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State of New Jersey

Fred DeVesa
Attorney General

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF VETERINARY MEDICAL EXAMINERS

EMMA N. BYRNE
DIRECTOR

LOCATION:

124 HALSEY STREET, 6TH FLOOR
NEWARK, NJ 07102
(201) 504-8500

MAILING ADDRESS:

P.O. BOX 45020
NEWARK, NJ 07101

December 1, 1993

Dr. Bernard M. Weiner
Livingston Animal Hospital
619 W. Mt. Pleasant Avenue
Livingston, NJ 07039

Re: Case #92-126
Ann Braun

Dear Dr. Weiner:

Please be advised that its meeting on November 17, 1993 the Board determined that a fine of \$1,000.00 plus costs be imposed for your failure to render proper veterinary care to Sadie Braun in violation of 13:44-2.10. Specifically, the Board found that you failed to:

1. provide proper emergency care to the animal's wounds;
2. initiate proper treatment for shock; and
3. perform a radiological examination.

The costs in this matter are \$404.40 bringing the penalty plus costs to a total of \$1,404.40.

You are hereby afforded the opportunity to dispose of this matter without a hearing and without recourse to litigation by executing the attached form and returning it to the board within 10 days together with your remittance made payable to the Board of Veterinary Medical Examiners in the amount of \$1,404.40.

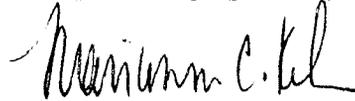
If you wish a hearing in this matter, you may request same within 10 days of the date of this letter. At the time of hearing, you may appear with counsel of your choice and with witnesses and documentary evidence. If no request for a hearing is received within the period stated above, the Board will make its determination on the evidence in the record and will take such action as may be allowed by law.

If you request a hearing, the Board will not be bound to the terms stated in this letter, and may, after presentation and evaluation of all the evidence presented, impose any of the

sanctions contained in N.J.S.A. 45:1-22 which include revocation or suspension of licensure, and assessment of penalties up to \$2,500 per violation. You should also be aware that the Board may assess civil penalties in an amount greater than that herein offered in settlement. Additionally, the Board may, if the facts warrant, enter an order requiring the restoration of any monies acquired by unlawful acts, the payment of all costs involved in this matter and may direct that you cease and desist from the continued practice of acts found to be unlawful by the Board.

If you do not reply to this letter within the required ten day period, then the Board may assess additional penalties pursuant to N.J.S.A. 45:1-21, based on the fact that you have failed to respond to official Board correspondence.

Very truly yours,



Marianne C. Kehoe
Executive Director

MCK/pc

ATTACHMENT

_____ I, Bernard Weiner, hereby admit to the violation of N.J.A.C. 13:44-2.10 and remit herewith a certified check or money-order in the amount of \$1,404.40.

_____ I admit to the violation of N.J.A.C. 13:44-2.10 but wish to submit a written explanation to the Board to use as a mitigating factor in determining a final civil penalty.

_____ I am not guilty of this violation and request an administrative hearing on this matter.

Signature

Date



State of New Jersey

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DIVISION OF CONSUMER AFFAIRS
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James F. Mulvihill
Assistant Attorney General
In Charge

ROBERT J. DEL TUFO
ATTORNEY GENERAL

LOCATION:

124 HALSEY STREET, 8TH FLOOR
NEWARK, NJ 07102
(201) 504-6500

MAILING ADDRESS:

P.O. BOX 45020
NEWARK, NJ 07101

July 6, 1994

Bernard M. Weiner, D.V.M.
Livingston Animal Hospital
619 W. Mt. Pleasant Avenue
Livingston, NJ 07039

Dear Dr. Weiner:

This will acknowledge receipt of your final payment of \$204.40 in connectin with the Ann Braun complaint against you. This resolves this matter and the Board thanks you for your cooperation.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Marianne C. Kehoe".

Marianne C. Kehoe
Executive Director

MCK:pv

cc: Scott Arons, Esq.
Brenda Talbot Lewis, Esq.