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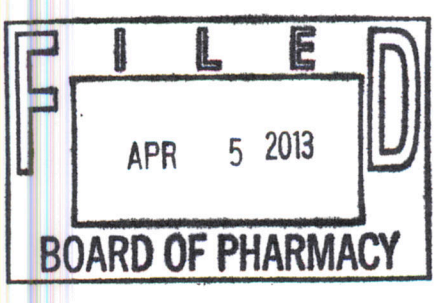

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STATE BOARD OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF PHARMACY

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

Third Voluntary Interim Consent Order Extending Time

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 on March 15, 2013 it voluntarily recalled all magnesium sulfate products compounded at its facility. On March 17, 2013, it 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.

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 March 22, 2013. A Second Voluntary Interim Order incorporated the first order by reference and extended the time period through April 5, 2013.

The parties now incorporate the Second Voluntary Interim Order into this Third Voluntary Interim Consent Order Extending Time giving the terms full force and effect and extending those terms through April 12, 2013 or until further Order of the Board with the understanding that the Pharmacy will be afforded an opportunity to present evidence to a Committee of the Board beginning Wednesday, April 10, 2013 or as soon thereafter as practicable and that the Attorney General will schedule its expert to testify on or about Friday, April 12, 2013.

The parties, having agreed to entry of this Third Voluntary Interim Consent Order Extending Time 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 ___ day of April, 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 12, 2013 4/5/13 ~~and until further Order of the Board.~~ 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. 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.

6. 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.

7. The terms of this consent order may be extended beyond Friday, April 12, 2013 upon voluntary consent of the parties or upon application of the Attorney General.

NEW JERSEY STATE BOARD OF PHARMACY

By: _____
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.

_____ Dated: 4/5/13
Gerry Tighe, President
on behalf of and duly authorized
by MedPrep Consulting, Inc.

Consent as to form and entry of this Order

WILENTZ GOLDMAN & SPITZER

_____ Dated: 4/5/2013
By: Satish Poondi, Esq.
Counsel for MedPrep Consulting, Inc.

protective of the public health, safety, and welfare, and other good cause having been shown;

IT IS THEREFORE on this 5th day of April, 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 12, 2013 ~~and until further Order of the Board~~ 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.

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5. 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.

6. 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.

7. The terms of this consent order may be extended beyond Friday, April 12, 2013 upon voluntary consent of the parties or upon application of the Attorney General.

NEW JERSEY STATE BOARD OF PHARMACY

By: Edward G. McGinley
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: 4/5/13

Consent as to form and
entry of this Order

WILENTZ GOLDMAN & SPITZER

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

Dated: 4/5/2013