CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
State Board of Dentistry
124 Halsey Street, 6th Floor, Newark, NJ 07102

VIA CERTIFIED (RRR) AND REGULAR MAIL

ROBERT LOUGY
Acting Attorney General

STEVE C. LEE
Acting Director

Mailing Address:
P.O. Box 45005
Newark, NJ 07101
(973) 504-6405

June 8, 2016

RECEIVED AND FILED
WITH THE
N.J. BOARD OF DENTISTRY
ON 7-6-16 DA

Todd Gottlieb, D.M.D.
C/o Pamela Mandel, Esq.
Mandel & Mandel
45 Essex Street, Suite 200
Millburn, NJ 07041

Re: Settlement Letter in Lieu of Formal Disciplinary Proceedings in Complaints:
101751 - Patient C.W.

Dear Dr. Gottlieb:

The New Jersey State Board of Dentistry completed its review of information concerning the above captioned complainant. Specifically, the information reviewed included the patient's complaint and your response, including patient treatment and financial records, and other office records, and a transcript of your appearance before the Board on February 17, 2016.

Based upon its review, it appears that the root canal on tooth #3 was not performed adequately and you failed to adequately document the fact that the root canal was 3 millimeters short on the fill in the patient's chart. You have indicated that the patient was asymptomatic when she returned to the office after the root canal. In addition, you were not truthful in responding to the Board that you had no opportunity advise the patient and refer her to an endodontist once you became aware that there could be a problem with the root canal since the patient returned subsequent to the inadequate root canal.

The Board is offering you an opportunity to settle this matter and to avoid the initiation of formal disciplinary proceedings if you agree to

1. Pay a civil penalty in the total amount of $5,000, to include a $4,000 penalty for repeated acts of negligence, and $1,000 for inadequate record keeping

If you are willing to settle this matter on these terms, please sign the acknowledgment at the bottom of this letter, and return it to the Board office. The penalty should be paid by a check or money order payable to the "State of New Jersey." You should be aware that upon receipt of your signed acknowledgment, this letter will be a matter of public record.

In the event you are unwilling to settle this matter on the offered terms, it will be referred to the Attorney General's office for the initiation of an appropriate enforcement action. In such event, you will be afforded an opportunity to defend against the alleged violations. If an evidentiary hearing is deemed warranted, the Board will either conduct that hearing at a date and

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time to be scheduled or refer the matter to the Office of Administrative Law. You are advised, however, that in the event formal charges are filed, the Board may assess civil penalties in an amount greater than those offered in settlement here, in addition to other sanctions, should any charges against you be sustained. Additionally, the Board may, if the facts are found to so warrant, enter an order requiring you to reimburse certain monies and/or requiring you to pay the additional costs incurred by the Board. Should you have any questions concerning this letter or the settlement offer, I suggest that you contact Deputy Attorney General Nancy Costello Miller, who may be reached at (973) 648-2500.

If you elect to settle this matter, you should sign the acknowledgment at the bottom of this letter and return it to the Board within fifteen (15) days following your receipt of this letter. In the event that the Board receives no response from you within fifteen (15) days, the Board's settlement offer will be withdrawn, and the matter will be referred to the Attorney General's Office for the initiation of appropriate enforcement proceedings.

Sincerely,
NEW JERSEY STATE BOARD OF DENTISTRY

Jonathan Eisenmenger
Executive Director

cc: Nancy Costello Miller, Deputy Attorney General

ACKNOWLEDGMENT: I, Todd M. Gottlieb, D.M.D., have read and reviewed the settlement proposal set forth in this settlement letter. I am aware that I have the right to dispute the charges, and to request a hearing. It is my desire to resolve this matter amicably, and without formal proceedings. I am aware that by signing this acknowledgment, I am waiving any rights I may have to defend myself against any charges of wrongdoing at an administrative hearing. I am also aware that the action taken against me by the Board is a matter of public record, and that this letter is a public document. I agree to:

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1. Pay a civil penalty in the total amount of $5,000, to include a $4,000 penalty for repeated acts of negligence, and $1,000 for inadequate record keeping

6/23/16
Date

Todd M. Gottlieb, D.M.D.