

Community Medical Centers CEO Tim Joslin still could face legal issue

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Though criminal domestic violence charges have been dismissed against Tim Joslin, the president and chief executive officer of Community Medical Centers isn't out of possible legal trouble.

The woman he allegedly struck in the head with an iPhone is thinking of suing him in civil court.

She also might sue her former lawyer, Jacob Rivas, for malpractice.

The woman has not been identified because she is a potential domestic violence victim.

After parting ways with Rivas, she hired Fresno high-profile attorney Warren Paboojian to help her determine whether she has a claim against Rivas and/or Joslin.

Paboojian said Thursday that his client has legal grounds to file a personal injury lawsuit against Joslin because "he hit her in the head" with the iPhone.

"She just has to show a preponderance of the evidence," or that it more likely happened than not, he said.

Prosecutors have a far more difficult legal standard to meet – beyond a reasonable doubt, he said.

On Wednesday, the Fresno County District Attorney's Office said it would not file domestic violence charges against Joslin due to insufficient evidence.

Paboojian said the woman is upset with Rivas because his settlement demand of \$300,000 appeared to be an attempt to extort Joslin. If Joslin paid, Rivas reportedly told Joslin's lawyer that the woman would not testify against him in any pending criminal trial.

"She never authorized settlement discussions nor did she indicate to Rivas that she would compromise the criminal case," Paboojian said.

In addition, when Rivas' settlement demand was made public on Sept. 25, the woman took a beating on social media. "It caused her to receive a lot of negative comments about her character," Paboojian said.

The woman now plans to file a complaint with the State Bar of California against Rivas, Paboojian said.

She never authorized settlement discussions nor did she indicate to Rivas that she would compromise the criminal case.

Fresno lawyer Warren Paboojian

Rivas declined to comment Wednesday.

Joslin could not be reached for comment.

Flo Dunn, chair of CMC's board of trustees, issued a message to employees Thursday that said:

"Several weeks ago, domestic-incident allegations were made against Community CEO Tim Joslin; a law-enforcement investigation was launched; and that sparked a very public news story. Late yesterday, however, the

District Attorney's Office issued a media statement saying that, after thorough review, there is insufficient evidence to warrant any charges against Mr. Joslin. So the matter is closed, and I'm pleased that our very capable CEO can keep his full attention on growing our leading hospital network to meet the Valley's challenging health-care needs."

Clovis police arrested Joslin for felony domestic violence after the woman told officers that he hit her in the head with an iPhone at his home on Aug. 24 after she decided to break up with him. A police report said Joslin may have deleted a portion of surveillance video of the incident.

In the police report, Joslin denied deleting any video from a hard drive.

On Wednesday, Assistant District Attorney Stephen Wright said the office's domestic violence unit determined there was no evidence that Joslin "altered, deleted or manipulated recorded video surveillance" as had been originally alleged by police.

The 41-year-old woman and Joslin, 55, had been in a relationship for about 2 1/2 years.

The case against Joslin has been scandalous because his lawyer, Jeff Hammerschmidt, and Rivas have accused each other of breaking the law.

Hammerschmidt alleges Rivas tried to extort his client of \$300,000. In return for the money, Rivas reportedly told Hammerschmidt in a telephone call the woman would not testify against Joslin.

Once Hammerschmidt made the telephone call public on Sept. 25, Rivas accused Hammerschmidt of illegally taping [a confidential conversation](#). Hammerschmidt says state law allowed him to tape the phone call.

According to Rivas, the woman suffered a head injury and sought medical treatment for a concussion, blurry vision, dizziness and headaches.

Hammerschmidt, however, said the woman suffered no major injuries.

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Flo Dunn, chair of the CMC's Board of Trustees

Thursday, he said Joslin never engaged in domestic violence nor did he tried to hide evidence.

He described the confrontation as a tiff that many couples go through.

Regarding the surveillance video, Hammerschmidt said Joslin's home has many cameras that are activated by motion detectors. His investigation revealed that some of the cameras don't always activate. He turned this information over to the district attorney.

Joslin took over as chief executive officer of Community Medical Centers in July 2005. As CEO, he oversees the parent company to Community Regional Medical Center, Clovis Regional Medical Center, Fresno Heart and Surgical Hospital, and Community Behavioral Health Center. He oversees 7,700 employees, and his company is one of Fresno's largest employers.

He has worked in the health care industry for 30 years, mostly in California. He was chief executive at Doctors Medical Center in Modesto before being hired by Community.

Paboojian said his client is an administrator for Santé Community Physicians, the largest independent physicians association in the region. Because Santé is a close ally of Community Medical Centers, Joslin is considered the woman's boss, but not her direct supervisor, Paboojian said.

Bee reporter Barbara Anderson contributed to this story. Pablo Lopez: [559-441-6434](tel:559-441-6434), [@beecourts](https://twitter.com/beecourts)