



OHIO STATE BOARD OF PHARMACY

77 South High Street, Room 1702; Columbus, OH 43215-6126

-Equal Opportunity Employer and Service Provider-

TEL: 614/466-4143

E-MAIL: exec@bop.state.oh.us

FAX: 614/752-4836

TTY/TDD: Use the Ohio Relay Service: 1-800/750-0750

URL: <http://www.pharmacy.ohio.gov>

SETTLEMENT AGREEMENT WITH THE STATE BOARD OF PHARMACY
VOLUNTARY SURRENDER WITH DISCIPLINARY ACTION PENDING
PERMANENT SURRENDER
(Docket No. D-070913-009)

In The Matter Of:

CURT ROBERT EVANS, R.Ph.

90 Ohio Avenue

Jackson, Ohio 45640

(R.Ph. No. 03-1-12331)

This Settlement Agreement is entered into by and between Curt Robert Evans and the Ohio State Board of Pharmacy, a state agency charged with enforcing the Pharmacy Practice Act and Dangerous Drug Distribution Act, Chapter 4729. of the Ohio Revised Code.

Curt Robert Evans enters into this Agreement being fully informed of his rights afforded under Chapter 119. of the Ohio Revised Code, including the right to representation by counsel and the right to a formal adjudication hearing on the issues contained herein.

Curt Robert Evans is knowingly and voluntarily acknowledging that, in order to settle the disciplinary charges that have been filed by the Board against him and in order to obviate the need to conduct an administrative hearing to consider possible disciplinary sanctions against Curt Robert Evans' license to practice pharmacy in the State of Ohio, this Agreement is entered into on the basis of the following stipulations, admissions, and understandings:

- (A) The Ohio State Board of Pharmacy is empowered by Section 4729.16 of the Ohio Revised Code to suspend, revoke, place on probation, refuse to grant or renew an identification card, or impose a monetary penalty on the license holder for violation of any of the enumerated grounds.
- (B) The Ohio State Board of Pharmacy recognizes an error in the minutes of the Board's September 12, 2007 meeting. The minutes read that the Board approved to summarily suspend the license to practice pharmacy of Curt Robert Evans pursuant to Sections 3719.121(A) and (B) of the Ohio Revised Code, when in fact the Board approved the summary suspension pursuant to Section 3719.121(B) of the Ohio Revised Code. The minutes have been amended accordingly.
- (C) Curt Robert Evans does not acknowledge the merits of the allegations stated in the Summary Suspension/Notice of Opportunity for Hearing letter dated September 13, 2007; however, the Board has duly filed the allegations in its Notice of Opportunity as stated therein and will withhold conducting an adjudication hearing pursuant to the terms of this agreement.

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of a formal hearing at this time, Curt Robert Evans knowingly and voluntarily **SURRENDERS PERMANENTLY TO THE STATE BOARD OF PHARMACY HIS LICENSE AND**

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**REGISTRATION TO PRACTICE PHARMACY, WITH DISCIPLINARY ACTION PENDING,
AND IS PRECLUDED FROM MAKING ANY APPLICATION FOR FURTHER
REGISTRATION.**

Pursuant to Rule 4729-9-01, Curt Robert Evans may not be employed by or work in any facility licensed by the Board of Pharmacy to possess or distribute dangerous drugs.

Curt Robert Evans acknowledges that he has had an opportunity to ask questions concerning the terms of this agreement and that all questions asked have been answered in a satisfactory manner.

Curt Robert Evans waives any and all claims or causes of action he may have against the State of Ohio or the Board, and members, officers, employees, and/or agents of either, arising out of matters which are the subject of this Agreement. Curt Robert Evans waives any rights of appeal pursuant to Chapter 119. of the Ohio Revised Code.

Curt Robert Evans must return the identification card and license (wall certificate) to the office of the State Board of Pharmacy within ten days after receipt of this Agreement unless the Board office is already in possession of both. The identification card and wall certificate should be sent by certified mail, return receipt requested.

This Settlement Agreement shall be considered a public record, as that term is used in Section 149.43 of the Ohio Revised Code, and shall become effective upon the date of the Board President's signature below.

Curt Robert Evans, R.Ph., Respondent

01/15/2008

Date of Signature

Lynn A. Grimshaw, Attorney for Respondent

01/15/2008

Date of Signature

Gregory Braylock, President, Ohio State Board of Pharmacy

02/04/2008

Date of Signature

Sally Ann Steuk, Ohio Assistant Attorney General

02/04/2008

Date of Signature

Curt Robert Evans, R.Ph.
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SUMMARY SUSPENSION ORDER/NOTICE OF OPPORTUNITY FOR HEARING

September 13, 2007

Curt Robert Evans, R.Ph.
90 Ohio Avenue
Jackson, Ohio 45640

Re: Ohio Registered Pharmacist
Number 03-1-12331

Dear Mr. Evans:

In accordance with Section 3719.121(B) of the Ohio Revised Code, the Board has determined that there is clear and convincing evidence that the continuation of your professional practice presents a danger of immediate and serious harm to others. The reasons for the Board's action are that you have committed any and/or all of the following acts:

- (1) Records of the Board of Pharmacy indicate that you were originally licensed in the State of Ohio on August 10, 1977, pursuant to examination, and are currently licensed to practice pharmacy in the State of Ohio. Records further reflect during the relevant time periods stated herein, you were the Responsible Pharmacist at The Medicine Shoppe, 731 East Main Street, Jackson, Ohio, pursuant to Sections 4729.27 and 4729.55 of the Ohio Revised Code and Rule 4729-5-11 of the Ohio Administrative Code.
- (2) You did, from March 1, 2007, through March 21, 2007, a twenty-two day time period, sell 720 dosage units of the Schedule IV Controlled Substance drug alprazolam 2 mg to Patient #1 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Humphreys authorized a prescription for Patient #1 to be valid for 720 dosage units of alprazolam 2 mg. He authorized 120 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Humphreys authorized that prescription to be refilled five times. Contrary to his directions, during that twenty-two day time period you actually sold Patient #1 a 180 day supply of alprazolam 2 mg pursuant to Rx #522110. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of

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Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

- (3) You did, from September 14, 2006, through September 19, 2006, a six day time period, sell 360 dosage units of the Schedule IV Controlled Substance drug diazepam 10 mg to Patient #2 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Hartwick authorized a prescription for Patient #2 to be valid for 360 dosage units of diazepam 10 mg. He authorized 90 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Hartwick authorized that prescription to be refilled three times. Contrary to his directions, during that six day time period you actually sold Patient #2 a 120 day supply of diazepam 10 mg pursuant to Rx #502597. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (4) You did, from October 25, 2006, through November 1, 2006, an eight day time period, sell 360 dosage units of the Schedule IV Controlled Substance drug diazepam 10 mg to Patient #2 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Frazier authorized a prescription for Patient #2 to be valid for 360 dosage units of diazepam 10 mg. He authorized 90 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Frazier authorized that prescription to be refilled three times. Contrary to his directions, during that eight day time period you actually sold Patient #2 a 120 day supply of diazepam 10 mg pursuant to Rx #502275. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (5) You did, from December 7, 2006, through December 12, 2006, a six day time period, sell 400 dosage units of the Schedule IV Controlled Substance drug diazepam 10 mg to Patient #2 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Hartwick authorized a prescription for Patient #2 to be valid for 400 dosage units of diazepam 10 mg. He authorized 100 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty-three day time period. Dr. Hartwick authorized that prescription to be refilled three times. Contrary to his directions, during that six day time period you actually sold Patient #2 a 133 day supply of diazepam 10 mg pursuant to Rx #512594. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

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- (6) You did, from January 9, 2007, through January 12, 2007, a four day time period, sell 270 dosage units of the Schedule IV Controlled Substance drug diazepam 10 mg to Patient #2 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Frazier authorized a prescription for Patient #2 to be valid for 270 dosage units of diazepam 10 mg. He authorized 90 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Frazier authorized that prescription to be refilled two times. Contrary to his directions, during that four day time period you actually sold Patient #2 a 90 day supply of diazepam 10 mg pursuant to Rx #516537. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (7) You did, from March 5, 2007, through March 9, 2007, a five day time period, sell 360 dosage units of the Schedule IV Controlled Substance drug diazepam 10 mg to Patient #2 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Hartwick authorized a prescription for Patient #2 to be valid for 360 dosage units of diazepam 10 mg. He authorized 90 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Hartwick authorized that prescription to be refilled three times. Contrary to his directions, during that five day time period you actually sold Patient #2 a 120 day supply of diazepam 10 mg pursuant to Rx #522401. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (8) You did, from March 28, 2007, through April 5, 2007, a nine day time period, sell 360 dosage units of the Schedule IV Controlled Substance drug diazepam 10 mg to Patient #2 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Frazier authorized a prescription for Patient #2 to be valid for 360 dosage units of diazepam 10 mg. He authorized 90 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Frazier authorized that prescription to be refilled three times. Contrary to his directions, during that nine day time period you actually sold Patient #2 a 120 day supply of diazepam 10 mg pursuant to Rx #525009. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (9) You did, from November 10, 2006, through November 13, 2006, a four day time period, sell 360 dosage units of the Schedule IV Controlled Substance drug diazepam 10 mg to Patient #3 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Ford authorized a prescription for Patient #3 to be valid for 360 dosage units of diazepam 10 mg. She authorized

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120 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Ford authorized that prescription to be refilled two times. Contrary to her directions, during that four day time period you actually sold Patient #3 a 90 day supply of diazepam 10 mg pursuant to Rx #509405. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

- (10) You did, from November 10, 2006, through November 28, 2006, a nineteen day time period, sell 720 dosage units of the Schedule IV Controlled Substance drug alprazolam 2 mg to Patient #4 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Evans authorized a prescription for Patient #4 to be valid for 720 dosage units of alprazolam 2 mg. He authorized 120 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Evans authorized that prescription to be refilled five times. Contrary to his directions, during that nineteen day time period you actually sold Patient #4 a 180 day supply of alprazolam 2 mg pursuant to Rx #509406. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (11) You did, from January 15, 2007, through January 24, 2007, a ten day time period, sell 720 dosage units of the Schedule IV Controlled Substance drug alprazolam 2 mg to Patient #4 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Evans authorized a prescription for Patient #4 to be valid for 720 dosage units of alprazolam 2 mg. He authorized 120 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Evans authorized that prescription to be refilled five times. Contrary to his directions, during that ten day time period you actually sold Patient #4 a 180 day supply of alprazolam 2 mg pursuant to Rx #517153. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (12) You did, from January 12, 2007, through January 18, 2007, a seven day time period, sell 240 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 5/500 mg to Patient #5 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Haller authorized a prescription for Patient #5 to be valid for 240 dosage units of hydrocodone/APAP 5/500 mg. She authorized 120 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Haller authorized that prescription to be refilled one time. Contrary to her directions, during that seven day time period you actually sold Patient #5 a 60 day supply of hydrocodone/APAP 5/500 mg pursuant to Rx

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#516951. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

- (13) You did, from January 30, 2007, through February 1, 2007, a three day time period, sell 120 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 5/500 mg to Patient #5 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Lubbers authorized a prescription for Patient #5 to be valid for 120 dosage units of hydrocodone/APAP 5/500 mg. She authorized 60 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Lubbers authorized that prescription to be refilled one time. Contrary to her directions, during that three day time period you actually sold Patient #5 a 60 day supply of hydrocodone/APAP 5/500 mg pursuant to Rx #518999. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (14) You did, from February 14, 2007, through February 19, 2007, a seven day time period, sell 240 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 7.5/750 mg to Patient #5 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Haller authorized a prescription for Patient #5 to be valid for 240 dosage units of hydrocodone/APAP 7.5/750 mg. She authorized 120 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Haller authorized that prescription to be refilled one time. Contrary to her directions, during that seven day time period you actually sold Patient #5 a 60 day supply of hydrocodone/APAP 7.5/750 mg pursuant to Rx #520431. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (15) You did, from March 26, 2007, through March 31, 2007, a six day time period, sell 240 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 7.5/750 mg to Patient #5 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Haller authorized a prescription for Patient #5 to be valid for 240 dosage units of hydrocodone/APAP 5/500 mg. She authorized 120 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Haller authorized that prescription to be refilled one time. Contrary to her directions, during that six day time period you actually sold Patient #5 a 60 day supply of hydrocodone/APAP 5/500 mg pursuant to Rx #524775. You disregarded the fact that you had previously sold to patient #5, on March 20, 2007, 120 dosage units of hydrocodone/APAP 5/500 mg pursuant to Rx #524172 as authorized by Dr. Lubbers. Such conduct is in violation of 2925.03 of the Ohio Revised

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Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

- (16) You did, from October 16, 2006, through October 26, 2006, an eleven day time period, sell 360 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 5/500 mg to Patient #6 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Gregori authorized a prescription for Patient #6 to be valid for 360 dosage units of hydrocodone/APAP 5/500 mg. He authorized 120 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Gregori authorized that prescription to be refilled two times. Contrary to his directions, during that eleven day time period you actually sold Patient #6 a 90 day supply of hydrocodone/APAP 5/500 mg pursuant to Rx #506114. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code., or any Rule adopted by the Board.
- (17) You did, from January 3, 2007, through February 7, 2007, a thirty-six day time period, sell 90 dosage units of the Schedule IV Controlled Substance drug lorazepam 2 mg to Patient #6 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Gregori authorized a prescription for Patient #6 to be valid for 90 dosage units of lorazepam 2 mg. He authorized 30 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Gregori authorized that prescription to be refilled two times. Contrary to his directions, during that thirty-six day time period you actually sold Patient #6 a 90 day supply of lorazepam 2 mg pursuant to Rx #515631. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (18) You did, from December 21, 2006, through December 26, 2006, a nine day time period, sell 270 dosage units of the Schedule IV Controlled Substance drug alprazolam 2 mg to Patient #7 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Metzger authorized a prescription for Patient #7 to be valid for 270 dosage units of alprazolam 2 mg. He authorized 90 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Metzger authorized that prescription to be refilled two times. Contrary to his directions, during that nine day time period you actually sold Patient #7 a 90 day supply of alprazolam 2 mg pursuant to Rx #514517. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to

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violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

- (19) You did, from October 11, 2006, through November 15, 2006, a thirty-six day time period, sell 540 dosage units of the Schedule IV Controlled Substance drug alprazolam 1 mg to Patient #8 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Segnitz authorized a prescription for Patient #8 to be valid for 540 dosage units of alprazolam 1 mg. He authorized 90 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Segnitz authorized that prescription to be refilled five times. Contrary to his directions, during that thirty-six day time period you actually sold Patient #8 a 180 day supply of alprazolam 1 mg pursuant to Rx #505730. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (20) You did, from January 29, 2007, through February 14, 2007, a seventeen day time period, sell 540 dosage units of the Schedule IV Controlled Substance drug alprazolam 1 mg to Patient #8 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Segnitz authorized a prescription for Patient #8 to be valid for 540 dosage units of alprazolam 1 mg. He authorized 90 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Segnitz authorized that prescription to be refilled five times. Contrary to his directions, during that seventeen day time period you actually sold Patient #8 a 180 day supply of alprazolam 1 mg pursuant to Rx #518783. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (21) You did, from March 28, 2007, through April 13, 2007, a seventeen day time period, sell 450 dosage units of the Schedule IV Controlled Substance drug alprazolam 1 mg to Patient #8 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Segnitz authorized a prescription for Patient #8 to be valid for 450 dosage units of alprazolam 1 mg. He authorized 90 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Segnitz authorized that prescription to be refilled five times. Contrary to his directions, during that seventeen day time period you actually sold Patient #8 a 180 day supply of alprazolam 1 mg pursuant to Rx #525091. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

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(22) You did, from November 3, 2006, through April 12, 2007, a 160 day time period, sell 1,260 dosage units of the Schedule IV Controlled Substance drug alprazolam 1 mg and 1,560 dosage units of the Schedule IV Controlled Substance drug alprazolam 2 mg to Patient #9 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Several physicians authorized prescriptions for Patient #9 to be valid for alprazolam. Each authorized that drug to be used, for a legitimate medical purpose, by Patient #9. Each prescriber was unaware that Patient #9 was being provided drugs by another prescriber, as follows:

<u>Date</u>	<u>Rx #</u>	<u>Drug</u>	<u>Qty</u>	<u>Prescriber</u>
11-03-06	508457	alprazolam 2 mg	120	Abels
11-16-06	510117	alprazolam 1 mg	90	Shaheen
11-20-06	510117	alprazolam 1 mg	90	Shaheen
11-24-06	510117	alprazolam 1 mg	90	Shaheen
12-01-06	510117	alprazolam 1 mg	90	Shaheen
12-06-06	512084	alprazolam 2 mg	120	Abels
12-07-06	510117	alprazolam 1 mg	90	Shaheen
12-09-06	512084	alprazolam 2 mg	120	Abels
12-11-06	510117	alprazolam 1 mg	90	Shaheen
12-18-06	514008	alprazolam 1 mg	90	Poje
12-19-06	514008	alprazolam 1 mg	90	Poje
01-31-07	519134	alprazolam 2 mg	120	Abels
02-01-07	519134	alprazolam 2 mg	120	Abels
02-02-07	519134	alprazolam 2 mg	120	Abels
02-05-07	519134	alprazolam 2 mg	120	Abels
02-27-07	521835	alprazolam 1 mg	90	Mann
03-01-07	521835	alprazolam 1 mg	90	Mann
03-05-07	521835	alprazolam 1 mg	90	Mann
03-07-07	521835	alprazolam 1 mg	90	Mann
03-28-07	525102	alprazolam 1 mg	90	Mann
03-30-07	525102	alprazolam 1 mg	90	Mann
04-02-07	525458	alprazolam 2 mg	120	Abels
04-03-07	525458	alprazolam 2 mg	120	Abels
04-04-07	525458	alprazolam 2 mg	120	Abels
04-05-07	525458	alprazolam 2 mg	120	Abels
04-07-07	525458	alprazolam 2 mg	120	Abels
04-09-07	525102	alprazolam 1 mg	90	Mann
04-10-07	525102	alprazolam 1 mg	90	Mann
04-11-07	525458	alprazolam 2 mg	120	Abels

Contrary to their directions, during that 160 day time period you actually sold Patient #9 an 810 day supply of alprazolam. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

(23) You did, from September 8, 2006, through April 10, 2007, a 215 day time period, sell 3,630 dosage units of the Schedule III Controlled Substance drug codeine/APAP

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60/300 mg to Patient #9 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Several physicians authorized prescriptions for Patient #9 to be valid for codeine/APAP 60/300 mg. Each authorized that drug to be used, for a legitimate medical purpose, by Patient #9. Each prescriber was unaware that Patient #9 was being provided drugs by another prescriber, as follows:

<u>Date</u>	<u>Rx #</u>	<u>Drug</u>	<u>Qty</u>	<u>Prescriber</u>
09-08-06	501637	codeine/APAP 60/300 mg	200	Abels
09-12-06	501637	codeine/APAP 60/300 mg	120	Abels
09-14-06	501637	codeine/APAP 60/300 mg	120	Abels
09-18-06	501637	codeine/APAP 60/300 mg	200	Abels
09-20-06	501637	codeine/APAP 60/300 mg	120	Abels
09-22-06	501637	codeine/APAP 60/300 mg	120	Abels
09-23-06	501637	codeine/APAP 60/300 mg	120	Abels
09-25-06	501637	codeine/APAP 60/300 mg	120	Abels
10-09-06	505435	codeine/APAP 60/300 mg	180	Abels
10-21-06	506792	codeine/APAP 60/300 mg	50	Newbold
11-08-06	509071	codeine/APAP 60/300 mg	180	Abels
11-27-06	511046	codeine/APAP 60/300 mg	180	Poje
11-28-06	511046	codeine/APAP 60/300 mg	180	Poje
12-01-06	511046	codeine/APAP 60/300 mg	180	Poje
12-05-06	512081	codeine/APAP 60/300 mg	180	Abels
12-12-06	512081	codeine/APAP 60/300 mg	180	Abels
12-15-06	512081	codeine/APAP 60/300 mg	180	Abels
12-28-06	515094	codeine/APAP 60/300 mg	100	Wagner
01-24-07	515094	codeine/APAP 60/300 mg	100	Wagner
01-31-07	519135	codeine/APAP 60/300 mg	90	Abels
02-01-07	519135	codeine/APAP 60/300 mg	90	Abels
02-02-07	519135	codeine/APAP 60/300 mg	180	Abels
02-09-07	519135	codeine/APAP 60/300 mg	180	Abels
02-14-06	519135	codeine/APAP 60/300 mg	180	Abels
02-21-07	515094	codeine/APAP 60/300 mg	100	Wagner
04-02-07	525457	codeine/APAP 60/300 mg	125	Abels
04-07-07	525457	codeine/APAP 60/300 mg	125	Abels
04-10-07	525457	codeine/APAP 60/300 mg	125	Abels
04-16-07	525457	codeine/APAP 60/300 mg	125	Abels
04-20-07	525457	codeine/APAP 60/300 mg	125	Abels
04-26-07	525457	codeine/APAP 60/300 mg	125	Abels

Contrary to their directions, during that 242 day time period you actually sold Patient #9 a 1,058 day supply of codeine/APAP 60/300 mg. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

- (24) You did, from January 25, 2007, through January 27, 2007, a three day time period, sell 360 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 7.5/500mg to Patient #9 when the conduct was not in accordance with Chapters

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3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Wagner authorized a prescription for Patient #9 to be valid for 360 dosage units of hydrocodone/APAP 7.5/500 mg. He authorized 120 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Wagner authorized that prescription to be refilled two times. Contrary to his directions, during that three day time period you actually sold Patient #9 a ninety day supply of hydrocodone/APAP 7.5/500 mg pursuant to Rx #518591. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

- (25) You did, from January 31, 2007, through February 14, 2007, a fifteen day time period, sell 360 dosage units of the Schedule IV Controlled Substance drug alprazolam 2mg to Patient #10 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Wagner authorized a prescription for Patient #10 to be valid for 360 dosage units of alprazolam 2 mg. He authorized 120 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Wagner authorized that prescription to be refilled 2 times. Contrary to his directions, during that fifteen day time period you actually sold Patient #10 a ninety day supply of alprazolam 1 mg pursuant to Rx #519146. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (26) You did, from February 27, 2007, through March 8, 2007, a ten day time period, sell 270 dosage units of the Schedule IV Controlled Substance drug alprazolam 1mg to Patient #11 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Haller authorized a prescription for Patient #11 to be valid for 360 dosage units of alprazolam 1 mg. She authorized 90 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Haller authorized that prescription to be refilled two times. Contrary to her directions, during that ten day time period you actually sold Patient #11 a 90 day supply of alprazolam 1 mg pursuant to Rx #521880. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (27) You did, from February 27, 2007, through March 8, 2007, a twenty-three day time period, sell 270 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 5/500 mg to Patient #11 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Haller authorized a prescription for Patient #11 to be valid for 720 dosage units of hydrocodone/APAP 5/500 mg. She authorized 240 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Haller

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authorized that prescription to be refilled two times. Contrary to her directions, during that twenty-three day time period you actually sold Patient #11 a 90 day supply of hydrocodone/APAP 5/500mg pursuant to Rx #521879. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

- (28) You did, from April 5, 2007, through April 12, 2007, an eight day time period, sell 540 dosage units of the Schedule IV Controlled Substance drug alprazolam 1mg to Patient #12 when the conduct was not in accordance with Chapters 3719., and 4729. of the Ohio Revised Code, to wit: Dr. Shiflett authorized a prescription for Patient #12 to be valid for 540 dosage units of alprazolam 1mg. He authorized 90 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Shiflett authorized that prescription to be refilled five times. Contrary to his directions, during that eight day time period you actually sold Patient #12 a 180 day supply of alprazolam 1mg pursuant to Rx #525999. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (29) You did, from February 23, 2007, through February 26, 2007, a four day time period, sell 180 dosage units of the Schedule IV Controlled Substance drug alprazolam 1mg to Patient #12 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Shiflett authorized a prescription for Patient #12 to be valid for 180 dosage units of alprazolam 1mg. He authorized 90 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Shiflett authorized that prescription to be refilled one time. Contrary to his directions, during that eight day time period you actually sold Patient #12 a 60 day supply of alprazolam 1mg pursuant to Rx #521538. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (30) You did, from October 18, 2006, through October 25, 2006, an eight day time period, sell 360 dosage units of the Schedule IV Controlled Substance drug alprazolam 1mg to Patient #12 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Shiflett authorized a prescription for Patient #12 to be valid for 360 dosage units of alprazolam 1mg. He authorized 90 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Shiflett authorized that prescription to be refilled three times. Contrary to his directions, during that eight day time period you actually sold Patient #12 a 120 day supply of alprazolam 1mg pursuant to Rx #506432. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional

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conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

- (31) You did, from December 14, 2006, through December 22, 2006, a nine day time period, sell 360 dosage units of the Schedule IV Controlled Substance drug alprazolam 1mg to Patient #12 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Shiflett authorized a prescription for Patient #12 to be valid for 360 dosage units of alprazolam 1mg. He authorized 90 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Shiflett authorized that prescription to be refilled three times. Contrary to his directions, during that nine day time period you actually sold Patient #12 a 120 day supply of alprazolam 1mg pursuant to Rx #513650. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (32) You did, from November 15, 2006, through November 28, 2006, a fourteen day time period, sell 450 dosage units of the Schedule IV Controlled Substance drug alprazolam 1mg to Patient #13 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Shiflett authorized a prescription for Patient #13 to be valid for 450 dosage units of alprazolam 1mg. He authorized 100 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty-three day time period. Dr. Shiflett authorized that prescription to be refilled three times. Contrary to his directions, during that fourteen day time period you actually sold Patient #13 a 150 day supply of alprazolam 1mg pursuant to Rx #509912. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (33) You did, from January 24, 2007, through February 5, 2007, a thirteen day time period, sell 500 dosage units of the Schedule IV Controlled Substance drug alprazolam 1mg to Patient #13 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Shiflett authorized a prescription for Patient #13 to be valid for 500 dosage units of alprazolam 1mg. He authorized 100 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty-three day time period. Dr. Shiflett authorized that prescription to be refilled four times. Contrary to his directions, during that thirteen day time period you actually sold Patient #13 a 165 day supply of alprazolam 1mg pursuant to Rx #518412. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of

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Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

- (34) You did, from November 14, 2006, through December 4, 2006, a twenty-two day time period, sell 720 dosage units of the Schedule IV Controlled Substance drug alprazolam 1mg to Patient #14 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Evans authorized a prescription for Patient #14 to be valid for 720 dosage units of alprazolam 1mg. He authorized 120 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Evans authorized that prescription to be refilled five times. Contrary to his directions, during that twenty-two day time period you actually sold Patient #14 a 180 day supply of alprazolam 1mg pursuant to Rx #509648. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (35) You did, from October 31, 2006, through November 20, 2006, a twenty-one day time period, sell 180 dosage units of the Schedule IV Controlled Substance drug alprazolam 2mg to Patient #15 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Mann authorized a prescription for Patient #15 to be valid for 180 dosage units of alprazolam 2 mg. He authorized 60 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Mann authorized that prescription to be refilled two times. Contrary to his directions, during that twenty-one day time period you actually sold Patient #15 a 90 day supply of alprazolam 2 mg pursuant to Rx #507961. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (36) You did, from February 1, 2007, through February 7, 2007, a seven day time period, sell 180 dosage units of the Schedule IV Controlled Substance drug alprazolam 2 mg to Patient #15 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Mann authorized a prescription for Patient #15 to be valid for 180 dosage units of alprazolam 2 mg. He authorized 60 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Mann authorized that prescription to be refilled two times. Contrary to his directions, during that seven day time period you actually sold Patient #15 a 90 day supply of alprazolam 2mg pursuant to Rx #519340. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

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- (37) You did, from February 1, 2007, through February 7, 2007, a seven day time period, sell 360 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 5/500 mg to Patient #15 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Mann authorized a prescription for Patient #15 to be valid for 360 dosage units of hydrocodone/APAP 5/500 mg. He authorized 120 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Mann authorized that prescription to be refilled two times. Contrary to his directions, during that seven day time period you actually sold Patient #15 a 90 day supply of hydrocodone/APAP 5/500mg pursuant to Rx #519339. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (38) You did, from October 31, 2006, through November 10, 2006, a ten day time period, sell 360 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 5/500 mg to Patient #15 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Mann authorized a prescription for Patient #15 to be valid for 360 dosage units of hydrocodone/APAP 5/500 mg. He authorized 120 dosage units of that drug to be used, for a legitimate medical purpose, during a fifteen day time period. Dr. Mann authorized that prescription to be refilled two times. Contrary to his directions, during that ten day time period you actually sold Patient #15 a 45 day supply of hydrocodone/APAP 5/500 mg pursuant to Rx #507962. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (39) You did, from November 14, 2006, through November 16, 2006, a three day time period, sell 360 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 5/500 mg to Patient #16 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Mann authorized a prescription for Patient #16 to be valid for 360 dosage units of hydrocodone/APAP 5/500 mg. He authorized 120 dosage units of that drug to be used, for a legitimate medical purpose, during a fifteen day time period. Dr. Mann authorized that prescription to be refilled two times. Contrary to his directions, during that three day time period you actually sold Patient #16 a 45 day supply of hydrocodone/APAP 5/500 mg pursuant to Rx #509762. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (40) You did, from February 8, 2007, through February 10, 2007, a three day time period, sell 360 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 5/500 mg to Patient #16 when the conduct was not in accordance with Chapters

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3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Mann authorized a prescription for Patient #16 to be valid for 360 dosage units of hydrocodone/APAP 5/500 mg. He authorized 120 dosage units of that drug to be used, for a legitimate medical purpose, during a fifteen day time period. Dr. Mann authorized that prescription to be refilled two times. Contrary to his directions, during that three day time period you actually sold Patient #16 a 45 day supply of hydrocodone/APAP 5/500 mg pursuant to Rx #520042. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

- (41) You did, from November 14, 2006, through November 17, 2006, a four day time period, sell 270 dosage units of the Schedule III Controlled Substance drug diazepam 10mg to Patient #16 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Mann authorized a prescription for Patient #16 to be valid for 270 dosage units of diazepam 10 mg. He authorized 90 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Mann authorized that prescription to be refilled two times. Contrary to his directions, during that four day time period you actually sold Patient #16 a 90 day supply of diazepam 10 mg pursuant to Rx #509760. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (42) You did, from February 8, 2007, through February 16, 2007, a nine day time period, sell 270 dosage units of the Schedule III Controlled Substance drug diazepam 10 mg to Patient #16 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Mann authorized a prescription for Patient #16 to be valid for 270 dosage units of diazepam 10 mg. He authorized 90 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Mann authorized that prescription to be refilled two times. Contrary to his directions, during that nine day time period you actually sold Patient #16 a 90 day supply of diazepam 10 mg pursuant to Rx #520043. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (43) You did, from March 5, 2007, through March 6, 2007, a two day time period, sell 80 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 5/500 mg to Patient #17 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Hawker authorized a prescription for Patient #17 to be valid for 80 dosage units of hydrocodone/APAP 5/500 mg. He authorized 40 dosage units of that drug to be used, for a legitimate medical purpose, during a 6.6 day time period. Dr. Hawker authorized that

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prescription to be refilled one time. Contrary to his directions, during that two day time period you actually sold Patient #17 a 13 day supply of hydrocodone/APAP 5/500 mg pursuant to Rx #522455. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

- (44) You did, from May 19, 2007, through May 20, 2007, a two day time period, sell 80 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 5/500 mg to Patient #17 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Hawker authorized a prescription for Patient #17 to be valid for 80 dosage units of hydrocodone/APAP 5/500 mg. He authorized 40 dosage units of that drug to be used, for a legitimate medical purpose, during a 6.6 day time period. Dr. Hawker authorized that prescription to be refilled one time. Contrary to his directions, during that two day time period you actually sold Patient #17 a 13 day supply of hydrocodone/APAP 5/500 mg pursuant to Rx #520941. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (45) You did, from February 5, 2007, through February 6, 2007, a two day time period, sell 80 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 5/500 mg to Patient #17 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Hawker authorized a prescription for Patient #17 to be valid for 80 dosage units of hydrocodone/APAP 5/500 mg. He authorized 40 dosage units of that drug to be used, for a legitimate medical purpose, during a 6.6 day time period. Dr. Hawker authorized that prescription to be refilled one time. Contrary to his directions, during that two day time period you actually sold Patient #17 a 13 day supply of hydrocodone/APAP 5/500 mg pursuant to Rx #519608. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (46) You did, from October 17, 2006, through October 18, 2006, a two day time period, sell 80 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 5/500 mg to Patient #17 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Hawker authorized a prescription for Patient #17 to be valid for 80 dosage units of hydrocodone/APAP 5/500 mg. He authorized 40 dosage units of that drug to be used, for a legitimate medical purpose, during a 6.6 day time period. Dr. Hawker authorized that prescription to be refilled one time. Contrary to his directions, during that two day time period you actually sold Patient #17 a 13 day supply of hydrocodone/APAP 5/500 mg pursuant to Rx #506228. Such conduct is in violation of 2925.03 of the Ohio

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Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

- (47) You did, from November 2, 2006, through November 3, 2006, a two day time period, sell 80 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 5/500mg to Patient #17 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Hawker authorized a prescription for Patient #17 to be valid for 80 dosage units of hydrocodone/APAP 5/500mg. He authorized 40 dosage units of that drug to be used, for a legitimate medical purpose, during a 6.6 day time period. Dr. Hawker authorized that prescription to be refilled one time. Contrary to his directions, during that two day time period you actually sold Patient #17 a 13 day supply of hydrocodone/APAP 5/500 mg pursuant to Rx #508357. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (48) You did, from November 15, 2006, through November 16, 2006, a two day time period, sell 80 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 5/500 mg to Patient #17 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Hawker authorized a prescription for Patient #17 to be valid for 80 dosage units of hydrocodone/APAP 5/500 mg. He authorized 40 dosage units of that drug to be used, for a legitimate medical purpose, during a 6.6 day time period. Dr. Hawker authorized that prescription to be refilled one time. Contrary to his directions, during that two day time period you actually sold Patient #17 a 13 day supply of hydrocodone/APAP 5/500mg pursuant to Rx #509943. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (49) You did, from November 28, 2006, through November 29, 2006, a two day time period, sell 80 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 5/500 mg to Patient #17 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Hawker authorized a prescription for Patient #17 to be valid for 80 dosage units of hydrocodone/APAP 5/500 mg. He authorized 40 dosage units of that drug to be used, for a legitimate medical purpose, during a 6.6 day time period. Dr. Hawker authorized that prescription to be refilled one time. Contrary to his directions, during that two day time period you actually sold Patient #17 a 13 day supply of hydrocodone/APAP 5/500 mg pursuant to Rx #511108. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding

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and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

- (50) You did, from December 13, 2006, through December 14, 2006, a two day time period, sell 80 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 5/500 mg to Patient #17 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Hawker authorized a prescription for Patient #17 to be valid for 80 dosage units of hydrocodone/APAP 5/500 mg. He authorized 40 dosage units of that drug to be used, for a legitimate medical purpose, during a 6.6 day time period. Dr. Hawker authorized that prescription to be refilled one time. Contrary to his directions, during that two day time period you actually sold Patient #17 a 13 day supply of hydrocodone/APAP 5/500 mg pursuant to Rx #513482. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729 of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (51) You did, from December 27, 2006, through December 28, 2006, a two day time period, sell 80 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 5/500 mg to Patient #17 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Hawker authorized a prescription for Patient #17 to be valid for 80 dosage units of hydrocodone/APAP 5/500 mg. He authorized 40 dosage units of that drug to be used, for a legitimate medical purpose, during a 6.6 day time period. Dr. Hawker authorized that prescription to be refilled one time. Contrary to his directions, during that two day time period you actually sold Patient #17 a 13 day supply of hydrocodone/APAP 5/500 mg pursuant to Rx #515021. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729 of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (52) You did, from January 10, 2007, through January 11, 2007, a two day time period, sell 80 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 5/500 mg to Patient #17 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Hawker authorized a prescription for Patient #17 to be valid for 80 dosage units of hydrocodone/APAP 5/500 mg. He authorized 40 dosage units of that drug to be used, for a legitimate medical purpose, during a 6.6 day time period. Dr. Hawker authorized that prescription to be refilled one time. Contrary to his directions, during that two day time period you actually sold Patient #17 a 13 day supply of hydrocodone/APAP 5/500 mg pursuant to Rx #516617. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729 of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

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- (53) You did, from January 23, 2007, through January 24, 2007, a two day time period, sell 80 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 5/500 mg to Patient #17 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Hawker authorized a prescription for Patient #17 to be valid for 80 dosage units of hydrocodone/APAP 5/500 mg. He authorized 40 dosage units of that drug to be used, for a legitimate medical purpose, during a 6.6 day time period. Dr. Hawker authorized that prescription to be refilled one time. Contrary to his directions, during that two day time period you actually sold Patient #17 a 13 day supply of hydrocodone/APAP 5/500 mg pursuant to Rx #518236. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729 of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (54) You did, from March 3, 2007, through March 12, 2007, a ten day time period, sell 450 dosage units of the Schedule IV Controlled Substance drug alprazolam 1 mg to Patient #18 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Sardo authorized a prescription for Patient #18 to be valid for 450 dosage units of alprazolam 1 mg. He authorized 90 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Sardo authorized that prescription to be refilled four times. Contrary to his directions, during that ten day time period you actually sold Patient #18 a 150 day supply of alprazolam 1 mg pursuant to Rx #522396. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (55) You did, from September 26, 2006, through November 22, 2006, a fifty-nine day time period, sell 360 dosage units of the Schedule IV Controlled Substance drug alprazolam 1 mg to Patient #18 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Sardo authorized a prescription for Patient #18 to be valid for 360 dosage units of alprazolam 1 mg. He authorized 90 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Sardo authorized that prescription to be refilled one time. Contrary to his directions, during that fifty-nine day time period you actually sold Patient #18 a 120 day supply of alprazolam 1 mg pursuant to Rx #503815. The last two sales of 90 dosage units of alprazolam 1 mg, on November 14, 2006, and November 22, 2006, were made without the authorization of Dr. Sardo and beyond the limits of Rx #503815. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (56) You did, from January 12, 2007, through January 26, 2007, a fifteen day time period, sell 450 dosage units of the Schedule IV Controlled Substance drug alprazolam 1 mg to

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Patient #18 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Sarido authorized a prescription for Patient #18 to be valid for 450 dosage units of alprazolam 1 mg. He authorized 90 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Sarido authorized that prescription to be refilled four times. Contrary to his directions, during that fifteen day time period you actually sold Patient #18 a 150 day supply of alprazolam 1 mg pursuant to Rx #517042. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

- (57) You did, from February 9, 2007, through February 22, 2007, a fourteen day time period, sell 450 dosage units of the Schedule IV Controlled Substance drug alprazolam 1 mg to Patient #18 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Sarido authorized a prescription for Patient #18 to be valid for 450 dosage units of alprazolam 1 mg. He authorized 90 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Sarido authorized that prescription to be refilled four times. Contrary to his directions, during that fourteen day time period you actually sold Patient #18 a 150 day supply of alprazolam 1 mg pursuant to Rx #520110. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (58) You did, from November 9, 2006, through November 25, 2006, a seventeen day time period, sell 720 dosage units of the Schedule IV Controlled Substance drug diazepam 5 mg to Patient #19 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Evans authorized a prescription for Patient #19 to be valid for 720 dosage units of diazepam 5 mg. He authorized 120 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Evans authorized that prescription to be refilled five times. Contrary to his directions, during that seventeen day time period you actually sold Patient #19 a 180 day supply of diazepam 5 mg pursuant to Rx #509313. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (59) You did, from September 29, 2006, through October 2, 2006, a four day time period, sell 270 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 10/500 mg to Patient #20 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Ball authorized a prescription for Patient #20 to be valid for 270 dosage units of hydrocodone/APAP 10/500 mg. He authorized 90 dosage units of that drug to be used, for a legitimate

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medical purpose, during a thirty day time period. Dr. Ball authorized that prescription to be refilled two times. Contrary to his directions, during that four day time period you actually sold Patient #20 a 90 day supply of hydrocodone/APAP 10/500 mg pursuant to Rx #504364. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

- (60) You did, from November 6, 2006, through November 13, 2006, an eight day time period, sell 270 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 10/500 mg to Patient #20 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Ball authorized a prescription for Patient #20 to be valid for 270 dosage units of hydrocodone/APAP 10/500 mg. He authorized 90 dosage units of that drug to be used, for a legitimate medical purpose, during a 15 to 22 day time period. Dr. Ball authorized that prescription to be refilled two times. Contrary to his directions, during that eight day time period you actually sold Patient #20 a 45 to 66 day supply of hydrocodone/APAP 10/500 mg pursuant to Rx #508567. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (61) You did, from January 2, 2007, through January 6, 2007, a five day time period, sell 270 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 10/500 mg to Patient #20 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Ball authorized a prescription for Patient #20 to be valid for 270 dosage units of hydrocodone/APAP 10/500 mg. He authorized 90 dosage units of that drug to be used, for a legitimate medical purpose, during a fifteen day time period. Dr. Ball authorized that prescription to be refilled two times. Contrary to his directions, during that five day time period you actually sold Patient #20 a 45 day supply of hydrocodone/APAP 10/500 mg pursuant to Rx #515488. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (62) You did, from April 3, 2007, through April 6, 2007, a four day time period, sell 400 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 10/500 mg to Patient #20 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Ball authorized a prescription for Patient #20 to be valid for 400 dosage units of hydrocodone/APAP 10/500 mg. He authorized 100 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty-three day time period. Dr. Ball authorized that prescription to be refilled three times. Contrary to his directions, during that four day time period you actually sold Patient #20 a 133 day supply of hydrocodone/APAP 10/500 mg pursuant

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to Rx #526116. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

- (63) You did, from November 21, 2006, through November 24, 2006, a four day time period, sell 540 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 10/500 mg to Patient #21 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Broadnax authorized a prescription for Patient #21 to be valid for 540 dosage units of hydrocodone/APAP 10/500 mg. He authorized 180 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Broadnax authorized that prescription to be refilled two times. Contrary to his directions, during that four day time period you actually sold Patient #21 a 90 day supply of hydrocodone/APAP 10/500 mg pursuant to Rx #519682. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (64) You did, from November 7, 2006, through December 20, 2006, a forty-four day time period, sell 270 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 5/500 mg to Patient #22 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Paul authorized a prescription for Patient #22 to be valid for 270 dosage units of hydrocodone/APAP 5/500 mg. He authorized 90 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Paul authorized that prescription to be refilled two times. Contrary to his directions, during that forty-four day time period you actually sold Patient #21 a 90 day supply of hydrocodone/APAP 5/500 mg pursuant to Rx #512737. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (65) You did, from March 9, 2007, through March 28, 2007, a twenty day time period, sell 270 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 5/500 mg to Patient #22 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Paul authorized a prescription for Patient #22 to be valid for 270 dosage units of hydrocodone/APAP 5/500 mg. He authorized 90 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Paul authorized that prescription to be refilled two times. Contrary to his directions, during that twenty day time period you actually sold Patient #22 a 90 day supply of hydrocodone/APAP 5/500 mg pursuant to Rx #523045. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of

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willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

- (66) You did, from December 7, 2006, through December 20, 2006, a fourteen day time period, sell 270 dosage units of the Schedule III Controlled Substance drug alprazolam 0.5 mg to Patient #22 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Paul authorized a prescription for Patient #22 to be valid for 270 dosage units of alprazolam 0.5 mg. He authorized 90 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Paul authorized that prescription to be refilled two times. Contrary to his directions, during that fourteen day time period you actually sold Patient #22 a 90 day supply of alprazolam 0.5 mg pursuant to Rx #512738. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (67) You did, from March 9, 2007, through March 30, 2007, a twenty-one day time period, sell 270 dosage units of the Schedule III Controlled Substance drug alprazolam 0.5 mg to Patient #22 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Paul authorized a prescription for Patient #22 to be valid for 270 dosage units of alprazolam 0.5 mg. He authorized 90 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Paul authorized that prescription to be refilled two times. Contrary to his directions, during that twenty-one day time period you actually sold Patient # 22 a 90 day supply of alprazolam 0.5mg pursuant to Rx #523046. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (68) You did, from October 11, 2006, through October 20, 2006, a ten day time period, sell 540 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 10/660 mg to Patient #23 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Kremer authorized a prescription for Patient #23 to be valid for 540 dosage units of hydrocodone/APAP 10/660 mg. She authorized 180 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Kremer authorized that prescription to be refilled two times. Contrary to her directions, during that ten day time period you actually sold Patient #23 a 90 day supply of hydrocodone/APAP 10/660 mg pursuant to Rx #505833. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

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- (69) You did, from October 20, 2006, through October 23, 2006, a four day time period, sell 180 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 10/500 mg to Patient #24 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Ball authorized a prescription for Patient #24 to be valid for 180 dosage units of hydrocodone/APAP 10/500 mg. He authorized 90 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Ball authorized that prescription to be refilled one time. Contrary to his directions, during that four day time period you actually sold Patient #24 a 60 day supply of hydrocodone/APAP 10/500 mg pursuant to Rx #506634. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (70) You did, from December 22, 2006, through December 29, 2006, an eight day time period, sell 360 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 10/500 mg to Patient #24 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Ball authorized a prescription for Patient #24 to be valid for 360 dosage units of hydrocodone/APAP 10/500 mg. He authorized 90 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Ball authorized that prescription to be refilled three times. Contrary to his directions, during that eight day time period you actually sold Patient #24 a 120 day supply of hydrocodone/APAP 10/500 mg pursuant to Rx #5514761. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.
- (71) You did, from February 1, 2007, through February 8, 2007, a nine day time period, sell 360 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 10/500 mg to Patient #24 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Popper authorized a prescription for Patient #24 to be valid for 360 dosage units of hydrocodone/APAP 10/500 mg. He authorized 90 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Popper authorized that prescription to be refilled three times. Contrary to his directions, during that nine day time period you actually sold Patient #24 a 120 day supply of hydrocodone/APAP 10/500 mg pursuant to Rx #519186. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code
- (72) You did, from February 23, 2007, through March 2, 2007, an eight day time period, sell 270 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP

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10/500 mg to Patient #24 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Ball authorized a prescription for Patient #24 to be valid for 270 dosage units of hydrocodone/APAP 10/500 mg. He authorized 90 dosage units of that drug to be used, for a legitimate medical purpose, during a fifteen day time period. Dr. Ball authorized that prescription to be refilled two times. Contrary to his directions, during that eight day time period you actually sold Patient # 24 a 45 day supply of hydrocodone/APAP 10/500mg pursuant to Rx #521456. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

(73) You did, from June 5, 2007, through June 22, 2007, an eighteen day time period, sell 480 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 10/650 mg to Patient #25 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Sullivan authorized a prescription for Patient #25 to be valid for 480 dosage units of hydrocodone/APAP 10/650 mg. He authorized 120 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Dr. Sullivan authorized that prescription to be refilled three times. Contrary to his directions, during that eighteen day time period you actually sold Patient #25 a 120 day supply of hydrocodone/APAP 10/650 mg pursuant to Rx #532625. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

(74) You did, from November 6, 2006, through November 8, 2006, a three day time period, sell 270 dosage units of the Schedule IV Controlled Substance drug alprazolam 1mg to Patient #26 sell a controlled substance when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Humphreys authorized a prescription for Patient #26 to be valid for 270 dosage units of alprazolam 1 mg. He authorized 90 dosage units of that drug to be used, for a legitimate medical purpose, during a thirty day time period. Contrary to his directions, during that three day time period you actually sold Patient #26 a 90 day supply of alprazolam 1mg pursuant to Rx #508794. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

(75) You did, from October 9, 2006, through November 6, 2006, a twenty-nine day time period, sell 480 dosage units of the Schedule III Controlled Substance drug hydrocodone/APAP 10/500 mg to Patient #27 when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Dr. Agyei-Gyamfi authorized a prescription for Patient #27 to be valid for 360 dosage units of hydrocodone/APAP 10/500 mg. He authorized 120 dosage units of that drug to be

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used, for a legitimate medical purpose, during a thirty day time period. Dr. Agyei-Gyamfi authorized that prescription to be refilled two times. Contrary to his directions, during that twenty-nine day time period you actually sold Patient #27 a 120 day supply of hydrocodone/APAP 10/500 mg pursuant to Rx #521456. The last sale of 120 dosage units hydrocodone/APAP 10/500 mg, on November 6, 2006, was made without the authorization of Dr. Agyei-Gyamfi and beyond the limits of Rx #521456. Such conduct is in violation of 2925.03 of the Ohio Revised Code and if proven constitutes being guilty of a felony or gross immorality; guilty of dishonesty or unprofessional conduct in the practice of pharmacy; and/or guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of a provision of Chapter 4729. of the Ohio Revised Code within the meaning of Section 4729.16 of the Ohio Revised Code.

YOU ARE HEREBY NOTIFIED that Section 3719.121(B) of the Ohio Revised Code states, in pertinent part:

(B) If the board under which a person has been issued a license, . . . , . . . determines that there is clear and convincing evidence that continuation of the person's professional practice or method of prescribing or personally furnishing controlled substances presents a danger of immediate and serious harm to others, the board may suspend the person's license, . . . , . . . , without a prior hearing.

WHEREFORE, PURSUANT TO SECTION 3719.121(B) OF THE OHIO REVISED CODE, YOU ARE HEREBY NOTIFIED THAT YOUR REGISTRATION AND LICENSE TO PRACTICE PHARMACY IN THE STATE OF OHIO ARE HEREBY SUSPENDED. FURTHER, PURSUANT TO RULE 4729-9-01(F) OF THE OHIO ADMINISTRATIVE CODE, DURING THIS TERM OF SUSPENSION YOU MAY NOT BE EMPLOYED BY OR WORK IN ANY FACILITY LICENSED BY THE BOARD OF PHARMACY TO POSSESS OR DISTRIBUTE DANGEROUS DRUGS. This suspension shall remain in effect until a final adjudication order becomes effective, during which time you may not engage in the practice of pharmacy.

YOU ARE FURTHER NOTIFIED that Section 4729.16 of the Ohio Revised Code states, in pertinent part:

(A) The State Board of Pharmacy, after notice and hearing in accordance with Chapter 119. of the Ohio Revised Code, may revoke, suspend, limit, place on probation, or refuse to grant or renew an identification card under this chapter, or may impose a monetary penalty or forfeiture not to exceed in severity any fine designated under the Ohio Revised Code for a similar offense, or in the case of a violation of a section of the Ohio Revised Code that does not bear a penalty, a monetary penalty or forfeiture of no more than five hundred dollars, if the Board finds a pharmacist or pharmacy intern:

- (1) Guilty of a felony or gross immorality;
- (2) Guilty of dishonesty or unprofessional conduct in the practice of pharmacy;

(3) Addicted to or abusing liquor or drugs or impaired physically or mentally to such a degree as to render the pharmacist or pharmacy intern unfit to practice pharmacy;

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(4) Has been convicted of a misdemeanor related to, or committed in, the practice of pharmacy;

(5) Guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of any of the provisions of this chapter, sections 3715.52 to 3715.72 or Chapter 2925. or 3719. of the Revised Code;

(6) Guilty of permitting anyone other than a pharmacist or pharmacy intern to practice pharmacy;

(7) Guilty of knowingly lending the pharmacist's or pharmacy intern's name to an illegal practitioner of pharmacy or having professional connection with an illegal practitioner of pharmacy;

(8) Guilty of dividing or agreeing to divide remuneration made in the practice of pharmacy with any other individual, including, but not limited to, any licensed health professional authorized to prescribe drugs or any owner, manager, or employee of a health care facility, residential care facility, or nursing home;

(9) Has violated the terms of a consult agreement entered into pursuant to section 4729.39 of the Revised Code;

(10) Has committed fraud, misrepresentation, or deception in applying for or securing a license or identification card issued by the board under this chapter or under Chapter 3715. or 3719. of the Revised Code.

IF YOU DESIRE A HEARING, such request shall be mailed to the State Board of Pharmacy, 77 South High Street, Room 1702, Columbus, Ohio 43215-6126. YOUR REQUEST MUST BE IN WRITING, AND MUST BE RECEIVED IN THE OFFICE OF THE OHIO STATE BOARD OF PHARMACY ON OR PRIOR TO THE THIRTIETH (30TH) DAY FOLLOWING THE MAILING DATE OF THIS NOTICE. You may appear at such hearing in person, by your attorney, or by such other representative as is permitted to practice before the agency, or you may present your position, arguments or contentions in writing; and, at this hearing, you may also present evidence and examine any witnesses appearing for and against you.

YOU ARE FURTHER ADVISED that if there is no request for such a hearing received by the Board on or prior to the thirtieth (30th) day following the mailing of this notice, the Ohio State Board of Pharmacy, upon consideration of the aforementioned allegations against you, may take action without such a hearing.

Division (B) of Section 4729.16 of the Revised Code provides in pertinent part that: "Any individual whose identification card is revoked, suspended, or refused, shall return his identification card and certificate of registration to the offices of the state board of pharmacy within ten (10) days after receipt of notice of such action." The certificate and identification card should be forwarded by certified mail, return receipt requested.

BY ORDER OF THE STATE BOARD OF PHARMACY

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William T. Winsley, M.S., R.Ph.
Executive Director

WTW: (D-)

CERTIFIED MAIL / Return Receipt

cc: Sally Ann Steuk, Assistant Attorney General