

BEFORE THE BOARD OF PHARMACY
OF THE STATE OF IOWA

In the Matter of Pharmacist)
)
RODNEY J. LINDER,)
(License No.)
)
)
)
)

STIPULATION

WHEREAS, Rodney J. Linder, hereinafter referred to as the Licensee, has had certain allegations and charges filed against him in regards to conduct of his profession as a pharmacist; and,

WHEREAS, the Licensee has entered a plea of guilty to the aggravated misdemeanor offense of prohibited acts in violation of Section 204.402 of the Iowa Criminal Code; and,

WHEREAS, the Honorable Judge Lynne E. Brady, Iowa District Court for Linn County, has placed the Licensee on probation in accordance with an enrolled order deferring judgment on said charge until June 9, 1981;

IT IS MUTUALLY AGREED AND STIPULATED as follows between said Licensee and Pharmacy Board:

1. Defendant was previously charged with two criminal offenses in Linn County, Iowa which resulted from the obtaining and execution of an Administrative Inspection Warrant, the application for which was filed on behalf of the Board by Investigator James W. Reardon.
2. Upon the execution of said Administrative Inspection Warrant, it was determined that the Licensee had conducted his profession through his business, known as Linder Drug, 824 6th Street SW, Cedar Rapids, Iowa, in a manner which could cause his license as a pharmacist in the State of Iowa to be revoked or suspended.

3. The Licensee, as a result of the aforementioned charges, entered a plea of guilty Linn County Criminal No. AG 923 to the offense of prohibited acts in violation of Section 204.402 of the Iowa Criminal Code and as a result thereof, Defendant was placed on deferred judgment probation for a period of one year until June 9, 1981; said charge would additionally provide a basis upon which the Pharmacy Board could revoke or suspend the license of the Licensee.

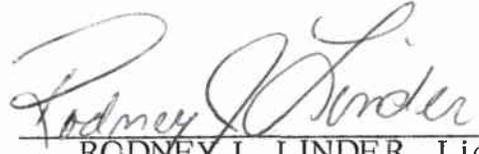
4. The Board of Pharmacy, by and through their Chairman, Susan Lutz, and the Licensee, by and through his counsel, Lowell H. Forte, have entered into discussions concerning an agreed upon disposition of this matter.

5. It is the purpose and intent of the parties hereto to waive all the provisions of Chapter 17A of the 1979 Code of Iowa as they relate to notice and hearing on the matter of revocation or suspension of the Licensee's license to be a pharmacist, and, to acknowledge that each are fully aware of their rights and the procedures afforded them through Chapter 17A of the 1979 Code of Iowa and the rules and regulations of the Board of Pharmacy promulgated in accordance and pursuant thereto, particularly Section 17A.12, as it relates to contested cases and provides for notice hearing and records, and Section 17A.18, as it relates to the requirements concerning notice of the suspension and revocation of licenses. It is the desire of the parties to enter an Order and Consent to Order in regards to the suspension of Licensee's license, and each mutually consent to the entry of same.

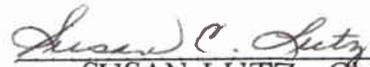
6. It is the understanding of both parties that they will enter into an Order and Consent to Order which will provide for the suspension of Rodney J. Linder's license as a professional pharmacist, for the period of one year, effective July 1, 1980 until June 30, 1981, during which time he shall not

participate in the profession of or function as a pharmacist, and, at the end of one year, he shall be permitted to reapply for his license in accordance with the rules and regulations of the Board of Pharmacy and the laws of Iowa.

THE ABOVE AND FOREGOING CONSTITUTES THE FULL AND COMPLETE STIPULATION AND AGREEMENT OF THE PARTIES HERETO.



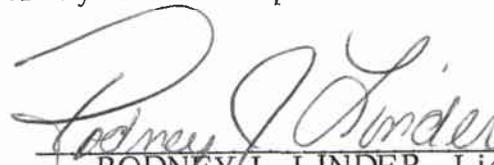
RODNEY J. LINDER, Licensee



SUSAN LUTZ, Chairperson
Board of Pharmacy, State of Iowa

STATE OF IOWA)
) ss:
COUNTY OF LINN)

I, Rodney J. Linder, first being duly sworn on oath, do depose and state that I am the Licensee in the above referred to matter and that I have read the above and foregoing Stipulation prepared with my knowledge and consent and state that the allegations and statements of facts contained therein are true and correct as I verily believe and reaffirm the purpose of said Stipulation is specifically to achieve an informed mutual consent waiving the provisions of the Iowa Administrative Code as it appears in Chapter 17A of the Code of Iowa so as I might enter into an Order and Consent to Order in regards to the suspension of my license to practice as a Pharmacist.



RODNEY J. LINDER, Licensee

Subscribed and sworn to before me this 23 day of Sept.,
1980 by Rodney J. Linder.



NOTARY PUBLIC IN AND FOR THE
STATE OF IOWA

STATE OF IOWA)
) ss:
COUNTY OF POLK)

I, Susan Lutz, first being duly sworn on oath, do depose and state that I am the Chairperson of the Board of Pharmacy, State of Iowa, and that I have read the above and foregoing Stipulation prepared with my knowledge and consent and state that the allegations and statement of facts contained therein are true and correct as I verily believe and reaffirm the purpose of said Stipulation is specifically to achieve an informal mutual consent waiving the provisions of the Iowa Administrative Code as it appears in Chapter 17A of the Code of Iowa so as I might enter into an Order and Consent to Order in regards to the suspension of Rodney Linder's license to practice as a Pharmacist.

Susan Lutz
SUSAN LUTZ, Chairperson

Subscribed and sworn to before me this 24th day of September,
1980 by Susan Lutz.

Phyllis R. Knop
NOTARY PUBLIC IN AND FOR THE STATE OF IOWA

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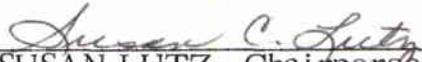
ORDER AND CONSENT TO ORDER

The Board of Pharmacy, State of Iowa, having been advised of the allegations that Rodney J. Linder has conducted his profession as a Pharmacist in a manner which could cause his license to practice pharmacy in the State of Iowa to be revoked or suspended, and the Board of Pharmacy, through its Chairperson, and said Rodney J. Linder, as Licensee, having entered into a Stipulation representing their mutual informed consent as to the waiver of the provisions found in the Iowa Administrative Code appearing at Chapter 17A, particularly Section 17A.12 and Section 17A.18, Code of Iowa, 1979, in regards to notice and hearing, the parties to this action agree to an informal settlement of this matter, namely that the license of Rodney J. Linder be suspended for a period of one year, effective retroactively to July 1, 1980, and continuing until June 30, 1981, and that he be permitted to reapply for his license at the conclusion of said period of suspension.

ORDER

IT IS THEREFORE ORDERED subject to Rodney J. Linder's consent, to be contained herein to this Order, the license of Rodney J. Linder to act as a Pharmacist in the State of Iowa is hereby suspended for one year

from July 1, 1980 until June 30, 1981 and at the conclusion of said period of time, Rodney J. Linder, shall be permitted to reapply for such license.



SUSAN LUTZ, Chairperson
Board of Pharmacy, State of Iowa

Date: September 24, 1980

CONSENT TO ORDER

I, Rodney J. Linder, hereby consent to the Order above set forth, waive my right to a hearing in this matter, and thereby specifically waive a right to confrontation, cross - examination of witnesses, production of evidence, making of a record and judicial review.



RODNEY J. LINDER, Licensee

DATE: SEPTEMBER 23, 1980