Insurance Fraud Prevention Act.

Chang and Elite move for judgment on the pleadings on all claims. As to the first four, they argue the allegations fail to meet the heightened pleading standard. As to the first and third claims, it is argued that they fail to identify the specifically violated sections of the Penal Code that were violated. As to unjust enrichment, it is argued that the relator has no standing and that Unjust enrichment is not a permitted claim when other causes of action provide an adequate remedy.

A. The allegations are adequate and meet the heightened pleading standard.

B. Violation of the Penal Code is not a prerequisite to bring claims under the IFPA. Insurance Code § 1871.7 (b) is in the disjunctive -- "Every person who violates any provision of this section or Section 549, 550, or 551 of the Penal Code".

Unjust Enrichment couldn't be pled as an alternative theory. As, to the standing argument, moving party didn't meet their burden.

Motion for Judgment on the Pleadings DENIED as to each cause of action.

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As for argument of civil conspiracy the moving party's argument of "heightened pleading standard is insufficient".

The moving party requests judicial notice-DENIED.

Clerk to give notice.

Certificate of Service is attached.

