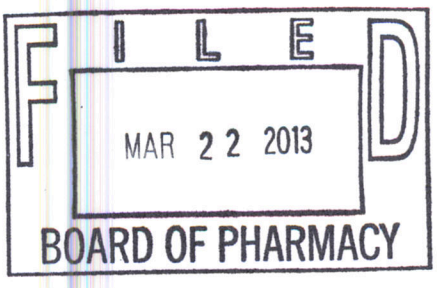
#95566



JEFFREY CHIESA
ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street- 5th Floor
P.O. Box 45029
Newark, New Jersey 07101

By: Kim D. Ringler
Deputy Attorney General
Tel. No. (973) 648-4741

STATE BOARD OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF PHARMACY

IN THE MATTER OF THE PERMIT OF

MedPrep Consulting Inc.
Permit No.28RS00615400

TO OPERATE AS A PHARMACY
IN THE STATE OF NEW JERSEY

Administrative Action

Second Voluntary Interim Consent Order

This matter was opened to the New Jersey State Board of Pharmacy (hereinafter the "Board") on March 15, 2013, upon receipt of information from MedPrep Consulting, Inc., a pharmacy located at 1540 West Park Avenue, Suite 5, Tinton Falls(hereinafter "the Pharmacy"), that it voluntarily recalled all magnesium sulfate products compounded at its facility. It subsequently expanded the recall to include all of its products. The recall resulted from the Pharmacy being notified by Yale New Haven Hospital that it observed visible

particulate contaminants in 50 ml bags of magnesium sulfate intravenous solution belonging to unique and distinct lots compounded and dispensed by the Pharmacy only to Yale New Haven Hospital. As of this date, no injuries or illness attributable to the contamination has been reported.

The parties entered into a Voluntary Interim Consent Order filed March 15, 2013 in which the Pharmacy agreed to refrain from and stop all pharmacy operations through the close of business on Friday, March 22, 2013. The Order provided that upon voluntary consent or application of the Attorney General, the terms could be extended for an additional period of time. The Order is attached hereto and incorporated by reference into this Second Voluntary Interim Order.

The Pharmacy has voluntarily refrained from engaging in compounding activities since March 15, 2013. The root cause of the contamination remains under investigation. Numerous samples of various compounded products and their components are presently undergoing testing. Testing has not yet been completed.

The parties, having agreed to entry of this Second Voluntary Interim Order without further formal proceedings, and the Pharmacy, having agreed and given voluntary consent to the within order and waiving any right to a hearing at this time, and the Board finding the within disposition adequately protective of the public health, safety, and welfare, and other good cause having been shown;

IT IS THEREFORE on this 22 day of March, 2013,

ORDERED AND AGREED that

1. The Pharmacy shall continue to refrain from and stop all pharmacy operations through the close of business on Friday, April 5, 2013. Pharmacy operations include, but are not limited to: compounding and mailing, dispensing, distributing and delivering in any manner, legend drugs or devices or controlled substances, and participation in any and all central prescription handling arrangements.

2. The Pharmacy may resume operations for the limited purposes of allowing monitored observation of its operation by State or Federal entities investigating this matter.

3. The Pharmacy shall provide to the Board copies of all documents produced to the U.S. Food and Drug Administration within 48 hours of any such production.

4. The Pharmacy shall submit to the Board on an ongoing basis all test results and certifications within 48 hours of receipt.

5. The Pharmacy may file an application before the Board or a committee thereof for modification of the terms of this Order or relief from its terms prior to April 5, 2013. The application must be supported by new evidence including but not limited to scientific test results, consultant and laboratory reports, and any additional relevant documentation which demonstrates that a resumption of Pharmacy operations would not pose a risk to the public health, safety or welfare. The Board agrees to provide the Pharmacy with an

opportunity to present evidence to the Board within two business days of the filing of the Pharmacy application.

6. This Consent Order is not and shall not be construed to be a disciplinary action or sanction of any kind, nor as an admission of liability or wrongdoing by the Pharmacy.

7. The entry of the within Order is without prejudice to the further investigation and/or prosecution by the Board, the Attorney General or any other regulatory or law enforcement agency of any violations by the Pharmacy of any statutes or regulations governing the practice of pharmacy in the State or any violations of law, including but not limited to any pending matters under investigation.

8. The terms of this consent order may be extended beyond Friday, April 5, 2013 upon voluntary consent of the parties or upon application of the Attorney General.

NEW JERSEY STATE BOARD OF PHARMACY

By: Edward G. McGinley RPh

Edward G. McGinley, R.Ph.
President

I have read the within Order and understand it. I agree to be bound by its terms and hereby consent to it being entered by the New Jersey Board of Pharmacy.

Gerry Tighe, President
on behalf of and duly authorized
by MedPrep Consulting, Inc.

Dated: 3/22/2013

Consent as to form and
entry of this Order

WILENTZ GOLDMAN & SPITZER

By: Satish Poondi, Esq.
Counsel for MedPrep Consulting, Inc.

Dated: 3/22/2013